

Agenda Item# 6



DEPARTMENT OF BUSINESS AND INDUSTRY
NEVADA TRANSPORTATION AUTHORITY

WebEx and Teleconferencing Instructions

This meeting can be accessed via the video conference link or teleconference number below.

Please note your device must have microphone capabilities in order to participate in the web conference.

Video Conference Link Instructions for Agenda Meeting on April 8, 2021:

Open a browser on your computer and type in the following URL:

<https://businessnv2.webex.com>

At the Join A Meeting screen, enter the following in the grey area labeled Enter meeting information: **187 195 9072**

The next screen will ask for a password. Type in the following: **jD5xAhNF49F**

If your device does not have the Cisco Application (App) WebEx Meeting installed, you will be prompted to download the App at this time. If so, download the app and follow the instructions. You may be asked to provide your name and email address.

Teleconference Call Instructions:

On your cell phone or desk phone dial the following toll-free number:

1-844-621-3956

Next you will be asked for an access code or meeting number. Punch in the following: **187 195 9072**

At the next prompt push the # sign to be placed in the meeting.

Below are the instructions for use throughout the meeting.

1. Keep your phone or microphone muted until called upon by the coordinator.
2. If joining by phone, you will mute and unmute yourself by pressing star six (*6) and you will state the following information:
 - a. Your first and last name.
 - b. The name of your company, if applicable.
 - c. Your item number on the agenda.
3. For all comments, please do the following to let us know you wish to speak:
 - a. By web, raise your hand in the participant box.
 - b. By phone, press star three (*3).
 - c. Wait to be recognized by the coordinator before unmuting your phone/mic to speak.
 - d. State your name as you begin your comments for the record.

STATE OF NEVADA



DAWN GIBBONS
Chairman

GEORGE ASSAD
Commissioner

DAVID NEWTON
Commissioner

DEPARTMENT OF BUSINESS AND INDUSTRY
NEVADA TRANSPORTATION AUTHORITY

This Meeting Notice and Agenda posted for public inspection in the following locations:

Clark County Court House, 200 Lewis Avenue, Las Vegas, NV 89101
Washoe County Court House, 75 Court Street Reno, NV 89501
Nevada State Library & Archives, 100 North Stewart Street Carson City, NV 89701
Grant Sawyer Building, 555 East Washington Avenue Las Vegas, NV 89101
Department of Business & Industry, 3300 West Sahara Avenue, Suite 425, Las Vegas, NV 89102
Department of Business & Industry, 1830 College Parkway Suite 100 Carson City, NV 89703
Legislative Counsel Bureau of Nevada, 401 South Carson Street Carson City NV 89701
Nevada Transportation Authority, 3300 West Sahara Avenue, Suite 200, Las Vegas, NV 89102
Nevada Transportation Authority, 1755 East Plumb Lane, Suite 229, Reno, NV 89502
Nevada Transportation Authority website: <http://www.nta.nv.gov>

MEETING NOTICE AND AGENDA

This is a notice of a duly authorized general session of the Nevada Transportation Authority scheduled for **Thursday, April 8, 2021 at 9:30 am (Items 1 through 88)**. Due to the expected lengthy duration of the general session, coupled with the limited capacity of the Authority's facilities, the Authority will hear **Items 89 through 111 commencing at 1:15 pm**, preceded and followed by additional public comment periods.

Pursuant to Governor Sisolak's Declaration of Emergency Directive 006, the Reno and Las Vegas offices of the NTA will not be open to the public during this meeting. The public can attend the meeting via WebEx or via telephone. Public comment will be accepted by either mode of attendance as indicated on the agenda below. Supporting materials for the meeting are available on the NTA's website by clicking on the "Attachments" link for the scheduled meeting, http://nta.nv.gov/About/Meetings/2021/2021_Mtg/ or by contacting Gary Mathews, Nevada Transportation Authority, 3300 West Sahara Ave., Suite #200, Las Vegas, Nevada 89102, (702) 486-8722, gary.mathews@nta.nv.gov

WEBEX LINK: <https://businessnv2.webex.com>

DIAL IN NUMBER: 1-844-621-3956

THURSDAY, APRIL 8, 2021 MEETING ACCESS CODE: 187 195 9072

THURSDAY, APRIL 8, 2021 MEETING PASSWORD: jD5xAhNF49F

PUBLIC NOTICE: Pursuant to Section 1 of the Declaration of Emergency Directive 006 ("Directive 006"), the requirement contained in NRS 241.023(1)(b) that there be a physical location designated for meetings of public bodies where members of the public are permitted to attend and participate has been suspended. Moreover, pursuant to Section 3 of Directive 006, the requirements contained in

NRS 241.020(4)(a) that public notice agendas be posted at physical locations within the State of Nevada has likewise been suspended. See, <http://gov.nv.gov/uploadedFiles/govnewnv.gov/Content/News/EmergencyOrders/2020/DeclarationofEmergencyDirective006reOML3-21-20.pdf>

The above Declaration of Emergency Directive 006 was extended to July 31, 2020 per Declaration of Emergency Directive 026 Section 3. See, <http://gov.nv.gov/News/EmergencyOrders/2020/2020-06-29- COVID-19 Declaration of Emergency Directive 026/>

The above Declaration of Emergency Directive 026 shall remain in effect for the duration of the current state of emergency, unless terminated prior to that date by a subsequent directive or by operation of law per Declaration of Emergency Directive 029 Section 4. See, <http://gov.nv.gov/News/EmergencyOrders/2020/2020-07-31- COVID-19 Declaration of Emergency Directive 029/>

Members of the public may attend the meeting via WebEx or telephone. During the agenda participants will listen for their designated item number to be called and follow the instructions given at the meeting to comment.

AGENDA

- 1. Call to Order**
- 2. Roll Call**
- 3. Pledge of Allegiance**
- 4. WebEx Instructions**
- 5. Public Comment** – Members of the public are invited to comment on items on the meeting agenda or on items not contained therein. No action may be taken on a matter raised during public comment until the matter itself has been specifically included on an agenda as an item for possible action.
- 6. Approval of Agenda – *FOR POSSIBLE ACTION***
- 7. Approval of the Minutes of the March 4, 2021 Agenda Meeting – *FOR POSSIBLE ACTION***
- 8. Briefings from the Commissioners**
- 9. Briefing from the Deputy Commissioner**
- 10. Report of Legal Counsel**

///

///

///

ADMINISTRATIVE CITATIONS AND IMPOUNDMENTS

Please note that items 11 through 40 below may be voted on in a block unless a party to the matter requests an item number be pulled for consideration.

11. **Citation 22264** issued to Bell Trans for violation of NRS 706.462 (5 counts). (DG) – ***FOR POSSIBLE ACTION***
12. **Citation 22401** issued to Michael C. Costello for a violation of NAC 706.2473 ref. 49 CFR 396.17. (DG) – ***FOR POSSIBLE ACTION***
13. **Citation 20921** issued to Trimont Land Company for violation of NAC 706.13775(2). (DG) – ***FOR POSSIBLE ACTION***
14. **Citation 23102 and Impounds I-4206 and I-4221** The impoundment pursuant to NRS 706.476 for vehicles registered to and Citation 23102 issued to Justin Wright for violation of NRS 706.386 and NRS 706.758. (DG) – ***FOR POSSIBLE ACTION***
15. **Citations 23202 and 23203** issued to Alltrust Movers/Dmytro Goloschapov for violations of NRS 706.386 and NRS 706.758. (DG) – ***FOR POSSIBLE ACTION***
16. **Citation 21453** issued to Capitol Cab Company for violation of NAC 706.3751. (GA) – ***FOR POSSIBLE ACTION***
17. **Citation 21809** issued to Exotic Transportation, LLC d/b/a Elite Transportation for violation of NRS 706.463 and NAC 706.381. (GA) – ***FOR POSSIBLE ACTION***
18. **Citation 21810** issued to Coleman World Group, LLC d/b/a Coleman American Moving Services, Inc. for violation of NAC 706.311. (GA) – ***FOR POSSIBLE ACTION***
19. **Citation 22195** issued to NV Transportation, LLC d/b/a Rockstar Transportation for a violation of NAC 706.2473 ref. 49 CFR 391.51. (GA) – ***FOR POSSIBLE ACTION***
20. **Citation 22196** issued to Lee Williams for a violation of NAC 706.2473 ref. 49 CFR 391.41. (GA) – ***FOR POSSIBLE ACTION***
21. **Citation 22200** issued to St. George Executive Shuttle, LLC for violations of NAC 706.311 (3 counts) and NAC 706.360. (GA) – ***FOR POSSIBLE ACTION***
22. **Citation 22297** issued to Highroller Transportation, LLC for violation of NAC 706.360. (GA) – ***FOR POSSIBLE ACTION***
23. **Citation 22299** issued to Cars Plus Towing, LLC d/b/a A.L.V. Towing for violation of NAC 706.311 and NAC 706.420. (GA) – ***FOR POSSIBLE ACTION***
24. **Citation 22352** issued to Andrade's Towing, LLC for violation of NAC 706.206. (GA) – ***FOR POSSIBLE ACTION***
25. **Citations 22378 and 22379** issued to Celebrity Coaches for violations of NAC 706.191, NAC 706.1045 and NAC 706.206. (GA) – ***FOR POSSIBLE ACTION***

26. **Citation 22413** issued to ARB Las Vegas, a Nevada Corp. d/b/a Las Vegas Towing for violation of NRS 706.451. (GA) – **FOR POSSIBLE ACTION**
27. **Citation 22414** issued to Taylor Towing, LLC for violations of NAC 706.2473 ref. 49 CFR 396.17 and NAC 706.356. (GA) – **FOR POSSIBLE ACTION**
28. **Citations 22429 and 22430 and Impound I-3868** The impoundment pursuant to NRS 706.476 of a vehicle registered to and Citations 22429 and 22430 issued to Bright Ajona for violations of NRS 706.386 and NRS 706A.280. (GA) – **FOR POSSIBLE ACTION**
29. **Citation 23053** issued to Douglas Freimarck for a violation of NRS 706.386. (GA) – **FOR POSSIBLE ACTION**
30. **Citation 23054** issued to Derrick Moore for violation of NAC 706.329 and NAC 706.376.11. (GA) – **FOR POSSIBLE ACTION**
31. **Citation 23055** issued to Theresa Ayrea for violation of NAC 706.3754. (GA) – **FOR POSSIBLE ACTION**
32. **Citation 23101 and Impounds I-4219 and I-4220** The impoundment pursuant to NRS 706.476 for vehicles registered to and Citation 23101 issued to Alex Jensen for violation of NRS 706.386 and NRS 706.758. (GA) – **FOR POSSIBLE ACTION**
33. **Citation 23204** issued to Angel Figueroa-Polanco for violation of NAC 706.1378. (GA) – **FOR POSSIBLE ACTION**
34. **Citation 23205** issued to Nevada Towing for a violation of NAC 706.360. (GA) – **FOR POSSIBLE ACTION**
35. **Citation 23207** issued to Anthony Lee Luz for a violation of NAC 706.1378. (GA) – **FOR POSSIBLE ACTION**
36. **Impound I-4205** The impoundment pursuant to NRS 706.476 of a vehicle registered to Delta Limousine Services, LLC. (GA) – **FOR POSSIBLE ACTION**
37. **Citation 21968** issued to Dinora Pineda Ardon for violations of NRS 706.386 and NRS 706.758. (DN) – **FOR POSSIBLE ACTION**
38. **Citations 22407 and 22409** issued to Edgar Perez, LLC d/b/a Eddy's Towing for violations of NAC 706.4275 (32 counts), NAC 706.206 and NRS 706.398. (DN) – **FOR POSSIBLE ACTION**
39. **Citations 22451 and 22452 and Impound I-3874** The impoundment pursuant to NRS 706.476 of a vehicle registered to and Citations 22451 and 22452 issued to Cain Khoxayo for violations of NRS 706.386 and NRS 706A.280. (DN) – **FOR POSSIBLE ACTION**
40. **Impound I-3633** The impoundment pursuant to NRS 706.476 of a vehicle registered to Manuel De Jesus Pineda Ardon. (DN) – **FOR POSSIBLE ACTION**

///

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

41. **Docket 20-11006** The Application of Isnagas Brother, LLC d/b/a Isnagas Brother 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) – ***FOR POSSIBLE ACTION***
42. **Docket 20-11027** The Application of Dylan Towing, LLC d/b/a Dylan Towing 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) – ***FOR POSSIBLE ACTION***
43. **Docket 20-11032** The Application of Four Seasons Towing, LLC for an expansion of authority to provide consent and non-consent tow car service by tow car vehicle within the State of Nevada granted under CPCN 7443, Sub 1. Staff investigation concluded. (DN) – ***FOR POSSIBLE ACTION***
44. **Docket 20-11036** The Application of Eagle Ridge Capital, LLC a Series of Eagle Ridge Capital, LLC d/b/a DeanMark Roadside Assistance 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. (GA) – ***FOR POSSIBLE ACTION***
45. **Docket 20-12002** The Application of Go & Go Towing and Transports, LLC 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. (DN) – ***FOR POSSIBLE ACTION***
46. **Docket 20-12004** The Application of Orozco Towing, LLC 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) – ***FOR POSSIBLE ACTION***
47. **Docket 20-12022** The Application for expansion of authority of Roadside Diesel Repair, Inc. d/b/a RDR Towing seeking an expansion of authority to provide consent and non-consent tow car service by tow car vehicle within the State of Nevada granted under CPCN 7445. Staff investigation concluded. (DN) – ***FOR POSSIBLE ACTION***
48. **Docket 20-12031** The Application of Motorcycle Towing Near Me, LLC d/b/a Motorcycle Towing Near Me 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) – ***FOR POSSIBLE ACTION***

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

49. **Dockets 20-02027 and 20-02028** The Joint Applications of Armando Rios for authority to sell and transfer and Benjamin Mazal to purchase and acquire 30% and 20%, respectively, of BB Express, LLC, a carrier authorized to provide charter bus service within the State of Nevada granted under CPCN 2241. Staff investigation concluded. (DN) – ***FOR POSSIBLE ACTION***
50. **Docket 20-09032** The Application of Vegas One Transportation, LLC d/b/a Strip VIP 1 for a certificate of public convenience and necessity to provide charter bus service within the State of Nevada. Staff investigation concluded. (GA) – ***FOR POSSIBLE ACTION***

REQUEST FOR TEMPORARY DISCONTINUANCE

Please note that items 51 through 54 below may be voted on in a block unless a party to the matter requests an item number be pulled for consideration.

- 51. Docket 21-02014** The temporary discontinuance from February 10, 2021, through April 30, 2021 of consent-only tow car service provided by My Auto Service, LLC d/b/a My Auto Service under CPCN 7295. This requires retroactive approval. Staff investigation concluded. – ***FOR POSSIBLE ACTION***
- 52. Docket 21-02016** The temporary discontinuance from February 17, 2021, through May 17, 2021 of charter bus service provided by Celebrity Coaches, a Series of Platinum LV Transportation, LLC d/b/a Celebrity Coaches under CPCN 2105, Sub 1. This requires retroactive approval. Staff investigation concluded. – ***FOR POSSIBLE ACTION***
- 53. Docket 21-03004** The temporary discontinuance from March 1, 2021, through August 28, 2021 of household goods moving service provided by Erik McKissick d/b/a Active Movers under CPCN 3347. This requires retroactive approval. Staff investigation concluded. – ***FOR POSSIBLE ACTION***
- 54. Docket 21-03014** The temporary discontinuance from March 10, 2021, through April 10, 2021 of charter bus service provided by MNM, LLC d/b/a FT, Fabulous, Fabulous Transport, Fabulous Transportation, Fabulous Transportations under CPCN 2224, Sub 1, and extended to one year from start date pursuant to deviation granted under Docket 21-02008. This requires retroactive approval. Staff investigation concluded. – ***FOR POSSIBLE ACTION***

REQUEST TO EXTEND TEMPORARY DISCONTINUANCE

Please note that items 55 through 71 below may be voted on in a block unless a party to the matter requests an item number be pulled for consideration.

- 55. Docket 20-03014** The request to extend temporary discontinuance from March 11, 2021 through September 11, 2021, of charter bus services provided by Las Vegas Transportation and Tours, LLC, d/b/a LVTT under CPCN 2268, and extended to one year from start date pursuant to deviation granted under Docket 21-02008. Staff investigation concluded. – ***FOR POSSIBLE ACTION***
- 56. Docket 20-03021** The request to extend temporary discontinuance from March 18, 2021 through September 18, 2021, of charter bus services provided by R & R Transportation, LLC under CPCN 2264, and extended to one year from start date pursuant to deviation granted under Docket 21-02008. Staff investigation concluded. – ***FOR POSSIBLE ACTION***
- 57. Docket 20-03022** The request to extend temporary discontinuance from March 18, 2021 through September 18, 2021, of contract services provided by Portofino Tours Service, Inc. d/b/a SEEUSATOURS under MV 6142, Sub 1, and extended to one year from start date pursuant to deviation granted under Docket 21-02008. Staff investigation concluded. – ***FOR POSSIBLE ACTION***

58. **Docket 20-03029** The request to extend temporary discontinuance from March 23, 2021 through September 22, 2021, of charter limousine services provided by Cosmo, Inc, under CPCN 1107, and extended to one year from start date pursuant to deviation granted under Docket 21-02008. Staff investigation concluded. – **FOR POSSIBLE ACTION**
59. **Docket 20-03030** The request to extend temporary discontinuance from March 23, 2021 through September 22, 2021, of charter bus services provided by Cosmo, Inc, under CPCN 2075, Sub 1, and extended to one year from start date pursuant to deviation granted under Docket 21-02008. Staff investigation concluded. – **FOR POSSIBLE ACTION**
60. **Docket 20-04005** The request to extend temporary discontinuance from March 18, 2021 through September 18, 2021, of charter bus services provided by Eagle Transportation, LLC under CPCN 2150 and extended to one year from start date pursuant to deviation granted under Docket 21-02008. Staff investigation concluded. – **FOR POSSIBLE ACTION**
61. **Docket 20-04007** The request to extend temporary discontinuance from March 18, 2021 through September 18, 2021, of charter bus services provided by Del Sur Transportation, LLC under CPCN 2267, and extended to one year from start date pursuant to deviation granted under Docket 21-02008. Staff investigation concluded. – **FOR POSSIBLE ACTION**
62. **Docket 20-04016** The request to extend temporary discontinuance from April 13, 2021 through October 13, 2021, of charter limousine services provided by National Transportation Services Inc. d/b/a NTS under CPCN 1081, Sub 1, and extended to one year from start date pursuant to deviation granted under Docket 21-02008. Staff investigation concluded. – **FOR POSSIBLE ACTION**
63. **Docket 20-04017** The request to extend temporary discontinuance from April 13, 2021 through October 13, 2021, of charter bus services provided by National Transportation Services, Inc. d/b/a NTS, under CPCN 2092, and extended to one year from start date pursuant to deviation granted under Docket 21-02008. Staff investigation concluded. – **FOR POSSIBLE ACTION**
64. **Docket 20-04022** The request to extend temporary discontinuance from April 1, 2021 through October 1, 2021, of charter bus services provided by Candottie, LLC d/b/a Priority VIP Transportation, under CPCN 2266, and extended to one year from start date pursuant to deviation granted under Docket 21-02008. Staff investigation concluded. – **FOR POSSIBLE ACTION**
65. **Docket 20-04034** The request to extend temporary discontinuance from March 18, 2021 through September 18, 2021, of charter bus services provided by AKT, LLC d/b/a AKT under CPCN 2261, and extended to one year from start date pursuant to deviation granted under Docket 21-02008. Staff investigation concluded. – **FOR POSSIBLE ACTION**

///

///

66. **Docket 20-05012** The request to extend temporary discontinuance from March 18, 2021 through September 18, 2021, of charter bus services provided by Annie Bananie Charters, Inc. under CPCN 2214, and extended to one year from start date pursuant to deviation granted under Docket 21-02008. Staff investigation concluded. – ***FOR POSSIBLE ACTION***
67. **Docket 20-05018** The request to extend temporary discontinuance from March 18, 2021 through September 18, 2021, of charter bus services provided by LVAM, LLC, under CPCN 2200, Sub 1, and extended to one year from start date pursuant to deviation granted under Docket 21-02008. Staff investigation concluded. – ***FOR POSSIBLE ACTION***
68. **Docket 20-05022** The request to extend temporary discontinuance from February 18, 2021 through September 18, 2021, of taxicab services provided by Ignacio Garijo d/b/a Winnemucca Cab Company under CPCN 1009, and extended to one year from start date pursuant to deviation granted under Docket 21-02008. This requires retroactive approval. Staff investigation concluded. – ***FOR POSSIBLE ACTION***
69. **Docket 20-08015** The request to extend temporary discontinuance from February 16, 2021 through August 15, 2021, of contract carrier services provided by DCT Express, Inc. d/b/a DCT Express, under Contract Carrier Permit MV 6156, and extended to one year from start date pursuant to deviation granted under Docket 21-02008. Staff investigation concluded. – ***FOR POSSIBLE ACTION***
70. **Docket 20-09022** The request to extend temporary discontinuance from March 16, 2021 through September 16, 2021, of charter bus services provided by Johnny’s Express, Inc. under CPCN 2181 Sub 2, and extended to one year from start date pursuant to deviation granted under Docket 21-02008. Staff investigation concluded. – ***FOR POSSIBLE ACTION***
71. **Docket 20-10018** The request to extend temporary discontinuance from March 10, 2021 through September 10, 2021, of tow car services provided by A & K Towing and Recovery, Inc. under CPCN 7300, Sub 1, and extended to one year from start date pursuant to deviation granted under Docket 21-02008. Staff investigation concluded. – ***FOR POSSIBLE ACTION***

REQUEST TO EXTEND COMPLIANCE PERIOD

72. **Docket 19-07021** The motion to extend the compliance period to March 4, 2022 for the application of City on the Side, LLC Staff investigation concluded. – ***FOR POSSIBLE ACTION***

VOLUNTARY CANCELLATIONS

73. **Docket 21-01011** The voluntary cancellation of Vegas Valley Towing, LLC, CPCN 7192, Sub 5. Staff investigation concluded. – ***FOR POSSIBLE ACTION***

///

///

NAME CHANGES

- 74. Docket 21-01018** The Petition of J & N Enterprises, LLC d/b/a Silver State Towing of Northern Nevada for approval to add a fictitious firm name to do business as Silver State Towing for services provided under CPCN 7183, Sub 1. Staff investigation concluded. – ***FOR POSSIBLE ACTION***
- 75. Docket 21-02002** The Petition of Karo Transportation, LLC d/b/a Crown Las Vegas for approval to change their fictitious firm name to do business as LV Limo Coach for services provided under CPCN 2177. Staff investigation concluded. – ***FOR POSSIBLE ACTION***

APPLICATIONS FOR WAREHOUSE PERMITS

- 76. Docket 20-12018** The Application of Sin City BJ, LLC d/b/a Zippy Shell of Las Vegas, Zippy Shell for a Warehouse Permit. Staff investigation concluded. – ***FOR POSSIBLE ACTION***

ADVISORY OPINION

- 77. Docket 21-02007** The request for advisory opinion of Lyft, Inc. regarding NAC 706A.320 – compensation for services of driver. - ***FOR POSSIBLE ACTION***
- 78. Docket 21-03019** The request for advisory opinion of Western Trails Charters & Tours, LLC d/b/a St. George Express, Salt Lake Express as to what constitutes intrastate vs. interstate charter bus transportation. Staff investigation concluded. - ***FOR POSSIBLE ACTION***

PETITION TO CONDUCT PILOT PROGRAM

- 79. Docket 21-03003** Kaptyn Nevada LLC's Petition to Conduct Pilot Program for Fleet Management Services to Uber Technologies. Staff investigation concluded. - ***FOR POSSIBLE ACTION***

PETITION TO DEVIATE FROM REGULATION

- 80. Docket 21-03016** The Petition to deviate from Regulation NAC 706.3753 for taxicab leases of Reno Cab Company, Inc. d/b/a Reno-Sparks Cab Company under CPCN 1025, Sub 1. Staff investigation concluded. – ***FOR POSSIBLE ACTION***
- 81. Docket 21-03017** The Petition to deviate from Regulation NAC 706.3753 for taxicab leases of Yellow Cab of Reno, Inc. d/b/a Star Taxi, Deluxe Taxi, and Yellow Cab under CPCN 1014, Sub 2. Staff investigation concluded. – ***FOR POSSIBLE ACTION***
- 82. Docket 21-03018** The Petition to deviate from Regulation NAC 706.3753 for taxicab leases of Roy L. Street d/b/a Capitol Cab Company under CPCN 2445, Sub 4. Staff investigation concluded. – ***FOR POSSIBLE ACTION***

///

///

///

FINANCIAL RATES AND TARIFFS

83. **Docket 21-02006** The Applications of Medical Transport Company, LLC d/b/a MTC operated by Medical Transport LV, a Series of Medical Transport Company USA, LLC for final approval of a tariff rate modification for services conducted under CPCN 1112, Sub 3. Staff investigation concluded. – ***FOR POSSIBLE ACTION***
84. **Docket 21-02009** The Applications of Baumbach Enterprises, LLC d/b/a Milne Towing for approval of a tariff rate modification for services conducted under CPCN 8003, Sub 6. Staff investigation concluded. – ***FOR POSSIBLE ACTION***
85. **Docket 21-02015** The Applications of Red Carpet Moving, Inc. d/b/a Red Carpet Moving for approval of a tariff rate modification for services conducted under CPCN 3339. Staff investigation concluded. – ***FOR POSSIBLE ACTION***
86. **Docket 21-03005** The Applications of Bell Trans, A Nevada Corporation d/b/a Bell Trans, Bell Limousine for final approval of a tariff rate modification for services conducted under CPCN 1023, Sub 2. Staff investigation concluded. – ***FOR POSSIBLE ACTION***
87. **Docket 21-03013** The Applications of Esteban's Corporation d/b/a The Shop Towing for approval of a tariff rate modification for services conducted under CPCN 7107, Sub 4. Staff investigation concluded. – ***FOR POSSIBLE ACTION***
88. **Public Comment** – Members of the public are invited to comment on items on the meeting agenda or on items not contained therein. No action may be taken on a matter raised during public comment until the matter itself has been specifically included on an agenda as an item for possible action.

1:15 PM AFTERNOON SESSION

89. **WebEx Instructions**
90. **Public Comment** – Members of the public are invited to comment on items on the meeting agenda or on items not contained therein. No action may be taken on a matter raised during public comment until the matter itself has been specifically included on an agenda as an item for possible action.

PETITIONS FOR RECONSIDERATION

91. **Docket 20-12029** Petition for Reconsideration from Vanessa Jacobsen of Citation 21398. *Item tabled from previous two (2) sessions* – ***FOR POSSIBLE ACTION***
92. **Docket 21-01006** Petition for Reconsideration from U.S. Party Bus, LLC d/b/a U.S. Party Bus for reconsideration of revocation of CPCN 2218. *Item tabled from previous session* – ***FOR POSSIBLE ACTION***

///

///

APPLICATIONS FOR FULLY REGULATED CARRIERS

- 93. Docket 20-10039** The status check of the applications of Platinum LV Transportation, LLC six series LLCs, Celebrity Coaches CPCN 2015, Bell Limo CPCN 1217, Airport Mini Bus CPCN 2350, Mammoth Limousine CPCN 1105, Platinum LV Transportation CPCN 2166, Whittlesea Checker Taxi CPCN 2118, for interim authority for the temporary transfer of operating rights while the Applications are pending, and the 60 day extension on the initial 60 day requirement to file the applications. Staff investigation concluded. (DN) – ***FOR POSSIBLE ACTION***
- 94. Docket 20-12015** The Joint Application of Vegas VIP Limousine, LLC d/b/a Vegas VIP Limousine for authority to sell and transfer and Vegas Sky Limousine, LLC d/b/a Sky Limo to purchase and acquire the authority to provide charter limousine service within the State of Nevada granted under CPCN 1109, Sub 1. Staff investigation concluded. (DG) – ***FOR POSSIBLE ACTION***
- 95. Docket 21-03021** The Request of Western Trails Charters & Tours, LLC d/b/a St. George Express, Salt Lake Express for final interim approval for authority to provide airport transfer, and special services, to include regular route and irregular route transportation, utilizing ADA compliant livery limousines and buses. Staff investigation concluded. (DG) - ***FOR POSSIBLE ACTION***

APPLICATIONS FOR DRIVER PERMITS

(Closed sessions may be held for items 96 through 109 to consider character, alleged misconduct, professional competence, and physical or mental health pursuant to NRS 241.030.)

- 96. Permit 11744** The Authority will determine whether to grant the application of Timothy Van Norman for issuance of a driver's permit pursuant to NRS 706.462. (FTA) Staff investigation concluded. – ***FOR POSSIBLE ACTION***
- 97. Permit 11770** The Authority will determine whether to grant the application of Kalaneti Peni for issuance of a driver's permit pursuant to NRS 706.462. (FTA) Staff investigation concluded. – ***FOR POSSIBLE ACTION***
- 98. Permit 11790** The Authority will determine whether to grant the application of Jovanny Acuna-Martinez for issuance of a driver's permit pursuant to NRS 706.462. (FTA) Staff investigation concluded. – ***FOR POSSIBLE ACTION***
- 99. Permit 11719** The Authority will determine whether to grant the application of Blake Franzman for issuance of a driver's permit pursuant to NRS 706.462. (FTA) Staff investigation concluded. – ***FOR POSSIBLE ACTION***
- 100. Permit 10464** The Authority will determine whether to grant the application of Kaedon Tucker-Dillon for issuance of a driver's permit pursuant to NRS 706.462. (FTA) Staff investigation concluded. – ***FOR POSSIBLE ACTION***
- 101. Permit 5798** The Authority will determine whether to grant the application of Benyam Tesfaye for issuance of a driver's permit pursuant to NRS 706.462. (FTA) Staff investigation concluded. – ***FOR POSSIBLE ACTION***

- 102. Permit 5886** The Authority will determine whether to grant the application of Thomas Marshalewski for issuance of a driver's permit pursuant to NRS 706.462. Staff investigation concluded. – ***FOR POSSIBLE ACTION***
- 103. Permit 11965** The Authority will determine whether to grant the application of Zachary Foore for issuance of a driver's permit pursuant to NRS 706.462. Staff investigation concluded. – ***FOR POSSIBLE ACTION***
- 104. Permit 11507** The Authority will determine whether to grant the application of Bobby Wayment for issuance of a driver's permit pursuant to NRS 706.462. Staff investigation concluded. – ***FOR POSSIBLE ACTION***
- 105. Permit 11994** The Authority will determine whether to grant the application of Jacob Cooper for issuance of a driver's permit pursuant to NRS 706.462. Staff investigation concluded. – ***FOR POSSIBLE ACTION***
- 106. Permit 11772** The Authority will determine whether to grant the application of Anthony Luz for issuance of a driver's permit pursuant to NRS 706.462. Staff investigation concluded. – ***FOR POSSIBLE ACTION***
- 107. Permit 11859** The Authority will determine whether to grant the application of Huey Stanley for issuance of a driver's permit pursuant to NRS 706.462. Staff investigation concluded. – ***FOR POSSIBLE ACTION***
- 108. Permit 11708** The Authority will determine whether to grant the application of Dawn Floyd for issuance of a driver's permit pursuant to NRS 706.462. Staff investigation concluded. – ***FOR POSSIBLE ACTION***
- 109. Permit 11907** The Authority will determine whether to grant the application of Ziyao Zhang for issuance of a driver's permit pursuant to NRS 706.462. Staff investigation concluded. – ***FOR POSSIBLE ACTION***
- 110. Public Comment** – Members of the public are invited to comment on items on the meeting agenda or on items not contained therein. No action may be taken on a matter raised during public comment until the matter itself has been specifically included on an agenda as an item for possible action.

111. Adjournment

In accordance with Nevada's Open Meeting Law, the Authority may consider agenda items taken out of order. The Authority may combine two or more agenda items for consideration. The Authority may remove an item from the agenda or delay discussion relating to an item on the agenda at any time. The Authority may continue the meeting as deemed necessary. The Authority, at its discretion, may take public comment during times other than the designated Public Comment agenda items. The Authority reserves the right to limit public comment to three minutes. Comment may not be restricted based on viewpoint.

Note: The Nevada Transportation Authority (NTA) is pleased to make reasonable accommodations and will assist and accommodate people with a disability who wish to attend its meetings and hearings. If special arrangements are necessary, please contact the NTA in Las Vegas at (702) 486-3303 or in Reno at (775) 688-2800 as far in advance of the meeting or hearing as possible.

Agenda Item#

7

STATE OF NEVADA



DAWN GIBBONS
Chairman

GEORGE ASSAD
Commissioner

DAVID NEWTON
Commissioner

DEPARTMENT OF BUSINESS AND INDUSTRY
NEVADA TRANSPORTATION AUTHORITY

MINUTES OF THE March 4, 2021 GENERAL SESSION

WEBEX LINK: <https://businessnv2.webex.com>

DIAL IN NUMBER: 1-844-621-3956

THURSDAY, MARCH 4, 2021 MEETING ACCESS CODE: 187 173 5637

THURSDAY, MARCH 4, 2021 MEETING PASSWORD: PFmVfhXM527

PUBLIC NOTICE: Pursuant to Section 1 of the Declaration of Emergency Directive 006 ("Directive 006"), the requirement contained in NRS 241.023(1)(b) that there be a physical location designated for meetings of public bodies where members of the public are permitted to attend and participate has been suspended. Moreover, pursuant to Section 3 of Directive 006, the requirements contained in NRS 241.020(4)(a) that public notice agendas be posted at physical locations within the State of Nevada has likewise been suspended. See, <http://gov.nv.gov/uploadedFiles/govnewnv.gov/Content/News/EmergencyOrders/2020/DeclarationofEmergencyDirective006reOML3-21-20.pdf>

The above Declaration of Emergency Directive 006 was extended to July 31, 2020 per Declaration of Emergency Directive 026 Section 3. See, http://gov.nv.gov/News/EmergencyOrders/2020/2020-06-29_-_COVID-19_Declaration_of_Emergency_Directive_026/

The above Declaration of Emergency Directive 026 shall remain in effect for the duration of the current state of emergency, unless terminated prior to that date by a subsequent directive or by operation of law per Declaration of Emergency Directive 029 Section 4. See, http://gov.nv.gov/News/EmergencyOrders/2020/2020-07-31_-_COVID-19_Declaration_of_Emergency_Directive_029/

AGENDA

1. Call to Order

Chairman Dawn Gibbons called the meeting to order at 9:35 a.m.

2. Roll Call

Present: Chairman Dawn Gibbons, Commissioner George Assad, Commissioner David Newton, Administrative Attorney Gary Matthews, Applications Manager Liz Babcock, Financial Analyst Yvonne Shelton, Financial Analyst Paul Servello, Chief of Enforcement Jeremy Jones, Deputy Attorney General Louis Csoka

3. Pledge of Allegiance

Applications Manager Liz Babcock led a recital of the pledge.

4. WebEx Instructions

IT Professional Jeffrey Berry read directions for participation in the Webex meeting.

5. Public Comment

none

6. Approval of Agenda

Applications Manager Liz Babcock requested Items 59, 64, 83 be removed from consideration, that Item 38 be moved to the afternoon to be considered with Item 82 and that Item 61 move to the afternoon session. Approved as modified 3-0

7. Approval of the Minutes of the January 28, 2021 Agenda Meeting

Approved 3-0

8. Approval of the Minutes of the January 28, 2021 Regulation Adoption Meeting Docket No. 20-11012

Approved 3-0

9. Briefings from the Commissioners

Commissioner Assad thanked staff for the preparation of today's agenda and mentioned several staff members by name. Commissioner Newton echoed Commissioner Assad's comments and thanked staff and carriers for their willingness to adapt to the changes over the past year due to COVID closures and restrictions.

10. Briefing from the Deputy Commissioner

None

11. Report of Legal Counsel

Deputy Attorney General Csoka stated nothing new to report.

ADMINISTRATIVE CITATIONS AND IMPOUNDMENTS

*Items 12 through 26, with the exception of Items 12, 16 and 23, were considered collectively.
Approved 3-0*

12. Citation 22264 issued to Bell Trans for violation of NRS 706.462 (5 counts) (DG)

Kimberly Maxson-Rushton, Esp. requested the item be tabled to the next agenda. Approved 3-0

13. Citation 22271 issued to Roger Fischer for a violation of NRS 706.462. (DG)

14. Citation 22272 issued to John Collopy for a violation of NRS 706.462. (DG)

15. **Citation 22274** issued to Roy L. Street for a violation of NAC 706.2473 ref. 49 CFR 396.17 (2 counts). (DG)
16. **Citation 22275** issued to My Ride to Work, LLC for a violation of NAC 706.2473 ref. 49 CFR 396.17. (DG)
Scott Scherer, Esq. appeared on behalf of the Respondent. Approved 3-0
17. **Citation 22410** issued to Shannon Williams for a violation of NRS 706.462. (DG)
18. **Citations 21998, 21999 and Impound I-3866** The impoundment pursuant to NRS 706.476 of a vehicle registered to and Citations 21998 and 21999 issued to Tewodros B. Amberber for violations of NRS 706.386 and NRS 706A.280. (GA)
19. **Citation 22061 and Impound I-3872** The impoundment pursuant to NRS 706.476 of a vehicle registered to and Citation 22061 issued to Derrick Hargrett/Out the Mud Towing for violation of NRS 706.386 and NRS 706.758. (GA)
20. **Citation 22411** issued to Annie Bananies Wild West Tours, LLC for a violation of NRS 706.462. (GA)
21. **Citations 22426, 22427 and Impound I-3867** The impoundment pursuant to NRS 706.476 of a vehicle registered to and Citations 22426 and 22427 issued to Getachew Hailegiorgis for violations of NRS 706.386 and NRS 706A.280. (GA)
22. **Citation 23051** issued to Yellow Cab for violation of NAC 706.360. (GA)
23. **Citation 21452** issued to Blake Peterson for a violation of NRS 706.462. (DN)
Approved 3-0
24. **Citation 22197 and 22198** issued to United Moving Solutions, Inc. d/b/a United Moving Solutions for violations of NAC 706.2473 ref. 49 CFR 382.305, NAC 706.2473 ref. 49 CFR 382.301 (4 counts), NAC 706.2473 ref. 49 CFR 391.23 (4 counts) and NAC 706.311. (DN)
25. **Citation 22231** issued to Strip Limo, LLC for a violation of NRS 706.398 1(a). (DN)
26. **Citation 22298** issued to Prestige Transportation, LLC d/b/a Prestige Transportation for violation of NAC 706.360. (DN)

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

27. **Docket 20-08013** The Application of Up in the Attic, LLC d/b/a #1 Wolfpack Towing and Recovery for a certificate of public convenience and necessity to provide consent and non-consent tow car service by tow car vehicle within the State of Nevada. Staff investigation concluded. (GA)
Applications Manager Liz Babcock summarized the application and indicated staff support. Approved 3-0

- 28. Docket 20-08022** The Application of Nevada's Finest Towing, LLC 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. (GA)
Applications Manager Liz Babcock summarized the application and indicated staff support. Lucy Elias appeared on behalf of the Applicant. Approved 3-0
- 29. Docket 20-09018** The Application of Alonzo Towing, LLC 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. (GA)
Applications Manager Liz Babcock summarized the application and indicated staff support. Lucy Elias appeared on behalf of the Applicant. Approved 3-0
- 30. Docket 20-09019** The Application of STJ Towing, LLC 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. Lucy Elias appeared on behalf of the Applicant. Approved 3-0
- 31. Docket 20-10013** The Application of Reinier Towing, LLC 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. (GA)
Applications Manager Liz Babcock summarized the application and indicated staff support. Lucy Elias appeared on behalf of the Applicant. Approved 3-0
- 32. Docket 20-11007** The Application of D&VC Towing, LLC 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. (GA)
Applications Manager Liz Babcock summarized the application and indicated staff support. Lucy Elias appeared on behalf of the Applicant. Approved 3-0
- 33. Docket 20-11024** The Amended Request of Victory Towing, LLC for approval to use the electronic dispatch software system for tow car services provided by Victory Towing, LLC. Staff investigation concluded.
Applications Manager Liz Babcock summarized the request and indicated staff support. Erica Colas appeared on behalf of the carrier. Approved 3-0
- 34. Docket 20-11026** The Application of 7 Rays Transport & Towing, LLC 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. (GA)
Applications Manager Liz Babcock summarized the application and indicated staff support. Lucy Elias appeared on behalf of the Applicant. Approved 3-0

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

- 35. Docket 19-09025** The Application of Desert Run, LLC for a certificate of public convenience and necessity to provide charter bus service within the State of Nevada. Staff investigation concluded. (DG)

*Applications Manager Liz Babcock summarized the application and indicated staff support.
Approved 3-0*

- 36. Docket 20-01040** The Joint Application of Gerald R. Holst and Monika Donatoni for authority to sell and transfer and Futsum Beyene and Yirgalem Tewelde to purchase and acquire 100% of the stock of Starlight Limousine, Inc., d/b/a Luxurious Transportation Services, a carrier authorized to provide charter bus service within the State of Nevada granted under CPCN 2158, Sub 6. Staff investigation concluded. (GA)

*Applications Manager Liz Babcock summarized the application and indicated staff support.
Approved 3-0*

- 37. Docket 20-09005** The Application of Night Time Entertainment, LLC d/b/a NTE for a certificate of public convenience and necessity to provide charter bus service within the State of Nevada. Staff investigation concluded. (DG)

Applications Manager Liz Babcock summarized the application and indicated staff support. Approved 3-0

- 38. Docket 21-01027** The Joint Applications of 24/7 Entertainment, LLC d/b/a 24/7 Entertainment Limousines and 24/7 Limousines, LTD d/b/a 24/7 Limousines for final approval of interim authority for Temporary Transfers of Operating Rights Under CPCN 2073, Sub 1. Staff investigation concluded. (DG)

Item moved to the afternoon session and taken in consideration with Item 82.

DISCUSSION ITEM

- 39. Docket 21-02008 Staff's Request to Extend Temporary Discontinuance Under NAC 706.356 Subsection 4** to a period of one year from date of filing for new and extended temporary discontinuances based on COVID-19 Pandemic issues.

Applications Manager Liz Babcock detailed staff's request and the reasoning behind it. Motion to approve Staff's Request extending any COVID related Temporary Discontinuance Request under NAC 706.356 for up to one year and that this waiver of the 180 days will expire at the time the Governor terminates his emergency orders regarding the COVID-19 crisis. Approved 3-0

REQUEST FOR TEMPORARY DISCONTINUANCE

- 40. Docket 21-01007** The temporary discontinuance from January 1, 2021, through ~~June 30, 2021~~ *December 31, 2021* of charter limousine service provided by Desert Cab, Inc. d/b/a Odyssey Limousine under CPCN 1075, Sub 2. This requires retroactive approval. Staff investigation concluded.

Applications Manager Liz Babcock summarized the request and indicated staff support. Approved 3-0

- 41. Docket 21-01021** The temporary discontinuance from January 22, 2021, through ~~July 20, 2021~~ *January 22, 2022* of tow car service provided by Scott Towing and Transport, LLC under CPCN 7436. This requires retroactive approval. Staff investigation concluded.

Applications Manager Liz Babcock summarized the request and indicated staff support. Approved 3-0

- 42. Docket 21-02003** The temporary discontinuance from February 1, 2021, through ~~August 1, 2021~~ *January 31, 2022* of tow car service provided by Taylor Towing, LLC under CPCN 7403. This requires retroactive approval. Staff investigation concluded.
Applications Manager Liz Babcock summarized the request and indicated staff support. Approved 3-0

REQUEST TO EXTEND TEMPORARY DISCONTINUANCE

Items 43 through 57 were considered collectively. Approved 3-0

- 43. Docket 19-08004** The request to extend temporary discontinuance from January 25, 2021 through ~~July 25, 2021~~ *January 24, 2022* of tow car services provided by Towing Near Me, LLC d/b/a Towing Near Me, CPCN 7385, Sub1. Staff investigation concluded.
- 44. Docket 19-08033** The request to extend temporary discontinuance from February 5, 2021 through ~~August 5, 2021~~ *February 4, 2022*, of charter bus services provided by Platinum LV Transportation, a Series of Platinum LV Transportation LLC, d/b/a Platinum LV Transportation, CPCN 2166, Sub *This requires retroactive approval.* Staff investigation concluded.
- 45. Docket 20-02006** The request to extend temporary discontinuance from February 3, 2021 through August 3, 2021, of tow car services provided by Arrowhead Services, LLC, CPCN 7352. Staff investigation concluded.
- 46. Docket 20-02010** The request to extend temporary discontinuance from January 14, 2021 through June 14, 2021, of tow car services provided by Power Wheels Towing, LLC d/b/a Power Wheels Towing, CPCN 7396. Staff investigation concluded.
- 47. Docket 20-03017** The request to extend temporary discontinuance from March 16, 2021 through ~~September 16, 2021~~ *March 15, 2022*, of transportation services provided by CT &T Transportation, LLC d/b/a CT &T Transportation, CPCN 1058, Sub2. Staff investigation concluded.
- 48. Docket 20-03023** The request to extend temporary discontinuance from February 9, 2021 through ~~August 9, 2021~~ *February 8, 2022*, of charter bus services provided by In-Cahoots Events, LLC d/b/a Lil Pink Party Bus, CPCN 2161. Staff investigation concluded.
- 49. Docket 20-03028** The request to extend temporary discontinuance from March 11, 2021 through ~~September 11, 2021~~ *March 10, 2022*, of charter bus services provided by Nahoom, LLC d/b/a Anytime Party Bus, CPCN 2194. Staff investigation concluded.
- 50. Docket 20-04010** The request to extend temporary discontinuance from February 5, 2021 through ~~August 5, 2021~~ *February 4, 2022*, of charter limousine services provided by Mammoth Limousine, a Series of Platinum LV Transportation, LLC d/b/a Mammoth Limousine, d/b/a Metro Cars, CPCN 1105, Sub 3. Staff investigation concluded.

51. **Docket 20-04027** The request to extend temporary discontinuance from February 23, 2021 through ~~August 23, 2021~~ February 22, 2022, of charter bus services provided by Uthopia, LLC CPCN 2151, Sub 2. Staff investigation concluded.
52. **Docket 20-04033** The request to extend temporary discontinuance from October 17, 2020 through ~~April 30, 2021~~ October 16, 2021, of charter bus services provided by Alpha Transportations, LLC, CPCN 2230, Sub 1. This requires retroactive approval. Staff investigation concluded.
53. **Docket 20-07003** The request to extend temporary discontinuance from January 1, 2021 through ~~June 30, 2021~~ December 31, 2021, of charter bus services provided by World Crawl Transportation, LLC CPCN 2204. This requires retroactive approval. Staff investigation concluded.
54. **Docket 20-07007** The request to extend temporary discontinuance from February 10, 2021 through ~~August 10, 2021~~ February 9, 2022, of special service transportation only provided by Integrity Taxi, LLC CPCN 1121. ~~This requires retroactive approval.~~ Staff investigation concluded.
55. **Docket 20-07017** The request to extend temporary discontinuance from January 24, 2021 through ~~July 24, 2021~~ January 23, 2022, of charter bus services provided by Double Decker Bus Company of Las Vegas, LLC d/b/a Double Decker Bus Co., CPCN 2120. Staff investigation concluded.
56. **Docket 20-08020** The request to extend temporary discontinuance from February 20, 2021 through ~~August 20, 2021~~ February 19, 2022, of charter bus services provided by Start Express Transportation, LLC, CPCN 2208. Staff investigation concluded.
57. **Docket 20-10044** The request to extend temporary discontinuance from January 30, 2021 through July 30, 2021, of tow car services provided by C&J Development Enterprises d/b/a Custom Towing, CPCN 7061. Staff investigation concluded.

MOTION TO EXTEND COMPLIANCE PERIOD

58. **Docket 19-05001** The motion to extend the compliance period for 12 months to February 1, 2022 for the application of Adventures Charter, LLC. Staff investigation concluded.
Applications Manager Liz Babcock summarized the request and indicated staff support. Approved 3-0
59. **Docket 19-05020** The motion to extend the compliance period to April 21, 2021 for the application of American Transport, LLC d/b/a Royal Towing. Staff investigation concluded.
Item removed from Agenda prior to consideration.

///

///

///

///

VOLUNTARY CANCELLATIONS

- 60. Docket 21-01005** The voluntary cancellation of Lemar Towing, LLC d/b/a Lem-Ar Towing CPCN 7441. Staff investigation concluded.

Applications Manager Liz Babcock summarized the request and indicated staff support. Approved 3-0

PETITION TO DEVIATE FROM REGULATION

- 61. Docket 20-09020** The Petition to Deviate of Luxury Limousine of Las Vegas, LLC, CPCN 2248, Sub 1, to deviate from regulation NAC 706.379 and NAC 706.381. Staff investigation concluded. Tabled from prior general session.

Item moved to the afternoon session.

Applications Manager Liz Babcock indicated the Authority received a single page document yesterday which is being presented to the Commissioners today. Applications Manager Liz Babcock detailed the procedural history of the docket. Zev Kaplan, Esq appeared on behalf of the carrier and detailed the request and the reasoning behind the request. A brief discussion ensued. Approved 3-0

- 62. Docket 20-11017** The Petition for Relief seeking to Amend Prior Deviation from regulation NAC 706.228 granted to Abraham Limousine Service, Inc. CPCNs 1104, 1090, and 2159, to include Western Limousine Service, LLC CPCN 1054, Sub 3. Staff investigation concluded. Tabled from prior general session (GA)

Brent Carson, Esquire appeared on behalf of the carrier and requested the item be tabled to the next agenda. Request Approved 3-0

- 63. Docket 21-01003** The Petition to Deviate of Kaptyn Nevada, LLC, d/b/a Presidential Limousine CPCNs 1007, Sub 7, and 2119, Sub 3, for final approval to deviate from regulation NAC 706.170. Staff investigation concluded. (DN)

Kimberly Maxson-Rushton, Esquire appeared on behalf of the parties and detailed the request. Applications Manager Liz Babcock summarized the request and indicated staff support. Approved 3-0

- 64. Docket 21-02007** The Motion from Lyft, Inc. regarding NAC 706A.320 – compensation for services of driver.

Item removed from Agenda prior to consideration.

FINANCIAL RATES AND TARIFFS

- 65. Docket 21-01001** The Application of Astillita Productions, Inc. d/b/a Acme Moving Co. for final approval of a tariff rate modification for services conducted under CPCN 3362. Staff investigation concluded.

Financial Analyst Yvonne Shelton summarized the request and indicated staff support. Approved 3-0

- 66. Docket 21-01010** The Applications of Pink Jeep Tours Nevada, Inc. for final approval of a tariff rate modification for services conducted under CPCN 1078, Sub 3. Staff investigation concluded.
Kimberly Maxson-Rushton, Esq appeared on behalf of the carrier and detailed the request. Financial Analyst Yvonne Shelton summarized the request and indicated staff support. Approved 3-0
- 67. Docket 21-01015** The Applications of Warren's Moving, LLC d/b/a Warren's Moving for final approval of a tariff rate modification for services conducted under CPCN 3246, Sub 1. Staff investigation concluded.
Financial Analyst Yvonne Shelton summarized the request and indicated staff support. Approved 3-0
- 68. Docket 21-01019** The Applications of Reno Medical Transport, LLC d/b/a GMTCARE for final approval of a tariff rate modification for services conducted under CPCN 1143. Staff investigation concluded.
Brent Carson, Esq. appeared on behalf of the carrier. Financial Analyst Yvonne Shelton summarized the request and indicated staff support. Approved 3-0
- 69. Docket 21-01020** The Applications of GMTCARE, LLC for final approval of a tariff rate modification for services conducted under CPCN 1115, Sub 2. Staff investigation concluded.
Brent Carson, Esq. appeared on behalf of the carrier. Financial Analyst Yvonne Shelton summarized the request and indicated staff support. Approved 3-0
- 70. Public Comment**
none

1:15 PM AFTERNOON SESSION

- 71. WebEx Instructions**
IT Professional Jeffrey Berry read directions for participation in the Webex meeting.
- 72. Public Comment**
none

PETITIONS FOR RECONSIDERATION

- 73. Docket 20-12023-B** Petition for Reconsideration from Carson City Towing of Citation 21394.
Justin Townsend, Esquire appeared during the morning session and detailed the request. Item was considered during the afternoon session. Chris Holland, President, Carson City Towing, appeared and offered a statement regarding the hold harmless agreement they received in this particular matter. Petition denied 3-0
- 74. Docket 20-12029** Petition for Reconsideration from Vanessa Jacobsen of Citation 21398.
Vanessa Jacobsen did not appear. Management Analyst Hope DiBartolomeo detailed the debt owed. Item tabled to the next subsequent Agenda. Approved 3-0
- 75. Docket 21-01006** Petition for Reconsideration from U.S. Party Bus, LLC d/b/a U.S. Party Bus for reconsideration of revocation of CPCN 2218.
Yohanes Tegafaw did not appear. Item tabled to the next subsequent Agenda. Approved 3-0

- 76. Docket 21-01008** Petition for Reconsideration from Las Vegas Event Planners, LLC d/b/a A List Trans for reconsideration of revocation of CPCN 2186.1
Chris Balestrere appeared and detailed his request for reinstatement. Petition granted to reinstate CPCN 2186.1 with the carrier to file a Temporary Discontinuance and a Domicile Change Approved 3-0
- 77. Docket 21-01017** Petition for Reconsideration from Marcus Block for reconsideration of fines on Citation 17250.
Marcus Block appeared and detailed his request. Management Analyst Hope DiBartolomeo detailed the history of the debt owed. A discussion ensued. Motion for the total fine to be reduced to monies paid to date ,approximately \$950.00, the debt is to remain with SCO and Marcus Block to pay fees owed to SCO, Approved 3-0

APPLICATIONS FOR FULLY REGULATED CARRIERS

- 78. Docket 18-03017** The Temporary Transfer of Operating Rights of Strip Limousine Services, LLC d/b/a Strip Limo, d/b/a SLS Operated by Strip Limo, LLC granted under CPCN 1131, Sub 1, and the 45 day requirement for filing the sale and transfer application as a condition of the extension of the period for temporary transfer of operation rights for an additional nine (9) months. Staff investigation concluded. (DN)
Applications Manager Liz Babcock summarized the procedural history of the application and indicated the required Sale and Transfer application has not been filed. Brent Carson, Esq. requested an additional 30 days to file the Sale and Transfer. Item to be tabled to the next subsequent Agenda to allow for Sale and Transfer filing - Approved 3-0
- 79. Docket 19-08012** The Application for expansion of authority for Carevans Medical Transport Services, LLC d/b/a Carevans granted under CPCN 1117, Sub 1. Staff investigation concluded. (GA)
Commissioner Assad summarized the application hearings and the reasoning behind his recommendation for denial. Kimberly Maxson-Rushton, Esq. appeared on behalf of the Intervenors, offered a brief statement and asked for denial of the application. James Kent, Esq. appeared on behalf of the Applicants and offered a lengthy statement in opposition to the evidence presented during the hearing and in support of the expansion. Kimberly Maxson-Rushton, Esq. responded to the points Mr. Kent provided. Commissioner Assad's motion to deny the application fails without a second. Motion to approve the expansion 2-1 Commissioner Assad dissented
- 80. Docket 20-09014** The Application of Moving Up Enterprises, LLC d/b/a College Hunks Hauling Junk & Moving for a certificate of public convenience and necessity to operate as a household goods mover within Clark County, Nevada. Staff investigation concluded. (DG)
Applications Manager Liz Babcock summarized the application and indicated staff support. Robert Bethune appeared on behalf of the applicant. Approved 3-0
- 81. Docket 20-11031** The Application of Total Home Experience, LLC for a certificate of public convenience and necessity to operate as a household goods mover within the State of Nevada. Staff investigation concluded. (GA)
Applications Manager Liz Babcock summarized the application and indicated staff support. Kathleen Coombs appeared on behalf of the Applicant. Approved 3-0

- 82. Docket 21-01026** The Joint Applications of 24/7 Entertainment, LLC d/b/a 24/7 Entertainment Limousines and 24/7 Limousines, LTD d/b/a 24/7 Limousines for final approval of interim authority for Temporary Transfers of Operating Rights Under CPCN 1102. Staff investigation concluded. (DG) *Item 38 moved to the afternoon session and considered with Item 82.*
Applications Manager Liz Babcock summarized the application and indicated staff support.
Approved 3-0

APPLICATION FOR TRANSPORTATION NETWORK COMPANY PERMIT

- 83. Docket 20-10017** The Application of River North Transit, LLC d/b/a Via for a permit to operate as a transportation network company within the State of Nevada. Staff investigation concluded. Tabled from prior general session. (GA)
Item removed from Agenda prior to consideration.

ORDERS TO SHOW CAUSE

- 84. Docket 20-10032** Order to Show Cause issued to Voss Automotive Group, LLC d/b/a Rush in Towing as to why Certificate of Public Convenience and Necessity 7221 should not be revoked.
Applications Manager Liz Babcock detailed the procedural history of the docket.
CPCN revoked 3-0

APPLICATIONS TO DISMISS

- 85. Docket 18-11004** The Application of 360 Transportation, LLC d/b/a Vegas 360 Transportation for a CPCN to provide charter bus service within the State of Nevada. (GA) Deputy Commissioner's Motion to Dismiss Application.
Applications Manager Liz Babcock summarized the procedural history of the docket. Application dismissed 3-0
- 86. Docket 19-01006** The Application of Sebastian Moving Las Vegas, LLC d/b/a Sebastian Moving Las Vegas for a CPCN to provide household goods moving service within the State of Nevada. (DG) Deputy Commissioner's Motion to Dismiss Application.
Applications Manager Liz Babcock summarized the procedural history of the docket. Application dismissed 3-0
- 87. Docket 19-10035** The Application of Tryp Transportation, LLC for a CPCN to provide charter bus service within the State of Nevada. (DN) Deputy Commissioner's Motion to Dismiss Application.
Applications Manager Liz Babcock summarized the procedural history of the docket. Application dismissed 3-0
- 88. Public Comment**
none
- 89. Adjournment**
Meeting adjourned at 3:35p.m.

Agenda Item#

11

BEFORE THE NEVADA TRANSPORTATION AUTHORITY

In Re: Citation 22264 issued to Bell Trans for	)	Citation 22264
violation of NRS 706.462 (5 counts).)	
_____)	
)	

At a general session of the Nevada Transportation
Authority held on April 8, 2021.

PRESENT: Chairman Dawn Gibbons
Commissioner George Assad
Commissioner David Newton
Deputy Commissioner Jennifer De Rose

ORDER

On January 13, 2021, a hearing on the above-captioned matter was held before Chairman Dawn Gibbons, serving in her capacity as Hearing Officer for the Nevada Transportation Authority (“Authority”). The Respondent, Bell Trans, was present through their legal counsel, Kimberly Maxson-Rushton, Esq.

After hearing the allegations, the respective arguments, and having considered the evidence introduced by both parties and being fully advised, the Hearing Officer, pursuant to Nevada Administrative Code (“NAC”) 706.4015, prepared a proposed decision for review by the Authority. Based on that proposed decision, the Authority enters the following final order affirming the decision of the Hearing Officer. Under Nevada Revised Statutes (“NRS”) 706.151, the Authority has legal jurisdiction and authority over this matter.

At hearing, the parties knowingly and voluntarily stipulated and agreed as follows:

1. To withdraw three (3) counts of NRS 706.462 violations;
2. To admit into evidence the amended Citation 22264 and the related Investigation Report (marked as State’s Exhibit 1 and incorporated herein by reference) and that the facts as set forth therein were true and accurate;

3. That the Respondent's actions constituted violation of NRS 706.462 (2 counts) related to allowing a driver to provide passenger transportation without a valid driver permit; and
4. To waive the requirement that the Authority's final order contain formal Findings of Fact and Conclusions of Law as required under NRS 233B.125.

Authority Staff recommended the following fines and remedies:

1. That a fine be assessed in the amount of \$400.00 for each of the NRS 706.462 (2 counts) violations for a total fine of \$800.00; and
2. That the suspended fine of \$400.00 from prior Citation 19583 shall immediately become due and owing.

DISCUSSION

The Hearing Officer recommended to the Authority:

1. That the stipulations and agreements of the parties as set forth hereinabove be accepted;
2. That findings enter against the Respondent for violation of NRS 706.462 (2 counts);
3. That a fine in the amount of \$100.00 be assessed for each violation of NRS 706.462 for a total fine of \$200.00
4. That the suspended fine of \$400.00 from prior Citation 19583 shall immediately become due and owing.

ORDER

IT IS THEREFORE ORDERED, based on the foregoing:

1. That the recommendation of the Hearing Officer regarding Administrative Citation and Verified Complaint 22264, issued to Bell Trans for violation of NRS 706.465 (2 counts), is hereby AFFIRMED;
2. That the *total* fine for Citation Number 22264 shall be in the amount of Two Hundred Dollars and Zero Cents (\$200.00);

3. That the suspended fine of \$400.00 from prior Citation 19583 shall immediately become due and owing; and
4. That the Authority retains jurisdiction for correcting any errors that may have occurred in the drafting or issuance of this Order.

By the Authority,

Dawn Gibbons, Chairman

George Assad, Commissioner

David Newton, Commissioner

Attest: _____
Jennifer De Rose, Deputy Commissioner

Dated: _____
Las Vegas, Nevada

NOTICE: Pursuant to NRS 233B.130, any party to this matter aggrieved by the above final decision may file a petition for rehearing or reconsideration. A petition for rehearing or reconsideration must be filed with the Authority within 15 days after the date the party received this Order.

NOTICE: In accordance with NRS 706.4625 (5 COUNTS) and NAC 706.3751 (both recently amended, see Legislative Counsel Bureau File No. R111-10), you may be disqualified from driving taxicabs (outside of Clark County) or charter limousines (statewide) if you fail to pay a fine owed to the Authority, you fail to appear for a hearing on an administrative citation, and/or you are found in violation of the provisions of NRS 706 or NAC 706 more than five times within three years.

NOTICE: Pursuant to NRS 706.772 and NRS 706 483.441, you may have your driver's license suspended by the Nevada Department of Motor Vehicles if you fail to pay the full amount of the administrative fine and any other costs which are due to the Authority as a result of the above final Order.

Agenda Item#

12

BEFORE THE NEVADA TRANSPORTATION AUTHORITY

In re: Citation 22401 issued to Michael C. Costello)
for a violation of NAC 706.2473 ref. 49 CFR)
396.17.)
Citation 22401

At a general session of the Nevada Transportation
Authority held on April 8, 2021.

PRESENT: Chairman Dawn Gibbons
 Commissioner George Assad
 Commissioner David Newton
 Deputy Commissioner Jennifer De Rose

ORDER

On February 24, 2021, a hearing on the above-captioned matter was held before Chairman Dawn Gibbons, serving in her capacity as Hearing Officer for the Nevada Transportation Authority (“Authority”). The Respondent, Michael C. Costello was present through their Owner, Michael Costello. Mr. Costello elected to proceed without counsel.

After hearing the allegations, the respective arguments, and having considered the evidence introduced by both parties and being fully advised, the Hearing Officer, pursuant to Nevada Administrative Code (“NAC”) 706.4015, prepared a proposed decision for review by the Authority. Based on that proposed decision, the Authority enters the following final order affirming the decision of the Hearing Officer. Under Nevada Revised Statutes (“NRS”) 706.151, the Authority has legal jurisdiction and authority over this matter.

At hearing, the parties knowingly and voluntarily stipulated and agreed as follows:

1. To admit into evidence the Citation 22401 and the related Investigation Report (marked as State’s Exhibit 1 and incorporated herein by reference) and that the facts as set forth therein were true and accurate;

2. That the Respondent's actions constituted one violation of NAC 706.2473 ref. 49 CFR 396.17 related to failure to obtain annual vehicle inspection report for six (6) vehicles;
3. To a fine in the amount of \$600.00 for the NAC 706.2473 ref. 49 CFR 396.17 violation with \$500.00 of said fine amount suspended pending no further violation of NAC 706 or NRS 706 within one year and timely payment of the fine amount; and
4. To waive the requirement that the Authority's final order contain formal Findings of Fact and Conclusions of Law as required under NRS 233B.125.

DISCUSSION

The Hearing Officer recommended to the Authority:

1. That the stipulations and agreements of the parties as set forth hereinabove be accepted; and
2. That findings enter against the Respondent for violation of NAC 706.2473 ref. 49 CFR 396.17.

ORDER

IT IS THEREFORE ORDERED, based on the foregoing:

1. That the recommendation of the Hearing Officer for Administrative Citation and Verified Complaint 22401, issued to Michael C. Costello for violation of NAC 706.2473 ref. 49 CFR 396.17 is hereby AFFIRMED;
2. That the *total* fine for Citation 22401 shall be in the amount of Six Hundred Dollars and Zero Cents (\$600.00) with Five Hundred Dollars and Zero Cents (\$500.00) of said fine amount to be suspended pending no further NAC 706 or NRS 706 violations within one year and timely payment of the fine amount); and

///

///

3. That the Authority retains jurisdiction for correcting any errors that may have occurred in the drafting or issuance of this Order.

By the Authority,

Dawn Gibbons, Chairman

George Assad, Commissioner

David Newton, Commissioner

Attest: _____
Jennifer De Rose, Deputy Commissioner

Dated: _____
Las Vegas, Nevada

NOTICE: Pursuant to NRS 233B.130, any party to this matter aggrieved by the above final decision may file a petition for rehearing or reconsideration. A petition for rehearing or reconsideration must be filed with the Authority within 15 days after the date the party received this Order.

NOTICE: In accordance with NAC 706.229 and NAC 706.3751 (both recently amended, see Legislative Counsel Bureau File No. R111-10), you may be disqualified from driving taxicabs (outside of Clark County) or charter limousines (statewide) if you fail to pay a fine owed to the Authority, you fail to appear for a hearing on an administrative citation, and/or you are found in violation of the provisions of NRS 706 or NAC 706 more than five times within three years.

NOTICE: Pursuant to NRS 706.772 and NRS 706 483.441, you may have your driver's license suspended by the Nevada Department of Motor Vehicles if you fail to pay the full amount of the administrative fine and any other costs which are due to the Authority as a result of the above final Order.

Agenda Item#

13

BEFORE THE NEVADA TRANSPORTATION AUTHORITY

In Re: Citation 20921 issued to Trimont Land)	
Company for violation of NAC 706.13775(2).	)	Citation 20921
_____)	

At a general session of the Nevada Transportation
Authority held on April 8, 2021.

PRESENT: Chairman Dawn Gibbons
Commissioner George Assad
Commissioner David Newton
Deputy Commissioner Jennifer De Rose

ORDER

On February 24, 2021, a hearing on the above-captioned matter was held before Chairman Dawn Gibbons, serving in her capacity as Hearing Officer for the Nevada Transportation Authority (“Authority”). The Respondent, Trimont Land Company was present through their Transportation Manager, Hilda Vazquez. Ms. Vazquez elected to proceed without legal counsel.

After hearing the allegations, the respective arguments, and having considered the evidence introduced by both parties and being fully advised, the Hearing Officer, pursuant to Nevada Administrative Code (“NAC”) 706.4015, prepared a proposed decision for review by the Authority. Based on that proposed decision, the Authority enters the following final order affirming the decision of the Hearing Officer. Under Nevada Revised Statutes (“NRS”) 706.151, the Authority has legal jurisdiction and authority over this matter.

At hearing, the parties knowingly and voluntarily stipulated and agreed as follows:

1. To admit into evidence the Citation 20921 and the related Investigation Report (marked as State’s Exhibit 1 and incorporated herein by reference) and that the facts as set forth therein were true and accurate;

2. That the Respondent's actions constituted violation of NAC 706.13775(2) related to failure to have drivers apply for driver permits;
3. To a total fine in the amount of \$1,200.00 for the violation of NAC 706.13775(2) with \$1,000.00 of said fine amount suspended pending no further violations of NAC 706.13775(2) within one year and timely payment of the fine amount; and
4. To waive the requirement that the Authority's final order contain formal Findings of Fact and Conclusions of Law as required under NRS 233B.125.

DISCUSSION

The Hearing Officer recommended to the Authority:

1. That the stipulations and agreements of the parties as set forth hereinabove be accepted; and
2. That findings enter against the Respondent for violation of NAC 706.13775(2).

ORDER

IT IS THEREFORE ORDERED, based on the foregoing:

1. That the recommendation of the Hearing Officer for Administrative Citation and Verified Complaint 20921, issued to Trimont Land Company for violation of NAC 706.13775(2), is hereby AFFIRMED;
2. That the *total* fine for Citation 20921 shall be in the amount of One Thousand Two Hundred Dollars and Zero Cents (\$1,200.00), with One Thousand Dollars and Zero Cents (\$1,000.00) of said fine amount to be suspended pending no further violations of NAC 706.13775(2) within one year and timely payment of fine amount; and

///

///

///

3. That the Authority retains jurisdiction for correcting any errors that may have occurred in the drafting or issuance of this Order.

By the Authority,

Dawn Gibbons, Chairman

George Assad, Commissioner

David Newton, Commissioner

Attest: _____
Jennifer De Rose, Deputy Commissioner

Dated: _____
Las Vegas, Nevada

NOTICE: Pursuant to NRS 233B.130, any party to this matter aggrieved by the above final decision may file a petition for rehearing or reconsideration. A petition for rehearing or reconsideration must be filed with the Authority within 15 days after the date the party received this Order.

NOTICE: In accordance with NAC 706.229 and NAC 706.3751 (both recently amended, see Legislative Counsel Bureau File No. R111-10), you may be disqualified from driving taxicabs (outside of Clark County) or charter limousines (statewide) if you fail to pay a fine owed to the Authority, you fail to appear for a hearing on an administrative citation, and/or you are found in violation of the provisions of NRS 706 or NAC 706 more than five times within three years.

NOTICE: Pursuant to NRS 706.772 and NRS 706 483.441, you may have your driver's license suspended by the Nevada Department of Motor Vehicles if you fail to pay the full amount of the administrative fine and any other costs which are due to the Authority as a result of the above final Order.

Agenda Item#

14

BEFORE THE NEVADA TRANSPORTATION AUTHORITY

In Re: the impoundment pursuant to NRS 706.476 for)
vehicles registered to and Citation 23102 issued to)
Justin Wright for violation of NRS 706.386 and NRS)
706.758.)
_____)

Impounds 4206 and 4221 and
Citation 23102

At a general session of the Nevada Transportation
Authority held on April 8, 2021.

PRESENT: Chairman Dawn Gibbons
Commissioner George Assad
Commissioner David Newton
Deputy Commissioner Jennifer De Rose

ORDER

On February 25, 2021, a hearing on the above-captioned matters was held before Chairman Dawn Gibbons serving in her capacity as Hearing Officer for the Nevada Transportation Authority (“Authority”). The Respondent to Citation 23102 and registered owner of the impounded vehicles, Justin Wright, was present and elected to proceed without counsel.

After hearing the allegations, the respective arguments, and having considered the evidence introduced by both parties and being fully advised, the Hearing Officer, pursuant to Nevada Administrative Code (“NAC”) 706.4015, prepared a proposed decision for review by the Authority. Based on that proposed decision, the Authority enters the following final order affirming the decision of the Hearing Officer. Under Nevada Revised Statutes (“NRS”) 706.151, the Authority has legal jurisdiction and authority over this matter.

At hearing, the parties knowingly and voluntarily stipulated and agreed as follows:

1. To the admission of Citation 23102 and the Investigation Report for the Citation and related impounds into evidence (identified as State’s Exhibit 1 and incorporated herein by reference) and that the facts as set forth therein were true and accurate;

2. That Justin Wright is the registered owner of the impounded vehicles in this matter and was present at the hearing regarding said vehicles;
3. That the use of the vehicles in intrastate commerce without a certificate of public convenience and necessity ("CPCN") violated NRS 706.476 (2)(b)(2) and (3) in that:
 - a. No CPCN had been issued authorizing the use of the impounded vehicles in intrastate commerce for towing services; and
 - b. That the impounded vehicles did not meet all required standards of the Authority;
4. That no CPCN had been issued by the Authority authorizing the operations or advertising undertaken by the Respondent in this matter;
5. That the Respondent's actions constituted one violation of NRS 706.386 and NRS 706.758 as alleged and that the impoundment of the vehicles pursuant to NRS 706.476 was proper;
6. To fines in the amount of \$100.00 for Impound I-4221 and that no fine be assessed for Impound I-4206;
7. In the amount of \$2,500.00 for the NRS 706.386 violation with \$2,250.00 of said fine amount suspended pending no further violations of NRS 706 within one year and timely payment of the fine amount;
8. To a fine in the amount of \$1,000.00 for the NRS 706.758 violation with \$1,000.00 of said fine amount suspended pending no further NRS 706 violations within one year; and
9. To waive the requirement that the Authority's final order contain formal Findings of Fact and Conclusions of Law as required under NRS 233B.125.

DISCUSSION

The Hearing Officer recommended to the Authority:

1. That the stipulations and agreements of the parties as set forth hereinabove be accepted;
2. That the impoundment of the vehicles be deemed proper under NRS 706.476;

3. That findings enter against the Respondent for one violation of NRS 706.386, related to operating as a fully regulated carrier without authority and for one violation of NRS 706.758, relating to holding oneself out to the public via unlawful advertisement as able to provide services requiring a certificate of public convenience and necessity.

ORDER

IT IS THEREFORE ORDERED, based on the foregoing:

1. That the recommendation of the Hearing Officer with regard to the impoundment of the vehicles pursuant to NRS 706.476 is hereby AFFIRMED;
2. That the recommendation of the Hearing Officer for Administrative Citation and Verified Complaint 23102, issued to Justin Wright for violations of NRS 706.386 and NRS 706.758 is hereby AFFIRMED;
3. That with respect to Impound I-4221 a fine in the amount of One Hundred Dollars and Zero Cents (\$100.00) shall be assessed for the impoundment of the vehicle in this matter;
4. That with respect to Impound I-4206, no fine shall be assessed for the impoundment of the vehicle;
5. That the *total* fine for Citation 23102 shall be in the amount of Three Thousand Five Hundred Dollars and Zero Cents (\$3,500.00), with Three Thousand Two Hundred Fifty Dollars and Zero Cents (\$3,250.00) of said fine amount to be suspended pending no further NRS 706 violations within one year and timely payment of the fine amount;
6. That the Respondent is to immediately **CEASE AND DESIST** any and all use of the impounded vehicles in violation of the provisions of NRS 706;
7. That the Respondent is to immediately **CEASE AND DESIST** any and all operation in violation of NRS 706.386;

8. That pursuant to NRS 706.758, the Respondent is to **CEASE AND DESIST** the unlawful advertising; and
9. That the Authority retains jurisdiction for correcting any errors that may have occurred in the drafting or issuance of this Order.

By the Authority,

Dawn Gibbons, Chairman

George Assad, Commissioner

David Newton, Commissioner

Attest : _____
Jennifer De Rose, Deputy Commissioner

Dated: _____
Las Vegas, Nevada

NOTICE: Pursuant to NRS 233B.130, any party to this matter aggrieved by the above final decision may file a petition for rehearing or reconsideration. A petition for rehearing or reconsideration must be filed with the Authority within 15 days after the date the party received this Order.

NOTICE: In accordance with NAC 706.229 and NAC 706.3751 (both recently amended, see Legislative Counsel Bureau File No. R111-10), you may be disqualified from driving taxicabs (outside of Clark County) or cHareer limousines (statewide) if you fail to pay a fine owed to the Authority, you fail to appear for a hearing on an administrative citation, and/or you are found in violation of the provisions of NRS 706 or NAC 706 more than five times within three years.

NOTICE: Pursuant to NRS 706.772 and NRS 706 483.441, you may have your driver's license suspended by the Nevada Department of Motor Vehicles if you fail to pay the full amount of the administrative fine and any other costs which are due to the Authority as a result of the above final Order.

Agenda Item# 15

BEFORE THE NEVADA TRANSPORTATION AUTHORITY

In Re: Citations 23202 and 23203 issued to Alltrust)
Movers/Dmytro Goloschapov for violations of NRS)
706.386 and NRS 706.758.)

At a general session of the Nevada Transportation
Authority held on April 8, 2021.

PRESENT: Chairman Dawn Gibbons
 Commissioner George Assad
 Commissioner David Newton
 Deputy Commissioner Jennifer De Rose

ORDER

On February 24, 2021, a hearing on the above-captioned matter was held before Chairman Dawn Gibbons, serving in her capacity as Hearing Officer for the Nevada Transportation Authority (“Authority”). The Respondent, Alltrust Movers/Dmytro Goloschapov, was present and elected to proceed without legal counsel.

After hearing the allegations, the respective arguments, and having considered the evidence introduced by both parties and being fully advised, the Hearing Officer, pursuant to Nevada Administrative Code (“NAC”) 706.4015, prepared a proposed decision for review by the Authority. Based on that proposed decision, the Authority enters the following final order affirming the decision of the Hearing Officer. Under Nevada Revised Statutes (“NRS”) 706.151, the Authority has legal jurisdiction and authority over this matter.

At hearing, the parties knowingly and voluntarily stipulated and agreed as follows:

1. The parties agreed to withdraw the Citation 23202 issued to Alltrust Movers;
2. To the admission of Citation 23203 and the Investigation Report for the Citation into evidence (identified as State’s Exhibit 1 and incorporated herein by reference) and that the facts as set forth therein were true and accurate;

3. That no certificate of public convenience and necessity (“CPCN”) had been issued by the Authority authorizing the operations undertaken by the Respondents in this matter;
4. That the Respondent’s actions constituted violation of NRS 706.386 and NRS 706.758; and
5. To waive the requirement that the Authority’s final order contain formal Findings of Fact and Conclusions of Law as required under NRS 233B.125.

Authority Staff recommended the following fines and remedies:

1. A fine in the amount of \$10,000.00 for the NRS 706.386 violation and a fine in the amount of \$10,000.00 for the NRS 706.758 violation.

Respondent stated he was unaware of the CPCN requirement and that he requested a reduction in the fine amount.

DISCUSSION

The Hearing Officer recommended to the Authority:

1. That the stipulations and agreements of the parties as set forth hereinabove be accepted;
2. That findings enter against the Respondent for one violation of NRS 706.386, related to operating as a fully regulated carrier without authority and one violation of NRS 706.758, related to advertising the services of a fully regulated carrier without authority;
3. That a fine in the amount of \$10,000.00 be assessed for the NRS 706.386 violation and a fine in the amount of \$10,000.00 be assessed for the NRS 706.758 violation.

ORDER

IT IS THEREFORE ORDERED, based on the foregoing:

1. That the recommendation of the Hearing Officer regarding Administrative Citation and Verified Complaint 23203, issued to Dmytro Goloschapov for violation of NRS 706.386 and NRS 706.758, is hereby AFFIRMED;

2. That the *total* fine for Citation Number 23203 shall be in the amount of Twenty Thousand Dollars and Zero Cents (\$20,000.00);
3. That the Respondent is to immediately **CEASE AND DESIST** any and all operation in violation of NRS 706.386;
4. That pursuant to NRS 706.758, the Respondent is to immediately **CEASE AND DESIST** any unlawful advertising; and

///

///

///

///

///

///

///

///

///

///

///

///

///

///

///

///

///

///

5. That the Authority retains jurisdiction for correcting any errors that may have occurred in the drafting or issuance of this Order.

By the Authority,

Dawn Gibbons, Chairman

George Assad, Commissioner

David Newton, Commissioner

Attest: _____
Jennifer De Rose, Deputy Commissioner

Dated: _____
Las Vegas, Nevada

NOTICE: Pursuant to NRS 233B.130, any party to this matter aggrieved by the above final decision may file a petition for rehearing or reconsideration. A petition for rehearing or reconsideration must be filed with the Authority within 15 days after the date the party received this Order.

NOTICE: In accordance with NAC 706.229 and NAC 706.3751 (both recently amended, see Legislative Counsel Bureau File No. R111-10), you may be disqualified from driving taxicabs (outside of Clark County) or charter limousines (statewide) if you fail to pay a fine owed to the Authority, you fail to appear for a hearing on an administrative citation, and/or you are found in violation of the provisions of NRS 706 or NAC 706 more than five times within three years.

NOTICE: Pursuant to NRS 706.772 and NRS 706 483.441, you may have your driver's license suspended by the Nevada Department of Motor Vehicles if you fail to pay the full amount of the administrative fine and any other costs which are due to the Authority as a result of the above final Order.

Agenda Item# 16

BEFORE THE NEVADA TRANSPORTATION AUTHORITY

In Re: Citation 21453 issued to Capitol Cab)	
Company for violation of NAC 706.3751.	)	Citation 21453
_____)	
)	

At a general session of the Nevada Transportation
Authority held on April 8, 2021.

PRESENT: Chairman Dawn Gibbons
Commissioner George Assad
Commissioner David Newton
Deputy Commissioner Jennifer De Rose

ORDER

On February 17, 2021, a hearing on the above-captioned matter was held before Commissioner George Assad, serving in his capacity as Hearing Officer for the Nevada Transportation Authority (“Authority”). The Respondent, Capitol Cab Company was present through their Manager, Mercy Medina. Ms. Medina elected to proceed without counsel.

After hearing the allegations, the respective arguments, and having considered the evidence introduced by both parties and being fully advised, the Hearing Officer, pursuant to Nevada Administrative Code (“NAC”) 706.4015, prepared a proposed decision for review by the Authority. Based on that proposed decision, the Authority enters the following final order affirming the decision of the Hearing Officer. Under Nevada Revised Statutes (“NRS”) 706.151, the Authority has legal jurisdiction and authority over this matter.

At hearing, the parties knowingly and voluntarily stipulated and agreed as follows:

1. To admit into evidence Citation 21453 and the related Investigation Report (marked as State’s Exhibit 1 and incorporated herein by reference) and that the facts as set forth therein were true and accurate;

2. That the Respondent's actions constituted violation of NAC 706.3751 related to allowing a driver to operate a vehicle with an expired driver permit;
3. That a fine in the amount of \$200.00 shall be assessed for the NAC 706.3751 violation; and
4. To waive the requirement that the Authority's final order contain formal Findings of Fact and Conclusions of Law as required under NRS 233B.125.

DISCUSSION

The Hearing Officer recommended to the Authority:

1. That the stipulations and agreements of the parties as set forth hereinabove be accepted; and
2. That findings enter against the Respondent for the violation of NAC 706.3751.

ORDER

IT IS THEREFORE ORDERED, based on the foregoing:

1. That the recommendation of the Hearing Officer for Administrative Citation and Verified Complaint 21453 issued to Capitol Cab Company for the violation of NAC 706.3751 is hereby AFFIRMED;
2. That the *total* fine for Citation 21453 shall be in the amount of Two Hundred Dollars and Zero Cents (\$200.00); and

///

///

///

///

///

3. That the Authority retains jurisdiction for correcting any errors that may have occurred in the drafting or issuance of this Order.

By the Authority,

Dawn Gibbons, Chairman

George Assad, Commissioner

David Newton, Commissioner

Attest:

Jennifer De Rose, Deputy Commissioner

Dated:

Las Vegas, Nevada

NOTICE: Pursuant to NRS 233B.130, any party to this matter aggrieved by the above final decision may file a petition for rehearing or reconsideration. A petition for rehearing or reconsideration must be filed with the Authority within 15 days after the date the party received this Order.

NOTICE: In accordance with NAC 706.229 and NAC 706.3751 (both recently amended, see Legislative Counsel Bureau File No. R111-10), you may be disqualified from driving taxicabs (outside of Clark County) or charter limousines (statewide) if you fail to pay a fine owed to the Authority, you fail to appear for a hearing on an administrative citation, and/or you are found in violation of the provisions of NRS 706 or NAC 706 more than five times within three years.

NOTICE: Pursuant to NRS 706.772 and NRS 706 483.441, you may have your driver's license suspended by the Nevada Department of Motor Vehicles if you fail to pay the full amount of the administrative fine and any other costs which are due to the Authority as a result of the above final Order.

Agenda Item#

17

BEFORE THE NEVADA TRANSPORTATION AUTHORITY

In re: Citation 21809 issued to Exotic)	
Transportation, LLC d/b/a Elite Transportation for	)	Citation 21809
violation of NRS 706.463 and NAC 706.381.)	
_____)	

At a general session of the Nevada Transportation
Authority held on April 8, 2021.

PRESENT: Chairman Dawn Gibbons
Commissioner George Assad
Commissioner David Newton
Deputy Commissioner Jennifer De Rose

ORDER

On February 17, 2021, a hearing on the above-captioned matter was held before Commissioner George Assad, serving in his capacity as Hearing Officer for the Nevada Transportation Authority (“Authority”). The Respondent, Exotic Transportation, LLC d/b/a Elite Transportation was present through their Owner and President, Alan Goldstein. Mr. Goldstein elected to proceed without legal counsel.

After hearing the allegations, the respective arguments, and having considered the evidence introduced by both parties and being fully advised, the Hearing Officer, pursuant to Nevada Administrative Code (“NAC”) 706.4015, prepared a proposed decision for review by the Authority. Based on that proposed decision, the Authority enters the following final order affirming the decision of the Hearing Officer. Under Nevada Revised Statutes (“NRS”) 706.151, the Authority has legal jurisdiction and authority over this matter.

At hearing, the parties knowingly and voluntarily stipulated and agreed as follows:

1. To admit into evidence the Citation 21809 and the related Investigation Report (marked as State’s Exhibit 1 and incorporated herein by reference) and that the facts as set forth therein were true and accurate;

2. That the Respondent's actions constituted violation of NRS 706.463 related to failure to notify Authority of changes to tariff and violation of NAC 706.381 operating a vehicle prior to inspection by the Authority;
3. To a fine in the amount of \$100.00 for the NRS 706.463 violation with \$100.00 of said fine amount suspended pending no further violations of NRS 706 or NAC 706 within one year and timely payment of the fine amount;
4. To a fine in the amount of \$200.00 for the NAC 706.384 violation; and
5. To waive the requirement that the Authority's final order contain formal Findings of Fact and Conclusions of Law as required under NRS 233B.125.

DISCUSSION

The Hearing Officer recommended to the Authority:

1. That the stipulations and agreements of the parties as set forth hereinabove be accepted; and
2. That findings enter against the Respondent for violation of NRS 706.463 and NAC 706.381.

ORDER

IT IS THEREFORE ORDERED, based on the foregoing:

1. That the recommendation of the Hearing Officer for Administrative Citation and Verified Complaint 21809, issued to Exotic Transportation, LLC d/b/a Elite Transportation for violation of NRS 706.463 and NAC 706.381, is hereby AFFIRMED;
2. That the *total* fine for Citation 21809 shall be in the amount of Three Hundred Dollars and Zero Cents (\$300.00) with One Hundred Dollars and Zero Cents (\$100.00) of said fine amount to be suspended pending no further violations of NRS 706 or NAC 706 within one year; and

3. That the Authority retains jurisdiction for correcting any errors that may have occurred in the drafting or issuance of this Order.

By the Authority,

Dawn Gibbons, Chairman

George Assad, Commissioner

David Newton, Commissioner

Attest: _____
Jennifer De Rose, Deputy Commissioner

Dated: _____
Las Vegas, Nevada

NOTICE: Pursuant to NRS 233B.130, any party to this matter aggrieved by the above final decision may file a petition for rehearing or reconsideration. A petition for rehearing or reconsideration must be filed with the Authority within 15 days after the date the party received this Order.

NOTICE: In accordance with NAC 706.229 and NAC 706.3751 (both recently amended, see Legislative Counsel Bureau File No. R111-10), you may be disqualified from driving taxicabs (outside of Clark County) or charter limousines (statewide) if you fail to pay a fine owed to the Authority, you fail to appear for a hearing on an administrative citation, and/or you are found in violation of the provisions of NRS 706 or NAC 706 more than five times within three years.

NOTICE: Pursuant to NRS 706.772 and NRS 706 483.441, you may have your driver's license suspended by the Nevada Department of Motor Vehicles if you fail to pay the full amount of the administrative fine and any other costs which are due to the Authority as a result of the above final Order.

Agenda Item# 18

BEFORE THE NEVADA TRANSPORTATION AUTHORITY

In Re: Citation 21810 issued to Coleman World	)	Citation 21810
Group, LLC d/b/a Coleman American Moving)	
Services, Inc. for violation of NAC 706.311.)	

At a general session of the Nevada Transportation
Authority held on April 8, 2021.

PRESENT: Chairman Dawn Gibbons
Commissioner George Assad
Commissioner David Newton
Deputy Commissioner Jennifer De Rose

ORDER

On February 17, 2021, a hearing on the above-captioned matter was held before Commissioner George Assad, serving in his capacity as Hearing Officer for the Nevada Transportation Authority (“Authority”). The Respondent, Coleman World Group, LLC d/b/a Coleman American Moving Services, Inc., was present by and through their Office Manager, Pat Meade. Mr. Meade elected to proceed without legal counsel.

After hearing the allegations, the respective arguments, and having considered the evidence introduced by both parties and being fully advised, the Hearing Officer, pursuant to Nevada Administrative Code (“NAC”) 706.4015, prepared a proposed decision for review by the Authority. Based on that proposed decision, the Authority enters the following final order affirming the decision of the Hearing Officer. Under Nevada Revised Statutes (“NRS”) 706.151, the Authority has legal jurisdiction and authority over this matter.

At hearing, the parties knowingly and voluntarily stipulated and agreed as follows:

1. To the admission of Citation 21810 and the Investigation Report for the Citation into evidence (identified as State’s Exhibit 1 and incorporated herein by reference) and that the facts as set forth therein were true and accurate;

2. That the Respondent's actions constituted violation of NAC 706.311 related to charging rates outside of approved tariff;
3. To a fine in the amount of \$200.00 for the NAC 706.311 violation with \$200.00 of said fine amount suspended pending no further violations of NRS 706 or NAC 706 within one year;
4. That Respondent is to refund \$800.00 to victims, to be verified with Investigator Jason Brown; and
5. To waive the requirement that the Authority's final order contain formal Findings of Fact and Conclusions of Law as required under NRS 233B.125.

DISCUSSION

The Hearing Officer recommended to the Authority:

1. That the stipulations and agreements of the parties as set forth hereinabove be accepted; and
2. That findings enter against the Respondent for one violation of NAC 706.311.

ORDER

IT IS THEREFORE ORDERED, based on the foregoing:

1. That the recommendation of the Hearing Officer regarding Administrative Citation and Verified Complaint 21810, issued to Coleman World Group, LLC d/b/a Coleman American Moving Services, Inc. for violation of NAC 706.311 is hereby AFFIRMED;
2. That the *total* fine for Citation Number 21810 shall be in the amount of Two Hundred Dollars and Zero Cents (\$200.00), with Two Hundred Dollars and Zero Cents (\$200.00) of said fine amount to be suspended pending no further violations of NRS 706 or NAC 706 within one year;
3. That Respondent is to refund \$800.00 to victims, to be verified with Investigator Jason Brown; and

///

4. That the Authority retains jurisdiction for correcting any errors that may have occurred in the drafting or issuance of this Order.

By the Authority,

Dawn Gibbons, Chairman

George Assad, Commissioner

David Newton, Commissioner

Attest: _____
Jennifer De Rose, Deputy Commissioner

Dated: _____
Las Vegas, Nevada

NOTICE: Pursuant to NRS 233B.130, any party to this matter aggrieved by the above final decision may file a petition for rehearing or reconsideration. A petition for rehearing or reconsideration must be filed with the Authority within 15 days after the date the party received this Order.

NOTICE: In accordance with NAC 706.229 and NAC 706.3751 (both recently amended, see Legislative Counsel Bureau File No. R111-10), you may be disqualified from driving taxicabs (outside of Clark County) or charter limousines (statewide) if you fail to pay a fine owed to the Authority, you fail to appear for a hearing on an administrative citation, and/or you are found in violation of the provisions of NRS 706 or NAC 706 more than five times within three years.

NOTICE: Pursuant to NRS 706.772 and NRS 706 483.441, you may have your driver's license suspended by the Nevada Department of Motor Vehicles if you fail to pay the full amount of the administrative fine and any other costs which are due to the Authority as a result of the above final Order.

Agenda Item# 19

BEFORE THE NEVADA TRANSPORTATION AUTHORITY

In re: Citation 22195 issued to NV Transportation,)
LLC d/b/a Rockstar Transportation for a violation)
of NAC 706.2473 ref. 49 CFR 391.51.)
Citation 22195

At a general session of the Nevada Transportation
Authority held on April 8, 2021.

PRESENT: Chairman Dawn Gibbons
 Commissioner George Assad
 Commissioner David Newton
 Deputy Commissioner Jennifer De Rose

ORDER

On February 17, 2021, a hearing on the above-captioned matter was held before Commissioner George Assad, serving in his capacity as Hearing Officer for the Nevada Transportation Authority (“Authority”). The Respondent, NV Transportation, LLC d/b/a Rockstar Transportation was present through their Owner, Lee Williams. Mr. Williams elected to proceed without counsel.

After hearing the allegations, the respective arguments, and having considered the evidence introduced by both parties and being fully advised, the Hearing Officer, pursuant to Nevada Administrative Code (“NAC”) 706.4015, prepared a proposed decision for review by the Authority. Based on that proposed decision, the Authority enters the following final order affirming the decision of the Hearing Officer. Under Nevada Revised Statutes (“NRS”) 706.151, the Authority has legal jurisdiction and authority over this matter.

At hearing, the parties knowingly and voluntarily stipulated and agreed as follows:

1. To admit into evidence the Citation 22195 and the related Investigation Report (marked as State’s Exhibit 1 and incorporated herein by reference) and that the facts as set forth therein were true and accurate;

2. That the Respondent's actions constituted one violation of NAC 706.2473 ref. 49 CFR 391.51 related to allowing a driver to operate a vehicle with an expired medical card;
3. To a fine in the amount of \$150.00 for the NAC 706.2473 ref. 49 CFR 391.51 violation;
and
4. To waive the requirement that the Authority's final order contain formal Findings of Fact and Conclusions of Law as required under NRS 233B.125.

DISCUSSION

The Hearing Officer recommended to the Authority:

1. That the stipulations and agreements of the parties as set forth hereinabove be accepted;
and
2. That findings enter against the Respondent for violation of NAC 706.2473 ref. 49 CFR 391.51.

ORDER

IT IS THEREFORE ORDERED, based on the foregoing:

1. That the recommendation of the Hearing Officer for Administrative Citation and Verified Complaint 22195, issued to NV Transportation, LLC d/b/a Rockstar Transportation for violation of NAC 706.2473 ref. 49 CFR 391.51 is hereby AFFIRMED;
2. That the *total* fine for Citation 22195 shall be in the amount of One Hundred Fifty Dollars and Zero Cents (\$150.00); and

///

///

///

///

///

3. That the Authority retains jurisdiction for correcting any errors that may have occurred in the drafting or issuance of this Order.

By the Authority,

Dawn Gibbons, Chairman

George Assad, Commissioner

David Newton, Commissioner

Attest: _____
Jennifer De Rose, Deputy Commissioner

Dated: _____
Las Vegas, Nevada

NOTICE: Pursuant to NRS 233B.130, any party to this matter aggrieved by the above final decision may file a petition for rehearing or reconsideration. A petition for rehearing or reconsideration must be filed with the Authority within 15 days after the date the party received this Order.

NOTICE: In accordance with NAC 706.229 and NAC 706.3751 (both recently amended, see Legislative Counsel Bureau File No. R111-10), you may be disqualified from driving taxicabs (outside of Clark County) or charter limousines (statewide) if you fail to pay a fine owed to the Authority, you fail to appear for a hearing on an administrative citation, and/or you are found in violation of the provisions of NRS 706 or NAC 706 more than five times within three years.

NOTICE: Pursuant to NRS 706.772 and NRS 706 483.441, you may have your driver's license suspended by the Nevada Department of Motor Vehicles if you fail to pay the full amount of the administrative fine and any other costs which are due to the Authority as a result of the above final Order.

Agenda Item# 20

BEFORE THE NEVADA TRANSPORTATION AUTHORITY

In re: Citation 22195 issued to NV Transportation,)
LLC d/b/a Rockstar Transportation for a violation)
of NAC 706.2473 ref. 49 CFR 391.51.)
Citation 22195

At a general session of the Nevada Transportation
Authority held on April 8, 2021.

PRESENT: Chairman Dawn Gibbons
 Commissioner George Assad
 Commissioner David Newton
 Deputy Commissioner Jennifer De Rose

ORDER

On February 17, 2021, a hearing on the above-captioned matter was held before Commissioner George Assad, serving in his capacity as Hearing Officer for the Nevada Transportation Authority (“Authority”). The Respondent, NV Transportation, LLC d/b/a Rockstar Transportation was present through their Owner, Lee Williams. Mr. Williams elected to proceed without counsel.

After hearing the allegations, the respective arguments, and having considered the evidence introduced by both parties and being fully advised, the Hearing Officer, pursuant to Nevada Administrative Code (“NAC”) 706.4015, prepared a proposed decision for review by the Authority. Based on that proposed decision, the Authority enters the following final order affirming the decision of the Hearing Officer. Under Nevada Revised Statutes (“NRS”) 706.151, the Authority has legal jurisdiction and authority over this matter.

At hearing, the parties knowingly and voluntarily stipulated and agreed as follows:

1. To admit into evidence the Citation 22195 and the related Investigation Report (marked as State’s Exhibit 1 and incorporated herein by reference) and that the facts as set forth therein were true and accurate;

2. That the Respondent's actions constituted one violation of NAC 706.2473 ref. 49 CFR 391.51 related to allowing a driver to operate a vehicle with an expired medical card;
3. To a fine in the amount of \$150.00 for the NAC 706.2473 ref. 49 CFR 391.51 violation;
and
4. To waive the requirement that the Authority's final order contain formal Findings of Fact and Conclusions of Law as required under NRS 233B.125.

DISCUSSION

The Hearing Officer recommended to the Authority:

1. That the stipulations and agreements of the parties as set forth hereinabove be accepted;
and
2. That findings enter against the Respondent for violation of NAC 706.2473 ref. 49 CFR 391.51.

ORDER

IT IS THEREFORE ORDERED, based on the foregoing:

1. That the recommendation of the Hearing Officer for Administrative Citation and Verified Complaint 22195, issued to NV Transportation, LLC d/b/a Rockstar Transportation for violation of NAC 706.2473 ref. 49 CFR 391.51 is hereby AFFIRMED;
2. That the *total* fine for Citation 22195 shall be in the amount of One Hundred Fifty Dollars and Zero Cents (\$150.00); and

///

///

///

///

///

3. That the Authority retains jurisdiction for correcting any errors that may have occurred in the drafting or issuance of this Order.

By the Authority,

Dawn Gibbons, Chairman

George Assad, Commissioner

David Newton, Commissioner

Attest: _____
Jennifer De Rose, Deputy Commissioner

Dated: _____
Las Vegas, Nevada

NOTICE: Pursuant to NRS 233B.130, any party to this matter aggrieved by the above final decision may file a petition for rehearing or reconsideration. A petition for rehearing or reconsideration must be filed with the Authority within 15 days after the date the party received this Order.

NOTICE: In accordance with NAC 706.229 and NAC 706.3751 (both recently amended, see Legislative Counsel Bureau File No. R111-10), you may be disqualified from driving taxicabs (outside of Clark County) or charter limousines (statewide) if you fail to pay a fine owed to the Authority, you fail to appear for a hearing on an administrative citation, and/or you are found in violation of the provisions of NRS 706 or NAC 706 more than five times within three years.

NOTICE: Pursuant to NRS 706.772 and NRS 706 483.441, you may have your driver's license suspended by the Nevada Department of Motor Vehicles if you fail to pay the full amount of the administrative fine and any other costs which are due to the Authority as a result of the above final Order.

Agenda Item#

21

BEFORE THE NEVADA TRANSPORTATION AUTHORITY

In Re: Citation 22200 issued to St. George)	
Executive Shuttle, LLC for violations of NAC	)	Citations 22200
706.311 (3 counts) and NAC 706.360.)	
_____)	

At a general session of the Nevada Transportation
Authority held on April 8, 2021.

PRESENT: Chairman Dawn Gibbons
Commissioner George Assad
Commissioner David Newton
Deputy Commissioner Jennifer De Rose

ORDER

On March 10, 2021, a hearing on the above-captioned matter was held before Commissioner George Assad, serving in his capacity as Hearing Officer for the Nevada Transportation Authority (“Authority”). The Respondent, St. George Executive Shuttle, LLC was present through their Chief Financial Officer, Zach Wade. Mr. Wade elected to proceed without counsel.

After hearing the allegations, the respective arguments, and having considered the evidence introduced by both parties and being fully advised, the Hearing Officer, pursuant to Nevada Administrative Code (“NAC”) 706.4015, prepared a proposed decision for review by the Authority. Based on that proposed decision, the Authority enters the following final order affirming the decision of the Hearing Officer. Under Nevada Revised Statutes (“NRS”) 706.151, the Authority has legal jurisdiction and authority over this matter.

At hearing, the parties knowingly and voluntarily stipulated and agreed as follows:

1. To admit into evidence Citation 22200 and the related Investigation Report (marked as State’s Exhibit 1 and incorporated herein by reference) and that the facts as set forth therein were true and accurate;

2. That the Respondent's actions constituted violation of NAC 706.311 (3 counts) related to failure to charge rates in accordance with approved tariff and one violation of NAC 706.360 related to use of vehicle beyond the scope of authority;
3. To a fine in the amount of \$800.00 for each violation of NAC 706.377 (3 counts) and NAC 706.360 for a total fine amount of \$3,200.00 with \$1,600.00 of said fine amount suspended pending no further violations of NRS 706 or NAC 706 within one year and timely payment of the fine amount; and
4. To waive the requirement that the Authority's final order contain formal Findings of Fact and Conclusions of Law as required under NRS 233B.125.

DISCUSSION

The Hearing Officer recommended to the Authority:

1. That the stipulations and agreements of the parties as set forth hereinabove be accepted; and
2. That findings enter against the Respondent for violations of NAC 706.311 (3 counts) and NAC 706.360.

ORDER

IT IS THEREFORE ORDERED, based on the foregoing:

1. That the recommendation of the Hearing Officer for Administrative Citation and Verified Complaint 22200 issued to St. George Executive Shuttle, LLC for violation of NAC 706.311 (3 counts) and NAC 706.360 are hereby AFFIRMED;
2. The *total* fine for Citation 22200 shall be in the amount of Three Thousand Two Hundred Dollars and Zero Cents (\$3,200.00), with One Thousand Six Hundred Dollars and Zero Cents (\$1,600.00) of said fine amount to be suspended pending no further violations of NRS 706 or NAC 706 within one year and timely payment of the fine amount; and

3. That the Authority retains jurisdiction for correcting any errors that may have occurred in the drafting or issuance of this Order.

By the Authority,

Dawn Gibbons, Chairman

George Assad, Commissioner

David Newton, Commissioner

Attest: _____
Jennifer De Rose, Deputy Commissioner

Dated: _____
Las Vegas, Nevada

NOTICE: Pursuant to NRS 233B.130, any party to this matter aggrieved by the above final decision may file a petition for rehearing or reconsideration. A petition for rehearing or reconsideration must be filed with the Authority within 15 days after the date the party received this Order.

NOTICE: In accordance with NAC 706.229 and NAC 706.3751 (both recently amended, see Legislative Counsel Bureau File No. R111-10), you may be disqualified from driving taxicabs (outside of Clark County) or charter limousines (statewide) if you fail to pay a fine owed to the Authority, you fail to appear for a hearing on an administrative citation, and/or you are found in violation of the provisions of NRS 706 or NAC 706 more than five times within three years.

NOTICE: Pursuant to NRS 706.772 and NRS 706 483.441, you may have your driver's license suspended by the Nevada Department of Motor Vehicles if you fail to pay the full amount of the administrative fine and any other costs which are due to the Authority as a result of the above final Order.

Agenda Item#

22

BEFORE THE NEVADA TRANSPORTATION AUTHORITY

In Re: Citation 22297 issued to Highroller	)	Citation 22297
Transportation, LLC for violation of NAC 706.360.)	
_____)	

At a general session of the Nevada Transportation
Authority held on April 8, 2021.

PRESENT: Chairman Dawn Gibbons
Commissioner George Assad
Commissioner David Newton
Deputy Commissioner Jennifer De Rose

ORDER

On March 10, 2021, a hearing on the above-captioned matter was held before Commissioner George Assad, serving in his capacity as Hearing Officer for the Nevada Transportation Authority (“Authority”). The Respondent, Highroller Transportation, LLC, was present by and through their Owner, Cheikh Tall. Mr. Tall elected to proceed without legal counsel.

After hearing the allegations, the respective arguments, and having considered the evidence introduced by both parties and being fully advised, the Hearing Officer, pursuant to Nevada Administrative Code (“NAC”) 706.4015, prepared a proposed decision for review by the Authority. Based on that proposed decision, the Authority enters the following final order affirming the decision of the Hearing Officer. Under Nevada Revised Statutes (“NRS”) 706.151, the Authority has legal jurisdiction and authority over this matter.

At hearing, the parties knowingly and voluntarily stipulated and agreed as follows:

1. To the admission of Citation 22297 and the Investigation Report for the Citation into evidence (identified as State’s Exhibit 1 and incorporated herein by reference) and that the facts as set forth therein were true and accurate;
2. That the Respondent’s actions constituted violation of NAC 706.360 related to use of vehicle beyond the scope of authority; and

3. To waive the requirement that the Authority's final order contain formal Findings of Fact and Conclusions of Law as required under NRS 233B.125.

Authority Staff recommended the following fines and remedies:

1. A fine in the amount of \$\$1,600.00 for the NAC 706.360 violation;

As a basis for the recommended fines and remedies, Authority Staff indicated Respondent had several similar violations in the past several years.

Respondent requested a reduction in the fine amount.

DISCUSSION

The Hearing Officer recommended to the Authority:

1. That the stipulations and agreements of the parties as set forth hereinabove be accepted;
2. That findings enter against the Respondent for one violation of NAC 706.360;
3. That a fine in the amount of \$1,600.00 be assessed for the NAC 706.360 violation.

ORDER

IT IS THEREFORE ORDERED, based on the foregoing:

1. That the recommendation of the Hearing Officer regarding Administrative Citation and Verified Complaint 22297, issued to Highroller Transportation, LLC for violation of NAC 706.360, is hereby AFFIRMED;
2. That the *total* fine for Citation Number 22297 shall be in the amount of One Thousand Six Hundred Dollars and Zero Cents (\$1,600.00); and

///

///

///

///

///

3. That the Authority retains jurisdiction for correcting any errors that may have occurred in the drafting or issuance of this Order.

By the Authority,

Dawn Gibbons, Chairman

George Assad, Commissioner

David Newton, Commissioner

Attest: _____
Jennifer De Rose, Deputy Commissioner

Dated: _____
Las Vegas, Nevada

NOTICE: Pursuant to NRS 233B.130, any party to this matter aggrieved by the above final decision may file a petition for rehearing or reconsideration. A petition for rehearing or reconsideration must be filed with the Authority within 15 days after the date the party received this Order.

NOTICE: In accordance with NAC 706.229 and NAC 706.3751 (both recently amended, see Legislative Counsel Bureau File No. R111-10), you may be disqualified from driving taxicabs (outside of Clark County) or charter limousines (statewide) if you fail to pay a fine owed to the Authority, you fail to appear for a hearing on an administrative citation, and/or you are found in violation of the provisions of NRS 706 or NAC 706 more than five times within three years.

NOTICE: Pursuant to NRS 706.772 and NRS 706 483.441, you may have your driver's license suspended by the Nevada Department of Motor Vehicles if you fail to pay the full amount of the administrative fine and any other costs which are due to the Authority as a result of the above final Order.

Agenda Item#

23

BEFORE THE NEVADA TRANSPORTATION AUTHORITY

In re: Citation 22299 issued to Cars Plus Towing,)
LLC d/b/a A.L.V. Towing for violation of NAC) Citation 22299
706.311 and NAC 706.420.)
_____)

At a general session of the Nevada Transportation
Authority held on April 8, 2021.

PRESENT: Chairman Dawn Gibbons
Commissioner George Assad
Commissioner David Newton
Deputy Commissioner Jennifer De Rose

ORDER

On February 17, 2021, a hearing on the above-captioned matter was held before Commissioner George Assad, serving in his capacity as Hearing Officer for the Nevada Transportation Authority (“Authority”). The Respondent, Cars Plus Towing, LLC d/b/a A.L.V. Towing was present through their Owner, Eric Brambila. Mr. Brambila elected to proceed without legal counsel.

After hearing the allegations, the respective arguments, and having considered the evidence introduced by both parties and being fully advised, the Hearing Officer, pursuant to Nevada Administrative Code (“NAC”) 706.4015, prepared a proposed decision for review by the Authority. Based on that proposed decision, the Authority enters the following final order affirming the decision of the Hearing Officer. Under Nevada Revised Statutes (“NRS”) 706.151, the Authority has legal jurisdiction and authority over this matter.

At hearing, the parties knowingly and voluntarily stipulated and agreed as follows:

1. To admit into evidence the Citation 22299 and the related Investigation Report (marked as State’s Exhibit 1 and incorporated herein by reference) and that the facts as set forth therein were true and accurate;

2. That the Respondent's actions constituted violation of NAC 706.311 related to failure to charge according to approved tariff and violation of NAC 706.420 related to failure to itemize non-consent tow bill;
3. To a fine in the amount of \$100.00 for the NAC 706.311 violation and a fine in the amount of \$100.00 for the NAC 706.420 violation;
4. That Respondent agrees to issue refunds and Enforcement Investigator Scott Hawkins will oversee said refunds; and
5. To waive the requirement that the Authority's final order contain formal Findings of Fact and Conclusions of Law as required under NRS 233B.125.

DISCUSSION

The Hearing Officer recommended to the Authority:

1. That the stipulations and agreements of the parties as set forth hereinabove be accepted; and
2. That findings enter against the Respondent for violation of NAC 706.311 and NAC 706.420.

ORDER

IT IS THEREFORE ORDERED, based on the foregoing:

1. That the recommendation of the Hearing Officer for Administrative Citation and Verified Complaint 22299, issued to Cars Plus Towing, LLC d/b/a A.L.V. Towing for violation of NAC 706.311 and NAC 706.420, is hereby AFFIRMED;
2. That the *total* fine for Citation 22299 shall be in the amount of Two Hundred Dollars and Zero Cents (\$200.00);
3. That Respondent agrees to issue refunds and Enforcement Investigator Scott Hawkins will oversee said refunds; and

4. That the Authority retains jurisdiction for correcting any errors that may have occurred in the drafting or issuance of this Order.

By the Authority,

Dawn Gibbons, Chairman

George Assad, Commissioner

David Newton, Commissioner

Attest: _____
Jennifer De Rose, Deputy Commissioner

Dated: _____
Las Vegas, Nevada

NOTICE: Pursuant to NRS 233B.130, any party to this matter aggrieved by the above final decision may file a petition for rehearing or reconsideration. A petition for rehearing or reconsideration must be filed with the Authority within 15 days after the date the party received this Order.

NOTICE: In accordance with NAC 706.229 and NAC 706.3751 (both recently amended, see Legislative Counsel Bureau File No. R111-10), you may be disqualified from driving taxicabs (outside of Clark County) or charter limousines (statewide) if you fail to pay a fine owed to the Authority, you fail to appear for a hearing on an administrative citation, and/or you are found in violation of the provisions of NRS 706 or NAC 706 more than five times within three years.

NOTICE: Pursuant to NRS 706.772 and NRS 706 483.441, you may have your driver's license suspended by the Nevada Department of Motor Vehicles if you fail to pay the full amount of the administrative fine and any other costs which are due to the Authority as a result of the above final Order.

Agenda Item#

24

BEFORE THE NEVADA TRANSPORTATION AUTHORITY

In Re: Citation 22352 issued to Andrade's Towing,)
LLC for violation of NAC 706.206.) Citation 22352
_____))
))

At a general session of the Nevada Transportation
Authority held on April 8, 2021.

PRESENT: Chairman Dawn Gibbons
Commissioner George Assad
Commissioner David Newton
Deputy Commissioner Jennifer De Rose

ORDER

On February 17, 2021, a hearing on the above-captioned matter was held before Commissioner George Assad, serving in his capacity as Hearing Officer for the Nevada Transportation Authority ("Authority"). The Respondent, Andrade's Towing, LLC was present through their Owner, Cynthia Andrade. Ms. Andrade elected to proceed without legal counsel.

After hearing the allegations, the respective arguments, and having considered the evidence introduced by both parties and being fully advised, the Hearing Officer, pursuant to Nevada Administrative Code ("NAC") 706.4015, prepared a proposed decision for review by the Authority. Based on that proposed decision, the Authority enters the following final order affirming the decision of the Hearing Officer. Under Nevada Revised Statutes ("NRS") 706.151, the Authority has legal jurisdiction and authority over this matter.

At hearing, the parties knowingly and voluntarily stipulated and agreed as follows:

1. To admit into evidence the Citation 22352 and the related Investigation Report (marked as State's Exhibit 1 and incorporated herein by reference) and that the facts as set forth therein were true and accurate;

2. That the Respondent's actions constituted violation of NAC 706.206 related to failure to report corporate changes to the Authority;
3. To a fine in the amount of \$100.00 for the violation of NAC 706.206; and
4. To waive the requirement that the Authority's final order contain formal Findings of Fact and Conclusions of Law as required under NRS 233B.125.

DISCUSSION

The Hearing Officer recommended to the Authority:

1. That the stipulations and agreements of the parties as set forth hereinabove be accepted; and
2. That findings enter against the Respondent for violation of NAC 706.206.

ORDER

IT IS THEREFORE ORDERED, based on the foregoing:

1. That the recommendation of the Hearing Officer for Administrative Citation and Verified Complaint 22352, issued to Andrade's Towing, LLC for violation of NAC 706.206, is hereby AFFIRMED;
2. That the *total* fine for Citation 22352 shall be in the amount of One Hundred Dollars and Zero Cents (\$100.00); and

///

///

///

///

///

///

///

3. That the Authority retains jurisdiction for correcting any errors that may have occurred in the drafting or issuance of this Order.

By the Authority,

Dawn Gibbons, Chairman

George Assad, Commissioner

David Newton, Commissioner

Attest: _____
Jennifer De Rose, Deputy Commissioner

Dated: _____
Las Vegas, Nevada

NOTICE: Pursuant to NRS 233B.130, any party to this matter aggrieved by the above final decision may file a petition for rehearing or reconsideration. A petition for rehearing or reconsideration must be filed with the Authority within 15 days after the date the party received this Order.

NOTICE: In accordance with NAC 706.229 and NAC 706.3751 (both recently amended, see Legislative Counsel Bureau File No. R111-10), you may be disqualified from driving taxicabs (outside of Clark County) or charter limousines (statewide) if you fail to pay a fine owed to the Authority, you fail to appear for a hearing on an administrative citation, and/or you are found in violation of the provisions of NRS 706 or NAC 706 more than five times within three years.

NOTICE: Pursuant to NRS 706.772 and NRS 706 483.441, you may have your driver's license suspended by the Nevada Department of Motor Vehicles if you fail to pay the full amount of the administrative fine and any other costs which are due to the Authority as a result of the above final Order.

Agenda Item# 25

BEFORE THE NEVADA TRANSPORTATION AUTHORITY

In Re: Citations 22378 and 22379 issued to Celebrity)	
Coaches for violations of NAC 706.191, NAC	)	Citations 22378 and 22379
706.1045 and NAC 706.206.)	
_____)	

At a general session of the Nevada Transportation
Authority held on April 8, 2021.

PRESENT: Chairman Dawn Gibbons
Commissioner George Assad
Commissioner David Newton
Deputy Commissioner Jennifer De Rose

ORDER

On February 17, 2021, a hearing on the above-captioned matters was held before Commissioner George Assad, serving in his capacity as Hearing Officer for the Nevada Transportation Authority (“Authority”). The Respondent to Citations 22378 and 22379, Celebrity Coaches, was present through its General Manager, Ashley Wright. Ms. Wright elected to proceed without legal counsel.

After hearing the allegations, the respective arguments, and having considered the evidence introduced by both parties and being fully advised, the Hearing Officer, pursuant to Nevada Administrative Code (“NAC”) 706.4015, prepared a proposed decision for review by the Authority. Based on that proposed decision, the Authority enters the following final order affirming the decision of the Hearing Officer. Under Nevada Revised Statutes (“NRS”) 706.151, the Authority has legal jurisdiction and authority over this matter.

At hearing, the parties knowingly and voluntarily stipulated and agreed as follows:

1. To withdraw the alleged NAC 706.206 violation;
2. To the admission of Citation 22378 and amended Citation 22379 and the Investigation Report for the Citations into evidence (identified as State’s Exhibit 1 and incorporated herein by reference) and that the facts as set forth therein were true and accurate;

3. That the Respondent's actions constituted violation of NAC 706.191, related to failure to maintain insurance and violation of NAC 706.1045, related to failure to be at domicile during regular business hours;
4. To a fine in the amount of \$400.00 for the violation of NAC 706.191 with \$200.00 of said fine amount suspended pending no further violations of NRS 706 or NAC 706 within one year and timely payment of the fine amount;
5. To a fine in the amount of \$400.00 for the violation of NAC 706.1045 with \$200.00 of said fine amount suspended pending no further violations of NRS 706 or NAC 706 within one year and timely payment of the fine amount;
6. That Respondent is to file a Temporary Discontinuance of Service within the next thirty (30) days; and
7. To waive the requirement that the Authority's final order contain formal Findings of Fact and Conclusions of Law as required under NRS 233B.125.

DISCUSSION

The Hearing Officer recommended to the Authority:

1. That the stipulations and agreements of the parties as set forth hereinabove be accepted;
2. That findings enter against the Respondent for violation of NAC 706.191 and NAC 706.1045.

ORDER

IT IS THEREFORE ORDERED, based on the foregoing:

1. That the recommendation of the Hearing Officer for Administrative Citation and Verified Complaints 22378 and 22379, issued to Celebrity Coaches for violation of NAC 706.191 and NAC 706.1045, is hereby AFFIRMED;

2. That the *total* fine for Citation 22378 and 22379 shall be in the amount of Eight Hundred Dollars and Zero Cents (\$800.00), with Four Hundred Dollars and Zero Cents (\$400.00) of said fine amount to be suspended pending no further NRS 706 or NAC 706 violations within one year and timely payment of the fine amount;
3. That Respondent is to file a Temporary Discontinuance of Service within the next thirty (30) days; and

///

///

///

///

///

///

///

///

///

///

///

///

///

///

///

///

///

///

4. That the Authority retains jurisdiction for correcting any errors that may have occurred in the drafting or issuance of this Order.

By the Authority,

Dawn Gibbons, Chairman

George Assad, Commissioner

David Newton, Commissioner

Attest:

Jennifer De Rose, Deputy Commissioner

Dated:

Las Vegas, Nevada

NOTICE: Pursuant to NRS 233B.130, any party to this matter aggrieved by the above final decision may file a petition for rehearing or reconsideration. A petition for rehearing or reconsideration must be filed with the Authority within 15 days after the date the party received this Order.

NOTICE: In accordance with NAC 706.229 and NAC 706.3751 (both recently amended, see Legislative Counsel Bureau File No. R111-10), you may be disqualified from driving taxicabs (outside of Clark County) or charter limousines (statewide) if you fail to pay a fine owed to the Authority, you fail to appear for a hearing on an administrative citation, and/or you are found in violation of the provisions of NRS 706 or NAC 706 more than five times within three years.

NOTICE: Pursuant to NRS 706.772 and NRS 706 483.441, you may have your driver's license suspended by the Nevada Department of Motor Vehicles if you fail to pay the full amount of the administrative fine and any other costs which are due to the Authority as a result of the above final Order.

Agenda Item#

26

BEFORE THE NEVADA TRANSPORTATION AUTHORITY

In Re: Citation 22413 issued to ARB Las Vegas, a)
Nevada Corp. d/b/a Las Vegas Towing for violation) Citation 22413
of NRS 706.451.)

At a general session of the Nevada Transportation
Authority held on April 8, 2021.

PRESENT: Chairman Dawn Gibbons
Commissioner George Assad
Commissioner David Newton
Deputy Commissioner Jennifer De Rose

ORDER

On February 17, 2021, a hearing on the above-captioned matter was held before Commissioner George Assad, serving in his capacity as Hearing Officer for the Nevada Transportation Authority (“Authority”). The Respondent, ARB Las Vegas, a Nevada Corp. d/b/a Las Vegas Towing was present and elected to proceed without legal counsel.

After hearing the allegations, the respective arguments, and having considered the evidence introduced by both parties and being fully advised, the Hearing Officer, pursuant to Nevada Administrative Code (“NAC”) 706.4015, prepared a proposed decision for review by the Authority. Based on that proposed decision, the Authority enters the following final order affirming the decision of the Hearing Officer. Under Nevada Revised Statutes (“NRS”) 706.151, the Authority has legal jurisdiction and authority over this matter.

At hearing, the parties knowingly and voluntarily stipulated and agreed as follows:

1. To admit into evidence the Citation 22413 and the related Investigation Report (marked as State’s Exhibit 1 and incorporated herein by reference) and that the facts as set forth therein were true and accurate;

2. That the Respondent's actions constituted violation of NRS 706.451 related to failure to pay annual tow fee;
3. To a total fine in the amount of \$100.00 for the violation of NRS 706.451 with \$50.00 of said fine amount suspended pending no further violations of NRS 706 or NAC 706 within one year and timely payment of the fine amount; and
4. To waive the requirement that the Authority's final order contain formal Findings of Fact and Conclusions of Law as required under NRS 233B.125.

DISCUSSION

The Hearing Officer recommended to the Authority:

1. That the stipulations and agreements of the parties as set forth hereinabove be accepted; and
2. That findings enter against the Respondent for violation of NRS 706.451.

ORDER

IT IS THEREFORE ORDERED, based on the foregoing:

1. That the recommendation of the Hearing Officer for Administrative Citation and Verified Complaint 22413, issued to ARB Las Vegas, a Nevada Corp. d/b/a Las Vegas Towing for violation of NRS 706.451, is hereby AFFIRMED;
2. That the *total* fine for Citation 22413 shall be in the amount of One Hundred Dollars and Zero Cents (\$100.00), with Fifty Dollars and Zero Cents (\$50.00) of said fine amount to be suspended pending no further violations of NRS 706 or NAC 706 within one year and timely payment of fine amount; and

///

///

///

3. That the Authority retains jurisdiction for correcting any errors that may have occurred in the drafting or issuance of this Order.

By the Authority,

Dawn Gibbons, Chairman

George Assad, Commissioner

David Newton, Commissioner

Attest: _____
Jennifer De Rose, Deputy Commissioner

Dated: _____
Las Vegas, Nevada

NOTICE: Pursuant to NRS 233B.130, any party to this matter aggrieved by the above final decision may file a petition for rehearing or reconsideration. A petition for rehearing or reconsideration must be filed with the Authority within 15 days after the date the party received this Order.

NOTICE: In accordance with NAC 706.229 and NAC 706.3751 (both recently amended, see Legislative Counsel Bureau File No. R111-10), you may be disqualified from driving taxicabs (outside of Clark County) or charter limousines (statewide) if you fail to pay a fine owed to the Authority, you fail to appear for a hearing on an administrative citation, and/or you are found in violation of the provisions of NRS 706 or NAC 706 more than five times within three years.

NOTICE: Pursuant to NRS 706.772 and NRS 706 483.441, you may have your driver's license suspended by the Nevada Department of Motor Vehicles if you fail to pay the full amount of the administrative fine and any other costs which are due to the Authority as a result of the above final Order.

Agenda Item#

27

BEFORE THE NEVADA TRANSPORTATION AUTHORITY

In Re: Citation 22414 issued to Taylor Towing,)
LLC for violations of NAC 706.2473 ref. 49 CFR) Citation 22414
396.17 and NAC 706.356.)

At a general session of the Nevada Transportation
Authority held on April 8, 2021.

PRESENT: Chairman Dawn Gibbons
Commissioner George Assad
Commissioner David Newton
Deputy Commissioner Jennifer De Rose

ORDER

On March 10, 2021, a hearing on the above-captioned matter was held before Commissioner George Assad, serving in his capacity as Hearing Officer for the Nevada Transportation Authority (“Authority”). The Respondent, Taylor Towing, LLC was present through their Owner, Sherman Taylor. Mr. Taylor elected to proceed without legal counsel.

After hearing the allegations, the respective arguments, and having considered the evidence introduced by both parties and being fully advised, the Hearing Officer, pursuant to Nevada Administrative Code (“NAC”) 706.4015, prepared a proposed decision for review by the Authority. Based on that proposed decision, the Authority enters the following final order affirming the decision of the Hearing Officer. Under Nevada Revised Statutes (“NRS”) 706.151, the Authority has legal jurisdiction and authority over this matter.

At hearing, the parties knowingly and voluntarily stipulated and agreed as follows:

1. To admit into evidence the Citation 22414 and the related Investigation Report (marked as State’s Exhibit 1 and incorporated herein by reference) and that the facts as set forth therein were true and accurate;

2. That the Respondent's actions constituted one violation of NAC 706.2473 ref. 49 CFR 396.17 related to failure to obtain annual vehicle inspection and one violation of NAC 706.356 related to failure to file a temporary discontinuance with the Authority;
3. That no fine be assessed for the NAC 706.2473 ref. 49 CFR 396.17 violation or the NAC 706.356 violation; and
4. To waive the requirement that the Authority's final order contain formal Findings of Fact and Conclusions of Law as required under NRS 233B.125.

DISCUSSION

The Hearing Officer recommended to the Authority:

1. That the stipulations and agreements of the parties as set forth hereinabove be accepted; and
2. That findings enter against the Respondent for violations of NAC 706.2473 ref. 49 CFR 396.17 and NAC 706.356.

ORDER

IT IS THEREFORE ORDERED, based on the foregoing:

1. That the recommendation of the Hearing Officer for Administrative Citation and Verified Complaint 22414, issued to Taylor Towing, LLC for violations of NAC 706.2473 ref. 49 CFR 396.17 and NAC 706.356 is hereby AFFIRMED;
2. That no fine shall be assessed for Citation 22414; and

///

///

///

///

///

3. That the Authority retains jurisdiction for correcting any errors that may have occurred in the drafting or issuance of this Order.

By the Authority,

Dawn Gibbons, Chairman

George Assad, Commissioner

David Newton, Commissioner

Attest: _____
Jennifer De Rose, Deputy Commissioner

Dated: _____
Las Vegas, Nevada

NOTICE: Pursuant to NRS 233B.130, any party to this matter aggrieved by the above final decision may file a petition for rehearing or reconsideration. A petition for rehearing or reconsideration must be filed with the Authority within 15 days after the date the party received this Order.

NOTICE: In accordance with NAC 706.229 and NAC 706.3751 (both recently amended, see Legislative Counsel Bureau File No. R111-10), you may be disqualified from driving taxicabs (outside of Clark County) or charter limousines (statewide) if you fail to pay a fine owed to the Authority, you fail to appear for a hearing on an administrative citation, and/or you are found in violation of the provisions of NRS 706 or NAC 706 more than five times within three years.

NOTICE: Pursuant to NRS 706.772 and NRS 706 483.441, you may have your driver's license suspended by the Nevada Department of Motor Vehicles if you fail to pay the full amount of the administrative fine and any other costs which are due to the Authority as a result of the above final Order.

Agenda Item#

28

BEFORE THE NEVADA TRANSPORTATION AUTHORITY

In Re: the impoundment pursuant to NRS 706.476	)	Impound 3868 and
of a vehicle registered to and Citations 22429 and	)	Citations 22429 and 22430
22430 issued to Bright Ajona for violations of)	
NRS 706.386 and NRS 706A.280.)	
_____)	

At a general session of the Nevada Transportation
Authority held on April 8, 2021.

PRESENT: Chairman Dawn Gibbons
Commissioner George Assad
Commissioner David Newton
Deputy Commissioner Jennifer De Rose

ORDER

On March 12, 2021, a hearing on the above-captioned matters was held before Commissioner George Assad serving in his capacity as Hearing Officer for the Nevada Transportation Authority (“Authority”). The Respondent to Citations 22429 and 22430 and registered owner of the impounded vehicle, Bright Ajona, was present and elected to proceed without counsel.

After hearing the allegations, the respective arguments, and having considered the evidence introduced by both parties and being fully advised, the Hearing Officer, pursuant to Nevada Administrative Code (“NAC”) 706.4015, prepared a proposed decision for review by the Authority. Based on that proposed decision, the Authority enters the following final order affirming the decision of the Hearing Officer. Under Nevada Revised Statutes (“NRS”) 706.151, the Authority has legal jurisdiction and authority over this matter.

At hearing, the parties knowingly and voluntarily stipulated and agreed as follows:

1. To the admission of Citations 22429 and 22430, the Investigation Report for the Citations and related impound into evidence (identified as State’s Exhibit 1 and incorporated herein by reference) and that the facts as set forth therein were true and accurate;

2. That Bright Ajona is the registered owner of the impounded vehicle in this matter and was present at the hearing regarding said vehicle;
3. That the use of the vehicle in intrastate commerce without a certificate of public convenience and necessity ("CPCN") violated NRS 706.476 (2)(b)(2) and NRS 706.2(b)(3) in that:
 - a. No CPCN had been issued authorizing the use of the impounded vehicle in intrastate commerce for passenger transportation; and
 - b. The impounded vehicle did not meet the required standards of the Authority;
4. That no CPCN had been issued by the Authority authorizing the operations undertaken by the Respondent in this matter;
5. That the Respondent's actions constituted one violation of NRS 706.386 as alleged and that the impoundment of the vehicle pursuant to NRS 706.476 was proper;
6. That with respect to Citation 22429, the Respondent's actions constituted a violation of NRS 706A.280 (in that he solicited a passenger for off-app transportation);
7. That a fine in the amount of \$100.00 be assessed for the impoundment of the vehicle in this matter;
8. That a fine be assessed in the amount of \$2,500.00 for the NRS 706.386 violation with \$2,400.00 of said fine amount suspended pending no further violations of NRS 706 within one year and timely payment of the fine amount;
9. That no fine or disqualification be imposed for the NRS 706A.280 violation; and
10. To waive the requirement that the Authority's final order contain formal Findings of Fact and Conclusions of Law as required under NRS 233B.125 (waiver entered as Exhibit 2).

///

///

DISCUSSION

The Hearing Officer recommended to the Authority:

1. That the stipulations and agreements of the parties as set forth hereinabove be accepted;
2. That the impoundment of the vehicle be deemed proper under NRS 706.476;
3. That findings enter against the Respondent for one violation of NRS 706.386, relating to operating as a fully regulated carrier without authority and for one violation of NRS 706A.280, relating to providing passenger transportation services outside the TNC application.

ORDER

IT IS THEREFORE ORDERED, based on the foregoing:

1. That the recommendation of the Hearing Officer with regard to the impoundment of the vehicle pursuant to NRS 706.476 is hereby AFFIRMED;
2. That the recommendation of the Hearing Officer for Administrative Citations and Verified Complaint 22429 and 22430, issued to Bright Ajona for violations of NRS 706.386 and NRS 706A.280, is hereby AFFIRMED;
3. That a fine in the amount of One Hundred Dollars and Zero Cents (\$100.00) be assessed for the impoundment of the vehicle in this matter;
4. That the *total* fine for Citation 22430 shall be in the amount of Two Thousand Five Hundred Dollars and Zero Cents (\$2,500.00), with Two Thousand Four Hundred Dollars and Zero Cents (\$2,400.00) of said fine amount to be suspended pending no further NRS 706 violations within one year and timely payment of the fine amount;
5. That *no fine* or disqualification be imposed for Citation 22429 for the NRS 706A.280 violation;

6. That the Respondent is to immediately **CEASE AND DESIST** any and all use of the impounded vehicle in violation of the provisions of NRS 706;
7. That the Respondent is to immediately **CEASE AND DESIST** any and all operation in violation of NRS 706.386; and
8. That the Authority retains jurisdiction for correcting any errors that may have occurred in the drafting or issuance of this Order.

By the Authority,

Dawn Gibbons, Chairman

George Assad, Commissioner

David Newton, Commissioner

Attest: _____
Jennifer De Rose, Deputy Commissioner

Dated: _____
Las Vegas, Nevada

NOTICE: Pursuant to NRS 233B.130, any party to this matter aggrieved by the above final decision may file a petition for rehearing or reconsideration. A petition for rehearing or reconsideration must be filed with the Authority within 15 days after the date the party received this Order.

NOTICE: In accordance with NAC 706.229 and NAC 706.3751 (both recently amended, see Legislative Counsel Bureau File No. R111-10), you may be disqualified from driving taxicabs (outside of Clark County) or charter limousines (statewide) if you fail to pay a fine owed to the Authority, you fail to appear for a hearing on an administrative citation, and/or you are found in violation of the provisions of NRS 706 or NAC 706 more than five times within three years.

NOTICE: Pursuant to NRS 706.772 and NRS 706.483.441, you may have your driver's license suspended by the Nevada Department of Motor Vehicles if you fail to pay the full amount of the administrative fine and any other costs which are due to the Authority as a result of the above final Order.

Agenda Item#

29

BEFORE THE NEVADA TRANSPORTATION AUTHORITY

In re: Citation 23053 issued to Douglas Freimarck)	
for a violation of NRS 706.386.	)	Citation 23053
_____)	
)	

At a general session of the Nevada Transportation
Authority held on April 8, 2021.

PRESENT: Chairman Dawn Gibbons
Commissioner George Assad
Commissioner David Newton
Deputy Commissioner Jennifer De Rose

ORDER

On February 5, 2021, a hearing on the above-captioned matter was held before Commissioner George Assad, serving in his capacity as Hearing Officer for the Nevada Transportation Authority (“Authority”). The Respondent, Douglas Freimarck was present and elected to proceed without counsel.

After hearing the allegations, the respective arguments, and having considered the evidence introduced by both parties and being fully advised, the Hearing Officer, pursuant to Nevada Administrative Code (“NAC”) 706.4015, prepared a proposed decision for review by the Authority. Based on that proposed decision, the Authority enters the following final order affirming the decision of the Hearing Officer. Under Nevada Revised Statutes (“NRS”) 706.151, the Authority has legal jurisdiction and authority over this matter.

At hearing, the parties knowingly and voluntarily stipulated and agreed as follows:

1. To admit into evidence the Citation 23053 and the related Investigation Report (marked as State’s Exhibit 1 and incorporated herein by reference) and that the facts as set forth therein were true and accurate;

2. That no CPCN had been issued by the Authority authorizing the operations or advertising undertaken by the Respondent in this matter
3. That the Respondent's actions constituted one violation of NRS 706.386;
4. To a fine in the amount of \$5,000.00 for the NRS 706.386 violation with \$4,250.00 of said fine amount suspended pending no further violations of NRS 706.386, NRS 706.758 or NRS 706.476 within two years and timely payment of the fine amount; and
5. To waive the requirement that the Authority's final order contain formal Findings of Fact and Conclusions of Law as required under NRS 233B.125.

DISCUSSION

The Hearing Officer recommended to the Authority:

1. That the stipulations and agreements of the parties as set forth hereinabove be accepted; and
2. That findings enter against the Respondent for violation of NRS 706.386, relating to operating as a fully regulated carrier without authority.

ORDER

IT IS THEREFORE ORDERED, based on the foregoing:

1. That the recommendation of the Hearing Officer for Administrative Citation and Verified Complaint 23053, issued to Douglas Freimarck for violation of NRS 706.386 is hereby **AFFIRMED**;
2. That the *total* fine for Citation 23053 shall be in the amount of Five Thousand Dollars and Zero Cents (\$5,000.00), with Four Thousand Two Hundred Fifty Dollars and Zero Cents (\$4,250.00) of said fine amount to be suspended pending no further NRS 706.386, NRS 706.758 or NRS 706.476 violations within two years and timely payment of the fine amount; and

3. That the Authority retains jurisdiction for correcting any errors that may have occurred in the drafting or issuance of this Order.

By the Authority,

Dawn Gibbons, Chairman

George Assad, Commissioner

David Newton, Commissioner

Attest:

Jennifer De Rose, Deputy Commissioner

Dated:

Las Vegas, Nevada

NOTICE: Pursuant to NRS 233B.130, any party to this matter aggrieved by the above final decision may file a petition for rehearing or reconsideration. A petition for rehearing or reconsideration must be filed with the Authority within 15 days after the date the party received this Order.

NOTICE: In accordance with NAC 706.229 and NAC 706.3751 (both recently amended, see Legislative Counsel Bureau File No. R111-10), you may be disqualified from driving taxicabs (outside of Clark County) or charter limousines (statewide) if you fail to pay a fine owed to the Authority, you fail to appear for a hearing on an administrative citation, and/or you are found in violation of the provisions of NRS 706 or NAC 706 more than five times within three years.

NOTICE: Pursuant to NRS 706.772 and NRS 706 483.441, you may have your driver's license suspended by the Nevada Department of Motor Vehicles if you fail to pay the full amount of the administrative fine and any other costs which are due to the Authority as a result of the above final Order.

Agenda Item# 30

BEFORE THE NEVADA TRANSPORTATION AUTHORITY

In re: Citation 23054 issued to Derrick Moore for)
violation of NAC 706.329 and NAC 706.376.11.) Citation 23054
_____))
))

At a general session of the Nevada Transportation
Authority held on April 8, 2021.

PRESENT: Chairman Dawn Gibbons
Commissioner George Assad
Commissioner David Newton
Deputy Commissioner Jennifer De Rose

ORDER

On March 10, 2021, a hearing on the above-captioned matter was held before Commissioner George Assad, serving in his capacity as Hearing Officer for the Nevada Transportation Authority (“Authority”). The Respondent, Derrick Moore, was present and elected to proceed without legal counsel.

After hearing the allegations, the respective arguments, and having considered the evidence introduced by both parties and being fully advised, the Hearing Officer, pursuant to Nevada Administrative Code (“NAC”) 706.4015, prepared a proposed decision for review by the Authority. Based on that proposed decision, the Authority enters the following final order affirming the decision of the Hearing Officer. Under Nevada Revised Statutes (“NRS”) 706.151, the Authority has legal jurisdiction and authority over this matter.

At hearing, the parties knowingly and voluntarily stipulated and agreed as follows:

1. To admit into evidence the Citation 23054 and the related Investigation Report (marked as State’s Exhibit 1 and incorporated herein by reference) and that the facts as set forth therein were true and accurate;

2. That the Respondent's actions constituted violation of NAC 706.329 related to failure to initiate the taximeter and violation of NAC 706.376.11 related to failure to complete an accurate trip sheet;
3. To a fine in the amount of \$100.00 for the NAC 706.329 violation with \$50.00 of said fine amount suspended pending no further violations of NRS 706 or NAC 706 within one year and timely payment of the fine amount;
4. To a fine in the amount of \$100.00 for the NAC 706.376.11 violation with \$50.00 of said fine amount suspended pending no further violations of NRS 706 or NAC 706 within one year and timely payment of the fine amount; and
5. To waive the requirement that the Authority's final order contain formal Findings of Fact and Conclusions of Law as required under NRS 233B.125.

DISCUSSION

The Hearing Officer recommended to the Authority:

1. That the stipulations and agreements of the parties as set forth hereinabove be accepted; and
2. That findings enter against the Respondent for violation of NAC 706.329 and NAC 706.376.11.

ORDER

IT IS THEREFORE ORDERED, based on the foregoing:

1. That the recommendation of the Hearing Officer for Administrative Citation and Verified Complaint 23054, issued to Derrick Moore for violation of NAC 706.329 and NAC 706.376.11 is hereby AFFIRMED;
2. That the *total* fine for Citation 23054 shall be in the amount of Two Hundred Dollars and Zero Cents (\$200.00), with One Hundred Dollars and Zero Cents (\$100.00) of said fine

amount to be suspended pending no further violations of NRS 706 or NAC 706 within one year and timely payment of the fine amount; and

3. That the Authority retains jurisdiction for correcting any errors that may have occurred in the drafting or issuance of this Order.

By the Authority,

Dawn Gibbons, Chairman

George Assad, Commissioner

David Newton, Commissioner

Attest: _____
Jennifer De Rose, Deputy Commissioner

Dated: _____
Las Vegas, Nevada

NOTICE: Pursuant to NRS 233B.130, any party to this matter aggrieved by the above final decision may file a petition for rehearing or reconsideration. A petition for rehearing or reconsideration must be filed with the Authority within 15 days after the date the party received this Order.

NOTICE: In accordance with NAC 706.229 and NAC 706.3751 (both recently amended, see Legislative Counsel Bureau File No. R111-10), you may be disqualified from driving taxicabs (outside of Clark County) or charter limousines (statewide) if you fail to pay a fine owed to the Authority, you fail to appear for a hearing on an administrative citation, and/or you are found in violation of the provisions of NRS 706 or NAC 706 more than five times within three years.

NOTICE: Pursuant to NRS 706.772 and NRS 706 483.441, you may have your driver's license suspended by the Nevada Department of Motor Vehicles if you fail to pay the full amount of the administrative fine and any other costs which are due to the Authority as a result of the above final Order.

Agenda Item#

31

BEFORE THE NEVADA TRANSPORTATION AUTHORITY

In Re: Citation 23055 issued to Theresa Ayrea for)
violation of NAC 706.3754.) Citation 23055
_____)
)

At a general session of the Nevada Transportation
Authority held on April 8, 2021.

PRESENT: Chairman Dawn Gibbons
Commissioner George Assad
Commissioner David Newton
Deputy Commissioner Jennifer De Rose

ORDER

On March 10, 2021, a hearing on the above-captioned matter was held before Commissioner George Assad, serving in his capacity as Hearing Officer for the Nevada Transportation Authority (“Authority”). The Respondent, Theresa Ayrea was present and elected to proceed without counsel.

After hearing the allegations, the respective arguments, and having considered the evidence introduced by both parties and being fully advised, the Hearing Officer, pursuant to Nevada Administrative Code (“NAC”) 706.4015, prepared a proposed decision for review by the Authority. Based on that proposed decision, the Authority enters the following final order affirming the decision of the Hearing Officer. Under Nevada Revised Statutes (“NRS”) 706.151, the Authority has legal jurisdiction and authority over this matter.

At hearing, the parties knowingly and voluntarily stipulated and agreed as follows:

1. To admit into evidence the Citation 23055 and the related Investigation Report (marked as State’s Exhibit 1 and incorporated herein by reference) and that the facts as set forth therein were true and accurate;

2. That the Respondent's actions constituted violation of NAC 706.3754 related to failure to have taxicab lease in vehicle while operating;
3. To a fine in the amount of \$100.00 for the NAC 706.3754 violation with \$500.00 of said fine amount suspended pending no further violations of NRS 706 or NAC 706 within one year and timely payment of the fine amount; and
4. To waive the requirement that the Authority's final order contain formal Findings of Fact and Conclusions of Law as required under NRS 233B.125.

DISCUSSION

The Hearing Officer recommended to the Authority:

1. That the stipulations and agreements of the parties as set forth hereinabove be accepted; and
2. That findings enter against the Respondent for one violation of NAC 706.3754.

ORDER

IT IS THEREFORE ORDERED, based on the foregoing:

1. That the recommendation of the Hearing Officer for Administrative Citation and Verified Complaint 23055 issued to Theresa Ayrea for the NAC 706.3754 violation is hereby AFFIRMED;
2. The total fine shall be in the amount of One Hundred Dollars and Zero Cents (\$100.00), with Fifty Dollars and Zero Cents (\$50.00) of said fine amount to be suspended pending no further violations of NRS 706 or NAC 706 within one year and timely payment of the fine amount; and

///

///

///

3. That the Authority retains jurisdiction for correcting any errors that may have occurred in the drafting or issuance of this Order.

By the Authority,

Dawn Gibbons, Chairman

George Assad, Commissioner

David Newton, Commissioner

Attest: _____
Jennifer De Rose, Deputy Commissioner

Dated: _____
Las Vegas, Nevada

NOTICE: Pursuant to NRS 233B.130, any party to this matter aggrieved by the above final decision may file a petition for rehearing or reconsideration. A petition for rehearing or reconsideration must be filed with the Authority within 15 days after the date the party received this Order.

NOTICE: In accordance with NAC 706.229 and NAC 706.3751 (both recently amended, see Legislative Counsel Bureau File No. R111-10), you may be disqualified from driving taxicabs (outside of Clark County) or charter limousines (statewide) if you fail to pay a fine owed to the Authority, you fail to appear for a hearing on an administrative citation, and/or you are found in violation of the provisions of NRS 706 or NAC 706 more than five times within three years.

NOTICE: Pursuant to NRS 706.772 and NRS 706 483.441, you may have your driver's license suspended by the Nevada Department of Motor Vehicles if you fail to pay the full amount of the administrative fine and any other costs which are due to the Authority as a result of the above final Order.

Agenda Item#

32

BEFORE THE NEVADA TRANSPORTATION AUTHORITY

In Re: the impoundment pursuant to NRS 706.476 for)
vehicles registered to and Citation 23101 issued to)
Alex Jensen for violation of NRS 706.386 and NRS)
706.758.)
_____)

Impounds 4219 and 4220 and
Citation 23101

At a general session of the Nevada Transportation
Authority held on April 8, 2021.

PRESENT: Chairman Dawn Gibbons
Commissioner George Assad
Commissioner David Newton
Deputy Commissioner Jennifer De Rose

ORDER

On February 18, 2021, a hearing on the above-captioned matters was held before Commissioner George Assad serving in his capacity as Hearing Officer for the Nevada Transportation Authority (“Authority”). The Respondent to Citation 23101 and registered owner of the impounded vehicles, Alex Jensen, was present and elected to proceed without counsel.

After hearing the allegations, the respective arguments, and having considered the evidence introduced by both parties and being fully advised, the Hearing Officer, pursuant to Nevada Administrative Code (“NAC”) 706.4015, prepared a proposed decision for review by the Authority. Based on that proposed decision, the Authority enters the following final order affirming the decision of the Hearing Officer. Under Nevada Revised Statutes (“NRS”) 706.151, the Authority has legal jurisdiction and authority over this matter.

At hearing, the parties knowingly and voluntarily stipulated and agreed as follows:

1. To the admission of Citation 23101 and the Investigation Report for the Citation and related impounds into evidence (identified as State’s Exhibit 1 and incorporated herein by reference) and that the facts as set forth therein were true and accurate;

2. That Alex Jensen is the registered owner of the impounded vehicles in this matter and was present at the hearing regarding said vehicles;
3. That the use of the vehicles in intrastate commerce without a certificate of public convenience and necessity ("CPCN") violated NRS 706.476 (2)(b)(2) and (3) in that:
 - a. No CPCN had been issued authorizing the use of the impounded vehicles in intrastate commerce for towing services; and
 - b. That the impounded vehicles did not meet all required standards of the Authority;
4. That no CPCN had been issued by the Authority authorizing the operations or advertising undertaken by the Respondent in this matter;
5. That the Respondent's actions constituted one violation of NRS 706.386 and NRS 706.758 as alleged and that the impoundment of the vehicles pursuant to NRS 706.476 was proper;
6. To fines in the amount of \$100.00 for Impound I-4219 and that no fine be assessed for Impound I-4220;
7. In the amount of \$2,500.00 for the NRS 706.386 violation with \$2,100.00 of said fine amount suspended pending no further violations of NRS 706.386, NRS 706.758 or NRS 706.476 within one year and timely payment of the fine amount.;
8. To a fine in the amount of \$1,000.00 for the NRS 706.758 violation with \$1,000.00 of said fine amount suspended pending no further NRS 706.386, NRS 706.758 or NRS 706.476 violations within one year; and
9. To waive the requirement that the Authority's final order contain formal Findings of Fact and Conclusions of Law as required under NRS 233B.125.

DISCUSSION

The Hearing Officer recommended to the Authority:

1. That the stipulations and agreements of the parties as set forth hereinabove be accepted;

2. That the impoundment of the vehicles be deemed proper under NRS 706.476;
3. That findings enter against the Respondent for one violation of NRS 706.386, related to operating as a fully regulated carrier without authority and for one violation of NRS 706.758, relating to holding oneself out to the public via unlawful advertisement as able to provide services requiring a certificate of public convenience and necessity.

ORDER

IT IS THEREFORE ORDERED, based on the foregoing:

1. That the recommendation of the Hearing Officer with regard to the impoundment of the vehicles pursuant to NRS 706.476 is hereby AFFIRMED;
2. That the recommendation of the Hearing Officer for Administrative Citation and Verified Complaint 23101, issued to Alex Jensen for violations of NRS 706.386 and NRS 706.758 is hereby AFFIRMED;
3. That with respect to Impound I-4219 a fine in the amount of One Hundred Dollars and Zero Cents (\$100.00) shall be assessed for the impoundment of the vehicle in this matter;
4. That with respect to Impound I-4220, no fine shall be assessed for the impoundment of the vehicle;
5. That the *total* fine for Citation 23101 shall be in the amount of Three Thousand Five Hundred Dollars and Zero Cents (\$3,500.00), with Three Thousand One Hundred Dollars and Zero Cents (\$3,100.00) of said fine amount to be suspended pending no further NRS 706.386, NRS 706.758 or NRS 706.476 violations within one year and timely payment of the fine amount;
6. That the Respondent is to immediately **CEASE AND DESIST** any and all use of the impounded vehicles in violation of the provisions of NRS 706;

7. That the Respondent is to immediately **CEASE AND DESIST** any and all operation in violation of NRS 706.386;
8. That pursuant to NRS 706.758, the Respondent is to **CEASE AND DESIST** the unlawful advertising; and
9. That the Authority retains jurisdiction for correcting any errors that may have occurred in the drafting or issuance of this Order.

By the Authority,

Dawn Gibbons, Chairman

George Assad, Commissioner

David Newton, Commissioner

Attest : _____
Jennifer De Rose, Deputy Commissioner

Dated: _____
Las Vegas, Nevada

NOTICE: Pursuant to NRS 233B.130, any party to this matter aggrieved by the above final decision may file a petition for rehearing or reconsideration. A petition for rehearing or reconsideration must be filed with the Authority within 15 days after the date the party received this Order.

NOTICE: In accordance with NAC 706.229 and NAC 706.3751 (both recently amended, see Legislative Counsel Bureau File No. R111-10), you may be disqualified from driving taxicabs (outside of Clark County) or chareer limousines (statewide) if you fail to pay a fine owed to the Authority, you fail to appear for a hearing on an administrative citation, and/or you are found in violation of the provisions of NRS 706 or NAC 706 more than five times within three years.

NOTICE: Pursuant to NRS 706.772 and NRS 706 483.441, you may have your driver's license suspended by the Nevada Department of Motor Vehicles if you fail to pay the full amount of the administrative fine and any other costs which are due to the Authority as a result of the above final Order.

Agenda Item#

33

BEFORE THE NEVADA TRANSPORTATION AUTHORITY

In Re: Citation 23204 issued to Angel Figueroa-) Citation 23204
Polanco for violation of NAC 706.1378.)
_____)

At a general session of the Nevada Transportation
Authority held on April 8, 2021.

PRESENT: Chairman Dawn Gibbons
 Commissioner George Assad
 Commissioner David Newton
 Deputy Commissioner Jennifer De Rose

ORDER

On February 17, 2021, a hearing on the above-captioned matter was held before Commissioner George Assad, serving in his capacity as Hearing Officer for the Nevada Transportation Authority (“Authority”). The Respondent, Angel Figueroa-Polanco, was present and elected to proceed without legal counsel.

After hearing the allegations, the respective arguments, and having considered the evidence introduced by both parties and being fully advised, the Hearing Officer, pursuant to Nevada Administrative Code (“NAC”) 706.4015, prepared a proposed decision for review by the Authority. Based on that proposed decision, the Authority enters the following final order affirming the decision of the Hearing Officer. Under Nevada Revised Statutes (“NRS”) 706.151, the Authority has legal jurisdiction and authority over this matter.

At hearing, the parties knowingly and voluntarily stipulated and agreed as follows:

1. To admit into evidence Citation 23204 and the related Investigation Report (marked as State’s Exhibit 1 and incorporated herein by reference) and that the facts as set forth therein were true and accurate;

2. That the Respondent's actions constituted one violation of NAC 706.1378 related to commission of acts detrimental to public safety;
3. That no fine be assessed for the NAC 706.1378 violation;
4. That Respondent may continue to drive a taxicab; and
5. To waive the requirement that the Authority's final order contain formal Findings of Fact and Conclusions of Law as required under NRS 233B.125.

DISCUSSION

The Hearing Officer recommended to the Authority:

1. That the stipulations and agreements of the parties as set forth hereinabove be accepted; and
2. That findings enter against the Respondent for one violation of NAC 706.1378.

ORDER

IT IS THEREFORE ORDERED, based on the foregoing:

1. That the recommendation of the Hearing Officer for Administrative Citation and Verified Complaint 23204, issued to Angel Figueroa-Polanco for one violation of NAC 706.1378, is hereby AFFIRMED;
2. That no fine shall be assessed for Citation 23204 in this matter;
3. That Respondent may continue to drive a taxicab; and

///

///

///

///

///

///

4. That the Authority retains jurisdiction for correcting any errors that may have occurred in the drafting or issuance of this Order.

By the Authority,

Dawn Gibbons, Chairman

George Assad, Commissioner

David Newton, Commissioner

Attest: _____
Jennifer De Rose, Deputy Commissioner

Dated: _____
Las Vegas, Nevada

NOTICE: Pursuant to NRS 233B.130, any party to this matter aggrieved by the above final decision may file a petition for rehearing or reconsideration. A petition for rehearing or reconsideration must be filed with the Authority within 15 days after the date the party received this Order.

NOTICE: In accordance with NAC 706.229 and NAC 706.3751 (both recently amended, see Legislative Counsel Bureau File No. R111-10), you may be disqualified from driving taxicabs (outside of Clark County) or charter limousines (statewide) if you fail to pay a fine owed to the Authority, you fail to appear for a hearing on an administrative citation, and/or you are found in violation of the provisions of NRS 706 or NAC 706 more than five times within three years.

NOTICE: Pursuant to NRS 706.772 and NRS 706 483.441, you may have your driver's license suspended by the Nevada Department of Motor Vehicles if you fail to pay the full amount of the administrative fine and any other costs which are due to the Authority as a result of the above final Order.

Agenda Item#

34

BEFORE THE NEVADA TRANSPORTATION AUTHORITY

In re: Citation 23205 issued to Nevada Towing for a violation of NAC 706.360.)
)
)
)
)

Citation 23205

At a general session of the Nevada Transportation Authority held on April 8, 2021.

PRESENT: Chairman Dawn Gibbons
Commissioner George Assad
Commissioner David Newton
Deputy Commissioner Jennifer De Rose

ORDER

On March 10, 2021, a hearing on the above-captioned matter was held before Commissioner George Assad, serving in his capacity as Hearing Officer for the Nevada Transportation Authority (“Authority”). The Respondent, Nevada Towing was present through their President, Carl Bailey. Mr. Bailey elected to proceed without legal counsel.

After hearing the allegations, the respective arguments, and having considered the evidence introduced by both parties and being fully advised, the Hearing Officer, pursuant to Nevada Administrative Code (“NAC”) 706.4015, prepared a proposed decision for review by the Authority. Based on that proposed decision, the Authority enters the following final order affirming the decision of the Hearing Officer. Under Nevada Revised Statutes (“NRS”) 706.151, the Authority has legal jurisdiction and authority over this matter.

At hearing, the parties knowingly and voluntarily stipulated and agreed as follows:

1. To admit into evidence the Citation 23205 and the related Investigation Report (marked as State’s Exhibit 1 and incorporated herein by reference) and that the facts as set forth therein were true and accurate;

2. That the Respondent's actions constituted violation of NAC 706.360 related to failure to have vehicle inspected by Authority prior to use;
3. To a fine in the amount of \$100.00 for the NAC 706.360 violation with \$100.00 of said fine amount suspended pending no further violations of NRS 706 or NAC 706 within one year; and
4. To waive the requirement that the Authority's final order contain formal Findings of Fact and Conclusions of Law as required under NRS 233B.125.

DISCUSSION

The Hearing Officer recommended to the Authority:

1. That the stipulations and agreements of the parties as set forth hereinabove be accepted; and
2. That findings enter against the Respondent for violation of NAC 706.360.

ORDER

IT IS THEREFORE ORDERED, based on the foregoing:

1. That the recommendation of the Hearing Officer for Administrative Citation and Verified Complaint 23205, issued to Nevada Towing for violation of NAC 706.360 is hereby AFFIRMED;
2. That the *total* fine for Citation 23205 shall be in the amount of One Hundred Dollars and Zero Cents (\$100.00), with One Hundred Dollars and Zero Cents (\$100.00) of said fine amount to be suspended pending no further violations of NRS 706 or NAC 706 within one year; and

///

///

3. That the Authority retains jurisdiction for correcting any errors that may have occurred in the drafting or issuance of this Order.

By the Authority,

Dawn Gibbons, Chairman

George Assad, Commissioner

David Newton, Commissioner

Attest: _____
Jennifer De Rose, Deputy Commissioner

Dated: _____
Las Vegas, Nevada

NOTICE: Pursuant to NRS 233B.130, any party to this matter aggrieved by the above final decision may file a petition for rehearing or reconsideration. A petition for rehearing or reconsideration must be filed with the Authority within 15 days after the date the party received this Order.

NOTICE: In accordance with NAC 706.229 and NAC 706.3751 (both recently amended, see Legislative Counsel Bureau File No. R111-10), you may be disqualified from driving taxicabs (outside of Clark County) or charter limousines (statewide) if you fail to pay a fine owed to the Authority, you fail to appear for a hearing on an administrative citation, and/or you are found in violation of the provisions of NRS 706 or NAC 706 more than five times within three years.

NOTICE: Pursuant to NRS 706.772 and NRS 706 483.441, you may have your driver's license suspended by the Nevada Department of Motor Vehicles if you fail to pay the full amount of the administrative fine and any other costs which are due to the Authority as a result of the above final Order.

Agenda Item#

35

BEFORE THE NEVADA TRANSPORTATION AUTHORITY

Citation Issued to Anthony Lee Luz for)
violation of NAC 706.1378, Grounds for) Citation No. 23207
Suspension or Revocation of Driver's Permit.)
_____)

At a general session of the Nevada Transportation
Authority held on April 8, 2021.

PRESENT: Chairman Dawn Gibbons
Commissioner George Assad
Commissioner David Newton
Deputy Commissioner Jennifer De Rose

ORDER

The Nevada Transportation Authority ("Authority") makes the following findings of fact
and conclusions of law:

1. On March 1, 2021, the Enforcement Staff of the Nevada Transportation Authority ("Staff") issued Citation No. 23207 to Anthony Lee Luz ("Respondent").
2. Respondent was cited for a violation of Nevada Administrative Code ("NAC"), section 706.1378.
3. On March 10, 2021, the Authority convened a hearing on the citation before Commissioner George Assad, Presiding Officer.
4. Appearance at the hearing was made by Louis V. Csoka, Esq., on behalf of Staff.
5. The Respondent failed to appear after being properly served by Certified Mail.
6. William. Schilling, ("Schilling") Compliance Enforcement Investigator for the Authority, testified on behalf of Staff.
7. Staff offered into evidence its investigative report, designated State's Exhibit 1. Respondent offered no exhibits. All exhibits were admitted.

8. Schilling testified that he was contacted by Reno Sparks Cab Company regarding a shooting that involved a taxicab driver identified as Anthony Lee Luz.
9. After reviewing video footage from the cab company Shilling observed the Respondent retrieve a handgun from the driver's side door and place it in his waistband.
10. The video then showed the Respondent retrieving the firearm from his waistband and then discharging the firearm through the driver's side window of the taxicab.
11. The Respondent committed several felonies by discharging a firearm from a vehicle and possessing a concealed firearm without a permit.
12. Schilling further testified that the Respondent is a threat to society and was issued Citation 23207, NAC 706.1378, grounds for suspension or revocation of a driver's permit.
13. Schilling contacted the Respondent who stated he discharged his weapon because he thought he was being robbed.

DISSUSSION

1. Commissioner Assad, having fully considered the above-mentioned Findings of Fact and Conclusions of Law recommended to the Authority that the Respondent was properly noticed and received due process and an opportunity to be heard.
2. The testimony along with the evidence established substantial evidence in the record that the violation of NAC 706.1378 has occurred.

BASED ON THE FOREGOING, it is ORDERED that:

1. Respondent Anthony Lee Luz violated NAC 706.1378 as alleged in Citation No. 23207.

2. That the Respondent's NTA Driver's Permit be revoked and Respondent be placed on the NTA's ineligible driver's list.
3. That Respondent's Nevada Driver's License be suspended by the Nevada Department of Motor vehicles.
4. The Authority retains jurisdiction for correcting any errors that may have occurred in the drafting or issuance of this Order.

By the Authority,

Dawn Gibbons, Chairman

George Assad, Commissioner

David Newton, Commissioner

Attest: _____
Jennifer De Rose, Deputy Commissioner

Dated: _____
Las Vegas, Nevada

NOTICE: Pursuant to NRS 233B.130, any party to this matter aggrieved by the above final decision may file a petition for rehearing or reconsideration. A petition for rehearing or reconsideration must be filed with the Authority within 15 days after the date the party received this Order.

Agenda Item#

36

BEFORE THE NEVADA TRANSPORTATION AUTHORITY

In Re: the impoundment pursuant to NRS 706.476)
of a vehicle registered to Delta Limousine Services,)
LLC.)

At a general session of the Nevada Transportation
Authority held on April 8, 2021.

PRESENT: Chairman Dawn Gibbons
 Commissioner George Assad
 Commissioner David Newton
 Deputy Commissioner Jennifer De Rose

ORDER

On February 5, 2021, a hearing on the above-captioned matter was held before Commissioner George Assad, serving in his capacity as Hearing Officer for the Nevada Transportation Authority (“Authority”). The registered owner of the impounded vehicle, Delta Limousine Services, LLC, was present by and through their Owner, Douglas Freimarck. Mr. Freimarck elected to proceed without legal counsel.

After hearing the allegations, the respective arguments, and having considered the evidence introduced by both parties and being fully advised, the Hearing Officer, pursuant to Nevada Administrative Code (“NAC”) 706.4015, prepared a proposed decision for review by the Authority. Based on that proposed decision, the Authority enters the following final order affirming the decision of the Hearing Officer. Under Nevada Revised Statutes (“NRS”) 706.151, the Authority has legal jurisdiction and authority over this matter.

At hearing, the parties knowingly and voluntarily stipulated and agreed as follows:

1. To the admission of the Investigation Report for Impound 4205 into evidence (identified as State's Exhibit 1 and incorporated herein by reference) and that the facts as set forth therein were true and accurate;
2. That the registered owner of the impounded vehicle was present at the hearing regarding said vehicle;
3. That the use of the vehicle in intrastate commerce without a certificate of public convenience and necessity ("CPCN") violated NRS 706.476 (2)(b)(2) and (3) in that:
 - a. No CPCN had been issued authorizing the use of the impounded vehicle in intrastate commerce for passenger transportation; and
 - b. That the impounded vehicle did not meet all required standards of the Authority;
4. That a fine in the amount of \$250.00 be assessed for the impoundment of the vehicle in this matter; and
5. To waive the requirement that the Authority's final order contain formal Findings of Fact and Conclusions of Law as required under NRS 233B.125.

DISCUSSION

The Hearing Officer recommended to the Authority:

1. That the stipulations and agreements of the parties as set forth hereinabove be accepted; and
2. That the impoundment of the vehicle be deemed proper under NRS 706.476.

ORDER

IT IS THEREFORE ORDERED, based on the foregoing:

1. That the recommendation of the Hearing Officer with regard to the impoundment of the vehicle is hereby AFFIRMED;

2. That a fine in the amount of Two Hundred Fifty Dollars and Zero Cents (\$250.00) shall be assessed for the impoundment of the vehicle in this matter;
3. That the Respondent is to immediately **CEASE AND DESIST** any and all use of the impounded vehicle in violation of the provisions of NRS 706; and
4. That the Authority retains jurisdiction for correcting any errors that may have occurred in the drafting or issuance of this Order.

By the Authority,

Dawn Gibbons, Chairman

George Assad, Commissioner

David Newton, Commissioner

Attest: _____
Jennifer De Rose, Deputy Commissioner

Dated: _____
Las Vegas, Nevada

NOTICE: Pursuant to NRS 233B.130, any party to this matter aggrieved by the above final decision may file a petition for rehearing or reconsideration. A petition for rehearing or reconsideration must be filed with the Authority within 15 days after the date the party received this Order.

NOTICE: In accordance with NAC 706.229 and NAC 706.3751 (both recently amended, see Legislative Counsel Bureau File No. R111-10), you may be disqualified from driving taxicabs (outside of Clark County) or charter limousines (statewide) if you fail to pay a fine owed to the Authority, you fail to appear for a hearing on an administrative citation, and/or you are found in violation of the provisions of NRS 706 or NAC 706 more than five times within three years.

NOTICE: Pursuant to NRS 706.772 and NRS 706 483.441, you may have your driver's license suspended by the Nevada Department of Motor Vehicles if you fail to pay the full amount of the administrative fine and any other costs which are due to the Authority as a result of the above final Order.

Agenda Item#

37

BEFORE THE NEVADA TRANSPORTATION AUTHORITY

In Re: Citation 21968 issued to Dinora Pineda Ardon)
for violations of NRS 706.386 and NRS 706.758.)
_____)

Citation 21968

At a general session of the Nevada Transportation
Authority held on April 8, 2021.

PRESENT: Chairman Dawn Gibbons
 Commissioner George Assad
 Commissioner David Newton
 Deputy Commissioner Jennifer De Rose

ORDER

On March 3, 2021, a hearing on the above-captioned matter was held before Commissioner David Newton, serving in his capacity as Hearing Officer for the Nevada Transportation Authority (“Authority”). The Respondent, Dinora Pineda Ardon, was present and elected to proceed without legal counsel.

After hearing the allegations, the respective arguments, and having considered the evidence introduced by both parties and being fully advised, the Hearing Officer, pursuant to Nevada Administrative Code (“NAC”) 706.4015, prepared a proposed decision for review by the Authority. Based on that proposed decision, the Authority enters the following final order affirming the decision of the Hearing Officer. Under Nevada Revised Statutes (“NRS”) 706.151, the Authority has legal jurisdiction and authority over this matter.

At hearing, the parties knowingly and voluntarily stipulated and agreed as follows:

1. To the admission of Citation 21968 and the Investigation Report for the Citation into evidence (identified as State’s Exhibit 1 and incorporated herein by reference) and that the facts as set forth therein were true and accurate;

2. That no certificate of public convenience and necessity (“CPCN”) had been issued by the Authority authorizing the operations or advertising undertaken by the Respondent in this matter;
3. That the Respondent’s actions constituted violations of NRS 706.386 and NRS 706.758;
4. To a fine in the amount of \$5,000.00 for the NRS 706.386 violation with \$4,000.00 of said fine amount suspended pending no further violations of NRS 706.386 within one year and timely payment of fine amount;
5. To a fine in the amount of \$1,000.00 for the NRS 706.758 violation with \$1,000.00 of said fine amount suspended pending no further violations of NRS 706.758 within one year and timely payment of the NRS 706.386 fine amount; and
6. To waive the requirement that the Authority’s final order contain formal Findings of Fact and Conclusions of Law as required under NRS 233B.125.

DISCUSSION

The Hearing Officer recommended to the Authority:

1. That the stipulations and agreements of the parties as set forth hereinabove be accepted; and
2. That findings enter against the Respondents for one violation of NRS 706.386, related to operating as a fully regulated carrier without authority, and one violation of NRS 706.758, related to advertising the services of a fully regulated carrier without authority.

ORDER

IT IS THEREFORE ORDERED, based on the foregoing:

1. That the recommendation of the Hearing Officer regarding Administrative Citation and Verified Complaint 21968, issued to Dinora Pineda Ardon for violations of NRS 706.386 and NRS 706.758, is hereby AFFIRMED;

2. That the *total* fine for Citation Number 21968 shall be in the amount of Six Thousand Dollars and Zero Cents (\$6,000.00), with Five Thousand Dollars and Zero Cents (\$5,000.00) of said fine amount to be suspended pending no further violations of NRS 706.386 or NRS 706.758 within one year and timely payment of fine amount;
3. That the Respondent is to immediately **CEASE AND DESIST** any and all operation in violation of NRS 706.386;
4. That pursuant to NRS 706.758, the Respondent is to immediately **CEASE AND DESIST** any unlawful advertising; and

///

///

///

///

///

///

///

///

///

///

///

///

///

///

///

5. That the Authority retains jurisdiction for correcting any errors that may have occurred in the drafting or issuance of this Order.

By the Authority,

Dawn Gibbons, Chairman

George Assad, Commissioner

David Newton, Commissioner

Attest: _____
Jennifer De Rose, Deputy Commissioner

Dated: _____
Las Vegas, Nevada

NOTICE: Pursuant to NRS 233B.130, any party to this matter aggrieved by the above final decision may file a petition for rehearing or reconsideration. A petition for rehearing or reconsideration must be filed with the Authority within 15 days after the date the party received this Order.

NOTICE: In accordance with NAC 706.229 and NAC 706.3751 (both recently amended, see Legislative Counsel Bureau File No. R111-10), you may be disqualified from driving taxicabs (outside of Clark County) or charter limousines (statewide) if you fail to pay a fine owed to the Authority, you fail to appear for a hearing on an administrative citation, and/or you are found in violation of the provisions of NRS 706 or NAC 706 more than five times within three years.

NOTICE: Pursuant to NRS 706.772 and NRS 706 483.441, you may have your driver's license suspended by the Nevada Department of Motor Vehicles if you fail to pay the full amount of the administrative fine and any other costs which are due to the Authority as a result of the above final Order.

Agenda Item#

38

BEFORE THE NEVADA TRANSPORTATION AUTHORITY

In re: Citations 22407 and 22409 issued to Edgar)	
Perez, LLC d/b/a Eddy's Towing for violations of	)	Citations 22407 and 22409
NAC 706.4275 (32 counts), NAC 706.206 and NRS)	
706.398.)	
_____)	

At a general session of the Nevada Transportation
Authority held on April 8, 2021.

PRESENT: Chairman Dawn Gibbons
 Commissioner George Assad
 Commissioner David Newton
 Deputy Commissioner Jennifer De Rose

ORDER

On March 2, 2021, a hearing on the above-captioned matter was held before Commissioner David Newton, serving in his capacity as Hearing Officer for the Nevada Transportation Authority ("Authority"). The Respondent, Edgar Perez, LLC d/b/a Eddy's Towing was represented by legal counsel, Jamie Kent, Esq.

After hearing the allegations, the respective arguments, and having considered the evidence introduced by both parties and being fully advised, the Hearing Officer, pursuant to Nevada Administrative Code ("NAC") 706.4015, prepared a proposed decision for review by the Authority. Based on that proposed decision, the Authority enters the following final order affirming the decision of the Hearing Officer. Under Nevada Revised Statutes ("NRS") 706.151, the Authority has legal jurisdiction and authority over this matter.

At hearing, the parties knowingly and voluntarily stipulated and agreed as follows:

1. To admit into evidence Citation 22407 and the related Investigation Report (marked as State's Exhibit 1 and incorporated herein by reference) and that the facts as set forth therein were true and accurate,
2. To withdraw Citation 22409,
3. To withdraw one count of violation NAC 706.4275 from Citation 22407,

4. That the Respondent's actions constituted 31 counts of violation NAC 706.4275 related to towing 31 vehicles without the proper request,
5. To a fine in the amount \$100.00 per count totaling \$3,100.00 of violations of NAC 706.4275 with \$1,600.00 of said fine amount suspended pending no further violations of NAC 706.4275 within one year and timely payment of the fine amount,
6. That the 31 counts of NAC 706.4275 will be counted as one violation,
7. That Respondent agrees to provide the Authority with notification of disposition of the 31 vehicles within 60 days,
8. That the 31 vehicles will remain in the possession of 911 Towing until such time the vehicles are properly disposed, and
9. To waive the requirement that the Authority's final order contain formal Findings of Fact and Conclusions of Law as required under NRS 233B.125.

DISCUSSION

The Hearing Officer recommended to the Authority:

1. That the stipulations and agreements of the parties as set forth hereinabove be accepted; and
2. That findings enter against the Respondent for violations of NAC 706.4275.

ORDER

IT IS THEREFORE ORDERED, based on the foregoing:

That the recommendation of the Hearing Officer for Administrative Citations and Verified Complaints 22407, issued to Edgar Perez, LLC d/b/a Eddy's Towing for 31 violations of NAC 706.4275 is hereby AFFIRMED,

1. That the 31 counts of violation NAC 706.4275 will be counted as one violation,

2. That the fine for Citation 22407 shall be in the amount of Three Thousand One Hundred Dollars and Zero Cents (\$3,100.00), with One Thousand Six Hundred Dollars and Zero Cents (\$1,600.00) of said fine amount to be suspended pending no further NAC 706.4275 violations within one year,
3. That Respondent agrees to provide the Authority with notification of disposition of the 31 vehicles within 60 days, and
4. That the Authority retains jurisdiction for correcting any errors that may have occurred in the drafting or issuance of this Order.

By the Authority,

Dawn Gibbons, Chairman

George Assad, Commissioner

David Newton, Commissioner

Attest: _____
Jennifer De Rose, Deputy Commissioner

Dated: _____
Las Vegas, Nevada

NOTICE: Pursuant to NRS 233B.130, any party to this matter aggrieved by the above final decision may file a petition for rehearing or reconsideration. A petition for rehearing or reconsideration must be filed with the Authority within 15 days after the date the party received this Order.

NOTICE: In accordance with NAC 706.229 and NAC 706.3751 (both recently amended, see Legislative Counsel Bureau File No. R111-10), you may be disqualified from driving taxicabs (outside of Clark County) or charter limousines (statewide) if you fail to pay a fine owed to the Authority, you fail to appear for a hearing on an administrative citation, and/or you are found in violation of the provisions of NRS 706 or NAC 706 more than five times within three years.

NOTICE: Pursuant to NRS 706.772 and NRS 706 483.441, you may have your driver's license suspended by the Nevada Department of Motor Vehicles if you fail to pay the full amount of the administrative fine and any other costs which are due to the Authority as a result of the above final Order.

Agenda Item#

39

BEFORE THE NEVADA TRANSPORTATION AUTHORITY

In Re: the impoundment pursuant to NRS 706.476	)	Impound 3874 and
of a vehicle registered to and Citations 22451 and	)	Citations 22451 and 22452
22452 issued to Cain Khoxayo for violations of)	
NRS 706.386 and NRS 706A.280.)	
_____)	

At a general session of the Nevada Transportation
Authority held on April 8, 2021.

PRESENT: Chairman Dawn Gibbons
Commissioner George Assad
Commissioner David Newton
Deputy Commissioner Jennifer De Rose

ORDER

On February 9, 2021, a hearing on the above-captioned matters was held before Commissioner David Newton serving in his capacity as Hearing Officer for the Nevada Transportation Authority (“Authority”). The Respondent to Citations 22451 and 22452 and registered owner of the impounded vehicle, Cain Khoxayo, was present and elected to proceed without counsel.

After hearing the allegations, the respective arguments, and having considered the evidence introduced by both parties and being fully advised, the Hearing Officer, pursuant to Nevada Administrative Code (“NAC”) 706.4015, prepared a proposed decision for review by the Authority. Based on that proposed decision, the Authority enters the following final order affirming the decision of the Hearing Officer. Under Nevada Revised Statutes (“NRS”) 706.151, the Authority has legal jurisdiction and authority over this matter.

At hearing, the parties knowingly and voluntarily stipulated and agreed as follows:

1. To the admission of Citations 22451 and 22452, the Investigation Report for the Citations and related impound into evidence (identified as State’s Exhibit 1 and incorporated herein by reference) and that the facts as set forth therein were true and accurate;

2. That Cain Khoxayo is the registered owner of the impounded vehicle in this matter and was present at the hearing regarding said vehicle;
3. That the use of the vehicle in intrastate commerce without a certificate of public convenience and necessity ("CPCN") violated NRS 706.476 (2)(b)(2) and NRS 706.2(b)(3) in that:
 - a. No CPCN had been issued authorizing the use of the impounded vehicle in intrastate commerce for passenger transportation; and
 - b. The impounded vehicle did not meet the required standards of the Authority;
4. That no CPCN had been issued by the Authority authorizing the operations undertaken by the Respondent in this matter;
5. That the Respondent's actions constituted one violation of NRS 706.386 as alleged and that the impoundment of the vehicle pursuant to NRS 706.476 was proper;
6. That with respect to Citation 22451, the Respondent's actions constituted a violation of NRS 706A.280 (in that he solicited a passenger for off-app transportation);
7. That a fine in the amount of \$100.00 be assessed for the impoundment of the vehicle in this matter;
8. That a fine be assessed in the amount of \$2,500.00 for the NRS 706.386 violation with \$2,250.00 of said fine amount suspended pending no further violations of NRS 706 within one year and timely payment of the fine amount;
9. That no fine or disqualification be imposed for the NRS 706A.280 violation; and
10. To waive the requirement that the Authority's final order contain formal Findings of Fact and Conclusions of Law as required under NRS 233B.125 (waiver entered as Exhibit 2).

///

///

DISCUSSION

The Hearing Officer recommended to the Authority:

1. That the stipulations and agreements of the parties as set forth hereinabove be accepted;
2. That the impoundment of the vehicle be deemed proper under NRS 706.476;
3. That findings enter against the Respondent for one violation of NRS 706.386, relating to operating as a fully regulated carrier without authority and for one violation of NRS 706A.280, relating to providing passenger transportation services outside the TNC application.

ORDER

IT IS THEREFORE ORDERED, based on the foregoing:

1. That the recommendation of the Hearing Officer with regard to the impoundment of the vehicle pursuant to NRS 706.476 is hereby AFFIRMED;
2. That the recommendation of the Hearing Officer for Administrative Citations and Verified Complaint 22451 and 22452, issued to Cain Khoxayo for violations of NRS 706.386 and NRS 706A.280, is hereby AFFIRMED;
3. That a fine in the amount of One Hundred Dollars and Zero Cents (\$100.00) be assessed for the impoundment of the vehicle in this matter;
4. That the *total* fine for Citation 22452 shall be in the amount of Two Thousand Five Hundred Dollars and Zero Cents (\$2,500.00), with Two Thousand Two Hundred Fifty Dollars and Zero Cents (\$2,250.00) of said fine amount to be suspended pending no further NRS 706 violations within one year and timely payment of the fine amount;
5. That *no fine* or disqualification be imposed for Citation 22451 for the NRS 706A.280 violation;

6. That the Respondent is to immediately **CEASE AND DESIST** any and all use of the impounded vehicle in violation of the provisions of NRS 706;
7. That the Respondent is to immediately **CEASE AND DESIST** any and all operation in violation of NRS 706.386; and
8. That the Authority retains jurisdiction for correcting any errors that may have occurred in the drafting or issuance of this Order.

By the Authority,

Dawn Gibbons, Chairman

George Assad, Commissioner

David Newton, Commissioner

Attest: _____
Jennifer De Rose, Deputy Commissioner

Dated: _____
Las Vegas, Nevada

NOTICE: Pursuant to NRS 233B.130, any party to this matter aggrieved by the above final decision may file a petition for rehearing or reconsideration. A petition for rehearing or reconsideration must be filed with the Authority within 15 days after the date the party received this Order.

NOTICE: In accordance with NAC 706.229 and NAC 706.3751 (both recently amended, see Legislative Counsel Bureau File No. R111-10), you may be disqualified from driving taxicabs (outside of Clark County) or charter limousines (statewide) if you fail to pay a fine owed to the Authority, you fail to appear for a hearing on an administrative citation, and/or you are found in violation of the provisions of NRS 706 or NAC 706 more than five times within three years.

NOTICE: Pursuant to NRS 706.772 and NRS 706 483.441, you may have your driver's license suspended by the Nevada Department of Motor Vehicles if you fail to pay the full amount of the administrative fine and any other costs which are due to the Authority as a result of the above final Order.

Agenda Item#

40

BEFORE THE NEVADA TRANSPORTATION AUTHORITY

In Re: the impoundment pursuant to NRS 706.476)
of a vehicle registered to Manuel De Jesus Pineda)
Ardon.)

At a general session of the Nevada Transportation
Authority held on April 8, 2021.

PRESENT: Chairman Dawn Gibbons
 Commissioner George Assad
 Commissioner David Newton
 Deputy Commissioner Jennifer De Rose

ORDER

On March 3, 2021, a hearing on the above-captioned matter was held before Commissioner David Newton, serving in his capacity as Hearing Officer for the Nevada Transportation Authority (“Authority”). The registered owner of the impounded vehicle, Manuel De Jesus Pineda Ardon, was present by and through his power of attorney, Dinora Pineda. Ms. Pineda elected to proceed without legal counsel.

After hearing the allegations, the respective arguments, and having considered the evidence introduced by both parties and being fully advised, the Hearing Officer, pursuant to Nevada Administrative Code (“NAC”) 706.4015, prepared a proposed decision for review by the Authority. Based on that proposed decision, the Authority enters the following final order affirming the decision of the Hearing Officer. Under Nevada Revised Statutes (“NRS”) 706.151, the Authority has legal jurisdiction and authority over this matter.

At hearing, the parties knowingly and voluntarily stipulated and agreed as follows:

1. To the admission of the Investigation Report for Impound 3633 into evidence (identified as State's Exhibit 1 and incorporated herein by reference) and that the facts as set forth therein were true and accurate;
2. That a representative of the registered owner of the impounded vehicle was present at the hearing regarding said vehicle;
3. That the use of the vehicle in intrastate commerce without a certificate of public convenience and necessity ("CPCN") violated NRS 706.476 (2)(b)(2) and (3) in that:
 - a. No CPCN had been issued authorizing the use of the impounded vehicle in intrastate transportation of household goods; and
 - b. That the impounded vehicle did not meet all required standards of the Authority;
4. To a fine in the amount of \$200.00 for the impoundment of the vehicle in this matter; and
5. To waive the requirement that the Authority's final order contain formal Findings of Fact and Conclusions of Law as required under NRS 233B.125.

DISCUSSION

The Hearing Officer recommended to the Authority:

1. That the stipulations and agreements of the parties as set forth hereinabove be accepted; and
2. That the impoundment of the vehicle be deemed proper under NRS 706.476.

ORDER

IT IS THEREFORE ORDERED, based on the foregoing:

1. That the recommendation of the Hearing Officer with regard to the impoundment of the vehicle is hereby AFFIRMED;
2. That a fine in the amount of Two Hundred Dollars and Zero Cents (\$200.00) shall be assessed for the impoundment of the vehicle in this matter;

3. That the Respondent is to immediately **CEASE AND DESIST** any and all use of the impounded vehicle in violation of the provisions of NRS 706; and
4. That the Authority retains jurisdiction for correcting any errors that may have occurred in the drafting or issuance of this Order.

By the Authority,

Dawn Gibbons, Chairman

George Assad, Commissioner

David Newton, Commissioner

Attest: _____
Jennifer De Rose, Deputy Commissioner

Dated: _____
Las Vegas, Nevada

NOTICE: Pursuant to NRS 233B.130, any party to this matter aggrieved by the above final decision may file a petition for rehearing or reconsideration. A petition for rehearing or reconsideration must be filed with the Authority within 15 days after the date the party received this Order.

NOTICE: In accordance with NAC 706.229 and NAC 706.3751 (both recently amended, see Legislative Counsel Bureau File No. R111-10), you may be disqualified from driving taxicabs (outside of Clark County) or charter limousines (statewide) if you fail to pay a fine owed to the Authority, you fail to appear for a hearing on an administrative citation, and/or you are found in violation of the provisions of NRS 706 or NAC 706 more than five times within three years.

NOTICE: Pursuant to NRS 706.772 and NRS 706 483.441, you may have your driver's license suspended by the Nevada Department of Motor Vehicles if you fail to pay the full amount of the administrative fine and any other costs which are due to the Authority as a result of the above final Order.

Agenda Item#

41

BEFORE THE NEVADA TRANSPORTATION AUTHORITY

In Re: The Application of Isnagas Brother, LLC)
d/b/a Isnagas Brother for a certificate of public)
convenience and necessity to provide consent-only) Docket 20-11006
tow car service within the State of Nevada.)
_____)

At a general session of the Nevada Transportation
Authority held on April 8, 2021.

PRESENT: Chairman Dawn Gibbons
 Commissioner George Assad
 Commissioner David Newton
 Deputy Commissioner Jennifer De Rose

COMPLIANCE ORDER

The Nevada Transportation Authority ("Authority") makes the following findings of fact and conclusions of law:

1. That on November 5, 2020, Isnagas Brother, LLC d/b/a Isnagas Brother ("Applicant") filed with the Authority an Application to provide consent-only tow car service by tow car vehicle within the State of Nevada. Said Application was designated as Docket 20-11006.
2. That the Application was properly noticed to the public and there were no Petitions for Leave to Intervene or Protests filed.
3. That based upon all the records relating to the Application, after investigation and pursuant to NRS 706.4463:
 - a. The Application on file herein comes within the purview of the statutes of the State of Nevada and within the regulatory jurisdiction of the Authority.
 - b. The Applicant complies with the requirements set forth in NRS 706.4463.
 - c. The operation contemplated by Applicant will be consistent with the public interest and will not operate to defeat the legislative policy set forth in NRS 706.151.

Therefore, based upon the foregoing findings, it is ORDERED that:

1. Upon full compliance with the conditions of this Order, a Certificate of Public Convenience and Necessity identified as **CPCN 7459** shall be issued to Isnagas Brother, LLC d/b/a Isnagas Brother as specified below:

On-call, irregular route transportation of vehicles requiring tow car service by tow car vehicle;

Between points and places within the State of Nevada.

Restriction: Holder shall perform consent-only tows.

2. Before issuance of the Certificate referred to hereinabove, the Applicant shall be required to:
 - a. Avoid material changes in any conditions relied upon by the Authority in its determination of operational fitness and immediately report to Authority Staff any such material changes, should they occur.
 - b. File with the Authority evidence, (Form E) in the Applicant's name.
 - c. File with the Authority the necessary insurance (Certificate of Insurance) describing the liability limits and vehicle(s) covered.
 - d. Make vehicle(s) available for inspection by Enforcement Staff to ensure that they are properly registered in the motor carrier's name, display the CPCN number, logo and/or name of the motor carrier and any other required markings in accordance with NAC 706.170 and NAC 706.412. Provide copies of the insurance cab card, annual (USDOT) vehicle inspections, titles and registrations.
 - e. Ensure driver qualification files are setup in accordance with CFR 391.51. Explain and make available for review, the set-up for the time tracking method put into place. Ensure that all drivers have pre-employment drug testing in accordance with Part 40 and CFR 382.301. Make available to Enforcement Staff, inspection of their business and vehicle domiciles, if different from their business location.
 - f. Provide proof that the Applicant is in compliance with all municipal, county, and homeowners association laws, codes, regulations, and bylaws for the parking or storage of its vehicles.
 - g. Ensure vehicle maintenance files are setup in accordance with CFR 396.

- h. Provide a copy of the tow bill which includes the CPCN number granted.
 - i. Provide a copy of the contract between Applicant and the laboratory that will perform and monitor the substance abuse program. If the owner will also serve as driver, the Contract must require the laboratory to provide results of positive drug/alcohol tests directly to the Authority.
 - j. Provide a copy of a dispatch log in accordance with NRS 706.4465.
 - k. File a tariff for approval by the Financial Analyst, which includes a description of the authority granted, CPCN number, and the name, address, and phone number of the Applicant.
 - l. Apply for Tow Car Plates and pay any and all associated fees.
 - m. Provide a copy of the Amber Light Permit.
 - n. Provide for approval by the Authority, a safety plan following the Nevada governmental guidelines and protocols for operations during the Covid-19 Pandemic.
 - o. Pursuant to NAC 706.1355, reimburse the Authority for the costs of noticing related to the Application.
3. Compliance with the foregoing requirements must be made NO LATER THAN 120 days after issuance of this Order. If the Applicant fails to comply within 120 days after issuance of this Order, the Deputy Commissioner may vacate this Order and dismiss this Application.
4. This Order does not constitute operating authority. **Performance of the transportation services contemplated by this Order may not be instituted prior to the issuance of the Certificate referred to hereinabove.**
5. If the Applicant is cited by the Authority for any violation of NRS 706 or NAC 706 prior to the issuance of the Certificate referred to hereinabove, the Deputy Commissioner shall vacate this Order and dismiss this Application unless the Authority orders otherwise.
6. The Deputy Commissioner shall be authorized to issue a Certificate of Public Convenience and Necessity upon Applicant's compliance with all requirements set forth hereinabove.

7. The Authority retains jurisdiction for the purpose of correcting any errors that may have occurred in the drafting or issuance of this Order.

By the Authority,

Dawn Gibbons, Chairman

George Assad, Commissioner

David Newton, Commissioner

Attest: _____
Jennifer De Rose, Deputy Commissioner

Dated: _____
Las Vegas, Nevada

NOTICE: Pursuant to NRS 233B.130, any party to this matter aggrieved by the above final decision may file a petition for rehearing or reconsideration. A petition for rehearing or reconsideration must be filed with the Authority within 15 days after the date the party received this Order.

**STATE OF NEVADA
TRANSPORTATION AUTHORITY
BACKGROUND INVESTIGATION FOR NON-FULLY REGULATED CARRIERS**

DOCKET NUMBER: 20-11006	DATE APPLICATION WAS FILED: 11/05/2020
APPLICANT: Misael Martinez Garcia	TITLE: Owner
COMPANY NAME: Isnagas Brother, LLC dba Isnagas Brother	
ADDRESS: 1620 San Pedro Ave. Las Vegas, Nevada 89104	
PHONE NUMBERS: (702) 401-5240	
INVESTIGATOR: M.Acevedo	DATE ASSIGNED: 11/19/2020

GENERAL REQUIREMENTS FOR APPLICATION (NAC 706.1375.2)

WHAT TYPE OF SERVICE IS PROPOSED?	
Charter Bus	
*Tow Car	X
*Consent	X
*Non-Consent	

IS APPLICANT PRESENTLY PROVIDING ANY TYPE OF SERVICE:				YES	NO	X	What type of service?
Charter Limousine		Charter Bus					Airport Transfer
Scenic Tours		Special Services					Tow Car
HHG		NEMT					Other States
							US DOT Authority

Attach completed Application Oath page as Exhibit A	Exhibit A
--	----------------------

IDENTIFY OWNERSHIP STRUCTURE OF THE PROPOSED OPERATIONS			
Corporation		LLC	X
		Partnership	
		Sole Proprietorship	

Identify each owner and their percentage of ownership: Misael Martinez Garcia 100%	
Attach as an exhibit, appropriate proof of ownership interest where applicable	Exhibit B

Briefly describe the responsibilities of each owner. Misael Martinez Garcia – Manager, financial operations, hiring and firing, vehicle maintenance file, driver training, driver qualification file.	
---	--

Has the criminal background check disclosed any issue of concern?	YES	NO	X
Name(s): Misael Martinez Garcia			
Has there been any previous NTA enforcement action? (Including against the companies drivers)	YES	NO	X
Does the Applicant have USDOT Authority? (If so, include the SAFER printout as exhibit)	YES	X	NO
Is Applicant operating in another state?	YES	NO	X
If so, which State and under what type of Authority? (explain)			

ENTERED
 3/5/21
 DT

If so, attach copies of Enforcement Database Printout(s). If more than 5 citations include summary listing the citation number, fine amounts and date of issuance, NAC or NRS, or CFR violations. Attach copies of MC/USDOT rating.	Exhibit
	C

If the Applicant will be operating under a fictitious firm name, attach a copy of their fictitious firm name filing.	Exhibit
	D

Identify key personnel who have no ownership interest and briefly describe their responsibilities:
Will hire as need be. A driver will be hired.

Describe the type and number of vehicles the applicant intends to operate:
A. Type of Vehicles: 2001 International 4700
B. Number of Vehicles: 1

Attach photographs of vehicles as an exhibit.	Exhibit
If available, provide copies of vehicle titles and registration.	E
	N/A

Describe the facilities to be used for this operation:				
The business location will be the applicant's residence. The equipment point address/location will be provided during compliance phase				
Address (If Known):				
Business location: 1620 San Pedro Ave, Las Vegas, NV. 89104				
Does the Applicant have an acceptable Timekeeping method?	YES	X	NO	
If Yes, Describe: Dispatch Log				
Does the Applicant plan to store their vehicles at a location other than their business domicile?	YES	X	NO	
Provide address (If known):				

Does the Applicant understand the operating authority sought, and is their plans consistent with the applied authority?	YES	X	NO	
Can the Applicant secure insurance as required by NAC 706.191?	YES	X	NO	
Attach appropriate proof of insurance, or ability to obtain, as an exhibit.	Exhibit			
	F			

Attach copies of the Applicant's charter orders, tow bill, tow invoice (whichever is applicable) and for tow companies only, a copy of a tariff.	Exhibit
	G

Does the Applicant understand the requirements contained within 49 CFR 391.51 as they pertain to the establishment and maintenance driver qualification files?	YES	X	NO	
Does the Applicant understand the requirements contained within 49 CFR 396 as they pertain to the establishment and maintenance of vehicle maintenance records?	YES	X	NO	
Does the Applicant understand the requirement that pertain to the establishment of a substance abuse policy/program as contained in 49 CFR Parts 40, 382?	YES	X	NO	
Has the Applicant contracted with a laboratory to perform and monitor their substance abuse program?	YES		NO	X

If so, which laboratory? Compliance

Has the Applicant signed the NTA Knowledge Statement?

YES

X

NO

Exhibit

Attach signed Knowledge Statement.

H

COMPLIANCE ITEMS

1	Avoid Material Changes
2	File with the Authority evidence, (Form E), or required insurance in Applicant's name.
3	File with the Authority the necessary insurance (Certificate of Insurance), describing liability limits, and vehicles covered.
4	Make vehicle(s) available for inspection by Enforcement Staff to ensure that they properly display the CPCN number, name of company, and other required markings, in accordance with NAC 706.170, and NAC 706.412. Provide copies of insurance cab card, annual (USDOT) vehicle inspections, titles, and registrations.
5	Ensure Driver qualification files are setup in accordance with CFR 391.51. Make available to Enforcement Staff for inspection of their business and vehicle domiciles. Ensure all drivers have pre-employment drug testing in accordance with Title 49, Parts 40, and 382. Explain and make available for inspection set-up of time tracking method put into place.
6	Ensure vehicle maintenance files are set up in accordance with CFR 396.
7	Provide proof that the Applicant is in compliance with all municipal, county, and homeowners association laws, codes, regulations, and bylaws for the parking or storage of its vehicles.
8	File a copy of tow bill in which includes the CPCN number granted.
9	File a copy of dispatch log in accordance with NRS 706.4465
10	File a tariff for review/approval by the Financial Analyst, which includes a description of the authority granted, CPCN number, and the name and address of the Applicant.
11	Apply for a tow car plate(s).
12	Provide copy of Amber light Permit.
13	Provide copy of contract with a laboratory to perform and monitor their substance abuse program and enrollment list.
14	Provide for approval by the Authority, a safety plan following the Nevada governmental guidelines and protocols for operations during the Covid-19 Pandemic.
15	Remit to the Authority any noticing fees and/or other outstanding debt due to the Authority.

INVESTIGATOR: M. Acevedo

REVIEWED BY SUPERVISOR:

REVIEWED BY APPLICATION MANAGER

DATE: 3.01.2021

DATE: 3/3/21

DATE: 3/19/21

A listed EXHIBIT, (A, B, C etc), is the documentary evidence of the requirement being met. If a requirement has not been met, the EXHIBIT category will be left blank and it will be checked as a compliance item. Questions that do not apply to the Applicant the EXHIBIT category will be marked as NA.

Agenda Item# 42

BEFORE THE NEVADA TRANSPORTATION AUTHORITY

In Re: The Application of Dylan Towing, LLC)
d/b/a Dylan Towing for a certificate of public)
convenience and necessity to provide consent-only) Docket 20-11027
tow car service within the State of Nevada.)
_____)

At a general session of the Nevada Transportation
Authority held on April 8, 2021.

PRESENT: Chairman Dawn Gibbons
Commissioner George Assad
Commissioner David Newton
Deputy Commissioner Jennifer De Rose

COMPLIANCE ORDER

The Nevada Transportation Authority ("Authority") makes the following findings of fact and conclusions of law:

1. That on November 24, 2020, Dylan Towing, LLC d/b/a Dylan Towing ("Applicant") filed with the Authority an Application to provide consent-only tow car service by tow car vehicle within the State of Nevada. Said Application was designated as Docket 20-11027.
2. That the Application was properly noticed to the public and there were no Petitions for Leave to Intervene or Protests filed.
3. That based upon all the records relating to the Application, after investigation and pursuant to NRS 706.4463:
 - a. The Application on file herein comes within the purview of the statutes of the State of Nevada and within the regulatory jurisdiction of the Authority.
 - b. The Applicant complies with the requirements set forth in NRS 706.4463.
 - c. The operation contemplated by Applicant will be consistent with the public interest and will not operate to defeat the legislative policy set forth in NRS 706.151.

Therefore, based upon the foregoing findings, it is ORDERED that:

1. Upon full compliance with the conditions of this Order, a Certificate of Public Convenience and Necessity identified as **CPCN 7460** shall be issued to Dylan Towing, LLC d/b/a Dylan

Towing as specified below:

On-call, irregular route transportation of vehicles requiring
tow car service by tow car vehicle;

Between points and places within the State of Nevada.

Restriction: Holder shall perform consent-only tows.

2. Before issuance of the Certificate referred to hereinabove, the Applicant shall be required to:

- a. Avoid material changes in any conditions relied upon by the Authority in its determination of operational fitness and immediately report to Authority Staff any such material changes, should they occur.
- b. File with the Authority evidence, (Form E) in the Applicant's name.
- c. File with the Authority the necessary insurance (Certificate of Insurance) describing the liability limits and vehicle(s) covered.
- d. Make vehicle(s) available for inspection by Enforcement Staff to ensure that they are properly registered in the motor carrier's name, display the CPCN number, logo and/or name of the motor carrier and any other required markings in accordance with NAC 706.170 and NAC 706.412. Provide copies of the insurance cab card, annual (USDOT) vehicle inspections, titles and registrations.
- e. Ensure driver qualification files are setup in accordance with CFR 391.51. Explain and make available for review, the set-up for the time tracking method put into place. Ensure that all drivers have pre-employment drug testing in accordance with Part 40 and CFR 382.301. Make available to Enforcement Staff, inspection of their business and vehicle domiciles, if different from their business location.
- f. Provide proof that the Applicant is complying with all municipal, county, and homeowners association laws, codes, regulations, and bylaws for the parking or storage of its vehicles.
- g. Ensure vehicle maintenance files are setup in accordance with CFR 396.

- h. Provide a copy of the tow bill which includes the CPCN number granted.
 - i. Provide a copy of the contract between Applicant and the laboratory that will perform and monitor the substance abuse program. If the owner will also serve as driver, the Contract must require the laboratory to provide results of positive drug/alcohol tests directly to the Authority.
 - j. Provide a copy of a dispatch log in accordance with NRS 706.4465.
 - k. File a tariff for approval by the Financial Analyst, which includes a description of the authority granted, CPCN number, and the name, address, and phone number of the Applicant.
 - l. Apply for Tow Car Plates and pay any and all associated fees.
 - m. Provide a copy of the Amber Light Permit.
 - n. Provide for approval by the Authority, a safety plan following the Nevada governmental guidelines and protocols for operations during the Covid-19 Pandemic.
 - o. Pursuant to NAC 706.1355, reimburse the Authority for the costs of noticing related to the Application.
3. Compliance with the foregoing requirements must be made NO LATER THAN 120 days after issuance of this Order. If the Applicant fails to comply within 120 days after issuance of this Order, the Deputy Commissioner may vacate this Order and dismiss this Application.
4. This Order does not constitute operating authority. **Performance of the transportation services contemplated by this Order may not be instituted prior to the issuance of the Certificate referred to hereinabove.**
5. If the Applicant is cited by the Authority for any violation of NRS 706 or NAC 706 prior to the issuance of the Certificate referred to hereinabove, the Deputy Commissioner shall vacate this Order and dismiss this Application unless the Authority orders otherwise.
6. The Deputy Commissioner shall be authorized to issue a Certificate of Public Convenience and Necessity upon Applicant's compliance with all requirements set forth hereinabove.

7. The Authority retains jurisdiction for the purpose of correcting any errors that may have occurred in the drafting or issuance of this Order.

By the Authority,

Dawn Gibbons, Chairman

George Assad, Commissioner

David Newton, Commissioner

Attest: _____
Jennifer De Rose, Deputy Commissioner

Dated: _____
Las Vegas, Nevada

NOTICE: Pursuant to NRS 233B.130, any party to this matter aggrieved by the above final decision may file a petition for rehearing or reconsideration. A petition for rehearing or reconsideration must be filed with the Authority within 15 days after the date the party received this Order.

**STATE OF NEVADA
TRANSPORTATION AUTHORITY
BACKGROUND INVESTIGATION FOR NON-FULLY REGULATED CARRIERS**

DOCKET NUMBER: 20-11027	DATE APPLICATION WAS FILED: 11/24/2020
APPLICANT: Alain Morales Marin	TITLE: Owner
COMPANY NAME: Dylan Towing, LLC	
ADDRESS: 5011 Wyoming Ave. Las Vegas, NV. 89142	
PHONE NUMBERS: (702) 412-7051	
INVESTIGATOR: M.Acevedo	DATE ASSIGNED: 11/30/2020

GENERAL REQUIREMENTS FOR APPLICATION (NAC 706.1375.2)

WHAT TYPE OF SERVICE IS PROPOSED?

Charter Bus	
*Tow Car	X
*Consent	X
*Non-Consent	

IS APPLICANT PRESENTLY PROVIDING ANY TYPE OF SERVICE:	YES	NO	X	What type of service?
Charter Limousine				Airport Transfer
Scenic Tours				Tow Car
HHG				Other States
Charter Bus				
Special Services				
Contract Carrier				
Taxi				
US DOT Authority				
NEMT				

Attach completed Application Oath page as Exhibit A

**Exhibit
A**

IDENTIFY OWNERSHIP STRUCTURE OF THE PROPOSED OPERATIONS

Corporation		LLC	X	Partnership		Sole Proprietorship	
-------------	--	-----	---	-------------	--	---------------------	--

Identify each owner and their percentage of ownership:

Alain Morales Marin 100%

Attach as an exhibit, appropriate proof of ownership interest where applicable

**Exhibit
B**

Briefly describe the responsibilities of each owner.

Alain Morales Marin – Manager, financial operations, hiring and firing, vehicle maintenance file, driver training, driver qualification file.

Has the criminal background check disclosed any issue of concern?	YES	NO	X
Name(s): Alain Morales Marin Jorge Morales Marin			
Has there been any previous NTA enforcement action? (Including against the companies drivers)	YES	NO	X
Does the Applicant have USDOT Authority? (If so, include the SAFER printout as exhibit)	YES	NO	X
Is Applicant operating in another state?	YES	NO	X
If so, which State and under what type of Authority? (explain)			

ENTERED
3/10/21 DT

If so, attach copies of Enforcement Database Printout(s). If more than 5 citations include summary listing the citation number, fine amounts and date of issuance, NAC or NRS, or CFR violations. Attach copies of MC/USDOT rating.	Exhibit N/A
---	----------------

If the Applicant will be operating under a fictitious firm name, attach a copy of their fictitious firm name filing.	Exhibit C
--	--------------

Identify key personnel who have no ownership interest and briefly describe their responsibilities: Jorge Morales Marin – Manager, vehicle maintenance file, driver training, driver qualification file. A driver will be hired during the compliance phase.	
--	--

Describe the type and number of vehicles the applicant intends to operate: A. Type of Vehicles: 2000 - Flatbed B. Number of Vehicles: 1	
---	--

Attach photographs of vehicles as an exhibit.	Exhibit D
If available, provide copies of vehicle titles and registration. <i>compliance</i>	N/A

Describe the facilities to be used for this operation: The business location will be the applicant's residence. The equipment point address/location will be provided during compliance phase Address (If Known): Business Domicile: 5011 Wyoming Ave, Las Vegas, NV. 89142 Does the Applicant have an acceptable Timekeeping method? YES X NO If Yes, Describe: Dispatch Log	
--	--

Does the Applicant plan to store their vehicles at a location other than their business domicile? YES X NO Provide address (If known): Will be provided in the compliance phase	
--	--

Does the Applicant understand the operating authority sought, and is their plans consistent with the applied authority? YES X NO Can the Applicant secure insurance as required by NAC 706.191? YES X NO Attach appropriate proof of insurance, or ability to obtain, as an exhibit.	
	Exhibit E

Attach copies of the Applicant's charter orders, tow bill, tow invoice (whichever is applicable) and for tow companies only, a copy of a tariff.	Exhibit F
--	--------------

Does the Applicant understand the requirements contained within 49 CFR 391.51 as they pertain to the establishment and maintenance driver qualification files? YES	X	NO	
Does the Applicant understand the requirements contained within 49 CFR 396 as they pertain to the establishment and maintenance of vehicle maintenance records? YES	X	NO	
Does the Applicant understand the requirement that pertain to the establishment of a substance abuse policy/program as contained in 49 CFR Parts 40, 382? YES	X	NO	
Has the Applicant contracted with a laboratory to perform and monitor their			

substance abuse program?	YES		NO	X
If so, which laboratory?	Compliance			

Has the Applicant signed the NTA Knowledge Statement?	YES	X	NO	
Attach signed Knowledge Statement.				Exhibit G

COMPLIANCE ITEMS	
1	Avoid Material Changes
2	File with the Authority evidence, (Form E), or required insurance in Applicant's name.
3	File with the Authority the necessary insurance (Certificate of Insurance), describing liability limits, and vehicles covered.
4	Make vehicle(s) available for inspection by Enforcement Staff to ensure that they properly display the CPCN number, name of company, and other required markings, in accordance with NAC 706.170, and NAC 706.412. Provide copies of insurance cab card, annual (USDOT) vehicle inspections, titles, and registrations.
5	Ensure Driver qualification files are setup in accordance with CFR 391.51. Make available to Enforcement Staff for inspection of their business and vehicle domiciles. Ensure all drivers have pre-employment drug testing in accordance with Title 49, Parts 40, and 382. Explain and make available for inspection set-up of time tracking method put into place.
6	Ensure vehicle maintenance files are set up in accordance with CFR 396.
7	Provide proof that the Applicant is in compliance with all municipal, county, and homeowners association laws, codes, regulations, and bylaws for the parking or storage of its vehicles.
8	File a copy of tow bill in which includes the CPCN number granted.
9	File a copy of dispatch log in accordance with NRS 706.4465
10	File a tariff for review/approval by the Financial Analyst, which includes a description of the authority granted, CPCN number, and the name and address of the Applicant.
11	Apply for a tow car plate(s).
12	Provide copy of Amber light Permit.
13	Provide copy of contract with a laboratory to perform and monitor their substance abuse program and enrollment list.
14	Provide for approval by the Authority, a safety plan following the Nevada governmental guidelines and protocol's for operations during the Covid-19 Pandemic.
15	Remit to the Authority any noticing fees and/or other outstanding debt due to the Authority.

INVESTIGATOR: M. Acevedo	<i>M. Acevedo</i>	DATE: 03/9/21
REVIEWED BY SUPERVISOR:	<i>Rene Rivers</i>	DATE: 3/9/21
REVIEWED BY APPLICATION MANAGER	<i>Michael</i>	DATE: 3/10/21

A listed EXHIBIT, (A, B, C etc), is the documentary evidence of the requirement being met. If a requirement has not been met, the EXHIBIT category will be left blank and it will be checked as a compliance item. Questions that do not apply to the Applicant the EXHIBIT category will be marked as NA.

Agenda Item#

43

Item #43

Docket

20-11032

REMOVED

FROM AGENDA

Agenda Item#

44

BEFORE THE NEVADA TRANSPORTATION AUTHORITY

In Re: The Application of Eagle Ridge Capital,)
LLC a Series of Eagle Ridge Capital, LLC d/b/a)
DeanMark Roadside Assistance for a certificate of) Docket 20-11036
public convenience and necessity to provide)
consent-only tow car service within the State of)
Nevada.)
_____)

At a general session of the Nevada Transportation
Authority held on April 8, 2021.

PRESENT: Chairman Dawn Gibbons
Commissioner George Assad
Commissioner David Newton
Deputy Commissioner Jennifer De Rose

COMPLIANCE ORDER

The Nevada Transportation Authority ("Authority") makes the following findings of fact and conclusions of law:

1. That on November 30, 2020, Eagle Ridge Capital, LLC a Series of Eagle Ridge Capital, LLC d/b/a DeanMark Roadside Assistance ("Applicant") filed with the Authority an Application to provide consent-only tow car service by tow car vehicle within the State of Nevada. Said Application was designated as Docket 20-11036.
2. That the Application was properly noticed to the public and there were no Petitions for Leave to Intervene or Protests filed.
3. That based upon all the records relating to the Application, after investigation and pursuant to NRS 706.4463:
 - a. The Application on file herein comes within the purview of the statutes of the State of Nevada and within the regulatory jurisdiction of the Authority.

- b. The Applicant complies with the requirements set forth in NRS 706.4463.
- c. The operation contemplated by Applicant will be consistent with the public interest and will not operate to defeat the legislative policy set forth in NRS 706.151.

Therefore, based upon the foregoing findings, it is ORDERED that:

1. Upon full compliance with the conditions of this Order, a Certificate of Public Convenience and Necessity identified as **CPCN 7461** shall be issued to Eagle Ridge Capital, LLC a Series of Eagle Ridge Capital, LLC d/b/a DeanMark Roadside Assistance as specified below:

On-call, irregular route transportation of vehicles requiring
tow car service by tow car vehicle;

Between points and places within the State of Nevada.

Restriction: Holder shall perform consent-only tows.

2. Before issuance of the Certificate referred to hereinabove, the Applicant shall be required to:
 - a. Avoid material changes in any conditions relied upon by the Authority in its determination of operational fitness and immediately report to Authority Staff any such material changes, should they occur.
 - b. File with the Authority evidence, (Form E) in the Applicant's name.
 - c. File with the Authority the necessary insurance (Certificate of Insurance) describing the liability limits and vehicle(s) covered.
 - d. Make vehicle(s) available for inspection by Enforcement Staff to ensure that they are properly registered in the motor carrier's name, display the CPCN number, logo and/or name of the motor carrier and any other required markings in accordance with NAC 706.170 and NAC 706.412. Provide copies of the insurance cab card, annual (USDOT) vehicle inspections, titles and registrations.
 - e. Ensure driver qualification files are setup in accordance with CFR 391.51. Explain and make available for review, the set-up for the time tracking method put into place. Ensure that all drivers have pre-employment drug testing in accordance with Part 40 and CFR 382.301. Make available to Enforcement Staff, inspection of their business and vehicle domiciles, if different from their business location.
 - f. Provide proof that the Applicant is complying with all municipal, county, and

- homeowners association laws, codes, regulations, and bylaws for the parking or storage of its vehicles.
- g. Ensure vehicle maintenance files are setup in accordance with CFR 396.
 - h. Provide a copy of the tow bill which includes the CPCN number granted.
 - i. Provide a copy of the contract between Applicant and the laboratory that will perform and monitor the substance abuse program. If the owner will also serve as driver, the Contract must require the laboratory to provide results of positive drug/alcohol tests directly to the Authority.
 - j. Provide a copy of a dispatch log in accordance with NRS 706.4465.
 - k. File a tariff for approval by the Financial Analyst, which includes a description of the authority granted, CPCN number, and the name, address, and phone number of the Applicant.
 - l. Apply for Tow Car Plates and pay any and all associated fees.
 - m. Provide a copy of the Amber Light Permit.
 - n. Provide for approval by the Authority, a safety plan following the Nevada governmental guidelines and protocols for operations during the Covid-19 Pandemic.
 - o. Pursuant to NAC 706.1355, reimburse the Authority for the costs of noticing related to the Application.
3. Compliance with the foregoing requirements must be made NO LATER THAN 120 days after issuance of this Order. If the Applicant fails to comply within 120 days after issuance of this Order, the Deputy Commissioner may vacate this Order and dismiss this Application.
4. This Order does not constitute operating authority. **Performance of the transportation services contemplated by this Order may not be instituted prior to the issuance of the Certificate referred to hereinabove.**
5. If the Applicant is cited by the Authority for any violation of NRS 706 or NAC 706 prior to the issuance of the Certificate referred to hereinabove, the Deputy Commissioner shall vacate

this Order and dismiss this Application unless the Authority orders otherwise.

6. The Deputy Commissioner shall be authorized to issue a Certificate of Public Convenience and Necessity upon Applicant's compliance with all requirements set forth hereinabove.
7. The Authority retains jurisdiction for the purpose of correcting any errors that may have occurred in the drafting or issuance of this Order.

By the Authority,

Dawn Gibbons, Chairman

George Assad, Commissioner

David Newton, Commissioner

Attest: _____
Jennifer De Rose, Deputy Commissioner

Dated: _____
Las Vegas, Nevada

NOTICE: Pursuant to NRS 233B.130, any party to this matter aggrieved by the above final decision may file a petition for rehearing or reconsideration. A petition for rehearing or reconsideration must be filed with the Authority within 15 days after the date the party received this Order.

**STATE OF NEVADA
TRANSPORTATION AUTHORITY
BACKGROUND INVESTIGATION FOR NON-FULLY REGULATED CARRIERS**

DOCKET NUMBER: 20-11036	DATE APPLICATION WAS FILED: 11/30/2020
APPLICANT: Ebuka Ikeh	TITLE: Owner
COMPANY NAME: Eagle Ridge Capital, LLC a series of Eagle Ridge Capital, LLC d/b/a DeanMark Roadside Assistance	
ADDRESS: 1301 Bluff Ave, N. Las Vegas, NV 89030	
PHONE NUMBERS: 702-824-5094	
INVESTIGATOR: D. Main	DATE ASSIGNED: 12/16/2020

GENERAL REQUIREMENTS FOR APPLICATION (NAC 706.1375.2)

WHAT TYPE OF SERVICE IS PROPOSED?	
Charter Bus	
*Tow Car	X
*Consent	X
*Non-Consent	

IS APPLICANT PRESENTLY PROVIDING ANY TYPE OF SERVICE:				YES		NO		X		What type of service?
Charter Limousine		Charter Bus		Contract Carrier			Airport Transfer			
Scenic Tours		Special Services		Taxi			Tow Car			
HHG		NEMT		US DOT Authority			Other States			

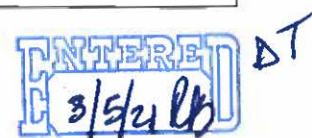
Attach completed Application Oath page as Exhibit A	Exhibit A
--	----------------------

IDENTIFY OWNERSHIP STRUCTURE OF THE PROPOSED OPERATIONS			
Corporation		LLC	X
		Partnership	
		Sole Proprietorship	

Identify each owner and their percentage of ownership: Ebuka Ikeh – 100%	Exhibit B
Attach as an exhibit, appropriate proof of ownership interest where applicable	

Briefly describe the responsibilities of each owner. Ebuka Ikeh, Owner – will be responsible for the day to day operations of the business to include daily maintenance of the driver verification and vehicle maintenance files. Hiring, firing, and training of all employees. Mr. Ikeh will also be the only driver initially although he plans to hire additional driver's as the business grows.	
---	--

Has the criminal background check disclosed any issue of concern?	YES	NO	X
Name(s): Ebuka Ikeh, Owner – no issues of concern			
Has there been any previous NTA enforcement action? (Including against the companies drivers)	YES	NO	X
Does the Applicant have USDOT Authority? (If so, include the SAFER printout as exhibit)	YES	NO	X
Is Applicant operating in another state?	YES	NO	X
If so, which State and under what type of Authority? (explain)			



If so, attach copies of Enforcement Database Printout(s). If more than 5 citations include summary listing the citation number, fine amounts and date of issuance, NAC or NRS, or CFR violations. Attach copies of MC/USDOT rating.	Exhibit N/A
---	----------------

If the Applicant will be operating under a fictitious firm name, attach a copy of their fictitious firm name filing.	Exhibit C
--	--------------

Identify key personnel who have no ownership interest and briefly describe their responsibilities:

Describe the type and number of vehicles the applicant intends to operate:
A. Type of Vehicles: 1996 International 4700T
B. Number of Vehicles: 1

Attach photographs of vehicles as an exhibit. If available, provide copies of vehicle titles and registration.	Exhibit D E
---	-------------------

Describe the facilities to be used for this operation: Commercial Business Location
Address (If Known): 317 S 6th St, Ste 510, Las Vegas, NV 89030
Does the Applicant have an acceptable Timekeeping method? YES NO
If Yes, Describe: COMPLIANCE

Does the Applicant plan to store their vehicles at a location other than their business domicile? YES NO X
Provide address (If known):

Does the Applicant understand the operating authority sought, and is their plans consistent with the applied authority? YES X NO
Can the Applicant secure insurance as required by NAC 706.191? YES X NO
Attach appropriate proof of insurance, or ability to obtain, as an exhibit. Exhibit F

Attach copies of the Applicant's charter orders, tow bill, tow invoice (whichever is applicable) and for tow companies only, a copy of a tariff. Exhibit G

Does the Applicant understand the requirements contained within 49 CFR 391.51 as they pertain to the establishment and maintenance driver qualification files? YES X NO
Does the Applicant understand the requirements contained within 49 CFR 396 as they pertain to the establishment and maintenance of vehicle maintenance records? YES X NO
Does the Applicant understand the requirement that pertain to the establishment of a substance abuse policy/program as contained in 49 CFR Parts 40, 382? YES X NO
Has the Applicant contracted with a laboratory to perform and monitor their substance abuse program? YES NO
If so, which laboratory? COMPLIANCE

Has the Applicant signed the NTA Knowledge Statement?	YES	X	NO
Attach signed Knowledge Statement.			Exhibit H

COMPLIANCE ITEMS

1	Avoid Material Changes
2	File with the Authority evidence, (Form E), or required insurance in Applicant's name.
3	File with the Authority the necessary insurance (Certificate of Insurance), describing liability limits, and vehicles covered.
4	Make vehicle(s) available for inspection by Enforcement Staff to ensure that they properly display the CPCN number, name of company, and other required markings, in accordance with NAC 706.170, and NAC 706.412. Provide copies of insurance cab card, annual (USDOT) vehicle inspections, titles, and registrations.
5	Ensure Driver qualification files are setup in accordance with CFR 391.51. Make available to Enforcement Staff for inspection of their business and vehicle domiciles. Ensure all drivers have pre-employment drug testing in accordance with Title 49, Parts 40, and 382. Explain and make available for inspection set-up of time tracking method put into place.
6	Ensure vehicle maintenance files are set up in accordance with CFR 396.
7	Provide proof that the Applicant is in compliance with all municipal, county, and homeowners association laws, codes, regulations, and bylaws for the parking or storage of its vehicles.
8	File a copy of tow invoice which includes the CPCN number granted.
9	File a copy of dispatch log in accordance with NRS 706.4465
10	File a tariff for review/approval by the Financial Analyst, which includes a description of the authority granted, CPCN number, and the name and address of the Applicant.
11	(TOW CAR) Apply for a tow car plate(s).
12	(TOW CAR) Provide copy of Amber light Permit.
13	Provide copy of contract with a laboratory to perform and monitor their substance abuse program and enrollment list.
14	Provide for approval by the Authority, a safety plan following the Nevada governmental guidelines and protocols for operations during the Covid-19 Pandemic.
15	Remit to the Authority any noticing fees and/or other outstanding debt due to the Authority.

INVESTIGATOR: <i>[Signature]</i>	DATE: 03/01/21
REVIEWED BY SUPERVISOR: <i>[Signature]</i>	DATE: 3/2/21
REVIEWED BY APPLICATION MANAGER: <i>[Signature]</i>	DATE: 3/3/21

A listed EXHIBIT, (A, B, C etc), is the documentary evidence of the requirement being met. If a requirement has not been met, the EXHIBIT category will be left blank and it will be checked as a compliance item. Questions that do not apply to the Applicant the EXHIBIT category will be marked as NA.

Agenda Item# 45

BEFORE THE NEVADA TRANSPORTATION AUTHORITY

In Re: The Application of Go & Go Towing and)
Transports, LLC for a certificate of public)
convenience and necessity to provide consent-only) Docket 20-12002
tow car service within the State of Nevada.)
_____)

At a general session of the Nevada Transportation
Authority held on April 8, 2021.

PRESENT: Chairman Dawn Gibbons
Commissioner George Assad
Commissioner David Newton
Deputy Commissioner Jennifer De Rose

COMPLIANCE ORDER

The Nevada Transportation Authority ("Authority") makes the following findings of fact and conclusions of law:

1. That on December 3, 2020, Go & Go Towing and Transports, LLC ("Applicant") filed with the Authority an Application to provide consent-only tow car service by tow car vehicle within the State of Nevada. Said Application was designated as Docket 20-12002.
2. That the Application was properly noticed to the public and there were no Petitions for Leave to Intervene or Protests filed.
3. That based upon all the records relating to the Application, after investigation and pursuant to NRS 706.4463:
 - a. The Application on file herein comes within the purview of the statutes of the State of Nevada and within the regulatory jurisdiction of the Authority.
 - b. The Applicant complies with the requirements set forth in NRS 706.4463.
 - c. The operation contemplated by Applicant will be consistent with the public interest and will not operate to defeat the legislative policy set forth in NRS 706.151.

Therefore, based upon the foregoing findings, it is ORDERED that:

1. Upon full compliance with the conditions of this Order, a Certificate of Public Convenience and Necessity identified as **CPCN 7462** shall be issued to Go & Go Towing and Transports, LLC as specified below:

On-call, irregular route transportation of vehicles requiring tow car service by tow car vehicle;

Between points and places within the State of Nevada.

Restriction: Holder shall perform consent-only tows.

2. Before issuance of the Certificate referred to hereinabove, the Applicant shall be required to:
 - a. Avoid material changes in any conditions relied upon by the Authority in its determination of operational fitness and immediately report to Authority Staff any such material changes, should they occur.
 - b. File with the Authority evidence, (Form E) in the Applicant's name.
 - c. File with the Authority the necessary insurance (Certificate of Insurance) describing the liability limits and vehicle(s) covered.
 - d. Make vehicle(s) available for inspection by Enforcement Staff to ensure that they are properly registered in the motor carrier's name, display the CPCN number, logo and/or name of the motor carrier and any other required markings in accordance with NAC 706.170 and NAC 706.412. Provide copies of the insurance cab card, annual (USDOT) vehicle inspections, titles and registrations.
 - e. Ensure driver qualification files are setup in accordance with CFR 391.51. Explain and make available for review, the set-up for the time tracking method put into place. Ensure that all drivers have pre-employment drug testing in accordance with Part 40 and CFR 382.301. Make available to Enforcement Staff, inspection of their business and vehicle domiciles, if different from their business location.
 - f. Provide proof that the Applicant is complying with all municipal, county, and homeowners association laws, codes, regulations, and bylaws for the parking or storage of its vehicles.
 - g. Ensure vehicle maintenance files are setup in accordance with CFR 396.
 - h. Provide a copy of the tow bill which includes the CPCN number granted.

- i. Provide a copy of the contract between Applicant and the laboratory that will perform and monitor the substance abuse program. If the owner will also serve as driver, the Contract must require the laboratory to provide results of positive drug/alcohol tests directly to the Authority.
 - j. Provide a copy of a dispatch log in accordance with NRS 706.4465.
 - k. File a tariff for approval by the Financial Analyst, which includes a description of the authority granted, CPCN number, and the name, address, and phone number of the Applicant.
 - l. Apply for Tow Car Plates and pay any and all associated fees.
 - m. Provide a copy of the Amber Light Permit.
 - n. Provide for approval by the Authority, a safety plan following the Nevada governmental guidelines and protocols for operations during the Covid-19 Pandemic.
 - o. Pursuant to NAC 706.1355, reimburse the Authority for the costs of noticing related to the Application.
3. Compliance with the foregoing requirements must be made NO LATER THAN 120 days after issuance of this Order. If the Applicant fails to comply within 120 days after issuance of this Order, the Deputy Commissioner may vacate this Order and dismiss this Application.
4. This Order does not constitute operating authority. **Performance of the transportation services contemplated by this Order may not be instituted prior to the issuance of the Certificate referred to hereinabove.**
5. If the Applicant is cited by the Authority for any violation of NRS 706 or NAC 706 prior to the issuance of the Certificate referred to hereinabove, the Deputy Commissioner shall vacate this Order and dismiss this Application unless the Authority orders otherwise.
6. The Deputy Commissioner shall be authorized to issue a Certificate of Public Convenience and Necessity upon Applicant's compliance with all requirements set forth hereinabove.

7. The Authority retains jurisdiction for the purpose of correcting any errors that may have occurred in the drafting or issuance of this Order.

By the Authority,

Dawn Gibbons, Chairman

George Assad, Commissioner

David Newton, Commissioner

Attest: _____
Jennifer De Rose, Deputy Commissioner

Dated: _____
Las Vegas, Nevada

NOTICE: Pursuant to NRS 233B.130, any party to this matter aggrieved by the above final decision may file a petition for rehearing or reconsideration. A petition for rehearing or reconsideration must be filed with the Authority within 15 days after the date the party received this Order.

**STATE OF NEVADA
TRANSPORTATION AUTHORITY
BACKGROUND INVESTIGATION FOR NON-FULLY REGULATED CARRIERS**

DOCKET NUMBER: 20-12002	DATE APPLICATION WAS FILED: 12/03/2020
APPLICANT: JB SanJuan Cuellar	TITLE: Owner
COMPANY NAME: Go & Go Towing and Transports, LLC	
ADDRESS: 864 North 18 th St, Las Vegas, Nevada 89101	
PHONE NUMBERS: (702) 237-0892	
INVESTIGATOR: M.Acevedo	DATE ASSIGNED: 12/16/2020

GENERAL REQUIREMENTS FOR APPLICATION (NAC 706.1375.2)

WHAT TYPE OF SERVICE IS PROPOSED?	
Charter Bus	
*Tow Car	X
*Consent	X
*Non-Consent	

IS APPLICANT PRESENTLY PROVIDING ANY TYPE OF SERVICE:	YES	NO	X	What type of service?
Charter Limousine				Airport Transfer
Scenic Tours				Tow Car
HHG				Other States

Attach completed Application Oath page as Exhibit A	Exhibit A
--	----------------------

IDENTIFY OWNERSHIP STRUCTURE OF THE PROPOSED OPERATIONS					
Corporation		LLC	X	Partnership	
				Sole Proprietorship	

Identify each owner and their percentage of ownership:
JB SanJuan Cuellar – 5%
Martin M. Cuellar – 95%

Attach as an exhibit, appropriate proof of ownership interest where applicable	Exhibit B
---	----------------------

Briefly describe the responsibilities of each owner.
JB SanJuan Cuellar - Manager, financial operations, hiring and firing, vehicle maintenance file, driver qualification file.
Martin M. Cuellar – Manager, financial operations, hiring and firing, vehicle maintenance file, driver training, driver qualification file.

Has the criminal background check disclosed any issue of concern?	YES	NO	X
Name(s): JB SanJuan Cuellar Martin M. Cuellar			


ENTERED
 3/10/21

Has there been any previous NTA enforcement action? (Including against the companies drivers)	YES		NO	X
Does the Applicant have USDOT Authority? (If so, include the SAFER printout as exhibit)	YES		NO	X
Is Applicant operating in another state?	YES		NO	X
If so, which State and under what type of Authority? (explain)				

If so, attach copies of Enforcement Database Printout(s). If more than 5 citations include summary listing the citation number, fine amounts and date of issuance, NAC or NRS, or CFR violations. Attach copies of MC/USDOT rating.	Exhibit
	N/A

If the Applicant will be operating under a fictitious firm name, attach a copy of their fictitious firm name filing.	Exhibit
	N/A

Identify key personnel who have no ownership interest and briefly describe their responsibilities:
Will hire new personnel as need be.

Describe the type and number of vehicles the applicant intends to operate:
A. Type of Vehicles: 2010 International
B. Number of Vehicles: 1

Attach photographs of vehicles as an exhibit.	Exhibit
If available, provide copies of vehicle titles and registration.	C
	N/A

Describe the facilities to be used for this operation:			
The business location will be the applicant's residence.			
The equipment point address/location will be provided during compliance phase			
Address (If Known):			
Business address: 864 N 18 th St. Las Vegas, NV 89101			
Does the Applicant have an acceptable Timekeeping method?	YES	X	NO
If Yes, Describe: Dispatch Log			

Does the Applicant plan to store their vehicles at a location other than their business domicile?	YES	X	NO
Provide address (If known): Will be provided in the compliance phase			

Does the Applicant understand the operating authority sought, and is their plans consistent with the applied authority?	YES	X	NO
Can the Applicant secure insurance as required by NAC 706.191?	YES	X	NO
Attach appropriate proof of insurance, or ability to obtain, as an exhibit.			Exhibit D

Attach copies of the Applicant's charter orders, tow bill, tow invoice (whichever is applicable) and for tow companies only, a copy of a tariff.	Exhibit E
--	-----------

Does the Applicant understand the requirements contained within 49 CFR 391.51 as they pertain to the establishment and maintenance driver qualification files?	YES	X	NO
--	-----	---	----

Does the Applicant understand the requirements contained within 49 CFR 396 as they pertain to the establishment and maintenance of vehicle maintenance records?	YES	X	NO	
Does the Applicant understand the requirement that pertain to the establishment of a substance abuse policy/program as contained in 49 CFR Parts 40, 382?	YES	X	NO	
Has the Applicant contracted with a laboratory to perform and monitor their substance abuse program?	YES		NO	X
If so, which laboratory? Compliance				

Has the Applicant signed the NTA Knowledge Statement?	YES	X	NO	
Attach signed Knowledge Statement.			Exhibit	F

COMPLIANCE ITEMS	
1	Avoid Material Changes
2	File with the Authority evidence, (Form E), or required insurance in Applicant's name.
3	File with the Authority the necessary insurance (Certificate of Insurance), describing liability limits, and vehicles covered.
4	Make vehicle(s) available for inspection by Enforcement Staff to ensure that they properly display the CPCN number, name of company, and other required markings, in accordance with NAC 706.170, and NAC 706.412. Provide copies of insurance cab card, annual (USDOT) vehicle inspections, titles, and registrations.
5	Ensure Driver qualification files are setup in accordance with CFR 391.51. Make available to Enforcement Staff for inspection of their business and vehicle domiciles. Ensure all drivers have pre-employment drug testing in accordance with Title 49, Parts 40, and 382. Explain and make available for inspection set-up of time tracking method put into place.
6	Ensure vehicle maintenance files are set up in accordance with CFR 396.
7	Provide proof that the Applicant is in compliance with all municipal, county, and homeowners association laws, codes, regulations, and bylaws for the parking or storage of its vehicles.
8	File a copy of tow bill in which includes the CPCN number granted.
9	File a copy of dispatch log in accordance with NRS 706.4465
10	File a tariff for review/approval by the Financial Analyst, which includes a description of the authority granted, CPCN number, and the name and address of the Applicant.
11	Apply for a tow car plate(s).
12	Provide copy of Amber light Permit.
13	Provide copy of contract with a laboratory to perform and monitor their substance abuse program and enrollment list.
14	Provide for approval by the Authority, a safety plan following the Nevada governmental guidelines and protocol's for operations during the Covid-19 Pandemic.
15	Remit to the Authority any noticing fees and/or other outstanding debt due to the Authority.

INVESTIGATOR: M. Acevedo	DATE: 5-8-2021
REVIEWED BY SUPERVISOR:	DATE: 3/8/21
REVIEWED BY APPLICATION MANAGER	DATE: 3/10/21

A listed EXHIBIT, (A, B, C etc), is the documentary evidence of the requirement being met. If a requirement has not been met, the EXHIBIT category will be left blank and it will be checked as a compliance item. Questions that do not apply to the Applicant the EXHIBIT category will be marked as NA.

Agenda Item#

46

BEFORE THE NEVADA TRANSPORTATION AUTHORITY

In Re: The Application of Orozco Towing, LLC for)
a certificate of public convenience and necessity to)
provide consent-only tow car service within the) Docket 20-12004
State of Nevada.)
_____)

At a general session of the Nevada Transportation
Authority held on April 8, 2021.

PRESENT: Chairman Dawn Gibbons
 Commissioner George Assad
 Commissioner David Newton
 Deputy Commissioner Jennifer De Rose

COMPLIANCE ORDER

The Nevada Transportation Authority ("Authority") makes the following findings of fact and conclusions of law:

1. That on December 7, 2020, Orozco Towing, LLC ("Applicant") filed with the Authority an Application to provide consent-only tow car service by tow car vehicle within the State of Nevada. Said Application was designated as Docket 20-12004.
2. That the Application was properly noticed to the public and there were no Petitions for Leave to Intervene or Protests filed.
3. That based upon all the records relating to the Application, after investigation and pursuant to NRS 706.4463:
 - a. The Application on file herein comes within the purview of the statutes of the State of Nevada and within the regulatory jurisdiction of the Authority.
 - b. The Applicant complies with the requirements set forth in NRS 706.4463.
 - c. The operation contemplated by Applicant will be consistent with the public interest and will not operate to defeat the legislative policy set forth in NRS 706.151.

Therefore, based upon the foregoing findings, it is ORDERED that:

1. Upon full compliance with the conditions of this Order, a Certificate of Public Convenience and Necessity identified as **CPCN 7463** shall be issued to Orozco Towing, LLC as specified below:

On-call, irregular route transportation of vehicles requiring tow car service by tow car vehicle;

Between points and places within the State of Nevada.

Restriction: Holder shall perform consent-only tows.

2. Before issuance of the Certificate referred to hereinabove, the Applicant shall be required to:
 - a. Avoid material changes in any conditions relied upon by the Authority in its determination of operational fitness and immediately report to Authority Staff any such material changes, should they occur.
 - b. File with the Authority evidence, (Form E) in the Applicant's name.
 - c. File with the Authority the necessary insurance (Certificate of Insurance) describing the liability limits and vehicle(s) covered.
 - d. Make vehicle(s) available for inspection by Enforcement Staff to ensure that they are properly registered in the motor carrier's name, display the CPCN number, logo and/or name of the motor carrier and any other required markings in accordance with NAC 706.170 and NAC 706.412. Provide copies of the insurance cab card, annual (USDOT) vehicle inspections, titles and registrations.
 - e. Ensure driver qualification files are setup in accordance with CFR 391.51. Explain and make available for review, the set-up for the time tracking method put into place. Ensure that all drivers have pre-employment drug testing in accordance with Part 40 and CFR 382.301. Make available to Enforcement Staff, inspection of their business and vehicle domiciles, if different from their business location.
 - f. Provide proof that the Applicant is complying with all municipal, county, and homeowners association laws, codes, regulations, and bylaws for the parking or storage of its vehicles.
 - g. Ensure vehicle maintenance files are setup in accordance with CFR 396.
 - h. Provide a copy of the tow bill which includes the CPCN number granted.

- i. Provide a copy of the contract between Applicant and the laboratory that will perform and monitor the substance abuse program. If the owner will also serve as driver, the Contract must require the laboratory to provide results of positive drug/alcohol tests directly to the Authority.
 - j. Provide a copy of a dispatch log in accordance with NRS 706.4465.
 - k. File a tariff for approval by the Financial Analyst, which includes a description of the authority granted, CPCN number, and the name, address, and phone number of the Applicant.
 - l. Apply for Tow Car Plates and pay any and all associated fees.
 - m. Provide a copy of the Amber Light Permit.
 - n. Provide for approval by the Authority, a safety plan following the Nevada governmental guidelines and protocols for operations during the Covid-19 Pandemic.
 - o. Pursuant to NAC 706.1355, reimburse the Authority for the costs of noticing related to the Application.
3. Compliance with the foregoing requirements must be made NO LATER THAN 120 days after issuance of this Order. If the Applicant fails to comply within 120 days after issuance of this Order, the Deputy Commissioner may vacate this Order and dismiss this Application.
4. This Order does not constitute operating authority. **Performance of the transportation services contemplated by this Order may not be instituted prior to the issuance of the Certificate referred to hereinabove.**
5. If the Applicant is cited by the Authority for any violation of NRS 706 or NAC 706 prior to the issuance of the Certificate referred to hereinabove, the Deputy Commissioner shall vacate this Order and dismiss this Application unless the Authority orders otherwise.
6. The Deputy Commissioner shall be authorized to issue a Certificate of Public Convenience and Necessity upon Applicant's compliance with all requirements set forth hereinabove.

7. The Authority retains jurisdiction for the purpose of correcting any errors that may have occurred in the drafting or issuance of this Order.

By the Authority,

Dawn Gibbons, Chairman

George Assad, Commissioner

David Newton, Commissioner

Attest: _____
Jennifer De Rose, Deputy Commissioner

Dated: _____
Las Vegas, Nevada

NOTICE: Pursuant to NRS 233B.130, any party to this matter aggrieved by the above final decision may file a petition for rehearing or reconsideration. A petition for rehearing or reconsideration must be filed with the Authority within 15 days after the date the party received this Order.

**STATE OF NEVADA
TRANSPORTATION AUTHORITY
BACKGROUND INVESTIGATION FOR NON-FULLY REGULATED CARRIERS**

DOCKET NUMBER: 20-12004	DATE APPLICATION WAS FILED: 12/07/20
APPLICANT: YULIET BENCOMO	TITLE: OWNER
COMPANY NAME: OROZCO TOWING, LLC	
ADDRESS: 4155 W. TWAIN AVE., APT 235, LAS VEGAS, NV 89103	
PHONE NUMBERS: 702-465-3073	
INVESTIGATOR: M. BURTON	DATE ASSIGNED: 12/21/20

GENERAL REQUIREMENTS FOR APPLICATION (NAC 706.1375.2)

WHAT TYPE OF SERVICE IS PROPOSED?	
Charter Bus	
*Tow Car	X
*Consent	X
*Non-Consent	

IS APPLICANT PRESENTLY PROVIDING ANY TYPE OF SERVICE:				YES	NO	X	What type of service?
Charter Limousine		Charter Bus					Airport Transfer
Scenic Tours		Special Services					Tow Car
HHG		NEMT					Other States

Attach completed Application Oath page as Exhibit A	Exhibit A
--	----------------------

IDENTIFY OWNERSHIP STRUCTURE OF THE PROPOSED OPERATIONS					
Corporation		LLC	X	Partnership	
				Sole Proprietorship	

Identify each owner and their percentage of ownership:	
YULIET BENCOMO – 50%	
REYDEL OROZCO – 50%	

Attach as an exhibit, appropriate proof of ownership interest where applicable	Exhibit B
---	----------------------

Briefly describe the responsibilities of each owner.	
YULIET BENCOMO – ADMINISTRATION, DISPATCH PAYROLL, SCHEDULING, HIRING/FIRING, DRIVER QUALIFICATION FILES, VEHICLE MAINTENANCE FILES	
REYDEL OROZCO – DRIVER, HIRING/FIRING, TRAINING, VEHICLE MAINTENANCE FILES, DRIVER QUALIFICATION FILES	

Has the criminal background check disclosed any issue of concern?	YES		NO	X
Name(s): YULIET BENCOMO, REYDEL OROZCO				
Has there been any previous NTA enforcement action? (Including against the companies drivers)	YES		NO	X
Does the Applicant have USDOT Authority? (If so, include the SAFER printout as exhibit)	YES		NO	X
Is Applicant operating in another state?	YES		NO	X
If so, which State and under what type of Authority? (explain)				


 ENTERED
 3/15/21
 DT

	Exhibit
If so, attach copies of Enforcement Database Printout(s). If more than 5 citations include summary listing the citation number, fine amounts and date of issuance, NAC or NRS, or CFR violations. Attach copies of MC/USDOT rating.	N/A

	Exhibit
If the Applicant will be operating under a fictitious firm name, attach a copy of their fictitious firm name filing.	N/A

Identify key personnel who have no ownership interest and briefly describe their responsibilities: NO OTHER PERSONNEL AT THIS TIME, WILL HIRE AS BUSINESS DICTATES

Describe the type and number of vehicles the applicant intends to operate:
A. Type of Vehicles: FLATBED TOW TRUCK
B. Number of Vehicles: 1

	Exhibit
Attach photographs of vehicles as an exhibit.	C
If available, provide copies of vehicle titles and registration. COMPLIANCE	

Describe the facilities to be used for this operation: HOME RESIDENCE
Address (If Known): 4155 TWAIN AVE., APT 235, LAS VEGAS, NV 89103
Does the Applicant have an acceptable Timekeeping method? YES X NO
If Yes, Describe: DISPATCH LOG

Does the Applicant plan to store their vehicles at a location other than their business domicile? YES X NO
Provide address (If known): COMPLIANCE

Does the Applicant understand the operating authority sought, and is their plans consistent with the applied authority?	YES	X	NO	
Can the Applicant secure insurance as required by NAC 706.191?	YES	X	NO	
				Exhibit
Attach appropriate proof of insurance, or ability to obtain, as an exhibit.				D

Attach copies of the Applicant's charter orders, tow bill, tow invoice (whichever is applicable) and for tow companies only, a copy of a tariff.	Exhibit E
---	----------------------------

Does the Applicant understand the requirements contained within 49 CFR 391.51 as they pertain to the establishment and maintenance driver qualification files? YES X NO
Does the Applicant understand the requirements contained within 49 CFR 396 as they pertain to the establishment and maintenance of vehicle maintenance records? YES X NO
Does the Applicant understand the requirement that pertain to the establishment of a substance abuse policy/program as contained in 49 CFR Parts 40, 382? YES X NO
Has the Applicant contracted with a laboratory to perform and monitor their substance abuse program? YES NO X
If so, which laboratory? COMPLIANCE

Has the Applicant signed the NTA Knowledge Statement?	YES	X	NO	
Attach signed Knowledge Statement.				Exhibit F

COMPLIANCE ITEMS	
1	Avoid Material Changes
2	File with the Authority evidence, (Form E), or required insurance in Applicant's name.
3	File with the Authority the necessary insurance (Certificate of Insurance), describing liability limits, and vehicles covered.
4	Make vehicle(s) available for inspection by Enforcement Staff to ensure that they properly display the CPCN number, name of company, and other required markings, in accordance with NAC 706.170, and NAC 706.412. Provide copies of insurance cab card, annual (USDOT) vehicle inspections, titles, and registrations.
5	Ensure Driver qualification files are setup in accordance with CFR 391.51. Make available to Enforcement Staff for inspection of their business and vehicle domiciles. Ensure all drivers have pre-employment drug testing in accordance with Title 49, Parts 40, and 382. Explain and make available for inspection set-up of time tracking method put into place.
6	Ensure vehicle maintenance files are set up in accordance with CFR 396.
7	Provide proof that the Applicant is in compliance with all municipal, county, and homeowners association laws, codes, regulations, and bylaws for the parking or storage of its vehicles.
8	File a copy of tow invoice which includes the CPCN number granted.
9	File a copy of dispatch log in accordance with NRS 706.4465
10	File a tariff for review/approval by the Financial Analyst, which includes a description of the authority granted, CPCN number, and the name and address of the Applicant.
11	(TOW CAR) Apply for a tow car plate(s).
12	(TOW CAR) Provide copy of Amber light Permit.
13	Provide copy of contract with a laboratory to perform and monitor their substance abuse program and enrollment list.
14	Provide for approval by the Authority, a safety plan following the Nevada governmental guidelines and protocols for operations during the Covid-19 Pandemic.
15	Remit to the Authority any noticing fees and/or other outstanding debt due to the Authority.

INVESTIGATOR: <i>M. Burton</i>	DATE: <i>3/8/21</i>
REVIEWED BY SUPERVISOR: <i>Rene Rivers</i>	DATE: <i>3/9/21</i>
REVIEWED BY APPLICATION MANAGER: <i>[Signature]</i>	DATE: <i>3/11/21</i>

A listed EXHIBIT, (A, B, C etc), is the documentary evidence of the requirement being met. If a requirement has not been met, the EXHIBIT category will be left blank and it will be checked as a compliance item. Questions that do not apply to the Applicant the EXHIBIT category will be marked as NA.

Agenda Item#

47

BEFORE THE NEVADA TRANSPORTATION AUTHORITY

In Re: The Application of Roadside Diesel Repair,)
Inc., d/b/a RDR Towing for an expansion of) Docket 20-12022
operating authority granted under Certificate of)
Public Convenience and Necessity 7445.)
_____)

At a general session of the Nevada Transportation
Authority held on April 8, 2021.

PRESENT: Chairman Dawn Gibbons
 Commissioner George Assad
 Commissioner David Newton
 Deputy Commissioner Jennifer De Rose

COMPLIANCE ORDER

The Nevada Transportation Authority ("Authority") makes the following findings of fact and conclusions of law:

1. That on December 21, 2020, Roadside Diesel Repair, Inc., d/b/a RDR Towing ("Applicant") filed an application with the Nevada Transportation Authority ("Authority") for an expansion of authority granted under Certificate of Public Convenience and Necessity ("CPCN") 7445. The Applicant seeks to expand their consent-only tow authority by adding the authority to provide non-consent tow services. Said Application was designated as Docket 20-12022.
2. That the Application was properly noticed to the public and there were no petitions for leave to intervene or protests filed.
3. That based upon all the records pertaining to the Application, after investigation:
 - a. The Application on file herein comes within the purview of the statutes of the State of

- Nevada and within the regulatory jurisdiction of the Authority.
- b. The Applicant's operations and equipment meet the requirements set forth in NRS 706.4463 for the issuance of a CPCN.
 - c. The operation contemplated by Applicant will be consistent with the public interest and will not operate to defeat the legislative policy set forth in NRS 706.151.

Therefore, based upon the foregoing findings, it is ORDERED that:

1. The Application on file herein shall be GRANTED for the transportation service specified below:
 - On-call irregular route transportation of vehicles requiring tow car service by tow car vehicle.
 - Between points and places within the State of Nevada.
2. Upon full compliance with the conditions of this Order, the Certificate identified as CPCN 7445, shall be CANCELLED and a new Certificate of Public Convenience and Necessity identified as **CPCN 7445, Sub 1**, shall be issued to Roadside Diesel Repair, Inc., d/b/a RDR Towing authorizing operation in intrastate commerce as is more particularly described in the first ordering paragraph herein above.
3. Before issuance of said Certificate referred to hereinabove, the Applicant shall be required to:
 - a. Avoid material changes in any conditions relied upon by the Authority in its determination of operational fitness and immediately report to Authority Staff any such material changes, should they occur.
 - b. Make vehicle(s) available for inspection by Enforcement Staff to ensure that they properly display the notice as required per NAC 706.412 and have the required tariff and regulations in the vehicle.
 - c. Provide a tariff for review by the Financial Analyst, which includes a description of the authority granted, CPCN number, and the name and address of the Applicant.
 - d. Make available for Enforcement Staff inspection, the tow yard, business and vehicle

domiciles.

- e. Remit to the Authority any noticing fees and/or other outstanding debt due to the Authority.
4. Compliance with the foregoing requirements must be made NO LATER THAN 120 days after issuance of this Order. If the Applicant fails to comply within 120 days after issuance of this Order, the Deputy Commissioner may vacate this Order and dismiss this Application.
5. The Deputy Commissioner shall be authorized to issue a Certificate of Public Convenience and Necessity upon Applicant's compliance with all requirements set forth hereinabove.
6. The Authority retains jurisdiction for the purpose of correcting any errors that may have occurred in the drafting or issuance of this Order.

By the Authority,

Dawn Gibbons, Chairman

George Assad, Commissioner

David Newton, Commissioner

Attest: _____
Jennifer De Rose, Deputy Commissioner

Dated: _____
Las Vegas, Nevada

NOTICE: Pursuant to NRS 233B.130, any party to this matter aggrieved by the above final decision may file a petition for rehearing or reconsideration. A petition for rehearing or reconsideration must be filed with the Authority within 15 days after the date the party received this Order.

**STATE OF NEVADA
TRANSPORTATION AUTHORITY
BACKGROUND INVESTIGATION FOR ALL CARRIER APPLICATIONS
EXPANSION OF AUTHORITY**

CPCN

7445

DOCKET NUMBER: 20-12022		DATE APPLICATION WAS FILED: 12/29/2020	
APPLICANT: EDILIO MIRAMONTES		TITLE: OWNER	
COMPANY NAME: ROADSIDE DIESEL REPAIR INC. dba RDR TOWING			
ADDRESS: 425 MESA STREET WENDOVER NV 89883			
PHONE NUMBERS: 775 664 4102			
ATTORNEY:		PHONE#:	
INVESTIGATOR: WOODS		DATE ASSIGNED: 12/29/2020	

Attach completed Application Oath page as Exhibit A	Exhibit A
--	----------------------

What type of expansion is requested?	Geographical	Equipment	Other	X
Explain: NON CONSENT TOWING				

What type of service does the Applicant currently provide:							
Charter Limousine		Contract Carrier		Airport Transfer		Scenic Tours	
Charter Bus		Special Services		NEMT		HHG	
USDOT Authority		Other States		Taxi		*Tow Car	X
						*Consent	X
						Non-consent	

Copy of Carriers current Certificate	Exhibit B
---	----------------------

Is the Applicant seeking to add a new operating authority?	YES	X	NO	
If so, what type of operating authority?				
Applicant is seeking to expand its operations form CONSENT to NON-CONSENT TOWING				
Does the Applicant understand the distinction/differences between their current grant of operating authority and the new authority sought?	YES	X	NO	

What new geographical area of service is proposed, if applicable: N/A				
If a geographical expansion is sought, will the Applicant be adding a new equipment point?				
		YES	NO	X
If so, describe:				
If a geographical expansion is sought, does this expansion require the hiring of additional personnel?				
		YES	NO	X
If yes, describe the Applicant's plan:				

Will Applicant's business structure/ownership change from what is currently on file with the NTA?	YES	NO	X
---	-----	----	----------

If the Applicant is increasing the amount of equipment, describe the type and number of vehicles the Applicant intends to operate: N/A	
A. Type of Vehicles:	
B. Number of Vehicles:	

Will the Applicant's current facilities accommodate the planned expansion?	YES		NO	X
If not, describe the Applicant's plan to accommodate: ROADSIDE DIESEL HAS ACQUIRED A STORAGE FACILITY LOCATED AT 1070 East 500 South WENDOVER UT 84083				
Does this facility expansion require the hiring of additional personnel?	YES		NO	X
Does the Applicant have an acceptable timekeeping method?	YES	X	NO	
If yes, describe the Applicant's plan: TIMECLOCK				

Has there been any previous NTA enforcement action? (including against the companies drivers)	YES		NO	X
Does the Applicant have USDOT Authority? (If so, include the SAFER printout)	YES	X	NO	
Is Applicant operating in another state?	YES		NO	X
If so, which State and under what type of Authority?				
Explain:				

If so, attach copies of Enforcement Database Printout(s). If more than 5 citations include summary listing the citation number, fine amounts and date of issuance, NAC or NRS, or CFR violations. Attach copies of MC/USDOT rating.	Exhibit C
---	--------------

Copy of Tariff - (for Non-consent carriers Only)	Exhibit D
--	--------------

Attach copy of Operational Inspection	Exhibit E
---------------------------------------	--------------

COMPLIANCE ITEMS

1	Avoid Material Changes
2	Make vehicle(s) available for inspections by Enforcement Staff to ensure that they properly display the notice as required per NAC 706.412 and have the required tariff and regulations in the vehicles.
3	File a tariff for approval by the Financial Analyst.
4	NTA Tow Yard inspection.
5	Remit to the Authority any noticing fees and/or other debt due to the Authority.

INVESTIGATOR: WOODS	DATE: 2/18/21
REVIEWED BY SUPERVISOR:	DATE: 2/18/21
REVIEWED BY APPLICATION MANAGER:	DATE: 3-24-21

A listing EXHIBIT, (A,B,C etc), is the documentary evidence of the requirement being met. If a requirement has not been met, the EXHIBIT category will be left blank and it will be checked as a compliance item. Questions that do not apply to the Applicant will be marked as NA.

Agenda Item#

48

BEFORE THE NEVADA TRANSPORTATION AUTHORITY

In Re: The Application of Motorcycle Towing Near)
Me, LLC d/b/a Motorcycle Towing Near Me for a)
certificate of public convenience and necessity to) Docket 20-12031
provide consent-only tow car service within the)
State of Nevada.)
_____)

At a general session of the Nevada Transportation
Authority held on April 8, 2021.

PRESENT: Chairman Dawn Gibbons
Commissioner George Assad
Commissioner David Newton
Deputy Commissioner Jennifer De Rose

COMPLIANCE ORDER

The Nevada Transportation Authority ("Authority") makes the following findings of fact and conclusions of law:

1. That on December 24, 2020, Motorcycle Towing Near Me, LLC d/b/a Motorcycle Towing Near Me ("Applicant") filed with the Authority an Application to provide consent-only tow car service by tow car vehicle within the State of Nevada. Said Application was designated as Docket 20-12031.
2. That the Application was properly noticed to the public and there were no Petitions for Leave to Intervene or Protests filed.
3. That based upon all the records relating to the Application, after investigation and pursuant to NRS 706.4463:
 - a. The Application on file herein comes within the purview of the statutes of the State of Nevada and within the regulatory jurisdiction of the Authority.
 - b. The Applicant complies with the requirements set forth in NRS 706.4463.
 - c. The operation contemplated by Applicant will be consistent with the public interest and

will not operate to defeat the legislative policy set forth in NRS 706.151.

Therefore, based upon the foregoing findings, it is ORDERED that:

1. Upon full compliance with the conditions of this Order, a Certificate of Public Convenience and Necessity identified as **CPCN 7464** shall be issued to Motorcycle Towing Near Me, LLC d/b/a Motorcycle Towing Near Me as specified below:

On-call, irregular route transportation of vehicles requiring tow car service by tow car vehicle;

Between points and places within the State of Nevada.

Restriction: Holder shall perform consent-only tows.

2. Before issuance of the Certificate referred to hereinabove, the Applicant shall be required to:
 - a. Avoid material changes in any conditions relied upon by the Authority in its determination of operational fitness and immediately report to Authority Staff any such material changes, should they occur.
 - b. File with the Authority evidence, (Form E) in the Applicant's name.
 - c. File with the Authority the necessary insurance (Certificate of Insurance) describing the liability limits and vehicle(s) covered.
 - d. Make vehicle(s) available for inspection by Enforcement Staff to ensure that they are properly registered in the motor carrier's name, display the CPCN number, logo and/or name of the motor carrier and any other required markings in accordance with NAC 706.170 and NAC 706.412. Provide copies of the insurance cab card, annual (USDOT) vehicle inspections, titles, and registrations.
 - e. Ensure driver qualification files are setup in accordance with CFR 391.51. Explain and make available for review, the set-up for the time tracking method put into place. Ensure that all drivers have pre-employment drug testing in accordance with Part 40 and CFR 382.301. Make available to Enforcement Staff, inspection of their business and vehicle domiciles, if different from their business location.
 - f. Provide proof that the Applicant is complying with all municipal, county, and homeowner's association laws, codes, regulations, and bylaws for the parking or storage of its vehicles.

- g. Ensure vehicle maintenance files are setup in accordance with CFR 396.
 - h. Provide a copy of the tow bill which includes the CPCN number granted.
 - i. Provide a copy of the contract between Applicant and the laboratory that will perform and monitor the substance abuse program. If the owner will also serve as driver, the Contract must require the laboratory to provide results of positive drug/alcohol tests directly to the Authority.
 - j. Provide a copy of a dispatch log in accordance with NRS 706.4465.
 - k. File a tariff for approval by the Financial Analyst, which includes a description of the authority granted, CPCN number, and the name, address, and phone number of the Applicant.
 - l. Apply for Tow Car Plates and pay any and all associated fees.
 - m. Provide a copy of the Amber Light Permit.
 - n. Provide for approval by the Authority, a safety plan following the Nevada governmental guidelines and protocols for operations during the Covid-19 Pandemic.
 - o. Pursuant to NAC 706.1355, reimburse the Authority for the costs of noticing related to the Application.
3. Compliance with the foregoing requirements must be made NO LATER THAN 120 days after issuance of this Order. If the Applicant fails to comply within 120 days after issuance of this Order, the Deputy Commissioner may vacate this Order and dismiss this Application.
4. This Order does not constitute operating authority. **Performance of the transportation services contemplated by this Order may not be instituted prior to the issuance of the Certificate referred to hereinabove.**
5. If the Applicant is cited by the Authority for any violation of NRS 706 or NAC 706 prior to the issuance of the Certificate referred to hereinabove, the Deputy Commissioner shall vacate this Order and dismiss this Application unless the Authority orders otherwise.

///

6. The Deputy Commissioner shall be authorized to issue a Certificate of Public Convenience and Necessity upon Applicant's compliance with all requirements set forth hereinabove.
7. The Authority retains jurisdiction for the purpose of correcting any errors that may have occurred in the drafting or issuance of this Order.

By the Authority,

Dawn Gibbons, Chairman

George Assad, Commissioner

David Newton, Commissioner

Attest: _____
Jennifer De Rose, Deputy Commissioner

Dated: _____
Las Vegas, Nevada

NOTICE: Pursuant to NRS 233B.130, any party to this matter aggrieved by the above final decision may file a petition for rehearing or reconsideration. A petition for rehearing or reconsideration must be filed with the Authority within 15 days after the date the party received this Order.

**STATE OF NEVADA
TRANSPORTATION AUTHORITY
BACKGROUND INVESTIGATION FOR NON-FULLY REGULATED CARRIERS**

DOCKET NUMBER: 20-12031	DATE APPLICATION WAS FILED: 12/29/2020
APPLICANT: ROBERT BITTERMAN	TITLE: OWNER
COMPANY NAME: MOTORCYCLE TOWING NEAR ME, LLC dba MOTORCYCLE TOWING NEAR ME	
ADDRESS: 4032 GOLD COAST DR, LAS VEGAS NV 89121	
PHONE NUMBERS: 732-470-5079	
INVESTIGATOR: WOODS	DATE ASSIGNED: 12/29/2020

GENERAL REQUIREMENTS FOR APPLICATION (NAC 706.1375.2)

WHAT TYPE OF SERVICE IS PROPOSED?	
Charter Bus	
*Tow Car	X
*Consent	X
*Non-Consent	

IS APPLICANT PRESENTLY PROVIDING ANY TYPE OF SERVICE:				YES	NO	X	What type of service?
Charter Limousine		Charter Bus					Airport Transfer
Scenic Tours		Special Services					Tow Car
HHG		NEMT					Other States
							US DOT Authority

Attach completed Application Oath page as Exhibit A	Exhibit A
--	----------------------

IDENTIFY OWNERSHIP STRUCTURE OF THE PROPOSED OPERATIONS			
Corporation		LLC	X
Partnership		Sole Proprietorship	

Identify each owner and their percentage of ownership: ROBERT CRAIG BITTERMAN, OWNER 100%
--

Attach as an exhibit, appropriate proof of ownership interest where applicable	Exhibit B
---	----------------------

Briefly describe the responsibilities of each owner. Mr. Bitterman will be responsible for maintaining both Driver Qualification/Vehicle Maintenance Files, conduct Driver Training, and Day to Dat Operations

Has the criminal background check disclosed any issue of concern?	YES	NO	X
Name(s): Robert Bitterman			
Has there been any previous NTA enforcement action? (Including against the companies drivers)	YES	NO	X
Does the Applicant have USDOT Authority? (If so, include the SAFER printout as exhibit)	YES	NO	X
Is Applicant operating in another state?	YES	NO	X
If so, which State and under what type of Authority? (explain)			

ENTERED
 2/25/21
 DT

If so, attach copies of Enforcement Database Printout(s). If more than 5 citations include summary listing the citation number, fine amounts and date of issuance, NAC or NRS, or CFR violations. Attach copies of MC/USDOT rating.	Exhibit
	N/A

If the Applicant will be operating under a fictitious firm name, attach a copy of their fictitious firm name filing.	Exhibit
	G

Identify key personnel who have no ownership interest and briefly describe their responsibilities: To be determined in Compliance
--

Describe the type and number of vehicles the applicant intends to operate:
A. Type of Vehicles: 2012 DODGE 2500
B. Number of Vehicles: 1

Attach photographs of vehicles as an exhibit. If available, provide copies of vehicle titles and registration.	Exhibit
	C

Describe the facilities to be used for this operation: Private residence
Address (If Known): 4032 Gold Coast Dr. Las Vegas NV 89121
Does the Applicant have an acceptable Timekeeping method? YES X NO
If Yes, Describe: Timeclock
Does the Applicant plan to store their vehicles at a location other than their business domicile? YES NO X
Provide address (If known):

Does the Applicant understand the operating authority sought, and is their plans consistent with the applied authority? YES	X	NO	
Can the Applicant secure insurance as required by NAC 706.191? YES	X	NO	
Attach appropriate proof of insurance, or ability to obtain, as an exhibit.	Exhibit D		

Attach copies of the Applicant's charter orders, tow bill, tow invoice (whichever is applicable) and for tow companies only, a copy of a tariff.	Exhibit E
--	-----------

Does the Applicant understand the requirements contained within 49 CFR 391.51 as they pertain to the establishment and maintenance driver qualification files? YES	X	NO	
Does the Applicant understand the requirements contained within 49 CFR 396 as they pertain to the establishment and maintenance of vehicle maintenance records? YES	X	NO	
Does the Applicant understand the requirement that pertain to the establishment of a substance abuse policy/program as contained in 49 CFR Parts 40, 382? YES	X	NO	
Has the Applicant contracted with a laboratory to perform and monitor their substance abuse program? YES		NO	X
If so, which laboratory? To Be Determined During Compliance			

Has the Applicant signed the NTA Knowledge Statement?	YES	X	NO	
Attach signed Knowledge Statement.				Exhibit F

COMPLIANCE ITEMS

1	Avoid Material Changes
2	File with the Authority evidence, (Form E), or required insurance in Applicant's name.
3	File with the Authority the necessary insurance (Certificate of Insurance), describing liability limits, and vehicles covered.
4	Make vehicle(s) available for inspection by Enforcement Staff to ensure that they properly display the CPCN number, name of company, and other required markings, in accordance with NAC 706.170, and NAC 706.412. Provide copies of insurance cab card, annual (USDOT) vehicle inspections, titles, and registrations.
5	Ensure all drivers have applied for temporary drivers permit (passenger transportation only)
6	Ensure Driver qualification files are setup in accordance with CFR 391.51. Make available to Enforcement Staff for inspection of their business and vehicle domiciles. Ensure all drivers have pre-employment drug testing in accordance with Title 49, Parts 40, and 382. Explain and make available for inspection set-up of time tracking method put into place.
7	Ensure vehicle maintenance files are set up in accordance with CFR 396.
8	Provide proof that the Applicant is in compliance with all municipal, county, and homeowners association laws, codes, regulations, and bylaws for the parking or storage of its vehicles.
9	File a copy of tow invoice which includes the CPCN number granted.
10	File a copy of dispatch log in accordance with NRS 706.4465
11	File a tariff for review/approval by the Financial Analyst, which includes a description of the authority granted, CPCN number, and the name and address of the Applicant.
12	(TOW CAR) Apply for a tow car plate(s).
13	(TOW CAR) Provide copy of Amber light Permit.
14	Provide copy of contract with a laboratory to perform and monitor their substance abuse program and enrollment list.
15	Provide for approval by the Authority, a safety plan following the Nevada governmental guidelines and protocols for operations during the Covid-19 Pandemic.
16	Remit to the Authority any noticing fees and/or other outstanding debt due to the Authority.

INVESTIGATOR: Woods	DATE: 2/18/21
REVIEWED BY SUPERVISOR: <i>[Signature]</i>	DATE: 2/19/21
REVIEWED BY APPLICATION MANAGER: <i>[Signature]</i>	DATE: 2/25/21

A listed EXHIBIT, (A, B, C etc), is the documentary evidence of the requirement being met. If a requirement has not been met, the EXHIBIT category will be left blank and it will be checked as a compliance item. Questions that do not apply to the Applicant the EXHIBIT category will be marked as NA.

Agenda Item# 49

**STATE OF NEVADA
TRANSPORTATION AUTHORITY
BACKGROUND INVESTIGATION FOR ALL CARRIER APPLICATIONS
SALE AND TRANSFER OF**

CPCN: 2241

DOCKET NUMBER: 20-02027		DATE APPLICATION WAS FILED: 02/25/2020	
SELLER APPLICANT: Armando Rios		TITLE: Owner	
SELLER COMPANY NAME: BB Express, LLC			
ADDRESS: N/A – Seller is no longer available			
PHONE NUMBERS: N/A			
BUYER APPLICANT: Benjamin Mazal		TITLE: Owner	
BUYER COMPANY NAME: BB Express, LLC			
ADDRESS: PO Box 1353, Harlem, KY 40831			
PHONE NUMBERS: 660-723-2923			
ATTORNEY: Brent Carson		PHONE#: 702-471-1111	
INVESTIGATOR: D. Main		DATE ASSIGNED: 03/17/2020	

WHAT TYPE OF AUTHORITY/SERVICE DOES THE SELLER APPLICANT HAVE?							
Charter Limousine		Contract Carrier		Airport Transfer		Scenic Tours	
Special Services		Charter Bus	X	HHG		NEMT	
US DOT Authority		Other States		Taxi		*Tow Car	
						*Consent	Non-consent

Attach completed Application Oath pages as Exhibit A	Exhibit A
---	----------------------

IDENTIFY NEW OWNERSHIP STRUCTURE AS PROPOSED BY BUYER APPLICANT							
Corporation		LLC	X	Partnership		Sole Proprietorship	
Identify each new owner and their percentage of ownership:							
<p>There will be no new owners. Armando Rios owns 50% of the company and Benjamin Mazal owns 50% of the company. With this application Mr. Rios is selling 30% of his ownership to Mr. Mazal. The result being 80% owned by Mr. Mazal and 20% owned by Mr. Rios</p>							

Attach as an exhibit, appropriate proof of ownership interest where applicable	Exhibit B
Will the Applicant (Buyer) be operating under a fictitious firm name? If so, attach copy to exhibit	N/A

Briefly describe the responsibilities of each new owner, (i.e. driver, operational manager, mechanic, bookkeeper, financial backing only, etc):
<p>Mr. Benjamin Mazal will be 100% responsible for the day to day operations and all other aspects of the business. He is a long-distance owner and intends to employ a manager to run the business for him.</p>

Has the criminal background check disclosed any issue of concern?				YES	NO	X
Name(s): Benjamin Mazal, Owner and Krystal Quarles, Manager – no issues of concern were noted for either person.						

Has the <u>Seller</u> had any previous NTA enforcement action? (Including against the companies drivers)	YES		NO	X
Has the <u>Buyer</u> had any previous NTA enforcement action? (Including against the companies drivers)	YES		NO	X

Does the Applicant have USDOT Authority? (If so, include the SAFER printout as exhibit)	YES		NO	X
Is Applicant operating in another state?	YES		NO	X
If so, which State and under what type of Authority?				
Explain:				

If so, attach copies of Enforcement Database Printout(s). If more than 5 citations include summary listing the citation number, fine amounts and date of issuance, NAC or NRS, or CFR violations. Attach copies of MC/USDOT rating. .	Exhibit			
	N/A			

Will (Buyer) Applicant utilize the same domicile currently being used by Seller?	YES	X	NO	
If not, what is the domicile address:				
Does the Applicant have an acceptable Timekeeping method?	YES	X	NO	
If Yes, Describe: Timeclock				

Does the (Buyer) Applicant plan to store equipment at a location other than their legal domicile?	YES		NO	X
If so, provide address (If known):				

Does the (Buyer) Applicant understand the operating authority sought, and is their plans consistent with that authority?	YES	X	NO	
Can the Applicant secure insurance as required by NAC 706.191?	YES	X	NO	

Attach appropriate proof of insurance, or ability to obtain, as an Exhibit	Exhibit
	C

Does the Applicant (Buyer) understand the requirements contained within 49 CFR 391.51 as they pertain to the establishment and maintenance of driver qualification files?	YES	X	NO	
Does the Applicant (Buyer) understand the requirements contained within 49 CFR 396 as they pertain to the establishment and maintenance of vehicle maintenance records?	YES	X	NO	
Does the Applicant (Buyer) understand the requirements that pertain to the establishment of a substance abuse policy/program as contained in 49 CFR Parts 40, 382, and 391?	YES	X	NO	
Has the Applicant (Buyer) contracted with a laboratory to perform and monitor their substance abuse program?	YES	X	NO	

If so, which laboratory?				
Does the Applicant (Buyer) have adequate personnel (drivers, managers, etc) to operate their business?	YES	X	NO	

Attach copies of the Buyer Applicant's proposed charter orders, bills of lading, tow bill (invoice), tariff (tow only) etc., as applicable, as an Exhibit	Exhibit
	D

Has the Applicant (Buyer) demonstrated an adequate working knowledge of the statutes and regulations that pertain to operating authority sought (Including all relevant provisions of NRS Chapter 706, NAC Chapter 706, and 49 CFR?	YES	X	NO	
Does the Applicant (Buyer) understand the limitations inherent in their grant of operating authority (i.e. consent vs. non-consent tows, charter bus vs. scenic tours)?	YES	X	NO	

Attach Operational Inspection. NOTE: This company has been on an temporary discontinuance since October 28, 2018 therefore a recent operational inspection is not available.	Exhibit N/A
--	----------------

Attach signed Knowledge Statement.	Exhibit E
------------------------------------	--------------

COMPLIANCE ITEMS	
1	Avoid Material Changes
2	File with the Authority evidence, (Form E), or required insurance in Applicant's name.
3	File with the Authority the necessary insurance (Certificate of Insurance), describing liability limits, vehicles covered.
4	Make vehicle(s) available for inspection by Enforcement Staff to ensure that they properly registered in motor carrier's name, display CPCN number, name of motor carrier, or logo, and any other required markings. Provide copies of Insurance cab card, annual (USDOT) vehicle inspection, titles, and registrations.
5	Ensure all drivers have applied for temporary drivers permit (passenger transportation only)
6	Ensure Driver qualification files are setup in accordance with CFR 391.51. Explain and make available set-up of time tracking method put into place. Ensure all drivers have pre-employment drug testing in accordance with CFR 382.301. Make available to Enforcement Staff for inspection their business and equipment domiciles.
7	Ensure vehicle maintenance files are setup in accordance with CFR 396.
8	File a copy of carrier's Charter Order for review by Authority Staff, which includes the CPCN number granted.
9	Provide proof that the Applicant is in compliance with all municipal, county, and homeowners association laws, codes, regulations, and bylaws for the parking or storage of its vehicles.
10	File a tariff for approval by the Financial Analyst.
11	Provide copy of contract with a laboratory to perform and monitor their substance abuse program and enrollment list.
14	Provide for approval by the Authority, a safety plan following the Nevada governmental guidelines and protocols for operations during the Covid-19 Pandemic.
15	Remit to the Authority any noticing fees and/or other outstanding debt due to the Authority.

INVESTIGATOR: <i>DMW</i>	DATE: 03/22/21
REVIEWED BY SUPERVISOR: <i>Renee P. [Signature]</i>	DATE: 3/22/21
REVIEWED BY APPLICATION MANAGER: <i>[Signature]</i>	DATE: 3/22/21

A listed EXHIBIT, (A,B,C etc), is the documentary evidence of the requirement being met. If a requirement has not been met, the EXHIBIT category will be left blank and it will be checked as a compliance item. Questions that do not apply to the Applicant will be marked as NA.

**STATE OF NEVADA
TRANSPORTATION AUTHORITY
BACKGROUND INVESTIGATION FOR ALL CARRIER APPLICATIONS
SALE AND TRANSFER OF**

CPCN: 2241

DOCKET NUMBER: 20-02028		DATE APPLICATION WAS FILED: 02/25/2020	
SELLER APPLICANT: Armando Rios		TITLE: Owner	
SELLER COMPANY NAME: BB Express, LLC			
ADDRESS: N/A – Seller is no longer available			
PHONE NUMBERS: N/A			
BUYER APPLICANT: Benjamin Mazal		TITLE: Owner	
BUYER COMPANY NAME: BB Express, LLC			
ADDRESS: PO Box 1353, Harlem, KY 40831			
PHONE NUMBERS: 660-723-2923			
ATTORNEY: Brent Carson		PHONE#: 702-471-1111	
INVESTIGATOR: D. Main		DATE ASSIGNED: 03/17/2020	

WHAT TYPE OF AUTHORITY/SERVICE DOES THE SELLER APPLICANT HAVE?							
Charter Limousine		Contract Carrier		Airport Transfer		Scenic Tours	
Special Services		Charter Bus	X	HHG		NEMT	
US DOT Authority		Other States		Taxi		*Tow Car	
						*Consent	Non-consent

Attach completed Application Oath pages as Exhibit A	Exhibit A
---	----------------------

IDENTIFY NEW OWNERSHIP STRUCTURE AS PROPOSED BY BUYER APPLICANT							
Corporation		LLC	X	Partnership		Sole Proprietorship	
Identify each new owner and their percentage of ownership:							
<p>There will be no new owners. Armando Rios owns 20% of the company and Benjamin Mazal owns 80% of the company. With this application Mr. Rios is selling his 20% of ownership to Mr. Mazal. The result being 100% owned by Mr. Mazal.</p>							

Attach as an exhibit, appropriate proof of ownership interest where applicable	Exhibit B
Will the Applicant (Buyer) be operating under a fictitious firm name? If so, attach copy to exhibit	N/A

Briefly describe the responsibilities of each new owner, (i.e. driver, operational manager, mechanic, bookkeeper, financial backing only, etc):	
<p>Mr. Benjamin Mazal will be 100% responsible for the day to day operations and all other aspects of the business. He is a long-distance owner and intends to employ a manager to run the business for him.</p>	

Has the criminal background check disclosed any issue of concern?				YES	NO	X
Name(s): Benjamin Mazal, Owner and Krystal Quarles, Manager – no issues of concern were noted for either person.						
Has the Seller had any previous NTA enforcement action? (Including against the companies drivers)				YES	NO	X
Has the Buyer had any previous NTA enforcement action? (Including against the companies drivers)				YES	NO	X

Does the Applicant have USDOT Authority? (If so, include the SAFER printout as exhibit)	YES		NO	X
Is Applicant operating in another state?	YES		NO	X
If so, which State and under what type of Authority?				
Explain:				

If so, attach copies of Enforcement Database Printout(s). If more than 5 citations include summary listing the citation number, fine amounts and date of issuance, NAC or NRS, or CFR violations. Attach copies of MC/USDOT rating. .	Exhibit		
	N/A		

Will (Buyer) Applicant utilize the same domicile currently being used by Seller?	YES	X	NO	
If not, what is the domicile address:				
Does the Applicant have an acceptable Timekeeping method?	YES	X	NO	
If Yes, Describe: Timeclock				

Does the (Buyer) Applicant plan to store equipment at a location other than their legal domicile?	YES		NO	X
If so, provide address (If known):				

Does the (Buyer) Applicant understand the operating authority sought, and is their plans consistent with that authority?	YES	X	NO	
Can the Applicant secure insurance as required by NAC 706.191?	YES	X	NO	

Attach appropriate proof of insurance, or ability to obtain, as an Exhibit	Exhibit
	C

Does the Applicant (Buyer) understand the requirements contained within 49 CFR 391.51 as they pertain to the establishment and maintenance of driver qualification files?	YES	X	NO	
Does the Applicant (Buyer) understand the requirements contained within 49 CFR 396 as they pertain to the establishment and maintenance of vehicle maintenance records?	YES	X	NO	
Does the Applicant (Buyer) understand the requirements that pertain to the establishment of a substance abuse policy/program as contained in 49 CFR Parts 40, 382, and 391?	YES	X	NO	
Has the Applicant (Buyer) contracted with a laboratory to perform and monitor their substance abuse program?	YES	X	NO	

If so, which laboratory?				
Does the Applicant (Buyer) have adequate personnel (drivers, managers, etc) to operate their business?	YES	X	NO	

Attach copies of the Buyer Applicant's proposed charter orders, bills of lading, tow bill (invoice), tariff (tow only) etc., as applicable, as an Exhibit	Exhibit
	D

Has the Applicant (Buyer) demonstrated an adequate working knowledge of the statutes and regulations that pertain to operating authority sought (Including all relevant provisions of NRS Chapter 706, NAC Chapter 706, and 49 CFR?	YES	X	NO	
Does the Applicant (Buyer) understand the limitations inherent in their grant of operating authority (i.e. consent vs. non-consent tows, charter bus vs. scenic tours)?	YES	X	NO	

Attach Operational Inspection. NOTE: This company has been on an temporary discontinuance since October 28, 2018 therefore a recent operational inspection is not available.	Exhibit N/A
--	----------------

Attach signed Knowledge Statement.	Exhibit E
------------------------------------	--------------

COMPLIANCE ITEMS	
1	Avoid Material Changes
2	File with the Authority evidence, (Form E), or required insurance in Applicant's name.
3	File with the Authority the necessary insurance (Certificate of Insurance), describing liability limits, vehicles covered.
4	Make vehicle(s) available for inspection by Enforcement Staff to ensure that they properly registered in motor carrier's name, display CPCN number, name of motor carrier, or logo, and any other required markings. Provide copies of Insurance cab card, annual (USDOT) vehicle inspection, titles, and registrations.
5	Ensure all drivers have applied for temporary drivers permit (passenger transportation only)
6	Ensure Driver qualification files are setup in accordance with CFR 391.51. Explain and make available set-up of time tracking method put into place. Ensure all drivers have pre-employment drug testing in accordance with CFR 382.301. Make available to Enforcement Staff for inspection their business and equipment domiciles.
7	Ensure vehicle maintenance files are setup in accordance with CFR 396.
8	File a copy of carrier's Charter Order for review by Authority Staff, which includes the CPCN number granted.
9	Provide proof that the Applicant is in compliance with all municipal, county, and homeowners association laws, codes, regulations, and bylaws for the parking or storage of its vehicles.
10	File a tariff for approval by the Financial Analyst.
11	Provide copy of contract with a laboratory to perform and monitor their substance abuse program and enrollment list.
14	Provide for approval by the Authority, a safety plan following the Nevada governmental guidelines and protocols for operations during the Covid-19 Pandemic.
15	Remit to the Authority any noticing fees and/or other outstanding debt due to the Authority.

INVESTIGATOR: <i>DM</i>	DATE: 03/22/21
REVIEWED BY SUPERVISOR: <i>Renee</i>	DATE: 3/22/21
REVIEWED BY APPLICATION MANAGER: <i>Abraham</i>	DATE: 3/23/21

A listed EXHIBIT, (A,B,C etc), is the documentary evidence of the requirement being met. If a requirement has not been met, the EXHIBIT category will be left blank and it will be checked as a compliance item. Questions that do not apply to the Applicant will be marked as NA.

BEFORE THE NEVADA TRANSPORTATION AUTHORITY

In Re: The Joint Applications of Armando Rios to)
sell and transfer and Benjamin Mazal to purchase) Dockets 20-02027 and 20-02028
and acquire 30% and 20%, respectively)
membership interest in BB Express, LLC, a carrier)
authorized to provide charter bus service granted)
under CPCN 2241.)
_____)

At a general session of the Nevada Transportation
Authority held on April 8, 2021.

PRESENT: Chairman Dawn Gibbons
Commissioner George Assad
Commissioner David Newton
Deputy Commissioner Jennifer De Rose

COMPLIANCE ORDER GRANTING APPLICATION

The Nevada Transportation Authority ("Authority") makes the following findings of fact and conclusions of law:

1. That on February 25, 2020, a Joint Application was filed with the Authority by Armando Rios, 50% owner of BB Express, LLC ("BB/"Applicant"), to sell and transfer and Benjamin Mazal, 50% owner of BB, to purchase and acquire an additional 30% membership interest in BB. Said Application was designated as Docket 20-02027.
2. That also on February 25, 2020, a Joint Application was filed with the Authority by Armando Rios, 20% owner of BB, to sell and transfer and Benjamin Mazal, 80% owner of BB, to purchase and acquire an additional 20% membership interest of BB resulting in Mr. Mazal being 100% owner of BB. Said Application was designated as Docket 20-02028.
3. That BB is a carrier authorized to provide intrastate charter bus service within the State of Nevada granted under Certificate of Public Convenience and Necessity ("CPCN") 2241.

4. That the Applications were properly noticed to the public and there were no Petitions for Leave to Intervene or Protests filed.
5. On March 9, 2021, the Authority convened a hearing on the Application before David Newton, Presiding Officer. Appearances at the hearing were made by Benjamin Mazal (“Mazal”) owner of Applicant, Crystal Quarles (“Quarles”) Applicant’s manager, and Applicant’s counsel Brent Carson, Esq. Louis Csoka, Deputy Attorney General appeared on behalf of the regulatory staff (“Staff”) of the Authority.
6. Applicant offered into evidence its application herein, designated Applicant’s Exhibit 1, and Staff offered into evidence its Background Investigation report, designated Staff’s Exhibit 1.
7. Quarles testified as manager of the Applicant regarding her background of employment, experience, and qualifications as manager of Applicant. Quarles is currently employed with RTC and holds a driver’s permit with the NTA.
8. Mazal testified regarding the ownership of the company and he is now 100% owner. Armando Rios, previous partner has relinquished all rights of ownership for the business to Mazal.
9. Mazal and Quarles both testified that they are aware of all the requirements for hiring, licensing, and testing of drivers, including drug abuse testing, and for maintaining and tracking vehicles.
10. Liz Babcock (“Babock”) testified for the Staff. Babock is the Applications Manager for the Authority. She has reviewed the Application and supports it.
11. The Authority finds and concludes that Applicant has presented satisfactory evidence of its intent to comply with the provisions of NRS Chapter 706 and the regulations adopted by the Authority.
12. The Authority finds and concludes that the Application should be GRANTED subject to Applicant’s fulfillment of all compliance items required by Staff.
13. That based upon all the records pertaining to the Applications and after investigation:
 - a. The Applications on file herein comes within the purview of the statutes of the State of Nevada and within the regulatory jurisdiction of the Authority.

- b. The Transferee Applicant is fit, willing and able to perform the transportation service for which applied.
- c. Granting the Applications on file herein would be in the public interest.
- d. The operation contemplated by Transferee Applicant will be consistent with the public interest and will not operate to defeat the legislative policy set forth in NRS 706.151.

Therefore, based upon the foregoing findings, it is ORDERED that:

1. The Applications on file herein is GRANTED for the transportation services specified below:

Operate as a passenger carrier to provide intrastate charter bus service between points and places within the State of Nevada.

2. Upon full compliance with the condition of this Compliance Order, the certificate identified as CPCN 2241 shall be CANCELLED, and a new Certificate of Public Convenience and Necessity identified as **CPCN 2241, Sub 1**, shall be issued to BB Express, LLC, authorizing operation in intrastate commerce as is more particularly described in the first ordering paragraph above.
3. Before issuance of the Certificate referred to hereinabove, the Applicant shall be required to:
 - a. Avoid material changes in any conditions relied upon by the Authority in its determination of operational fitness and immediately report to Authority Staff any such material changes, should they occur.
 - b. File with the Authority evidence of the required insurance (Form E) in the Applicant's name.
 - c. File with the Authority the necessary insurance (Certificate of Insurance) describing the liability limits and vehicles covered.
 - d. Make vehicle available for inspection by Enforcement Staff to ensure that they properly display the CPCN number, name of the company, and other required markings in accordance with NAC 706.170 and NAC 706.412. Provide copies of insurance cab card, annual (USDOT) vehicle inspections, titles, and registrations.
 - e. Ensure all drivers have applied for driver's permit.
 - f. Ensure driver qualification files are setup in accordance with 49 CFR 391.51. Make available to Enforcement Staff for inspection of business and vehicle domiciles. Ensure all drivers have pre-employment drug testing in accordance with title 49, Parts 40 and 382. Explain and make available for inspection set-up of time tracking method put into place.
 - g. Ensure vehicle maintenance files are to be setup and maintained in accordance with 49 CFR

396.

- h. Provide a copy of the charter order to include CPCN.
 - i. File for review by Authority Staff, a final tariff that includes a description of the Authority granted, CPCN number, and the name and address of the Applicant.
 - j. Provide a copy of the contract between Applicant and the laboratory that will perform and monitor the substance abuse program. If the owner will also operate as a driver, the contract must require the laboratory to provide results of positive drug/alcohol tests directly to the Authority.
 - k. Provide proof that the Applicant is in compliance with all municipal, county, and homeowners association laws, codes, regulations, and bylaws for the parking or storage of its vehicles.
 - l. Provide copies of current State of Nevada Department of Taxation permit and all applicable business licenses.
 - m. Provide for approval by the Authority, a safety plan following the Nevada governmental guidelines and protocols for operations during the Covid-19 Pandemic.
 - n. Pursuant to NAC 706.1355, reimburse the Authority for the costs of noticing related to the Application.
4. Compliance with the foregoing requirements must be made NO LATER THAN 120 days after issuance of this Order. If the Applicant fails to comply within 120 days after issuance of this Order, the Deputy Commissioner may vacate this Order and dismiss this Applications.
5. The Deputy Commissioner shall be authorized to issue a Certificate of Public Convenience and Necessity upon Applicant's compliance with all requirements set forth hereinabove.

///

///

///

///

///

///

6. The Authority retains jurisdiction for the purpose of correcting any errors that may have occurred in the drafting or issuance of this Order.

By the Authority,

Dawn Gibbons, Chairman

George Assad, Commissioner

David Newton, Commissioner

Attest: _____
Jennifer De Rose, Deputy Commissioner

Dated: _____
Las Vegas, Nevada

NOTICE: Pursuant to NRS 233B.130, any party to this matter aggrieved by the above final decision may file a petition for rehearing or reconsideration. A petition for rehearing or reconsideration must be filed with the Authority within 15 days after the date the party received this Order.

Agenda Item# 50

BEFORE THE NEVADA TRANSPORTATION AUTHORITY

In the Matter of the Application of Vegas One)
Transportation, LLC d/b/a Strip VIP 1 for a) Docket 20-09032
Certificate of Public Convenience and Necessity to)
provide intrastate charter bus service within the State)
of Nevada.)
_____)

At a general session of the Nevada Transportation
Authority held on April 8, 2021.

PRESENT: Chairman Dawn Gibbons
Commissioner George Assad
Commissioner David Newton
Deputy Commissioner Jennifer De Rose

COMPLIANCE ORDER

The Nevada Transportation Authority ("Authority") makes the following findings of fact and conclusions of law:

1. That on September 30, 2020, Vegas One Transportation, LLC d/b/a Strip VIP 1 ("Applicant") filed an Application with the Authority for a Certificate of Public Convenience and Necessity to provide intrastate charter bus service within the State of Nevada. Said Application was designated as Docket 20-09032.
2. That on October 1, 2020, the Application was properly noticed to the public and no Petitions for Leave to Intervene or Protests were filed.
3. That based on all records relating to the Application, after investigation, and pursuant to NRS 706.463:
 - a. The Application on file herein comes within the purview of the statutes of the State of Nevada and within the regulatory jurisdiction of the Authority.
 - b. The Applicant is fit, willing, and able to comply with the provision of NRS and NAC 706 relating to safety.
 - c. The operation contemplated by Applicant will be consistent with the public interest and

will not operate to defeat the legislative policy set forth in NRS 706.151.

Therefore, based upon the foregoing findings, it is ORDERED that:

1. The Application on file herein shall be GRANTED authorizing the following transportation services:

Operate as a passenger carrier to provide intrastate charter bus service between points and places within the State of Nevada.

2. Upon full compliance with the conditions of this Order, a Certificate of Public Convenience and Necessity identified as **CPCN 2280** shall be issued to Vegas One Transportation, LLC d/b/a Strip VIP 1 authorizing operation in intrastate commerce as is more particularly described in the first order paragraph hereinabove.
3. Before issuance of the Certificate referred to hereinabove, the Applicant shall be required to:
 - a. Avoid material changes in any conditions relied upon by the Authority in its determination of operational or financial fitness and immediately report to Authority Staff any such material changes, should they occur.
 - b. File with the Authority evidence of the required insurance (Form E) in the Applicant's name
 - c. File with the Authority the necessary insurance (Certificate of Insurance) describing the liability limits and vehicles covered.
 - d. Make vehicle available for inspection by Enforcement Staff to ensure that they properly display the CPCN number, name of the company, and other required markings in accordance with NAC 706.170 and NAC 706.412. Provide copies of insurance cab card, annual (USDOT) vehicle inspections, titles, and registrations.
 - e. Ensure all drivers have applied for driver's permit.
 - f. Ensure driver qualification files are setup in accordance with 49 CFR 391.51. Make available to Enforcement Staff for inspection of business and vehicle domiciles. Ensure all drivers have pre-employment drug testing in accordance with title 49, Parts 40 and 382. Explain and make available for inspection set-up of time tracking method put into place.
 - g. Ensure vehicle maintenance files are to be setup and maintained in accordance with 49 CFR 396.

- h. Provide a copy of the charter order to include CPCN.
 - i. File for review by Authority Staff, a final tariff that includes a description of the Authority granted, CPCN number, and the name and address of the Applicant.
 - j. Provide a copy of the contract between Applicant and the laboratory that will perform and monitor the substance abuse program. If the owner will also operate as a driver, the contract must require the laboratory to provide results of positive drug/alcohol tests directly to the Authority.
 - k. Provide proof that the Applicant is in compliance with all municipal, county, and homeowners association laws, codes, regulations, and bylaws for the parking or storage of its vehicles.
 - l. Provide for approval by the Authority, a safety plan following the Nevada governmental guidelines and protocols for operations during the Covid-19 Pandemic.
 - m. Remit to the Authority any noticing fees and/or other outstanding debt due to the Authority
4. Compliance with the foregoing requirements must be made by the Applicant NO LATER THAN 120 days from the date of this Order. If the Applicant fails to comply within 120-day time period, the Deputy Commissioner of the Authority may vacate this Compliance Order and dismiss this Application.
5. The Deputy Commissioner shall be authorized to issue the above-referenced Certificate of Public Convenience and Necessity upon all requirements herein having been met by the Applicant.

///

///

///

///

///

///

6. The Authority retains jurisdiction for the purpose of correcting any errors that may have occurred in the drafting or issuance of this Order.

By the Authority,

Dawn Gibbons, Chairman

George Assad, Commissioner

David Newton, Commissioner

Attest: _____
Jennifer De Rose, Deputy Commissioner

Dated: _____
Las Vegas, Nevada

NOTICE: Pursuant to NRS 233B.130, any party to this matter aggrieved by the above final decision may file a petition for rehearing or reconsideration. A petition for rehearing or reconsideration must be filed with the Authority within 15 days after the date the party received this Order.

**STATE OF NEVADA
TRANSPORTATION AUTHORITY
BACKGROUND INVESTIGATION FOR NON-FULLY REGULATED CARRIERS**

DOCKET NUMBER: 20-09032	DATE APPLICATION WAS FILED: 09/30/2020
APPLICANT: Yitagesu Tsedaahegn	TITLE: Owner
COMPANY NAME: Vegas One Transportation, LLC d/b/a Strip VIP 1	
ADDRESS: 2264 Summer Home St., Las Vegas, NV 89135	
PHONE NUMBERS: 702-927-2699	
INVESTIGATOR: D. Main	DATE ASSIGNED: 10/02/2020

GENERAL REQUIREMENTS FOR APPLICATION (NAC 706.1375.2)

WHAT TYPE OF SERVICE IS PROPOSED?	
Charter Bus	<input checked="" type="checkbox"/>
*Tow Car	<input type="checkbox"/>
*Consent	<input type="checkbox"/>
*Non-Consent	<input type="checkbox"/>

IS APPLICANT PRESENTLY PROVIDING ANY TYPE OF SERVICE:				YES	NO	X	What type of service?
Charter Limousine		Charter Bus		<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Airport Transfer
Scenic Tours		Special Services		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Tow Car
HHG		NEMT		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Other States
				<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	

Attach completed Application Oath page as Exhibit A	Exhibit A
---	----------------------

IDENTIFY OWNERSHIP STRUCTURE OF THE PROPOSED OPERATIONS			
Corporation		LLC	<input checked="" type="checkbox"/>
		Partnership	<input type="checkbox"/>
		Sole Proprietorship	<input type="checkbox"/>

Identify each owner and their percentage of ownership: Yitagesu Tsedaahegn – 50% Amanuel Yani – 50%	
--	--

Attach as an exhibit, appropriate proof of ownership interest where applicable	Exhibit B
--	----------------------

Briefly describe the responsibilities of each owner. Yitagesu Tsedaahegn – Will be responsible for maintaining driver qualification and vehicle maintenance files. He will also be responsible for the hiring, firing, and training of all drivers. Amanuel Yani – Will be responsible for running general day to day operations Both owners do intend to be drivers.	
---	--

Has the criminal background check disclosed any issue of concern?	YES	NO	X
Name(s): Yitagesu Tsedaahegn, Owner – no issues of concern noted. Amanuel Yani, Owner – no issues of concern noted.			


 DT

Has there been any previous NTA enforcement action? (Including against the companies drivers)	YES	X	NO	
Does the Applicant have USDOT Authority? (If so, include the SAFER printout as exhibit)	YES		NO	X
Is Applicant operating in another state?	YES		NO	X
If so, which State and under what type of Authority? (explain)				

	Exhibit
If so, attach copies of Enforcement Database Printout(s). If more than 5 citations include summary listing the citation number, fine amounts and date of issuance, NAC or NRS, or CFR violations. Attach copies of MC/USDOT rating.	C

	Exhibit
If the Applicant will be operating under a fictitious firm name, attach a copy of their fictitious firm name filing.	D

Identify key personnel who have no ownership interest and briefly describe their responsibilities: There will be no other key personnel.

Describe the type and number of vehicles the applicant intends to operate:
A. Type of Vehicles: 1-2
B. Number of Vehicles: Mercedes Sprinters – the applicants and their attorney have been informed and understand the requirements of putting a Mercedes Sprinter under charter bus authority.

	Exhibit
Attach photographs of vehicles as an exhibit.	E
If available, provide copies of vehicle titles and registration. COMPLIANCE	-----

Describe the facilities to be used for this operation: Home Office
Address (If Known): 2264 Summer House Street, Las Vegas, NV 89135
Does the Applicant have an acceptable Timekeeping method? YES NO
If Yes, Describe:

Does the Applicant plan to store their vehicles at a location other than their business domicile? YES X NO
Provide address (If known): 4705 S Durango Dr., Suite 100, Las Vegas, NV 89147

Does the Applicant understand the operating authority sought, and is their plans consistent with the applied authority? YES X NO	
Can the Applicant secure insurance as required by NAC 706.191? YES X NO	
	Exhibit
Attach appropriate proof of insurance, or ability to obtain, as an exhibit.	F

Attach copies of the Applicant's charter orders, tow bill, tow invoice (whichever is applicable) and for tow companies only, a copy of a tariff.	Exhibit G
--	--------------

Does the Applicant understand the requirements contained within 49 CFR 391.51 as they pertain to the establishment and maintenance driver qualification files? YES X NO

Does the Applicant understand the requirements contained within 49 CFR 396 as they pertain to the establishment and maintenance of vehicle maintenance records?	YES	X	NO	
Does the Applicant understand the requirement that pertain to the establishment of a substance abuse policy/program as contained in 49 CFR Parts 40, 382?	YES	X	NO	
Has the Applicant contracted with a laboratory to perform and monitor their substance abuse program?	YES		NO	X
If so, which laboratory?	COMPLIANCE			

Has the Applicant signed the NTA Knowledge Statement?	YES	X	NO	
Attach signed Knowledge Statement.				Exhibit H

COMPLIANCE ITEMS	
1	Avoid Material Changes
2	File with the Authority evidence, (Form E), or required insurance in Applicant's name.
3	File with the Authority the necessary insurance (Certificate of Insurance), describing liability limits, and vehicles covered.
4	Make vehicle(s) available for inspection by Enforcement Staff to ensure that they properly display the CPCN number, name of company, and other required markings, in accordance with NAC 706.170, and NAC 706.412. Provide copies of insurance card, annual (USDOT) vehicle inspections, titles, and registrations.
5	Ensure all drivers have applied for temporary drivers permit (passenger transportation only)
6	Ensure Driver qualification files are setup in accordance with CFR 391.51. Make available to Enforcement Staff for inspection of their business and vehicle domiciles. Ensure all drivers have pre-employment drug testing in accordance with Title 49, Parts 40, and 382. Explain and make available for inspection set-up of time tracking method put into place.
7	Ensure vehicle maintenance files are set up in accordance with CFR 396.
9	File a copy of Charter Order if Charter Bus Service with CPCN
12	File a tariff for review/approval by the Financial Analyst, which includes a description of the authority granted, CPCN number, and the name and address of the Applicant.
16	Provide copy of contract with a laboratory to perform and monitor their substance abuse program and enrollment list.
17	If vehicles are to be parked at a residence, provide proof that the Applicant is in compliance with all municipal, county, and homeowners association laws, codes, regulations, and bylaws for the parking or storage of its vehicles.
18	Provide for approval by the Authority, a safety plan following the Nevada governmental guidelines and protocols for operations during the Covid-19 Pandemic.
19	Remit to the Authority any noticing fees and/or other outstanding debt due to the Authority.

INVESTIGATOR: <i>[Signature]</i>	DATE: 3/18/21
REVIEWED BY SUPERVISOR: <i>[Signature]</i>	DATE: 3/19/21
REVIEWED BY APPLICATION MANAGER: <i>[Signature]</i>	DATE: 3/19/21

A listed EXHIBIT, (A, B, C etc), is the documentary evidence of the requirement being met. If a requirement has not been met, the EXHIBIT category will be left blank and it will be checked as a compliance item. Questions that do not apply to the Applicant the EXHIBIT category will be marked as NA.

Agenda Item#

51

BEFORE THE NEVADA TRANSPORTATION AUTHORITY

In the Matter of the Request of My Auto Service, LLC)
d/b/a My Auto Service to discontinue operations) Docket 21-02014
authorized under Certificate of Public Convenience)
and Necessity 7295 from February 10, 2021 through)
April 30, 2021.)
_____)

At a general session of the Nevada Transportation
Authority held on April 8, 2021.

PRESENT: Chairman Dawn Gibbons
 Commissioner George Assad
 Commissioner David Newton
 Deputy Commissioner Jennifer De Rose

ORDER

The Nevada Transportation Authority ("Authority") makes the following findings of fact and conclusions of law:

1. That on February 11, 2021, James Lodge, Owner of My Auto Service, LLC d/b/a My Auto Service ("Petitioner") filed a Request, designated as Docket 21-02014, with the Authority to temporarily discontinue operations authorized under Certificate of Public Convenience and Necessity ("CPCN") 7295 for the period of February 10, 2021 through April 30, 2021. The Request was filed pursuant to Chapters 706 of the Nevada Revised Statutes ("NRS") and the Nevada Administrative Code ("NAC").
2. That the Request on file herein comes within the purview of the statutes of the State of Nevada and within the regulatory jurisdiction of the Authority.
3. That the Request requires retroactive approval.
4. That the Authority has reviewed all the records relating to this Petition and finds that granting the Request would be in the public interest.

Therefore, based upon the foregoing findings, it is hereby ORDERED that:

1. The Request of My Auto Service, LLC d/b/a My Auto Service to temporarily discontinue operations authorized under CPCN 7295 is hereby GRANTED for the period February 10, 2021 through April 30, 2021, subject to the condition set forth in subparagraph 2 below.
2. Prior to resuming operations under CPCN 7295, submit to the Authority staff, on company letterhead, a request to resume operations, and:
 - a. Undergo an operational inspection by Authority Staff **PRIOR** to resuming said operations,
 - b. Provide evidence of current vehicle liability insurance and Form E,
 - c. Provide proof of enrollment in a random drug testing consortium and current enrollment list,
 - d. Provide a list of all current vehicles along with copies of current registrations and AVIRs,
 - e. Ensure carrier has an approved safety plan on file with the Authority and,
 - f. Pay all fines and fees due to the Authority.
3. The Authority retains jurisdiction for the purpose of correcting any errors that may have occurred in the drafting or issuance of this Order.

By the Authority,

Dawn Gibbons, Chairman

George Assad, Commissioner

David Newton, Commissioner

Attest: _____
Jennifer De Rose, Deputy Commissioner

Dated: _____
Las Vegas, Nevada

21-02014

RECEIVED

FEB 11 2021

Nevada Transportation Authority
Las Vegas, Nevada

State of Nevada
Department of Business and Industry
Nevada Transportation Authority

Request to Temporarily Discontinue Service

Company Name: My Auto Service LLC dba My Auto Service

Address: 7870 W Ann Rd Suite 170

City, State, Zip: Las Vegas, NV 89149

CPCN: 7295

In accordance with NRS 706.341, the above named certificate holder would like to temporarily discontinue service, from February 10, 2021 to April 30, 2021. (Not to exceed 6 months)

This request is due to: Our tow truck was stolen between Feb. 9-10, 2021. We are requesting to

discontinue service for the time period stated to find a replacement vehicle.

OPERATIONS CONDUCTED BY THE REQUESTING CERTIFICATE HOLDER MUST CONTINUE UNTIL THE NEVADA TRANSPORTATION AUTHORITY ISSUES AN ORDER GRANTING A TEMPORARY DISCONTINUANCE OF SERVICE.

If you wish to resume operations prior to the end date of this request, you must first notify the Nevada Transportation Authority in writing, stating the date you intend to begin service, and provide proof of current insurance, and current tariffs, if applicable.



Signature of Certificate Holder

James Lodge

Printed name of Certificate Holder

702-379-0903

702-242-1708

Phone number

Fax number

myautoservice80@yahoo.com

Email Address

Submit both pages of this Request to:

Nevada Transportation Authority
3300 West Sahara Avenue or 1755 E Plumb Lane
Suite 200 Suite 229
Las Vegas, NV 89102 Reno, NV 89502

If you have any questions, please contact us at 702-486-3303, extension 66546.

Agenda Item#

52

BEFORE THE NEVADA TRANSPORTATION AUTHORITY

In the Matter of the Request of Celebrity Coaches a)	
Series of Platinum LV Transportation, LLC d/b/a	)	Docket 21-02016
Celebrity Coaches to discontinue operations)	
authorized under Certificate of Public Convenience)	
and Necessity 2105, Sub 1 from February 17, 2021)	
through May 17, 2021.)	
_____)	

At a general session of the Nevada Transportation
Authority held on April 8, 2021.

PRESENT: Chairman Dawn Gibbons
Commissioner George Assad
Commissioner David Newton
Deputy Commissioner Jennifer De Rose

ORDER

The Nevada Transportation Authority ("Authority") makes the following findings of fact and conclusions of law:

1. That on February 18, 2021, Ashley Wright, General Manager of Celebrity Coaches a Series of Platinum LV Transportation, LLC d/b/a Celebrity Coaches ("Petitioner") filed a Request, designated as Docket 21-02016, with the Authority to temporarily discontinue operations authorized under Certificate of Public Convenience and Necessity ("CPCN") 2105, Sub 1 for the period of February 17, 2021 through May 17, 2021. The Request was filed pursuant to Chapters 706 of the Nevada Revised Statutes ("NRS") and the Nevada Administrative Code ("NAC").
2. That the Request on file herein comes within the purview of the statutes of the State of Nevada and within the regulatory jurisdiction of the Authority.
3. That the Request requires retroactive approval.
4. That the Authority has reviewed all the records relating to this Petition and finds that granting the Request would be in the public interest.

Therefore, based upon the foregoing findings, it is hereby ORDERED that:

1. The Request of Celebrity Coaches a Series of Platinum LV Transportation, LLC d/b/a Celebrity Coaches to temporarily discontinue operations authorized under CPCN 2105, Sub 1 is hereby GRANTED for the period February 17, 2021 through May 17, 2021, subject to the condition set forth in subparagraph 2 below.
2. Prior to resuming operations under CPCN 2105, Sub 1, submit to the Authority staff, on company letterhead, a request to resume operations, and:
 - a. Undergo an operational inspection by Authority Staff **PRIOR** to resuming said operations,
 - b. Provide evidence of current vehicle liability insurance and Form E,
 - c. Provide proof of enrollment in a random drug testing consortium and current enrollment list,
 - d. Provide a list of all current vehicles along with copies of current registrations and AVIRs,
 - e. Ensure carrier has an approved safety plan on file with the Authority and,
 - f. Pay all fines and fees due to the Authority.

///

///

///

///

///

///

///

///

///

///

///

///

3. The Authority retains jurisdiction for the purpose of correcting any errors that may have occurred in the drafting or issuance of this Order.

By the Authority,

Dawn Gibbons, Chairman

George Assad, Commissioner

David Newton, Commissioner

Attest: _____
Jennifer De Rose, Deputy Commissioner

Dated: _____
Las Vegas, Nevada

21-82016

State of Nevada
Department of Business and Industry
Nevada Transportation Authority

RECEIVED

FEB 18 2021

Nevada Transportation Authority
Las Vegas, Nevada

Request to Temporarily Discontinue Service

Company Name: Celebrity Coaches

Address: 3950 W. Tompkins Ave

City, State, Zip: Las Vegas, NV 89103

CPCN: 2105

In accordance with NRS 706.341, the above named certificate holder would like to temporarily discontinue service, from 2/17/2021 to 5/17/2021. (Not to exceed 6 months)

This request is due to: Insurance Coverage

OPERATIONS CONDUCTED BY THE REQUESTING CERTIFICATE HOLDER MUST CONTINUE UNTIL THE NEVADA TRANSPORTATION AUTHORITY ISSUES AN ORDER GRANTING A TEMPORARY DISCONTINUANCE OF SERVICE.

If you wish to resume operations prior to the end date of this request, you must first notify the Nevada Transportation Authority in writing, stating the date you intend to begin service, and provide proof of current insurance, and current tariffs, if applicable.


Signature of Certificate Holder

Denley Wight
Printed name of Certificate Holder

702-833-3083
Phone number Fax number

awight@platinumcruiserevelation.com
Email Address

Submit both pages of this Request to:

Nevada Transportation Authority
3300 West Sahara Avenue or 1755 E Plumb Lane
Suite 200 Suite 229
Las Vegas, NV 89102 Reno, NV 89502

If you have any questions, please contact us at 702-486-3303, extension 66546.

Agenda Item#

53

21-03004

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

RECEIVED**MAR 04 2021**Nevada Transportation Authority
Vegas Nevada**Request to Temporarily Discontinue Service**

Company Name: Active Movers
 Address: 7271 Summer Duck Way
 City, State, Zip: North Las Vegas NV 89084
 CPCN: 3347

In accordance with NRS 706.341, the above named certificate holder would like to temporarily discontinue service, from Mar 1 2021 to Aug 28 2021 (not to exceed 6 months)

This request is due to: Due to covid and I the owner had a heart attack.

OPERATIONS CONDUCTED BY THE REQUESTING CERTIFICATE HOLDER MUST CONTINUE UNTIL THE NEVADA TRANSPORTATION AUTHORITY ISSUES AN ORDER GRANTING A TEMPORARY DISCONTINUANCE OF SERVICE.

If you wish to resume operations prior to the end date of this request, you must first notify the Nevada Transportation Authority in writing, stating the date you intend to begin service, and provide proof of current insurance, and current tariffs, if applicable.

Erik McKissick
 Signature of Certificate Holder

ERIK MCKISSICK
 Printed name of Certificate Holder

(702) 806-2188
 Phone number Fax number

ERIKMCKISSICK888@gmail.com
 Email Address

Submit both pages of this Request to:

Nevada Transportation Authority		
3300 West Sahara Avenue	or	1755 E Plumb Lane
Suite 200		Suite 229
Las Vegas, NV 89102		Reno, NV 89502

If you have any questions, please contact us at 702-486-3303, extension 66546.

BEFORE THE NEVADA TRANSPORTATION AUTHORITY

In the Matter of the Request of Erik McKissick d/b/a)
Active Movers to discontinue operations authorized) Docket 21-03004
under Certificate of Public Convenience and)
Necessity 3347 from March 1, 2021 through August)
28, 2021.)
_____)

At a general session of the Nevada Transportation
Authority held on April 8, 2021.

PRESENT: Chairman Dawn Gibbons
Commissioner George Assad
Commissioner David Newton
Deputy Commissioner Jennifer De Rose

ORDER

The Nevada Transportation Authority ("Authority") makes the following findings of fact and conclusions of law:

1. That on March 4, 2021, Erik McKissick, Owner of Erik McKissick d/b/a Active Movers ("Petitioner") filed a Request, designated as Docket 21-03004, with the Authority to temporarily discontinue operations authorized under Certificate of Public Convenience and Necessity ("CPCN") 3347 for the period of March 1, 2021 through August 28, 2021. The Request was filed pursuant to Chapters 706 of the Nevada Revised Statutes ("NRS") and the Nevada Administrative Code ("NAC").
2. That the Request on file herein comes within the purview of the statutes of the State of Nevada and within the regulatory jurisdiction of the Authority.
3. That the Request requires retroactive approval.
4. That the Authority has extended the discontinuance for a period of one year from the requested start date pursuant to a Deviation of NAC 706.356, Subsection 4, granted under Docket 21-02008 approved by the Authority at the March 4, 2021 general session.

5. That the Authority has reviewed all the records relating to this Petition and finds that granting the Request would be in the public interest.

Therefore, based upon the foregoing findings, it is hereby ORDERED that:

1. The Request of Erik McKissick d/b/a Active Movers to temporarily discontinue operations authorized under CPCN 3347 is hereby GRANTED for the period March 1, 2021 through February 28, 2022, subject to the conditions set forth in subparagraph 2 below.
2. Prior to resuming operations under CPCN 3347, submit to the Authority staff, on company letterhead, a request to resume operations, and:
 - a. Provide evidence of current vehicle liability insurance and Form E,
 - b. Ensure carrier has an approved safety plan on file with the Authority,
 - c. Provide a list of all current drivers,
 - d. Provide proof of enrollment in a random drug testing consortium and current enrollment list,
 - e. Provide a list of all current vehicles along with copies of current registrations and AVIRs,
 - f. Ensure all vehicles have current decals, and
 - g. Pay all fines and fees due to the Authority.

///

///

///

///

///

///

///

///

///

///

3. The Authority retains jurisdiction for the purpose of correcting any errors that may have occurred in the drafting or issuance of this Order.

By the Authority,

Dawn Gibbons, Chairman

George Assad, Commissioner

David Newton, Commissioner

Attest: _____
Jennifer De Rose, Deputy Commissioner

Dated: _____
Las Vegas, Nevada

Agenda Item#

54

BEFORE THE NEVADA TRANSPORTATION AUTHORITY

In the Matter of the Request of MNM, LLC d/b/a FT,)	
Fabulous, Fabulous Transport, Fabulous	)	Docket 21-03014
Transportation, Fabulous Transportations to)	
discontinue operations authorized under Certificate of)	
Public Convenience and Necessity 2224, Sub 1, from)	
March 10, 2021 through April 10, 2021.)	
_____)	

At a general session of the Nevada Transportation
Authority held on April 8, 2021.

PRESENT: Chairman Dawn Gibbons
Commissioner George Assad
Commissioner David Newton
Deputy Commissioner Jennifer De Rose

ORDER

The Nevada Transportation Authority ("Authority") makes the following findings of fact and conclusions of law:

1. That on March 11, 2021, Michael Hayele, Owner of MNM, LLC d/b/a FT, Fabulous, Fabulous Transport, Fabulous Transportation, Fabulous Transportations ("Petitioner") filed a Request, designated as Docket 21-03014, with the Authority to temporarily discontinue operations authorized under Certificate of Public Convenience and Necessity ("CPCN") 2224, Sub 1, for the period of March 10, 2021 through April 10, 2021. The Request was filed pursuant to Chapters 706 of the Nevada Revised Statutes ("NRS") and the Nevada Administrative Code ("NAC").
2. That the Request on file herein comes within the purview of the statutes of the State of Nevada and within the regulatory jurisdiction of the Authority.
3. That the Request requires retroactive approval.
4. That the Authority has reviewed all the records relating to this Petition and finds that granting the Request would be in the public interest.

///

///

Therefore, based upon the foregoing findings, it is hereby ORDERED that:

1. The Request of MNM, LLC d/b/a FT, Fabulous, Fabulous Transport, Fabulous Transportation, Fabulous Transportations to temporarily discontinue operations authorized under CPCN 2224, Sub 1, is hereby GRANTED for the period March 10, 2021 through April 10, 2021, subject to the condition set forth in subparagraph 2 below.
2. Prior to resuming operations under CPCN 2224, Sub 1, submit to the Authority staff, on company letterhead, a request to resume operations, and:
 - a. Undergo an operational inspection by Authority Staff **PRIOR** to resuming said operations,
 - b. Provide evidence of current vehicle liability insurance and Form E,
 - c. Provide evidence of current vehicle liability insurance,
 - d. Provide proof of enrollment in a random drug testing consortium and current enrollment list,
 - e. Provide a list of all current vehicles along with copies of current registrations and AVIRs,
 - f. Ensure carrier has an approved safety plan on file with the Authority and,
 - g. Pay all fines and fees due to the Authority.

///

///

///

///

///

///

///

///

///

///

3. The Authority retains jurisdiction for the purpose of correcting any errors that may have occurred in the drafting or issuance of this Order.

By the Authority,

Dawn Gibbons, Chairman

George Assad, Commissioner

David Newton, Commissioner

Attest: _____
Jennifer De Rose, Deputy Commissioner

Dated: _____
Las Vegas, Nevada

State of Nevada
Department of Business and Industry
Nevada Transportation Authority



Request to Temporarily Discontinue Service

Company Name: MNM LLC dba Fabulous transportation

Address: 5375 S.Cameron st. suite B

City, State, Zip: las vegas NV , 8918

CPCN: 2224

In accordance with NRS 706.341, the above named certificate holder would like to temporarily discontinue service, from March 10, 2021 to April 10, 2021. (Not to exceed 6 months)

This request is due to: the insurance company didnt respond us in right time .

OPERATIONS CONDUCTED BY THE REQUESTING CERTIFICATE HOLDER MUST CONTINUE UNTIL THE NEVADA TRANSPORTATION AUTHORITY ISSUES AN ORDER GRANTING A TEMPORARY DISCONTINUANCE OF SERVICE.

If you wish to resume operations prior to the end date of this request, you must first notify the Nevada Transportation Authority in writing, stating the date you intend to begin service, and provide proof of current insurance, and current tariffs, if applicable.


Signature of Certificate Holder

Michael Hayele

Printed name of Certificate Holder

702-635-5540

702-840-7795

Phone number

Fax number

mhayele1@gmail.com

Email Address

Submit both pages of this Request to:

Nevada Transportation Authority		
3300 West Sahara Avenue	or	1755 E Plumb Lane
Suite 200		Suite 229
Las Vegas, NV 89102		Reno, NV 89502

If you have any questions, please contact us at 702-486-3303, extension 66546.

Agenda Item#

55

BEFORE THE NEVADA TRANSPORTATION AUTHORITY

In the Matter of the Request of Las Vegas)	
Transportation & Tours, LLC d/b/a LVTT to	)	Docket 20-03014
discontinue operations authorized under Certificate of)	
Public Convenience and Necessity 2268, from March)	
11, 2021 through September 11, 2021.)	
_____)	

At a general session of the Nevada Transportation
Authority held on April 8, 2021.

PRESENT: Chairman Dawn Gibbons
Commissioner George Assad
Commissioner David Newton
Deputy Commissioner Jennifer De Rose

ORDER

The Nevada Transportation Authority ("Authority") makes the following findings of fact and conclusions of law:

1. That on March 12, Lorenzo Savignano, Owner of Las Vegas Transportation & Tours, LLC d/b/a LVTT ("Petitioner") filed a Request, designated as Docket 20-03014, with the Authority to temporarily discontinue operations authorized under Certificate of Public Convenience and Necessity ("CPCN") 2268 for the period of March 12, 2020 through September 11, 2020. The Request was filed pursuant to Chapters 706 of the Nevada Revised Statutes ("NRS") and the Nevada Administrative Code ("NAC").
2. That the request was granted at the July 22, 2020 general session.
3. That on August 19, 2020, the Petitioner filed a second Request with the Authority to extend the period of temporary discontinuance for the period of September 11, 2020 through March 11, 2021.
4. That the request was granted at the September 17, 2020 general session.

5. That on March 4, 2021, the Petitioner filed a third Request with the Authority to extend the period or temporary discontinuance for the period of March 11, 2021 through September 11, 2021.
6. That the Request on file herein comes within the purview of the statutes of the State of Nevada and within the regulatory jurisdiction of the Authority.
7. That the Authority has extended the discontinuance for a period of one year from the requested start date pursuant to a Deviation of NAC 706.356, Subsection 4, granted under Docket 21-02008 approved by the Authority at the March 4, 2021 general session.
8. That the Authority has reviewed all the records relating to this Petition and finds that granting the Request would be in the public interest.

Therefore, based upon the foregoing findings, it is hereby ORDERED that:

1. The Request of Las Vegas Transportation & Tours, LLC d/b/a LVTT to temporarily discontinue operations authorized under CPCN 2268 is hereby GRANTED for the period March 11, 2021, through March 10, 2022, subject to the condition set forth in subparagraph 2 below.
2. Prior to resuming operations under CPCN 2268, submit to the Authority staff, on company letterhead, a request to resume operations, and:
 - a. Provide evidence of current vehicle liability insurance and Form E,
 - b. Ensure carrier has an approved safety plan on file with the Authority,
 - c. Provide a list of all current drivers,
 - d. Provide proof of enrollment in a random drug testing consortium and current enrollment list,
 - e. Provide a list of all current vehicles along with copies of current registrations and AVIRs,
 - f. Ensure all vehicles have current decals, and
 - g. Pay all fines and fees due to the Authority.

///

///

3. The Authority retains jurisdiction for the purpose of correcting any errors that may have occurred in the drafting or issuance of this Order.

By the Authority,

Dawn Gibbons, Chairman

George Assad, Commissioner

David Newton, Commissioner

Attest: _____
Jennifer De Rose, Deputy Commissioner

Dated: _____
Las Vegas, Nevada

State of Nevada
Department of Business and Industry
Nevada Transportation Authority



Request to Temporarily Discontinue Service

20-03014
Extension

Company Name: LAS VEGAS TRANSPORTATION AND TOURS

Address: 4662 W. WARM SPRINGS

City, State, Zip: LAS VEGAS NEVADA 89118


CPCN: 2258

In accordance with NRS 706.341, the above named certificate holder would like to temporarily discontinue service, from 03/15/2021 to 09/15/2021. (Not to exceed 6 months)

This request is due to: COVID 19

OPERATIONS CONDUCTED BY THE REQUESTING CERTIFICATE HOLDER MUST CONTINUE UNTIL THE NEVADA TRANSPORTATION AUTHORITY ISSUES AN ORDER GRANTING A TEMPORARY DISCONTINUANCE OF SERVICE.

If you wish to resume operations prior to the end date of this request, you must first notify the Nevada Transportation Authority in writing, stating the date you intend to begin service, and provide proof of current insurance, and current tariffs, if applicable.


Signature of Certificate Holder

LORENZO SAVIGNANO
Printed name of Certificate Holder

702 2785626
Phone number Fax number

INFO@LUKIP1.COM
Email Address

Submit both pages of this Request to:

Nevada Transportation Authority
3300 West Sahara Avenue or 1755 E Plumb Lane
Suite 200 Suite 229
Las Vegas, NV 89102 Reno, NV 89502

If you have any questions, please contact us at 702-486-3303, extension 66546.

Agenda Item#

56

BEFORE THE NEVADA TRANSPORTATION AUTHORITY

In the Matter of the Request of R & R Transportation,)
LLC to discontinue operations authorized under) Docket 20-03021
Certificate of Public Convenience and Necessity 2264)
from March 18, 2021 through September 18, 2021.)
_____)

At a general session of the Nevada Transportation
Authority held on April 8, 2021.

PRESENT: Chairman Dawn Gibbons
 Commissioner George Assad
 Commissioner David Newton
 Deputy Commissioner Jennifer De Rose

ORDER

The Nevada Transportation Authority ("Authority") makes the following findings of fact and conclusions of law:

1. That on March 19, 2020, Donna Cortez, Owner of R & R Transportation, LLC ("Petitioner") filed a Request, designated as Docket 20-03021, with the Authority to temporarily discontinue operations authorized under Certificate of Public Convenience and Necessity ("CPCN") 2264 for the period of March 19, 2020 through May 18, 2020. Said request, filed due to the COVID-19 pandemic, was extended to September 18, 2020. The Request was filed pursuant to Chapters 706 of the Nevada Revised Statutes ("NRS") and the Nevada Administrative Code ("NAC").
2. That the Request required retroactive approval.
3. That the request was granted at the July 22, 2020 general session
4. That on September 17, 2020, the Petitioner filed a second request with the Authority to extend the period of temporary discontinuance of operations for the period of September 18, 2020 through March 18, 2021.
5. That the request was granted at the October 15, 2020 general session.

6. That on March 10, 2021, the Petitioner filed a third Request with the Authority to extend the period or temporary discontinuance for the period of March 18, 2021 through September 18, 2021.
7. That the Request on file herein comes within the purview of the statutes of the State of Nevada and within the regulatory jurisdiction of the Authority.
8. That the Authority has extended the discontinuance for a period of one year from the requested start date pursuant to a Deviation of NAC 706.356, Subsection 4, granted under Docket 21-02008 approved by the Authority at the March 4, 2021 general session.
9. That the Authority has reviewed all the records relating to this Petition and finds that granting the Request would be in the public interest.

Therefore, based upon the foregoing findings, it is hereby ORDERED that:

1. The Request of R & R Transportation, LLC to temporarily discontinue operations authorized under CPCN 2264 is hereby GRANTED for the period March 18, 2021 through March 17, 2022, subject to the condition set forth in subparagraph 2 below.
2. Prior to resuming operations under CPCN 2264, submit to the Authority staff, on company letterhead, a request to resume operations, and:
 - a. Provide evidence of current vehicle liability insurance and Form E,
 - b. Ensure carrier has an approved safety plan on file with the Authority,
 - c. Provide a list of all current drivers,
 - d. Provide proof of enrollment in a random drug testing consortium and current enrollment list,
 - e. Provide a list of all current vehicles along with copies of current registrations and AVIRs,
 - f. Ensure all vehicles have current decals, and
 - g. Pay all fines and fees due to the Authority.

///

///

3. The Authority retains jurisdiction for the purpose of correcting any errors that may have occurred in the drafting or issuance of this Order.

By the Authority,

Dawn Gibbons, Chairman

George Assad, Commissioner

David Newton, Commissioner

Attest: _____
Jennifer De Rose, Deputy Commissioner

Dated: _____
Las Vegas, Nevada

20-05024 Extension

RECEIVED

MAR 10 2021

Nevada Transportation Authority
Las Vegas, Nevada

56

State of Nevada
Department of Business and Industry
Nevada Transportation Authority

Request to Temporarily Discontinue Service

Company Name: R & R Transportation, LLC

Address: 6316 Vicuna Dr

City, State, Zip: Las Vegas, NV 89102

CPCN: 2264

In accordance with NRS 706.341, the above named certificate holder would like to temporarily discontinue service, from 03/18/2021 to 09/18/2021. (Not to exceed 6 months)

This request is due to: Extension - Lack of business due to COVID-19

OPERATIONS CONDUCTED BY THE REQUESTING CERTIFICATE HOLDER MUST CONTINUE UNTIL THE NEVADA TRANSPORTATION AUTHORITY ISSUES AN ORDER GRANTING A TEMPORARY DISCONTINUANCE OF SERVICE.

If you wish to resume operations prior to the end date of this request, you must first notify the Nevada Transportation Authority in writing, stating the date you intend to begin service, and provide proof of current insurance, and current tariffs, if applicable.


Signature of Certificate Holder

Donna Cortez

Printed name of Certificate Holder

702-769-1446

Phone number

Fax number

cortezdonna89@gmail.com

Email Address

Submit both pages of this Request to:

Nevada Transportation Authority
3300 West Sahara Avenue or 1755 E Plumb Lane
Suite 200 Suite 229
Las Vegas, NV 89102 Reno, NV 89502

If you have any questions, please contact us at 702-486-3303, extension 66546.

Agenda Item#

57

BEFORE THE NEVADA TRANSPORTATION AUTHORITY

In the Matter of the Request of Portofino Tours)	
Service, Inc. d/b/a/ SEEUSATOURS to discontinue	)	Docket 20-03022
operations authorized under Certificate of Public)	
Convenience and Necessity MV 6142, Sub 1, from)	
March 18, 2021 through September 18, 2021.)	
_____)	

At a general session of the Nevada Transportation
Authority held on April 8, 2021.

PRESENT: Chairman Dawn Gibbons
Commissioner George Assad
Commissioner David Newton
Deputy Commissioner Jennifer De Rose

ORDER

The Nevada Transportation Authority ("Authority") makes the following findings of fact and conclusions of law:

1. That on March 20, 2020, Gerardo Arino, Managing Member of TOTS, LLC, parent company of Portofino Tours Service, Inc. d/b/a/ SEEUSATOURS ("Petitioner") filed a Request, designated as Docket 20-03022, with the Authority to temporarily discontinue operations authorized under Certificate of Public Convenience and Necessity ("CPCN") MV 6142, Sub 1, for the period of March 22, 2020 through May 31, 2020. Said request, filed due to the COVID-19 pandemic, was extended to September 18, 2020. The Request was filed pursuant to Chapters 706 of the Nevada Revised Statutes ("NRS") and the Nevada Administrative Code ("NAC").
2. That the request was granted at the July 22, 2020 general session.
3. That on September 16, 2020, the Petitioner filed a second request with the Authority to extend the period of temporary discontinuance of operations for the period of September 18, 2020 through March 18, 2021.
4. That the request was granted at the October 15, 2020 general session.

5. That on March 16, 2021, the Petitioner filed a third Request with the Authority to extend the period or temporary discontinuance for the period of March 18, 2021 through September 18, 2021.
6. That the Request on file herein comes within the purview of the statutes of the State of Nevada and within the regulatory jurisdiction of the Authority.
7. That the Authority has extended the discontinuance for a period of one year from the requested start date pursuant to a Deviation of NAC 706.356, Subsection 4, granted under Docket 21-02008 approved by the Authority at the March 4, 2021 general session.
8. That the Authority has reviewed all the records relating to this Petition and finds that granting the Request would be in the public interest.

Therefore, based upon the foregoing findings, it is hereby ORDERED that:

1. The Request of Portofino Tours Service, Inc. d/b/a/ SEEUSATOURS to temporarily discontinue operations authorized under CPCN MV 6142, Sub 1, is hereby GRANTED for the period September 18, 2021, through September 17, 2022, subject to the condition set forth in subparagraph 2 below.
2. Prior to resuming operations under CPCN MV 6142, Sub 1, submit to the Authority staff, on company letterhead, a request to resume operations, and:
 - a. Provide evidence of current vehicle liability insurance and Form E,
 - b. Ensure carrier has an approved safety plan on file with the Authority,
 - c. Provide a list of all current drivers,
 - d. Provide proof of enrollment in a random drug testing consortium and current enrollment list,
 - e. Provide a list of all current vehicles along with copies of current registrations and AVIRs,
 - f. Ensure all vehicles have current decals,
 - g. Ensure all NTA Annual Report filings are current, and
 - h. Pay all fines and fees due to the Authority.

3. The Authority retains jurisdiction for the purpose of correcting any errors that may have occurred in the drafting or issuance of this Order.

By the Authority,

Dawn Gibbons, Chairman

George Assad, Commissioner

David Newton, Commissioner

Attest: _____
Jennifer De Rose, Deputy Commissioner

Dated: _____
Las Vegas, Nevada

RECEIVED

MAR 16 2021

Nevada Transportation
Las Vegas, Nevada

State of Nevada
Department of Business and Industry
Nevada Transportation Authority

Request to Temporarily Discontinue Service

Company Name: PERIODIC SERVICE TOURS, INC. DBA, SEASIDE - MV 6142

Address: 2595 CHANDLER AVE #2

City, State, Zip: LAS VEGAS NV 89120

CPCN: MV 6142

In accordance with NRS 706.341, the above named certificate holder would like to temporarily discontinue service, from MARCH 18 to SEPTEMBER 2021

(Not to exceed 6 months)

This request is due to: BUSINESS REJECTION DUE TO

CORONAVIRUS - COVID 19 PANDEMIC

OPERATIONS CONDUCTED BY THE REQUESTING CERTIFICATE HOLDER MUST CONTINUE UNTIL THE NEVADA TRANSPORTATION AUTHORITY ISSUES AN ORDER GRANTING A TEMPORARY DISCONTINUANCE OF SERVICE.

If you wish to resume operations prior to the end date of this request, you must first notify the Nevada Transportation Authority in writing, stating the date you intend to begin service, and provide proof of current insurance, and current tariffs, if applicable.

Signature of Certificate Holder

GERARDO ARINO

Printed name of Certificate Holder

917-4683555

Phone number

Fax number

Submit both pages of this Request to:

Nevada Transportation Authority
3300 West Sahara Avenue or 1755 E Plumb Lane
Suite 200 Suite 229
Las Vegas, NV 89102 Reno, NV 89502

If you have any questions, please contact us at 702-486-3303, extension 66546.

Agenda Item#

58

BEFORE THE NEVADA TRANSPORTATION AUTHORITY

In the Matter of the Request of Cosmo, Inc. to)
discontinue operations authorized under Certificate of) Docket 20-03029
Public Convenience and Necessity 1107 from March)
23, 2020 through September 22, 2021.)
_____)

At a general session of the Nevada Transportation
Authority held on April 8, 2021.

PRESENT: Chairman Dawn Gibbons
Commissioner George Assad
Commissioner David Newton
Deputy Commissioner Jennifer De Rose

ORDER

The Nevada Transportation Authority ("Authority") makes the following findings of fact and conclusions of law:

1. That on March 30, 2020, Hitoshi Hirota, Owner of Cosmo, Inc. ("Petitioner") filed a Request, designated as Docket 20-03029, with the Authority to temporarily discontinue operations authorized under Certificate of Public Convenience and Necessity ("CPCN") 1107 for the period of March 23, 2020 through September 22, 2020. The Request was filed pursuant to Chapters 706 of the Nevada Revised Statutes ("NRS") and the Nevada Administrative Code ("NAC").
2. That the Request required retroactive approval.
3. That the request was granted at the July 22, 2020 general session
4. That on September 1, 2020, the Petitioner filed a second request with the Authority to extend the period of temporary discontinuance of operations for the period of September 23, 2020 through March 22, 2021.
5. That the request was granted at the October 15, 2020 general session.

6. That on March 10, 2021, the Petitioner filed a third Request with the Authority to extend the period or temporary discontinuance for the period of March 23, 2021 through September 22, 2021.
7. That the Request on file herein comes within the purview of the statutes of the State of Nevada.
8. That the Authority has extended the discontinuance for a period of one year from the requested start date pursuant to a Deviation of NAC 706.356, Subsection 4, granted under Docket 21-02008 approved by the Authority at the March 4, 2021 general session.
9. That the Authority has reviewed all the records relating to this Petition and finds that granting the Request would be in the public interest.

Therefore, based upon the foregoing findings, it is hereby ORDERED that:

1. The Request of Cosmo, Inc. to temporarily discontinue operations authorized under CPCN 1107 is hereby GRANTED for the period March 23, 2021 through March 22, 2022, subject to the condition set forth in subparagraph 2 below.
2. Prior to resuming operations under CPCN 1107, submit to the Authority staff, on company letterhead, a request to resume operations, and:
 - a. Provide evidence of current vehicle liability insurance and Form E,
 - b. Ensure carrier has an approved safety plan on file with the Authority,
 - c. Provide a list of all current drivers,
 - d. Provide proof of enrollment in a random drug testing consortium and current enrollment list,
 - e. Provide a list of all current vehicles along with copies of current registrations and AVIRs,
 - f. Ensure all NTA Annual Report filings are current
 - g. Ensure all vehicles have current decals, and
 - h. Pay all fines and fees due to the Authority.

///

///

The Authority retains jurisdiction for the purpose of correcting any errors that may have occurred in the drafting or issuance of this Order.

By the Authority,

Dawn Gibbons, Chairman

George Assad, Commissioner

David Newton, Commissioner

Attest: _____
Jennifer De Rose, Deputy Commissioner

Dated: _____
Las Vegas, Nevada

20-03029 Extension



State of Nevada
Department of Business and Industry
Nevada Transportation Authority

Request to Temporarily Discontinue Service

Company Name: COSMO, INC
Address: 3047 PALATINE TERRACE AVE
City, State, Zip: HENDERSON, NV 89052
CPCN: 1107

In accordance with NRS 706.341, the above named certificate holder would like to temporarily discontinue service, from 3/23/2021 to 9/22/2021.
(Not to exceed 6 months)

This request is due to: CORONA VIRUS, NO customer

OPERATIONS CONDUCTED BY THE REQUESTING CERTIFICATE HOLDER MUST CONTINUE UNTIL THE NEVADA TRANSPORTATION AUTHORITY ISSUES AN ORDER GRANTING A TEMPORARY DISCONTINUANCE OF SERVICE.

If you wish to resume operations prior to the end date of this request, you must first notify the Nevada Transportation Authority in writing, stating the date you intend to begin service, and provide proof of current insurance, and current tariffs, if applicable.

Hiroshi H
Signature of Certificate Holder

HITOSHI HIROTA
Printed name of Certificate Holder

702-604-9314 702-616-2052
Phone number Fax number

Submit both pages of this Request to:

Nevada Transportation Authority
3300 West Sahara Avenue or 1755 E Plumb Lane
Suite 200 Suite 229
Las Vegas, NV 89102 Reno, NV 89502

If you have any questions, please contact us at 702-486-3303, extension 66546.

SEE Notary Page 2

Agenda Item#

59

BEFORE THE NEVADA TRANSPORTATION AUTHORITY

In the Matter of the Request of Cosmo, Inc. to)
discontinue operations authorized under Certificate of) Docket 20-03030
Public Convenience and Necessity 2075, Sub 1, from)
March 23, 2021 through September 22, 2021.)
_____)

At a general session of the Nevada Transportation
Authority held on April 8, 2020.

PRESENT: Chairman Dawn Gibbons
Commissioner George Assad
Commissioner David Newton
Deputy Commissioner Jennifer De Rose

ORDER

The Nevada Transportation Authority ("Authority") makes the following findings of fact and conclusions of law:

1. That on March 30, 2020, Hitoshi Hirota, Owner of Cosmo, Inc. ("Petitioner") filed a Request, designated as Docket 20-03030, with the Authority to temporarily discontinue operations authorized under Certificate of Public Convenience and Necessity ("CPCN") 2075, Sub 1, for the period of March 23, 2020 through September 22, 2020. The Request was filed pursuant to Chapters 706 of the Nevada Revised Statutes ("NRS") and the Nevada Administrative Code ("NAC").
2. That the Request required retroactive approval.
3. That the request was granted at the July 22, 2020 general session
4. That on September 1, 2020, the Petitioner filed a second request with the Authority to extend the period of temporary discontinuance of operations for the period of September 23, 2020 through March 22, 2021.
5. That the request was granted at the October 15, 2020 general session.

6. That on March 8, 2021, the Petitioner filed a third Request with the Authority to extend the period or temporary discontinuance for the period of March 23, 2021 through September 22, 2021.
7. That the Request on file herein comes within the purview of the statutes of the State of Nevada.
8. That the Authority has extended the discontinuance for a period of one year from the requested start date pursuant to a Deviation of NAC 706.356, Subsection 4, granted under Docket 21-02008 approved by the Authority at the March 4, 2021 general session.
9. That the Authority has reviewed all the records relating to this Petition and finds that granting the Request would be in the public interest.

Therefore, based upon the foregoing findings, it is hereby ORDERED that:

1. The Request of Cosmo, Inc. to temporarily discontinue operations authorized under CPCN 2075, Sub 1, is hereby GRANTED for the period March 23, 2021 through March 22, 2022, subject to the condition set forth in subparagraph 2 below.
2. Prior to resuming operations under CPCN 2075, Sub 1, submit to the Authority staff, on company letterhead, a request to resume operations, and:
 - a. Provide evidence of current vehicle liability insurance and Form E,
 - b. Ensure carrier has an approved safety plan on file with the Authority,
 - c. Provide a list of all current drivers,
 - d. Provide proof of enrollment in a random drug testing consortium and current enrollment list,
 - e. Provide a list of all current vehicles along with copies of current registrations and AVIRs,
 - f. Ensure all vehicles have current decals, and
 - g. Pay all fines and fees due to the Authority.

///

///

///

3. The Authority retains jurisdiction for the purpose of correcting any errors that may have occurred in the drafting or issuance of this Order.

By the Authority,

Dawn Gibbons, Chairman

George Assad, Commissioner

David Newton, Commissioner

Attest: _____
Jennifer De Rose, Deputy Commissioner

Dated: _____
Las Vegas, Nevada

RECEIVED

MAR 08 2021

Nevada Transportation Authority
Las Vegas Nevada

State of Nevada
Department of Business and Industry
Nevada Transportation Authority

Request to Temporarily Discontinue Service

Company Name: COSMO, INC
Address: 3047 PALATINE TERRACE AVE
City, State, Zip: HENDERSON, NV 89052
CPCN: 2075

In accordance with NRS 706.341, the above named certificate holder would like to temporarily discontinue service, from 3/23/2021 to 9/22/2021.

(Not to exceed 6 months)

This request is due to: Coronavirus, No Customer

OPERATIONS CONDUCTED BY THE REQUESTING CERTIFICATE HOLDER MUST CONTINUE UNTIL THE NEVADA TRANSPORTATION AUTHORITY ISSUES AN ORDER GRANTING A TEMPORARY DISCONTINUANCE OF SERVICE.

If you wish to resume operations prior to the end date of this request, you must first notify the Nevada Transportation Authority in writing, stating the date you intend to begin service, and provide proof of current insurance, and current tariffs, if applicable.

Hiroshi Hirota
Signature of Certificate Holder

HIROSHI HIROTA
Printed name of Certificate Holder

702-604-9314 702-616-2052
Phone number Fax number

Submit both pages of this Request to:

Nevada Transportation Authority
3300 West Sahara Avenue or 1755 E Plumb Lane
Suite 200 Suite 229
Las Vegas, NV 89102 Reno, NV 89502

If you have any questions, please contact us at 702-486-3303, extension 66546.

Agenda Item# 60

BEFORE THE NEVADA TRANSPORTATION AUTHORITY

In the Matter of the Request of Eagle Transportation,)	
LLC d/b/a Eagle Transportation to discontinue	)	Docket 20-04005
operations authorized under Certificate of Public)	
Convenience and Necessity 2150, Sub 1 from March)	
18, 2021 through September 18, 2021.)	
_____)	

At a general session of the Nevada Transportation
Authority held on April 8, 2020.

PRESENT: Chairman Dawn Gibbons
Commissioner George Assad
Commissioner David Newton
Deputy Commissioner Jennifer De Rose

ORDER

The Nevada Transportation Authority ("Authority") makes the following findings of fact and conclusions of law:

1. That on April 7, 2020, Ephrem Gebremedhin, Owner of Eagle Transportation, LLC d/b/a Eagle Transportation ("Petitioner") filed a Request, designated as Docket 20-04005, with the Authority to temporarily discontinue operations authorized under Certificate of Public Convenience and Necessity ("CPCN") 2150, Sub 1 for the period of April 21, 2020 through July 21, 2020. Said request, filed due to the COVID-19 pandemic, was extended to September 18, 2020. The Request was filed pursuant to Chapters 706 of the Nevada Revised Statutes ("NRS") and the Nevada Administrative Code ("NAC").
2. That the request was granted at the July 22, 2020 general session
3. That on August 11, 2020, the Petitioner filed a second request with the Authority to extend the period of temporary discontinuance of operations for the period of March 18, 2021 through September 18, 2021.
4. That the request was granted at the September 17, 2020 general session.

5. That on March 16, 2021, the Petitioner filed a third Request with the Authority to extend the period or temporary discontinuance for the period of March 18, 2021 through September 18, 2021.
6. That the Request on file herein comes within the purview of the statutes of the State of Nevada.
7. That the Authority has extended the discontinuance for a period of one year from the requested start date pursuant to a Deviation of NAC 706.356, Subsection 4, granted under Docket 21-02008 approved by the Authority at the March 4, 2021 general session.
8. That the Authority has reviewed all the records relating to this Petition and finds that granting the Request would be in the public interest.

Therefore, based upon the foregoing findings, it is hereby ORDERED that:

1. The Request of Eagle Transportation, LLC d/b/a Eagle Transportation to temporarily discontinue operations authorized under CPCN 2150, Sub 1 is hereby GRANTED for the period March 18, 2021 through March 17, 2022, subject to the condition set forth in subparagraph 2 below.
2. Prior to resuming operations under CPCN 2150, Sub 1, submit to the Authority staff, on company letterhead, a request to resume operations, and:
 - a. Provide evidence of current vehicle liability insurance and Form E,
 - b. Ensure carrier has an approved safety plan on file with the Authority,
 - c. Provide a list of all current drivers,
 - d. Provide proof of enrollment in a random drug testing consortium and current enrollment list,
 - e. Provide a list of all current vehicles along with copies of current registrations and AVIRs,
 - f. Ensure all vehicles have current decals, and
 - g. Pay all fines and fees due to the Authority.

///

///

3. The Authority retains jurisdiction for the purpose of correcting any errors that may have occurred in the drafting or issuance of this Order.

By the Authority,

Dawn Gibbons, Chairman

George Assad, Commissioner

David Newton, Commissioner

Attest: _____
Jennifer De Rose, Deputy Commissioner

Dated: _____
Las Vegas, Nevada

Docket
20-04005

State of Nevada
Department of Business and Industry
Nevada Transportation Authority

RECEIVED

MAR 16 2021

Request to Temporarily Discontinue Service

Company Name: Eagle Transportation LLC

Address: 3111 S Valley View Blvd Suite A-221

City, State, Zip: Las Vegas, NV 89102

CPCN: 2150

In accordance with NRS 706.341, the above named certificate holder would like to temporarily discontinue service, from 03/18/21 to 09/18/21. (Not to exceed 6 months)

This request is due to: covid 19

OPERATIONS CONDUCTED BY THE REQUESTING CERTIFICATE HOLDER MUST CONTINUE UNTIL THE NEVADA TRANSPORTATION AUTHORITY ISSUES AN ORDER GRANTING A TEMPORARY DISCONTINUANCE OF SERVICE.

If you wish to resume operations prior to the end date of this request, you must first notify the Nevada Transportation Authority in writing, stating the date you intend to begin service, and provide proof of current insurance, and current tariffs, if applicable.

Ephrem
Signature of Certificate Holder

Ephrem Gebremedhin
Printed name of Certificate Holder

Ephrem Gebremedhin

Phone number Fax number

702-655-2277

Email Address

Submit both pages of this Request to:

Nevada Transportation Authority
3300 West Sahara Avenue or 1755 E Plumb Lane
Suite 200 Suite 229
Las Vegas, NV 89102 Reno, NV 89502

If you have any questions, please contact us at 702-486-3303, extension 66546.

Agenda Item# 61

BEFORE THE NEVADA TRANSPORTATION AUTHORITY

In the Matter of the Request of Del Sur)	
Transportation, LLC to discontinue operations	)	Docket 20-04007
authorized under Certificate of Public Convenience)	
and Necessity 2267 from March 18, 2021 through)	
September 18, 2021.)	
_____)	

At a general session of the Nevada Transportation
Authority held on April 8, 2021.

PRESENT: Chairman Dawn Gibbons
Commissioner George Assad
Commissioner David Newton
Deputy Commissioner Jennifer De Rose

ORDER

The Nevada Transportation Authority ("Authority") makes the following findings of fact and conclusions of law:

1. That on April 14, 2020, Roberto Gonzalez Tejeda, Owner of Del Sur Transportation, LLC ("Petitioner") filed a Request, designated as Docket 20-04007, with the Authority to temporarily discontinue operations authorized under Certificate of Public Convenience and Necessity ("CPCN") 2267 for the period of April 8, 2020 through July 8, 2020. Said request, filed due to the COVID-19 pandemic, was extended to September 18, 2020. The Request was filed pursuant to Chapters 706 of the Nevada Revised Statutes ("NRS") and the Nevada Administrative Code ("NAC").
2. That the Request required retroactive approval.
3. That the request was granted at the July 22, 2020 general session.
4. That on September 9, 2020, the Petitioner filed a second request with the Authority to extend the period of temporary discontinuance of operations for the period of September 18, 2020 through March 18, 2021.

5. That the request was granted at the October 15, 2020 general session.
6. That on March 16, 2021, the Petitioner filed a third Request with the Authority to extend the period or temporary discontinuance for the period of March 18, 2021 through September 18, 2021
7. That the Request on file herein comes within the purview of the statutes of the State of Nevada.
8. That the Authority has extended the discontinuance for a period of one year from the requested start date pursuant to a Deviation of NAC 706.356, Subsection 4, granted under Docket 21-02008 approved by the Authority at the March 4, 2021 general session.
9. That the Authority has reviewed all the records relating to this Petition and finds that granting the Request would be in the public interest.

Therefore, based upon the foregoing findings, it is hereby ORDERED that:

1. The Request of Del Sur Transportation, LLC to temporarily discontinue operations authorized under CPCN 2267 is hereby GRANTED for the period March 18, 2021 through March 17, 2022, subject to the condition set forth in subparagraph 2 below.
2. Prior to resuming operations under CPCN 2267, submit to the Authority staff, on company letterhead, a request to resume operations, and:
 - a. Provide evidence of current vehicle liability insurance and Form E,
 - b. Ensure carrier has an approved safety plan on file with the Authority,
 - c. Provide a list of all current drivers,
 - d. Provide proof of enrollment in a random drug testing consortium and current enrollment list,
 - e. Provide a list of all current vehicles along with copies of current registrations and AVIRs,
 - f. Ensure all vehicles have current decals, and
 - g. Pay all fines and fees due to the Authority.

///

///

3. The Authority retains jurisdiction for the purpose of correcting any errors that may have occurred in the drafting or issuance of this Order.

By the Authority,

Dawn Gibbons, Chairman

George Assad, Commissioner

David Newton, Commissioner

Attest: _____
Jennifer De Rose, Deputy Commissioner

Dated: _____
Las Vegas, Nevada

State of Nevada
Department of Business and Industry
Nevada Transportation Authority



Request to Temporarily Discontinue Service

Company Name: Del sur Transportation LLC

Address: 3655 asbury hill ave

City, State, Zip: Las Vegas NV 89110

CPCN: 2267

In accordance with NRS 706.341, the above named certificate holder would like to temporarily discontinue service, from 03/18/2021 to 09/18/2021. (Not to exceed 6 months)

This request is due to: COVID-19

have no work since 03/15/2019

OPERATIONS CONDUCTED BY THE REQUESTING CERTIFICATE HOLDER MUST CONTINUE UNTIL THE NEVADA TRANSPORTATION AUTHORITY ISSUES AN ORDER GRANTING A TEMPORARY DISCONTINUANCE OF SERVICE.

If you wish to resume operations prior to the end date of this request, you must first notify the Nevada Transportation Authority in writing, stating the date you intend to begin service, and provide proof of current insurance, and current tariffs, if applicable.

Roberto G. Tejada
Signature of Certificate Holder

Roberto Gonzalez
Printed name of Certificate Holder

702-301-8671
Phone number Fax number

del sur transportation@gmail.com
Email Address

Submit both pages of this Request to:

Nevada Transportation Authority
3300 West Sahara Avenue or 1755 E Plumb Lane
Suite 200 Suite 229
Las Vegas, NV 89102 Reno, NV 89502

If you have any questions, please contact us at 702-486-3303, extension 66546.

Agenda Item# 62

BEFORE THE NEVADA TRANSPORTATION AUTHORITY

In the Matter of the Request of National)	
Transportation Services, Inc. d/b/a NTS to discontinue	)	Docket 20-04016
operations authorized under Certificate of Public)	
Convenience and Necessity 1081, Sub 1 from April)	
13, 2021 through October 13, 2021.)	
_____)	

At a general session of the Nevada Transportation
Authority held on April 8, 2021.

PRESENT: Chairman Dawn Gibbons
Commissioner George Assad
Commissioner David Newton
Deputy Commissioner Jennifer De Rose

ORDER

The Nevada Transportation Authority ("Authority") makes the following findings of fact and conclusions of law:

1. That on April 13, 2020, Bertha Steinberg, Owner of National Transportation Services, Inc. d/b/a NTS ("Petitioner") filed a Request, designated as Docket 20-04016, with the Authority to temporarily discontinue operations authorized under Certificate of Public Convenience and Necessity ("CPCN") 1081, Sub 1 for the period of April 13, 2020 through October 13, 2020. The Request was filed pursuant to Chapters 706 of the Nevada Revised Statutes ("NRS") and the Nevada Administrative Code ("NAC").
2. That said request was granted at the July 22, 2020 General Session.
3. That on November 9, 2020, the Petitioner filed a second Request, designated as Docket 20-04016 with the Authority to extend the period of temporary discontinuance of operations authorized under CPCN 1081, sub 1, for the period of October 13, 2020, through April 13, 2021.
4. That said Request required retroactive approval.

5. That the request was granted at the December 17, 2020 general session.
6. That on March 12, 2021, the Petitioner filed a third Request with the Authority to extend the period or temporary discontinuance for the period of April 13, 2021 through October 13, 2021.
7. That the Request on file herein comes within the purview of the statutes of the State of Nevada and within the regulatory jurisdiction of the Authority.
8. That the Authority has extended the discontinuance for a period of one year from the requested start date pursuant to a Deviation of NAC 706.356, Subsection 4, granted under Docket 21-02008 approved by the Authority at the March 4, 2021 general session.
9. That the Authority has reviewed all the records relating to this Petition and finds that granting the Request would be in the public interest.

Therefore, based upon the foregoing findings, it is hereby ORDERED that:

1. The Request of National Transportation Services, Inc. d/b/a NTS to temporarily discontinue operations authorized under CPCN 1081, Sub 1 is hereby GRANTED for the period April 13, 2021 through April 12, 2022, subject to the condition set forth in subparagraph 2 below.
2. Prior to resuming operations under CPCN 1081, Sub 1, submit to the Authority staff, on company letterhead, a request to resume operations, and:
 - a. Provide evidence of current vehicle liability insurance and Form E,
 - b. Ensure carrier has an approved safety plan on file with the Authority,
 - c. Provide a list of all current drivers,
 - d. Provide proof of enrollment in a random drug testing consortium and current enrollment list,
 - e. Provide a list of all current vehicles along with copies of current registrations and AVIRs,
 - f. Ensure all NTA Annual Report filings are current,
 - g. Ensure all vehicles have current decals, and
 - h. Pay all fines and fees due to the Authority.

///

3. The Authority retains jurisdiction for the purpose of correcting any errors that may have occurred in the drafting or issuance of this Order.

By the Authority,

Dawn Gibbons, Chairman

George Assad, Commissioner

David Newton, Commissioner

Attest: _____
Jennifer De Rose, Deputy Commissioner

Dated: _____
Las Vegas, Nevada

Extension
20-04016

State of Nevada
Department of Business and Industry
Nevada Transportation Authority



Request to Temporarily Discontinue Service

Company Name: NATIONAL TRANSPORTATION SERVICES

Address: 3224 MEADE AVE - A

City, State, Zip: LAS VEGAS, NV 89102

CPCN: 1081

In accordance with NRS 706.341, the above named certificate holder would like to temporarily discontinue service, from 04-13-2021 to 10-13-2021. (Not to exceed 6 months)

This request is due to: COVID 19

OPERATIONS CONDUCTED BY THE REQUESTING CERTIFICATE HOLDER MUST CONTINUE UNTIL THE NEVADA TRANSPORTATION AUTHORITY ISSUES AN ORDER GRANTING A TEMPORARY DISCONTINUANCE OF SERVICE.

If you wish to resume operations prior to the end date of this request, you must first notify the Nevada Transportation Authority in writing, stating the date you intend to begin service, and provide proof of current insurance, and current tariffs, if applicable.

Bertha Steinberg-Kleiberg
Signature of Certificate Holder

Bertha Steinberg

Printed name of Certificate Holder

702-792-5466 702-920-8899

Phone number Fax number

info@ntslimo.com

Email Address

Submit both pages of this Request to:

Nevada Transportation Authority
3300 West Sahara Avenue or 1755 E Plumb Lane
Suite 200 Suite 229
Las Vegas, NV 89102 Reno, NV 89502

If you have any questions, please contact us at 702-486-3303, extension 66546.

Agenda Item#

63

BEFORE THE NEVADA TRANSPORTATION AUTHORITY

In the Matter of the Request of National)	
Transportation Services, Inc. d/b/a National	)	Docket 20-04017
Transportation Services d/b/a NTS to discontinue)	
operations authorized under Certificate of Public)	
Convenience and Necessity 2092 from April 13, 2021)	
through October 13, 2021.)	
_____)	

At a general session of the Nevada Transportation
Authority held on April 8, 2021.

PRESENT: Chairman Dawn Gibbons
Commissioner George Assad
Commissioner David Newton
Deputy Commissioner Jennifer De Rose

ORDER

The Nevada Transportation Authority ("Authority") makes the following findings of fact and conclusions of law:

1. That on April 13, 2020, Bertha Steinberg, Owner of National Transportation Services, Inc. d/b/a National Transportation Services d/b/a NTS ("Petitioner") filed a Request, designated as Docket 20-04017, with the Authority to temporarily discontinue operations authorized under Certificate of Public Convenience and Necessity ("CPCN") 2092 for the period of April 13, 2020 through October 13, 2020. The Request was filed pursuant to Chapters 706 of the Nevada Revised Statutes ("NRS") and the Nevada Administrative Code ("NAC").
2. That said request was granted at the July 22, 2020 General Session.
3. That on November 9, 2020, the Petitioner filed a second Request, designated as Docket 20-04017 with the Authority to extend the period of temporary discontinuance of operations authorized under CPCN 2092, for the period of October 13, 2020, through April 13, 2021.
4. That said Request required retroactive approval.

5. That the request was granted at the December 17, 2020 general session.
6. That on March 12, 2021, the Petitioner filed a third Request with the Authority to extend the period or temporary discontinuance for the period of April 13, 2021 through October 13, 2021.
7. That the Request on file herein comes within the purview of the statutes of the State of Nevada and within the regulatory jurisdiction of the Authority.
8. That the Authority has extended the discontinuance for a period of one year from the requested start date pursuant to a Deviation of NAC 706.356, Subsection 4, granted under Docket 21-02008 approved by the Authority at the March 4, 2021 general session.
9. That the Authority has reviewed all the records relating to this Petition and finds that granting the Request would be in the public interest.

Therefore, based upon the foregoing findings, it is hereby ORDERED that:

1. The Request of National Transportation Services, Inc. d/b/a National Transportation Services d/b/a NTS to temporarily discontinue operations authorized under CPCN 2092 is hereby GRANTED for the period April 13, 2021 through April 12, 2022, subject to the condition set forth in subparagraph 2 below.
2. Prior to resuming operations under CPCN 2092, submit to the Authority staff, on company letterhead, a request to resume operations, and:
 - a. Provide evidence of current vehicle liability insurance and Form E,
 - b. Ensure carrier has an approved safety plan on file with the Authority,
 - c. Provide a list of all current drivers,
 - d. Provide proof of enrollment in a random drug testing consortium and current enrollment list,
 - e. Provide a list of all current vehicles along with copies of current registrations and AVIRs,
 - f. Ensure all vehicles have current decals, and
 - g. Pay all fines and fees due to the Authority.

///

///

3. The Authority retains jurisdiction for the purpose of correcting any errors that may have occurred in the drafting or issuance of this Order.

By the Authority,

Dawn Gibbons, Chairman

George Assad, Commissioner

David Newton, Commissioner

Attest: _____
Jennifer De Rose, Deputy Commissioner

Dated: _____
Las Vegas, Nevada

Extension
20-04017 EVH

State of Nevada
Department of Business and Industry
Nevada Transportation Authority

RECEIVED

MAR 12 2021

Nevada Transportation Authority
Las Vegas, Nevada

Request to Temporarily Discontinue Service

Company Name: NATIONAL TRANSPORTATION SERVICES

Address: 3224 MEADE AVE - A

City, State, Zip: LAS VEGAS, NV 89102

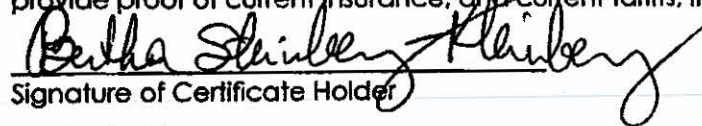
CPCN: 2092

In accordance with NRS 706.341, the above named certificate holder would like to temporarily discontinue service, from 04-13-2021 to 10-13-2021. (Not to exceed 6 months)

This request is due to: COVID 19

OPERATIONS CONDUCTED BY THE REQUESTING CERTIFICATE HOLDER MUST CONTINUE UNTIL THE NEVADA TRANSPORTATION AUTHORITY ISSUES AN ORDER GRANTING A TEMPORARY DISCONTINUANCE OF SERVICE.

If you wish to resume operations prior to the end date of this request, you must first notify the Nevada Transportation Authority in writing, stating the date you intend to begin service, and provide proof of current insurance, and current tariffs, if applicable.



Signature of Certificate Holder

Bertha Steinberg

Printed name of Certificate Holder

702-792-5466

702-920-8899

Phone number

Fax number

info@ntslimo.com

Email Address

Submit both pages of this Request to:

Nevada Transportation Authority	
3300 West Sahara Avenue	or 1755 E Plumb Lane
Suite 200	Suite 229
Las Vegas, NV 89102	Reno, NV 89502

If you have any questions, please contact us at 702-486-3303, extension 66546.

Agenda Item#

64

BEFORE THE NEVADA TRANSPORTATION AUTHORITY

In the Matter of the Request of Candottie, LLC d/b/a)	
Priority VIP Transportation to discontinue operations	)	Docket 20-04022
authorized under Certificate of Public Convenience)	
and Necessity 2266 from April 1, 2021 through)	
October 1, 2021.)	
_____)	

At a general session of the Nevada Transportation
Authority held on April 8, 2021.

PRESENT: Chairman Dawn Gibbons
Commissioner George Assad
Commissioner David Newton
Deputy Commissioner Jennifer De Rose

ORDER

The Nevada Transportation Authority ("Authority") makes the following findings of fact and conclusions of law:

1. That on April 17, 2020, Candace Russell, Owner of Candottie, LLC d/b/a Priority VIP Transportation ("Petitioner") filed a Request, designated as Docket 20-04022, with the Authority to temporarily discontinue operations authorized under Certificate of Public Convenience and Necessity ("CPCN") 2266 for the period of April 12, 2020 through October 1, 2020. The Request was filed pursuant to Chapters 706 of the Nevada Revised Statutes ("NRS") and the Nevada Administrative Code ("NAC").
2. That the Request required retroactive approval.
3. That the request was granted at the July 22, 2020 general session.
4. That on October 2, 2020, the Petitioner filed a second request with the Authority to extend the period of temporary discontinuance of operations for the period of October 1, 2020 through March 31, 2021.
5. That this Request required retroactive approval.

6. That the request was granted at the November 19, 2020 general session.
7. That on February 22, 2021, the Petitioner filed a third Request with the Authority to extend the period or temporary discontinuance for the period of April 1, 2021 through October 1, 2021.
8. That the Request on file herein comes within the purview of the statutes of the State of Nevada and within the regulatory jurisdiction of the Authority.
9. That the Authority has extended the discontinuance for a period of one year from the requested start date pursuant to a Deviation of NAC 706.356, Subsection 4, granted under Docket 21-02008 approved by the Authority at the March 4, 2021 general session.
10. That the Authority has reviewed all the records relating to this Petition and finds that granting the Request would be in the public interest.

Therefore, based upon the foregoing findings, it is hereby ORDERED that:

1. The Request of Candottie, LLC d/b/a Priority VIP Transportation to temporarily discontinue operations authorized under CPCN 2266 is hereby GRANTED for the period April 1, 2021 through March 31, 2022, subject to the condition set forth in subparagraph 2 below.
2. Prior to resuming operations under CPCN 2266, submit to the Authority staff, on company letterhead, a request to resume operations, and:
 - a. Provide evidence of current vehicle liability insurance and Form E,
 - b. Ensure carrier has an approved safety plan on file with the Authority,
 - c. Provide a list of all current drivers,
 - d. Provide proof of enrollment in a random drug testing consortium and current enrollment list,
 - e. Provide a list of all current vehicles along with copies of current registrations and AVIRs,
 - f. Ensure all vehicles have current decals, and
 - g. Pay all fines and fees due to the Authority.

///

///

3. The Authority retains jurisdiction for the purpose of correcting any errors that may have occurred in the drafting or issuance of this Order.

By the Authority,

Dawn Gibbons, Chairman

George Assad, Commissioner

David Newton, Commissioner

Attest: _____
Jennifer De Rose, Deputy Commissioner

Dated: _____
Las Vegas, Nevada

20-04022 Extension
RECEIVED

FEB 22 2021

Nevada Transportation Authority
Las Vegas, Nevada

State of Nevada
Department of Business and Industry
Nevada Transportation Authority

Request to Temporarily Discontinue Service

Company Name: Candotte LLC DBA Priority VIP Transportation

Address: 3934 Avila Street

City, State, Zip: Las Vegas Nevada 89103

CPCN: 2266

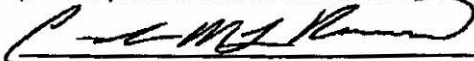
In accordance with NRS 706.341, the above named certificate holder would like to temporarily discontinue service, from 4-1-2021 to 10-1-2021. (Not to exceed 6 months)

This request is due to: Lack of business in Las Vegas

Thru the casinos, nightclubs and tourists decline - Pandemic

OPERATIONS CONDUCTED BY THE REQUESTING CERTIFICATE HOLDER MUST CONTINUE UNTIL THE NEVADA TRANSPORTATION AUTHORITY ISSUES AN ORDER GRANTING A TEMPORARY DISCONTINUANCE OF SERVICE.

If you wish to resume operations prior to the end date of this request, you must first notify the Nevada Transportation Authority in writing, stating the date you intend to begin service, and provide proof of current insurance, and current tariffs, if applicable.



Signature of Certificate Holder

Candace M.L. Russell

Printed name of Certificate Holder

702 556 9580

Phone number

Fax number

HPI Princess@gmail.com

Email Address

Submit both pages of this Request to:

Nevada Transportation Authority
3300 West Sahara Avenue or 1755 E Plumb Lane
Suite 200 Suite 229
Las Vegas, NV 89102 Reno, NV 89502

If you have any questions, please contact us at 702-486-3303, extension 66546.

Agenda Item#

65

BEFORE THE NEVADA TRANSPORTATION AUTHORITY

In the Matter of the Request of AKT, LLC d/b/a AKT)
to discontinue operations authorized under Certificate)
of Public Convenience and Necessity 2261 from)
March 18, 2021 through September 18, 2021.)
_____) Docket 20-04034

At a general session of the Nevada Transportation
Authority held on April 8, 2021.

PRESENT: Chairman Dawn Gibbons
 Commissioner George Assad
 Commissioner David Newton
 Deputy Commissioner Jennifer De Rose

ORDER

The Nevada Transportation Authority ("Authority") makes the following findings of fact and conclusions of law:

1. That on April 30, 2020, Aklilu Tadesse, owner of AKT, LLC d/b/a AKT ("Petitioner") filed a Request, designated as Docket 20-04034, with the Authority to temporarily discontinue operations authorized under Certificate of Public Convenience and Necessity ("CPCN") 2261 for the period of April 30, 2020 through August 30, 2020. Said request, filed due to the COVID-19 pandemic, was extended to September 18, 2020. The Request was filed pursuant to Chapters 706 of the Nevada Revised Statutes ("NRS") and the Nevada Administrative Code ("NAC").
2. That the request was granted at the July 22, 2020 general session
3. That on September 16, 2020, the Petitioner filed a second request with the Authority to extend the period of temporary discontinuance of operations for the period of September 18, 2020 through March 18, 2021.
4. That the request was granted at the October 15, 2020 general session.

5. That on March 4, 2021, the Petitioner filed a third Request with the Authority to extend the period or temporary discontinuance for the period of March 18, 2021 through September 18, 2021.
6. That the Request on file herein comes within the purview of the statutes of the State of Nevada and within the regulatory jurisdiction of the Authority.
7. That the Authority has extended the discontinuance for a period of one year from the requested start date pursuant to a Deviation of NAC 706.356, Subsection 4, granted under Docket 21-02008 approved by the Authority at the March 4, 2021 general session.
8. That the Authority has reviewed all the records relating to this Petition and finds that granting the Request would be in the public interest.

Therefore, based upon the foregoing findings, it is hereby ORDERED that:

1. The Request of AKT, LLC d/b/a AKT to temporarily discontinue operations authorized under CPCN 2261 is hereby GRANTED for the period March 18, 2021 through March 17, 2022, subject to the condition set forth in subparagraph 2 below.
2. Prior to resuming operations under CPCN 2261, submit to the Authority staff, on company letterhead, a request to resume operations, and:
 - a. Provide evidence of current vehicle liability insurance and Form E,
 - b. Ensure carrier has an approved safety plan on file with the Authority,
 - c. Provide a list of all current drivers,
 - d. Provide proof of enrollment in a random drug testing consortium and current enrollment list,
 - e. Provide a list of all current vehicles along with copies of current registrations and AVIRs,
 - f. Ensure all vehicles have current decals, and
 - g. Pay all fines and fees due to the Authority.

///

///

3. The Authority retains jurisdiction for the purpose of correcting any errors that may have occurred in the drafting or issuance of this Order.

By the Authority,

Dawn Gibbons, Chairman

George Assad, Commissioner

David Newton, Commissioner

Attest: _____
Jennifer De Rose, Deputy Commissioner

Dated: _____
Las Vegas, Nevada

Extension 20-04034

State of Nevada
Department of Business and Industry
Nevada Transportation Authority



Request to Temporarily Discontinue Service

Company Name AKT LLC
Address 5147 HEDDELL CT Apt-D
City, State, Zip Las Vegas, NV. 89118
CPCN 2261

In accordance with NRS 706.341, the above named certificate holder would like to temporarily discontinue service from 03/18/2021 to 09/18/2021 (Not to exceed 6 months)

This request is due to Covid 19

OPERATIONS CONDUCTED BY THE REQUESTING CERTIFICATE HOLDER MUST CONTINUE UNTIL THE NEVADA TRANSPORTATION AUTHORITY ISSUES AN ORDER GRANTING A TEMPORARY DISCONTINUANCE OF SERVICE.

If you wish to resume operations prior to the end date of this request, you must first notify the Nevada Transportation Authority in writing, stating the date you intend to begin service, and provide proof of current insurance, and current tariffs, if applicable


Signature of Certificate Holder

AKILIU TADESSE
Printed name of Certificate Holder

702-788-0458
Phone number Fax number

AKILIUTADESSE24@yahoo.com
Email Address

Submit both pages of this Request to:

Nevada Transportation Authority
3300 West Sahara Avenue or 1755 E Plumb Lane
Suite 200 Suite 229
Las Vegas, NV 89102 Reno, NV 89502

If you have any questions, please contact us at 702-486-3303, extension 66546.

Agenda Item#

66

BEFORE THE NEVADA TRANSPORTATION AUTHORITY

In the Matter of the Request of Annie Bananie)	
Charters, Inc. to discontinue operations authorized	)	Docket 20-05012
under Certificate of Public Convenience and)	
Necessity 2214 from March 18, 2021 through)	
September 18, 2021.)	
_____)	

At a general session of the Nevada Transportation
Authority held on April 8, 2020.

PRESENT: Chairman Dawn Gibbons
Commissioner George Assad
Commissioner David Newton
Deputy Commissioner Jennifer De Rose

ORDER

The Nevada Transportation Authority ("Authority") makes the following findings of fact and conclusions of law:

1. That on May 12, 2020, Marilyn Irizarry, Owner of Annie Bananie Charters, Inc. ("Petitioner") filed a Request, designated as Docket 20-05012, with the Authority to temporarily discontinue operations authorized under Certificate of Public Convenience and Necessity ("CPCN") 2214 for the period of March 18, 2020 through September 18, 2020. The Request was filed pursuant to Chapters 706 of the Nevada Revised Statutes ("NRS") and the Nevada Administrative Code ("NAC").
2. That the Request required retroactive approval.
3. That the request was granted at the July 22, 2020 general session
4. That on September 14, 2020, the Petitioner filed a second request with the Authority to extend the period of temporary discontinuance of operations for the period of September 18, 2020 through March 18, 2021.
5. That the request was granted at the October 15, 2020 general session.

6. That on March 5, 2021, the Petitioner filed a third Request with the Authority to extend the period or temporary discontinuance for the period of March 18, 2021 through September 18, 2021.
7. That the Request on file herein comes within the purview of the statutes of the State of Nevada and within the regulatory jurisdiction of the Authority.
8. That the Authority has extended the discontinuance for a period of one year from the requested start date pursuant to a Deviation of NAC 706.356, Subsection 4, granted under Docket 21-02008 approved by the Authority at the March 4, 2021 general session.
9. That the Authority has reviewed all the records relating to this Petition and finds that granting the Request would be in the public interest.

Therefore, based upon the foregoing findings, it is hereby ORDERED that:

1. The Request of Annie Bananie Charters, Inc. to temporarily discontinue operations authorized under CPCN 2214 is hereby GRANTED for the period March 18, 2021 through March 17, 2022, subject to the condition set forth in subparagraph 2 below.
2. Prior to resuming operations under CPCN 2214, submit to the Authority staff, on company letterhead, a request to resume operations, and:
 - a. Provide evidence of current vehicle liability insurance and Form E,
 - b. Ensure carrier has an approved safety plan on file with the Authority,
 - c. Provide a list of all current drivers,
 - d. Provide proof of enrollment in a random drug testing consortium and current enrollment list,
 - e. Provide a list of all current vehicles along with copies of current registrations and AVIRs,
 - f. Ensure all vehicles have current decals, and
 - g. Pay all fines and fees due to the Authority.

///

///

3. The Authority retains jurisdiction for the purpose of correcting any errors that may have occurred in the drafting or issuance of this Order.

By the Authority,

Dawn Gibbons, Chairman

George Assad, Commissioner

David Newton, Commissioner

Attest: _____
Jennifer De Rose, Deputy Commissioner

Dated: _____
Las Vegas, Nevada

Extension 20-05012

RECEIVED

MAR 05 2021

Nevada Transportation Authority
Las Vegas, Nevada

State of Nevada
Department of Business and Industry
Nevada Transportation Authority

Request to Temporarily Discontinue Service

Company Name: Annie Bananie Charters, Inc

Address: 1513 White Daisy Way

City, State, Zip: North Las Vegas, NV 89081

CPCN: 2214

In accordance with NRS 706.341, the above named certificate holder would like to temporarily discontinue service, from 03/18/2021 to 09/18/2021. (Not to exceed 6 months)

This request is due to: Extension - Lack of business due to COVID-19

OPERATIONS CONDUCTED BY THE REQUESTING CERTIFICATE HOLDER MUST CONTINUE UNTIL THE NEVADA TRANSPORTATION AUTHORITY ISSUES AN ORDER GRANTING A TEMPORARY DISCONTINUANCE OF SERVICE.

If you wish to resume operations prior to the end date of this request, you must first notify the Nevada Transportation Authority in writing, stating the date you intend to begin service, and provide proof of current insurance, and current tariffs, if applicable.

Marilyn Irizarry
Signature of Certificate Holder

Marilyn Irizarry

Printed name of Certificate Holder

209-298-3828

Phone number Fax number

anniebananie702@yahoo.com

Email Address

Submit both pages of this Request to:

Nevada Transportation Authority
3300 West Sahara Avenue or 1755 E Plumb Lane
Suite 200 Suite 229
Las Vegas, NV 89102 Reno, NV 89502

If you have any questions, please contact us at 702-486-3303, extension 66546.

Agenda Item#

67

BEFORE THE NEVADA TRANSPORTATION AUTHORITY

In the Matter of the Request of LVAM, LLC to)
discontinue operations authorized under Certificate of) Docket 20-05018
Public Convenience and Necessity 2200 Sub 1, from)
March 18, 2021 through September 18, 2021.)
_____)

At a general session of the Nevada Transportation
Authority held on April 8, 2021.

PRESENT: Chairman Dawn Gibbons
Commissioner George Assad
Commissioner David Newton
Deputy Commissioner Jennifer De Rose

ORDER

The Nevada Transportation Authority ("Authority") makes the following findings of fact and conclusions of law:

1. That on May 18, 2020, Mulugeta Mekonen, Owner of LVAM, LLC ("Petitioner") filed a Request, designated as Docket 20-05018, with the Authority to temporarily discontinue operations authorized under Certificate of Public Convenience and Necessity ("CPCN") 2200 Sub 1, for the period of May 13, 2020 through July 13, 2020. Said request, filed due to the COVID-19 pandemic, was extended to September 18, 2020. The Request was filed pursuant to Chapters 706 of the Nevada Revised Statutes ("NRS") and the Nevada Administrative Code ("NAC").
2. That the Request required retroactive approval.
3. That the request was granted at the July 22, 2020 general session
4. That on September 2, 2020, the Petitioner filed a second request with the Authority to extend the period of temporary discontinuance of operations for the period of September 18, 2020 through March 18, 2021.
5. That the request was granted at the October 15, 2020 general session.

6. That on February 8, 2021, the Petitioner filed a third Request with the Authority to extend the period or temporary discontinuance for the period of March 18, 2021 through September 18, 2021.
7. That the Request on file herein comes within the purview of the statutes of the State of Nevada and within the regulatory jurisdiction of the Authority.
8. That the Authority has extended the discontinuance for a period of one year from the requested start date pursuant to a Deviation of NAC 706.356, Subsection 4, granted under Docket 21-02008 approved by the Authority at the March 4, 2021 general session.
9. That the Authority has reviewed all the records relating to this Petition and finds that granting the Request would be in the public interest.

Therefore, based upon the foregoing findings, it is hereby ORDERED that:

1. The Request of LVAM, LLC to temporarily discontinue operations authorized under CPCN 2200 Sub 1, is hereby GRANTED for the period March 18, 2021 through March 17, 2022, subject to the condition set forth in subparagraph 2 below.
2. Prior to resuming operations under CPCN 2200, Sub 1, submit to the Authority staff, on company letterhead, a request to resume operations, and:
 - a. Provide evidence of current vehicle liability insurance and Form E,
 - b. Ensure carrier has an approved safety plan on file with the Authority,
 - c. Provide a list of all current drivers,
 - d. Provide proof of enrollment in a random drug testing consortium and current enrollment list,
 - e. Provide a list of all current vehicles along with copies of current registrations and AVIRs,
 - f. Ensure all vehicles have current decals, and
 - g. Pay all fines and fees due to the Authority.

///

///

3. The Authority retains jurisdiction for the purpose of correcting any errors that may have occurred in the drafting or issuance of this Order.

By the Authority,

Dawn Gibbons, Chairman

George Assad, Commissioner

David Newton, Commissioner

Attest: _____
Jennifer De Rose, Deputy Commissioner

Dated: _____
Las Vegas, Nevada

Docket 20-05018
Extension

State of Nevada
Department of Business and Industry
Nevada Transportation Authority

Request to Temporarily Discontinue Service



Company Name: LVAM, LLC

Address: 4332 Casandra Dr

City, State, Zip: Las Vegas, NV 89032

CPCN: 2200

In accordance with NRS 706.341, the above named certificate holder would like to temporarily discontinue service, from 03/18/2021 to 09/18/2021. (Not to exceed 6 months)

This request is due to: Extension - Lack of work due to COVID-19

OPERATIONS CONDUCTED BY THE REQUESTING CERTIFICATE HOLDER MUST CONTINUE UNTIL THE NEVADA TRANSPORTATION AUTHORITY ISSUES AN ORDER GRANTING A TEMPORARY DISCONTINUANCE OF SERVICE.

If you wish to resume operations prior to the end date of this request, you must first notify the Nevada Transportation Authority in writing, stating the date you intend to begin service, and provide proof of current insurance, and current tariffs, if applicable.


Signature of Certificate Holder

Mulugeta Mekonen

Printed name of Certificate Holder

702-541-4599

Phone number

Fax number

lvamllc12@gmail.com

Email Address

Submit both pages of this Request to:

Nevada Transportation Authority
3300 West Sahara Avenue or 1755 E Plumb Lane
Suite 200 Suite 229
Las Vegas, NV 89102 Reno, NV 89502

If you have any questions, please contact us at 702-486-3303, extension 66546.

Agenda Item# 68

BEFORE THE NEVADA TRANSPORTATION AUTHORITY

In the Matter of the Request of Ignacio Garijo d/b/a)	
Winnemucca Cab Company to discontinue operations	)	Docket 20-05022
authorized under Certificate of Public Convenience)	
and Necessity 1009, from February 18, 2021 through)	
September 18, 2021.)	
_____)	

At a general session of the Nevada Transportation
Authority held on April 8, 2020.

PRESENT: Chairman Dawn Gibbons
Commissioner George Assad
Commissioner David Newton
Deputy Commissioner Jennifer De Rose

ORDER

The Nevada Transportation Authority ("Authority") makes the following findings of fact and conclusions of law:

1. That on June 2, 2020, Ignacio Garijo, Owner of Ignacio Garijo d/b/a Winnemucca Cab Company ("Petitioner") filed a Request, designated as Docket 20-05022, with the Authority to temporarily discontinue operations authorized under Certificate of Public Convenience and Necessity ("CPCN") 1009 for the period of April 6, 2020 through August 6, 2020. Said request, filed due to the COVID-19 pandemic, was extended to September 18, 2020. The Request was filed pursuant to Chapters 706 of the Nevada Revised Statutes ("NRS") and the Nevada Administrative Code ("NAC").
2. That the Request required retroactive approval.
3. That the request was granted at the July 22, 2020 general session
4. That on September 8, 2020, the Petitioner filed a second request with the Authority to extend the period of temporary discontinuance of operations for the period of September 18, 2020 through February 18, 2021.

5. That the request was granted at the October 15, 2020 general session.
6. That on March 1, 2021, the Petitioner filed a third Request with the Authority to extend the period or temporary discontinuance for the period of February 18, 2021 through September 18, 2021.
7. That the Request required retroactive approval.
8. That the Request on file herein comes within the purview of the statutes of the State of Nevada and within the regulatory jurisdiction of the Authority.
9. That the Authority has extended the discontinuance for a period of one year from the requested start date pursuant to a Deviation of NAC 706.356, Subsection 4, granted under Docket 21-02008 approved by the Authority at the March 4, 2021 general session.
10. That the Authority has reviewed all the records relating to this Petition and finds that granting the Request would be in the public interest.

Therefore, based upon the foregoing findings, it is hereby ORDERED that:

1. The Request of Ignacio Garijo d/b/a Winnemucca Cab Company to temporarily discontinue operations authorized under CPCN 1009 is hereby GRANTED for the period February 18, 2021 through February 17, 2022, subject to the condition set forth in subparagraph 2 below.
2. Prior to resuming operations under CPCN 1009, submit to the Authority staff, on company letterhead, a request to resume operations, and:
 - a. Provide evidence of current vehicle liability insurance and Form E,
 - b. Ensure carrier has an approved safety plan on file with the Authority,
 - c. Ensure all NTA Annual Report filings are current,
 - d. Provide a list of all current drivers,
 - e. Provide proof of enrollment in a random drug testing consortium and current enrollment list,
 - f. Provide a list of all current vehicles along with copies of current registrations and AVIRs,
 - g. Ensure all vehicles have current decals, and

- h. Pay all fines and fees due to the Authority.
- 3. The Authority retains jurisdiction for the purpose of correcting any errors that may have occurred in the drafting or issuance of this Order.

By the Authority,

Dawn Gibbons, Chairman

George Assad, Commissioner

David Newton, Commissioner

Attest: _____
Jennifer De Rose, Deputy Commissioner

Dated: _____
Las Vegas, Nevada

20-05022

RECEIVED

MAR 01 2021

Nevada Transportation Authority
Las Vegas, Nevada

State of Nevada
Department of Business and Industry
Nevada Transportation Authority

Request to Temporarily Discontinue Service

Company Name: WINNEMUCCA CAB Co.

Address: P.O. Box 1352

City, State, Zip: WINNEMUCCA, NV. 89446

CPCN: 1009

In accordance with NRS 706.344, the above named certificate holder would like to temporarily discontinue service, from Feb. 18, 2021 to Sept. 18, 2021
(Not to exceed 6 months)

This request is due to: Covid 19

OPERATIONS CONDUCTED BY THE REQUESTING CERTIFICATE HOLDER MUST CONTINUE UNTIL THE NEVADA TRANSPORTATION AUTHORITY ISSUES AN ORDER GRANTING A TEMPORARY DISCONTINUANCE OF SERVICE.

If you wish to resume operations prior to the end date of this request, you must first notify the Nevada Transportation Authority in writing, stating the date you intend to begin service, and provide proof of current insurance, and current tariffs, if applicable.

[Signature]
Signature of Certificate Holder

IGNACIO GARIJO
Printed name of Certificate Holder

(775) 421-8349
Phone number

(775) 625-8349
Fax number

Submit both pages of this Request to:

Nevada Transportation Authority
3300 West Sahara Avenue or 1755 E Plumb Lane
Suite 200 Suite 229
Las Vegas, NV 89102 Reno, NV 89502

If you have any questions, please contact us at 702-486-3303, extension 66546.

Agenda Item#

69

BEFORE THE NEVADA TRANSPORTATION AUTHORITY

In the Matter of the Request of DCT Express, Inc.)	
d/b/a DCT Express to discontinue operations	)	Docket 20-08015
authorized under Contract Carrier Permit MV 6156)	
from February 16, 2021 through August 15, 2021.)	
_____)	

At a general session of the Nevada Transportation
Authority held on April 8, 2021.

PRESENT: Chairman Dawn Gibbons
Commissioner George Assad
Commissioner David Newton
Deputy Commissioner Jennifer De Rose

ORDER

The Nevada Transportation Authority ("Authority") makes the following findings of fact and conclusions of law:

1. That on August 17, 2020, Kazue Yoda, Owner of DCT Express, Inc. d/b/a DCT Express ("Petitioner") filed a Request, designated as Docket 20-08015, with the Authority to temporarily discontinue operations authorized under Contract Carrier Permit MV 6156 for the period of August 17, 2020 through February 15, 2021. The Request was filed pursuant to Chapters 706 of the Nevada Revised Statutes ("NRS") and the Nevada Administrative Code ("NAC").
2. That said request was granted at the September 17, 2020 General Session.
3. That on February 16, 2021, the Petitioner filed a second Request with the Authority to extend the period or temporary discontinuance for the period of February 16, 2021 through August 15, 2021.
4. That the Request on file herein comes within the purview of the statutes of the State of Nevada.
5. That the Authority has extended the discontinuance for a period of one year from the requested start date pursuant to a Deviation of NAC 706.356, Subsection 4, granted under Docket 21-02008 approved by the Authority at the March 4, 2021 general session.

6. That the Authority has reviewed all the records relating to this Petition and finds that granting the Request would be in the public interest.

Therefore, based upon the foregoing findings, it is hereby ORDERED that:

1. The Request of DCT Express, Inc. d/b/a DCT Express to temporarily discontinue operations authorized under MV 6156 is hereby GRANTED for the period February 16, 2021 through February 15, 2022, subject to the condition set forth in subparagraph 2 below.
2. Prior to resuming operations under CPCN MV 6156, submit to the Authority staff, on company letterhead, a request to resume operations, and:
 - a. Provide evidence of current vehicle liability insurance and Form E,
 - b. Ensure carrier has an approved safety plan on file with the Authority,
 - c. Ensure all NTA Annual Report filings are current,
 - d. Provide a list of all current drivers,
 - e. Provide proof of enrollment in a random drug testing consortium and current enrollment list,
 - f. Provide a list of all current vehicles along with copies of current registrations and AVIRs,
 - g. Ensure all vehicles have current decals, and
 - h. Pay all fines and fees due to the Authority.

///

///

///

///

///

///

///

///

///

3. The Authority retains jurisdiction for the purpose of correcting any errors that may have occurred in the drafting or issuance of this Order.

By the Authority,

Dawn Gibbons, Chairman

George Assad, Commissioner

David Newton, Commissioner

Attest: _____
Jennifer De Rose, Deputy Commissioner

Dated: _____
Las Vegas, Nevada

State of Nevada
Department of Business and Industry
Nevada Transportation Authority



Request to Temporarily Discontinue Service

Company Name: DCT EXPRESS, INC.

Address: 2950 E. SUNSET RD. SUITE#125C

City, State, Zip: LAS VEGAS, NV 89120

CPCN: 6156

In accordance with NRS 706.341, the above named certificate holder would like to temporarily discontinue service, from 02/16/2021 to 08/15/2021. (Not to exceed 6 months)

This request is due to: We have lost customers due to COVID-19 and hasn't come back, yet.

OPERATIONS CONDUCTED BY THE REQUESTING CERTIFICATE HOLDER MUST CONTINUE UNTIL THE NEVADA TRANSPORTATION AUTHORITY ISSUES AN ORDER GRANTING A TEMPORARY DISCONTINUANCE OF SERVICE.

If you wish to resume operations prior to the end date of this request, you must first notify the Nevada Transportation Authority in writing, stating the date you intend to begin service, and provide proof of current insurance, and current tariffs, if applicable.


Signature of Certificate Holder

KAZUE YODA

Printed name of Certificate Holder

(702)778-9231 (702)731-5413

Phone number Fax number

lvdcexpress@gmail.com

Email Address

Submit both pages of this Request to:

Nevada Transportation Authority
3300 West Sahara Avenue or 1755 E Plumb Lane
Suite 200 Suite 229
Las Vegas, NV 89102 Reno, NV 89502

If you have any questions, please contact us at 702-486-3303, extension 66546.

Agenda Item#

70

BEFORE THE NEVADA TRANSPORTATION AUTHORITY

In the Matter of the Request of Johnny's Express, Inc.)
to discontinue operations authorized under Certificate) Docket 20-09022
of Public Convenience and Necessity 2181, Sub 2,)
from March 16, 2021 through September 16, 2021.)
_____)

At a general session of the Nevada Transportation
Authority held on April 8, 2021.

PRESENT: Chairman Dawn Gibbons
 Commissioner George Assad
 Commissioner David Newton
 Deputy Commissioner Jennifer De Rose

ORDER

The Nevada Transportation Authority ("Authority") makes the following findings of fact and conclusions of law:

1. That on September 18, 2020, Johnny Miranda, Owner of Johnny's Express, Inc. ("Petitioner") filed a Request, designated as Docket 20-09022, with the Authority to temporarily discontinue operations authorized under Certificate of Public Convenience and Necessity ("CPCN") 2181, Sub 2, for the period of September 18, 2020 through March 16, 2021. The Request was filed pursuant to Chapters 706 of the Nevada Revised Statutes ("NRS") and the Nevada Administrative Code ("NAC").
2. That the request was granted at the October 15, 2020 general session.
3. That on March 9, 2021, the Petitioner filed a second request with the authority to extend the period of temporary discontinuance of operations for the period of March 16, 2021, through September 16, 2021
4. That the Request on file herein comes within the purview of the statutes of the State of Nevada.

5. That the Authority has extended the discontinuance for a period of one year from the requested start date pursuant to a Deviation of NAC 706.356, Subsection 4, granted under Docket 21-02008 approved by the Authority at the March 4, 2021 general session.
6. That the Authority has reviewed all the records relating to this Petition and finds that granting the Request would be in the public interest.

Therefore, based upon the foregoing findings, it is hereby ORDERED that:

1. The Request of Johnny's Express, Inc. to temporarily discontinue operations authorized under CPCN 2181, Sub 2, is hereby GRANTED for the period March 16, 2021 through March 15, 2022, subject to the condition set forth in subparagraph 2 below.
2. Prior to resuming operations under CPCN 2181, Sub 2, submit to the Authority staff, on company letterhead, a request to resume operations, and:
 - a. Provide evidence of current vehicle liability insurance and Form E,
 - b. Ensure carrier has an approved safety plan on file with the Authority,
 - c. Provide a list of all current drivers,
 - d. Provide proof of enrollment in a random drug testing consortium and current enrollment list,
 - e. Provide a list of all current vehicles along with copies of current registrations and AVIRs,
 - f. Ensure all vehicles have current decals, and,
 - g. Pay all fines and fees due to the Authority.

///

///

///

///

///

///

///

3. The Authority retains jurisdiction for the purpose of correcting any errors that may have occurred in the drafting or issuance of this Order.

By the Authority,

Dawn Gibbons, Chairman

George Assad, Commissioner

David Newton, Commissioner

Attest: _____
Jennifer De Rose, Deputy Commissioner

Dated: _____
Las Vegas, Nevada

20-09022 Extension

State of Nevada
Department of Business and Industry
Nevada Transportation Authority



Request to Temporarily Discontinue Service

Company Name: Johnny's Express Inc

Address: 8009 Vista Del Rosa

City, State, Zip: Downey Ca 90240

CPCN: 2181

In accordance with NRS 706.341, the above named certificate holder would like to temporarily discontinue service, from 03/16/21 to 09/16/21. (Not to exceed 6 months)

This request is due to: Covid-19

OPERATIONS CONDUCTED BY THE REQUESTING CERTIFICATE HOLDER MUST CONTINUE UNTIL THE NEVADA TRANSPORTATION AUTHORITY ISSUES AN ORDER GRANTING A TEMPORARY DISCONTINUANCE OF SERVICE.

If you wish to resume operations prior to the end date of this request, you must first notify the Nevada Transportation Authority in writing, stating the date you intend to begin service, and provide proof of current insurance, and current tariffs, if applicable.



Signature of Certificate Holder

Johnny Miranda

Printed name of Certificate Holder

562-927-4649

Phone number Fax number

Mooknstuff@yahoo.com

Email Address

Submit both pages of this Request to:

Nevada Transportation Authority		
3300 West Sahara Avenue	or	1755 E Plumb Lane
Suite 200		Suite 229
Las Vegas, NV 89102		Reno, NV 89502

If you have any questions, please contact us at 702-486-3303, extension 66546.

Agenda Item#

71

BEFORE THE NEVADA TRANSPORTATION AUTHORITY

In the Matter of the Request of A&K Towing and)	
Recovery, Inc. to discontinue operations authorized	)	Docket 20-10018
under CPCN 7300, Sub 1 from March 10, 2021)	
through September 10, 2021.)	
_____)	

At a general session of the Nevada Transportation
Authority held on April 8, 2021.

PRESENT: Chairman Dawn Gibbons
Commissioner George Assad
Commissioner David Newton
Deputy Commissioner Jennifer De Rose

ORDER

The Nevada Transportation Authority ("Authority") makes the following findings of fact and conclusions of law:

1. That on October 13, 2020, Kenneth Morse, President of A&K Towing and Recovery, Inc. ("Petitioner") filed a Request, designated as Docket 20-10018, with the Authority to temporarily discontinue operations authorized under Certificate of Public Convenience and Necessity ("CPCN") 7300, Sub 1 for the period of October 11, 2020 through March 10, 2021. The Request was filed pursuant to Chapters 706 of the Nevada Revised Statutes ("NRS") and the Nevada Administrative Code ("NAC").
2. That the Request required retroactive approval.
3. That said request was granted at the November 19, 2020 General Session.
4. That on February 22, 2021, the Petitioner filed a second Request with the Authority to extend the period or temporary discontinuance for the period of March 10, 2021 through September 10, 2021.
5. That the Request on file herein comes within the purview of the statutes of the State of Nevada.

6. That the Authority has extended the discontinuance for a period of one year from the requested start date pursuant to a Deviation of NAC 706.356, Subsection 4, granted under Docket 21-02008 approved by the Authority at the March 4, 2021 general session.
7. That the Authority has reviewed all the records relating to this Petition and finds that granting the Request would be in the public interest.

Therefore, based upon the foregoing findings, it is hereby ORDERED that:

1. The Request of A&K Towing and Recovery, Inc. to temporarily discontinue operations authorized under CPCN 7300, Sub 1 is hereby GRANTED for the period March 10, 2021 through March 9, 2022.
2. Prior to resuming operations under CPCN 7300, Sub 1, submit to the Authority staff, on company letterhead, a request to resume operations, and:
 - a. Undergo an operational inspection by Authority Staff **PRIOR** to resuming said operations,
 - b. Provide evidence of current vehicle liability insurance and Form E,
 - c. Ensure carrier has an approved safety plan on file with the Authority,
 - d. Provide a list of all current drivers,
 - e. Provide proof of enrollment in a random drug testing consortium and current enrollment list,
 - f. Provide a list of all current vehicles along with copies of current registrations and AVIRs,
 - g. Ensure all vehicles have current decals, and
 - h. Pay all fines and fees due to the Authority.

///

///

///

///

///

3. The Authority retains jurisdiction for the purpose of correcting any errors that may have occurred in the drafting or issuance of this Order.

By the Authority,

Dawn Gibbons, Chairman

George Assad, Commissioner

David Newton, Commissioner

Attest: _____
Jennifer De Rose, Deputy Commissioner

Dated: _____
Las Vegas, Nevada

RECEIVED

FEB 22 2021

State of Nevada
Department of Business and Industry
Nevada Transportation Authority
Las Vegas, Nevada

Request to Temporarily Discontinue Service

Company Name: A&K Towing and Recovery, Inc

Address: 944 W. Main St

City, State, Zip: Elko, NV 89801

CPCN: 7300

In accordance with NRS 706.341, the above named certificate holder would like to temporarily discontinue service, from 03/10/2021 to 09/10/2021 (Not to exceed 6 months)

This request is due to: EXTEND TEMPORARY DISCONTINUANCE. NO BUSINESS

DUE TO COVID-19

OPERATIONS CONDUCTED BY THE REQUESTING CERTIFICATE HOLDER MUST CONTINUE UNTIL THE NEVADA TRANSPORTATION AUTHORITY ISSUES AN ORDER GRANTING A TEMPORARY DISCONTINUANCE OF SERVICE.

If you wish to resume operations prior to the end date of this request, you must first notify the Nevada Transportation Authority in writing, stating the date you intend to begin service, and provide proof of current insurance, and current tariffs, if applicable.

X *Kenneth R. Morse*
Signature of Certificate Holder

Kenneth R. Morse

Printed name of Certificate Holder

775-738-5554

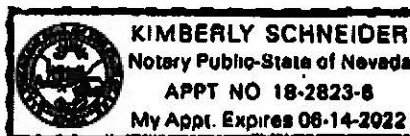
775-753-0909

Phone number

Fax number

Office @ Ziko A&K Towing, Com

Email Address



Submit both pages of this Request to:

Nevada Transportation Authority	
3300 West Sahara Avenue	or 1755 E Plumb Lane
Suite 200	Suite 229
Las Vegas, NV 89102	Reno, NV 89502

If you have any questions, please contact us at 702-486-3303, extension 66546.



Agenda Item#

72



NEAL TOMLINSON, ESQ., Bar No. 6851
ntomlinson@bhfs.com
KRISTINA R. KLEIST, ESQ., Bar No. 13520
kkleist@bhfs.com
BROWNSTEIN HYATT FARBER SCHRECK, LLP
100 North City Parkway
Suite 1600
Las Vegas, NV 89106-4614
Telephone: 702.382.2101
Facsimile: 702.382.8135

Attorneys for City on the Side, LLC

BEFORE THE NEVADA TRANSPORTATION AUTHORITY

In the Matter of the Application of City on
the Side, LLC for a certificate of public
convenience and necessity to provide
scenic tour service within Clark County,
Nevada

Docket No.: 19-07021

MOTION TO EXTEND COMPLIANCE PERIOD

City on the Side, LLC ("COTS" or "Applicant"), by and through legal counsel, hereby submits the following Motion to Extend Compliance Period ("Motion") for their Application seeking authority to provide scenic tour services within Clark County, Nevada. The compliance order was issued on August 4, 2020 and Applicant previously sought and was granted a 90-day extension.

This Motion is filed in good faith and is based primarily on the continuing impacts of the pandemic on the Las Vegas economy. Additionally, Mr. Kirkwood, Applicant's owner, has not yet had access to a vaccine. For personal health and safety, Mr. Kirkwood wishes to postpone commencing operations until such a time that he has been given the opportunity for full vaccination and until vaccine distribution has increased to the general public considering the proximity of driver and passenger on the sidecar vehicles of COTS' operations.

Accordingly, Applicant is seeking an additional one year extension. Applicant believes that operations will be able to commence prior to March 2022; however, several factors impact the ability to do so. First, as mentioned, Mr. Kirkwood wishes to receive his vaccine before relocating to Las Vegas. Second, tourism, and more generally convention tourism, has not yet begun to

1 rebound. While, it has been rumored that some conventions will return this fall, it is unlikely that
2 tourism will truly begin to return to normal until the end of the year or possibly early 2022.
3 Convention travelers will make up a large portion of Applicant's customers, as they do for many
4 businesses in Las Vegas.

5 Thus, out of an abundance of caution, Applicant respectfully requests the Authority grant
6 an additional one year extension of time to fulfill the conditions of the compliance order.

7 Submitted this 2nd day of March, 2021.

8 BROWNSTEIN HYATT FARBER SCHRECK, LLP
9

10 By: Kristina Kleist

11 NEAL TOMLINSON, ESQ., Bar No. 6851

12 ntomlinson@bhfs.com

13 KRISTINA R. KLEIST, ESQ., Bar No. 13520

14 kkleist@bhfs.com

15 100 North City Parkway, Suite 1600

16 Las Vegas, NV 89106-4614

17 *Attorneys for City on the Side, LLC*
18
19
20
21
22
23
24
25
26
27
28

Agenda Item#

73

BEFORE THE NEVADA TRANSPORTATION AUTHORITY

In Re: The voluntary cancellation of Certificate of)
Public Convenience and Necessity 7192, Sub 5) Docket 21-01011
issued to Vegas Valley Towing, LLC.)
_____)

At a general session of the Nevada Transportation
Authority held on April 8, 2021.

PRESENT: Chairman Dawn Gibbons
Commissioner George Assad
Commissioner David Newton
Deputy Commissioner Jennifer De Rose

ORDER

The Nevada Transportation Authority ("Authority") makes the following findings of fact and
conclusions of law:

1. That on June 28, 2016, the Authority issued Certificate of Public Convenience and Necessity
("CPCN") 7192, Sub 5 to Vegas Valley Towing, LLC authorizing the transportation service
specified below:

On-call, irregular route transportation of vehicles requiring tow
car service by tow car vehicle;

Between points and places within the State of Nevada.

2. That on January 13, 2021, Catherine Showler, owner of Vegas Valley Towing, LLC provided
notice to the Authority of the voluntary cancellation of CPCN 7192, Sub 5.
3. That the Petition on file herein comes within the purview of the statutes of the State of Nevada
and within the regulatory jurisdiction of the Authority.
4. That the Authority has reviewed all the records relating to this Petition and finds that granting
the Petition would be in the public interest.

///

Therefore, based upon the foregoing findings, it is hereby ORDERED that:

1. CPCN 7192, Sub 5 issued to Vegas Valley Towing, LLC is hereby CANCELLED.
2. The carrier is to immediately remove any and all markings indicating “CPCN 7192” from its vehicles and advertisements.
3. The Authority retains jurisdiction for the purpose of correcting any errors that may have occurred in the drafting or issuance of this Order.

By the Authority,

Dawn Gibbons, Chairman

George Assad, Commissioner

David Newton, Commissioner

Attest: _____
Jennifer De Rose, Deputy Commissioner

Dated: _____
Las Vegas, Nevada

21-01011

Department of Business and Industry
Nevada Transportation Authority



Request for Voluntary Cancellation of CPCN

In the matter of the request by Catherine Showler
Vegas Valley Towing, LLC to cancel Certificate of Public
Convenience and Necessity (CPCN) number: 7192, Sub 5

The above named carrier is no longer conducting operations or providing transportation
services authorized under CPCN 7192, Sub 5

Therefore, Catherine Showler, the authorized representative for
Vegas Valley Towing, LLC

requests that the Nevada Transportation Authority (NTA) cancel said Certificate
understanding that this is not a suspension or a temporary discontinuance of service,
but a **cancellation** and that in order to provide any transportation services in the future,
a new application will have to be filed and a new Certificate granted by the NTA.

Catherine Showler

Signature of Petitioner

Catherine Showler

Printed name of Petitioner

7582 Las Vegas Blvd S. # 239

Address

Las Vegas, NV 89123

702-813-9615 N/A

Phone number

Fax number

VegasValleyTowing@cox.net

Email address

INSTRUCTIONS:

1. Completely fill out the first page of this Voluntary Cancellation Request.
2. Briefly explain the reason you are requesting a cancellation of your certificate:

Loss of lease and downturn of business
due to pandemic - not feasible to
operate.

3. Have you removed all markings (name and CPCN number) from the vehicles?



Yes, they were removed on 10/3/20.



No, I will remove them no later than _____.

4. Complete the OATH page and have notarized.
5. Enclose/attach all vehicle decals and/or tow/taxi plates.
6. File all three pages of this Request (with all tow/taxi plates and/or decals) and mail or deliver to either of our office locations:

Nevada Transportation Authority

3300 West Sahara Avenue
Suite 200
Las Vegas, NV 89102

OR

1755 E Plumb Lane
Suite 229
Reno, NV 89502

There is no fee for filing a Voluntary Cancellation Request. If you have any questions, please contact us at 702 486-3303.

Agenda Item#

74

BEFORE THE NEVADA TRANSPORTATION AUTHORITY

In Re: The Petition of J & N Enterprises, LLC d/b/a)
Silver State Towing of Northern Nevada for) Docket 21-01018
approval to add a fictitious name to do business as)
Silver State Towing for operations conducted under)
CPCN 7183, Sub 1.)
_____)

At a general session of the Nevada Transportation
Authority held on April 8, 2021.

PRESENT: Chairman Dawn Gibbons
Commissioner George Assad
Commissioner David Newton
Deputy Commissioner Jennifer De Rose

COMPLIANCE ORDER

The Nevada Transportation Authority ("Authority") makes the following findings of fact and conclusions of law:

1. That on June 10, 2014, the Authority issued Certificate of Public Convenience and Necessity ("CPCN") 7183, Sub 1, to J & N Enterprises, LLC d/b/a Silver State Towing of Northern Nevada ("Petitioner") to provide consent and non-consent tow car service within the State of Nevada.
2. That on January 20, 2021, the Petitioner filed a Petition to Change Name seeking to add a second fictitious name to do business as Silver State Towing for operations conducted under CPCN 7183, Sub 1 . Said Petition was designated as 21-01018.
3. That the adding of the second fictitious name does not involve a change in the location or management of the Petitioner.
4. That granting the requested name change will be consistent with the public interest and will not operate to defeat the legislative policy set forth in Nevada Revised Statute ("NRS") 706.151.

///

Therefore, based upon the foregoing findings, it is ORDERED that:

1. The approval of the request of the Petitioner seeking authority to do business as Silver State Towing for operations conducted under CPCN 7183, Sub 1 is hereby **GRANTED**.
2. CPCN 7183, Sub 1, issued to J & N Enterprises, LLC d/b/a Silver State Towing of Northern Nevada shall be CANCELLED, and a new CPCN to be designated as **CPCN 7183, Sub 2**, shall be issued to J & N Enterprises, LLC d/b/a Silver State Towing of Northern Nevada, d/b/a Silver State Towing authorizing transportation in intrastate commerce as follows:

On-call irregular route transportation of vehicles requiring tow car service by tow car vehicle;

Between points and places within the State of Nevada.

3. Before issuance of the Certificate referred to hereinabove, the Petitioner shall be required to file for approval by the Authority Staff, a tariff that includes a description of the authority granted, CPCN number, name, and address.
4. The Deputy Commissioner of the Authority is authorized to issue the CPCN referred to hereinabove.

///

///

///

///

///

///

///

///

5. The Authority retains jurisdiction for the purpose of correcting any errors that may have occurred in the drafting or issuance of this Order.

By the Authority,

Dawn Gibbons, Chairman

George Assad, Commissioner

David Newton, Commissioner

Attest: _____
Jennifer De Rose, Deputy Commissioner

Dated: _____
Las Vegas, Nevada

STATE OF NEVADA
Department of Business and Industry
Transportation Authority
Compliance Division

Investigation Checklist for Change of Name

DOCKET NO: 21-01018		CPCN: 7183.1
COMPANY NAME: J & N ENTERPRISES, LLC dba SILVER STATE TOWING OF NORTHERN NEVADA		
INVESTIGATOR: M. BURTON		DATE ASSIGNED: 01/28/21
APPLICANT NAME: RICHARD NELSON FLANDERS		
DOMICILE ADDRESS: 1463 SOUTHGATE DRIVE		
CITY: GARDNERVILLE	STATE: NV	ZIP CODE: 89410
OLD NAME: J & N ENTERPRISES, LLC dba SILVER STATE TOWING OF NORTHERN NEVADA		
NEW NAME: J & N ENTERPRISES, LLC dba SILVER STATE TOWING OF NORTHERN NEVADA dba SILVER STATE TOWING		
REASON FOR CHANGE: ADDING DBA		

	YES	NO
Has Applicant's business structure/ownership changed from what is currently on file with the NTA? If so, attach as Exhibit		X
Has the Applicant submitted new insurance filings with the NTA reflecting the name change under the "Insured," category, and the certificate holder as the NTA at the Las Vegas office? Exhibit B	X	
Provide a new tariff reflecting the name change to the Financial Analyst. Exhibit C	X	
Do tow invoices, charter orders, manifests or Bill of Lading reflect the name change? Exhibit D	X	
Provide copy of the Fictitious Firm Name filing(s). Exhibit E	X	
Has the Applicant provided documentation from the Office of the Secretary of State reflecting the name change? Exhibit F	X	
Current Fleet List Exhibit G	X	
Picture of vehicle markings Exhibit H	X	

EXHIBITS	
A	APPLICATION
B	INSURANCE
C	TARIFF
D	TOW BILL
E	FICTITIOUS FIRM NAME FILING
F	SECRETARY OF STATE FILING
G	CURRENT FLEET LIST
H	PICTURE

COMPLIANCE ITEMS	
1	
2	

INVESTIGATOR: <i>M. Burton</i>	DATE: <i>2/17/21</i>
REVIEWED BY SUPERVISOR: <i>Rene R...</i>	DATE: <i>2/18/21</i>
REVIEWED BY FINANCIAL ANALYST: <i>Application MGR</i>	DATE: <i>2-22-21</i>

Agenda Item#

75

BEFORE THE NEVADA TRANSPORTATION AUTHORITY

In Re: The Petition of Karo Transportation, LLC)
d/b/a Crown Las Vegas for approval to change their) Docket 21-02002
fictitious name to do business as LV Limo Coach for)
operations conducted under CPCN 2177.)
_____)

At a general session of the Nevada Transportation
Authority held on April 8, 2021.

PRESENT: Chairman Dawn Gibbons
 Commissioner George Assad
 Commissioner David Newton
 Deputy Commissioner Jennifer De Rose

COMPLIANCE ORDER

The Nevada Transportation Authority ("Authority") makes the following findings of fact and conclusions of law:

1. That on November 5, 2014, the Authority issued Certificate of Public Convenience and Necessity ("CPCN") 2177, to Karo Transportation, LLC d/b/a Crown Las Vegas ("Petitioner") to provide charter bus service within the State of Nevada.
2. That on February 2, 2021, the Petitioner filed a Petition to Change Name seeking to change their fictitious name to do business as LV Limo Coach for operations conducted under CPCN 2177. Said Petition was designated as 21-02002.
3. That the changing of the fictitious name does not involve a change in the location or management of the Petitioner.
4. That granting the requested name change will be consistent with the public interest and will not operate to defeat the legislative policy set forth in Nevada Revised Statute ("NRS") 706.151.

///

Therefore, based upon the foregoing findings, it is ORDERED that:

1. The approval of the request of the Petitioner seeking authority to do business as LV Limo Coach for operations conducted under 2177 is hereby **GRANTED**.
2. CPCN 2177, issued to Karo Transportation, LLC d/b/a Crown Las Vegas shall be CANCELLED, and a new CPCN to be designated as **CPCN 2177, Sub 1**, shall be issued to Karo Transportation, LLC d/b/a LV Limo Coach authorizing transportation in intrastate commerce as follows:

Operate as a passenger carrier to provide intrastate charter bus service between points and places within the State of Nevada.

RESTRICTIONS:

The carrier may not state or stand a vehicle at any location except while currently chartered or awaiting a preexisting charter client (a client with a confirmed reservation prior to the vehicle's initial arrival at the location). No transportation services may be provided through "kellying" or on a walk-up basis.

3. Before issuance of the Certificate referred to hereinabove, the Petitioner shall be required to file for approval by the Authority Staff, a tariff that includes a description of the authority granted, CPCN number, name, and address.
4. The Deputy Commissioner of the Authority is authorized to issue the CPCN referred to hereinabove.

///

///

///

///

///

///

///

///

5. The Authority retains jurisdiction for the purpose of correcting any errors that may have occurred in the drafting or issuance of this Order.

By the Authority,

Dawn Gibbons, Chairman

George Assad, Commissioner

David Newton, Commissioner

Attest: _____
Jennifer De Rose, Deputy Commissioner

Dated: _____
Las Vegas, Nevada

STATE OF NEVADA
Department of Business and Industry
Transportation Authority
Compliance Division

Investigation Checklist for Change of Name

DOCKET NO: 21-02002		CPCN: 2177
COMPANY NAME: Karo Transportation, LLC dba Crown Las Vegas		
INVESTIGATOR: WOODS		DATE ASSIGNED: 3/01/2021
APPLICANT NAME: Ofir Karo		
DOMICILE ADDRESS: 3111 South Valley View Blvd # A-221		
CITY: Las Vegas	STATE: NV	ZIP CODE: 89102
OLD NAME: Karo Transportation, LLC dba Crown Las Vegas		
NEW NAME: Karo Transportation, LLC dba LV Limo Coach		
REASON FOR CHANGE: Conflict in Name		

	YES	NO
Has Applicant's business structure/ownership changed from what is currently on file with the NTA? If so, attach as Exhibit		X
Has the Applicant submitted new insurance filings with the NTA reflecting the name change under the "Insured," category, and the certificate holder as the NTA at the Las Vegas office? Exhibit B	X	
Provide a new tariff reflecting the name change to the Financial Analyst. Exhibit C	X	
Do tow invoices, charter orders, manifests or Bill of Lading reflect the name change? Exhibit D	X	
Provide copy of the Fictitious Firm Name filing(s). Exhibit E	X	
Has the Applicant provided documentation from the Office of the Secretary of State reflecting the name change? Exhibit F	N/A	

EXHIBITS	
A	APPLICATION
B	INSURANCE
C	TARIFF
D	CHARTER ORDER/TOW BILL/BILL OF LADING
E	FICTITIOUS FIRM NAME FILING

COMPLIANCE ITEMS	
1	TARIFF
2	BUSINESS LICENSE (If applicable)
3	CURRENT FLEET LIST FOR CARRIER
4	PHOTOS OF VEHICLES TO ENSURE THEY ARE PROPERLY MARKED

INVESTIGATOR: WOODS	DATE: 3/2/21
REVIEWED BY SUPERVISOR: <i>[Signature]</i>	DATE: 3/9/21
REVIEWED BY FINANCIAL ANALYST: <i>[Signature]</i>	DATE: 3/12/21

Agenda Item#

76

**Draft Order updated after
initial posting but prior to
meeting.**

BEFORE THE NEVADA TRANSPORTATION AUTHORITY

In Re: The Application of Sin City BJ, LLC d/b/a)
Zippy Shell of Las Vegas, d/b/a Zippy Shell for a) Docket 20-12018
warehouse permit to engage in the permanent)
storage of household goods and effects within the)
State of Nevada.)
_____)

At a general session of the Nevada Transportation
Authority held on April 8, 2021.

PRESENT: Chairman Dawn Gibbons
Commissioner George Assad
Commissioner David Newton
Deputy Commissioner Jennifer De Rose

COMPLIANCE ORDER

The Nevada Transportation Authority ("Authority") makes the following findings of fact
and conclusions of law:

1. That on December 17, 2020, an Application designated as Docket 20-12018 was filed
with the Authority by Sin City BJ, LLC d/b/a Zippy Shell of Las Vegas, d/b/a Zippy
Shell ("Applicant") seeking authority for a warehouse permit to engage in the permanent
storage of household goods and effects at a facility located at 882 American Pacific Dr,
Suite C, Henderson, Nevada 89014.
2. Based on a review of all the records relating to the application and after investigation:
 - a. The Application on file herein comes within the purview of the statutes of the State of
Nevada and within the regulatory jurisdiction of the Authority.
 - b. The Applicant meets the requirements set forth in Nevada Revised Statute ("NRS")
712.050 for the issuance of a warehouse permit and granting the Application on file
herein would be in the public interest.

Therefore, based upon the foregoing findings, it is ORDERED that:

1. Upon full compliance with the conditions of this Order, a Warehouse Permit shall be issued to Sin City BJ, LLC d/b/a Zippy Shell of Las Vegas, d/b/a Zippy Shell for their facility located at 882 American Pacific Dr, Suite C, Henderson, Nevada 89014.
2. Before issuance of the above-referenced Permit, the Applicant shall be required to:
 - a. Avoid material changes in any condition relied upon by the Authority in its determination of financial fitness and immediately report to Authority Staff any such material changes, should they occur.
 - b. File with the Authority evidence of insurance (Form H) in the Applicant's name,
 - c. File with the Authority the necessary insurance (Certificate of Insurance) describing the liability limits for the warehouse in the required amount, \$1,215,240.
 - d. Pay the permit fee to the Authority.

///

///

///

///

///

///

///

///

///

///

3. The Authority retains jurisdiction for the purpose of correcting any errors that may have occurred in the drafting or issuance of this Order.

By the Authority,

Dawn Gibbons, Chairman

George Assad, Commissioner

David Newton, Commissioner

Attest: _____
Jennifer De Rose, Deputy Commissioner

Dated: _____
Las Vegas, Nevada

**Initial draft of supporting
material at time of website
posting.**

BEFORE THE NEVADA TRANSPORTATION AUTHORITY

In Re: The Application of Sin City BJ, LLC d/b/a)
Zippy Shell of Las Vegas, d/b/a Zippy Shell for a) Docket 20-12018
warehouse permit to engage in the permanent)
storage of household goods and effects within the)
State of Nevada.)
_____)

At a general session of the Nevada Transportation
Authority held on April 8, 2021.

PRESENT: Chairman Dawn Gibbons
Commissioner George Assad
Commissioner David Newton
Deputy Commissioner Jennifer De Rose

COMPLIANCE ORDER

The Nevada Transportation Authority ("Authority") makes the following findings of fact
and conclusions of law:

1. That on December 17, 2020, an Application designated as Docket 20-12018 was filed
with the Authority by Sin City BJ, LLC d/b/a Zippy Shell of Las Vegas, d/b/a Zippy
Shell ("Applicant") seeking authority for a warehouse permit to engage in the permanent
storage of household goods and effects at a facility located at 882 American Pacific Dr,
Suite C, Henderson, Nevada 89014.
2. Based on a review of all the records relating to the application and after investigation:
 - a. The Application on file herein comes within the purview of the statutes of the State of
Nevada and within the regulatory jurisdiction of the Authority.
 - b. The Applicant meets the requirements set forth in Nevada Revised Statute ("NRS")
712.050 for the issuance of a warehouse permit and granting the Application on file
herein would be in the public interest.

Therefore, based upon the foregoing findings, it is ORDERED that:

1. Upon full compliance with the conditions of this Order, a Warehouse Permit shall be issued to Sin City BJ, LLC d/b/a Zippy Shell of Las Vegas, d/b/a Zippy Shell for their facility located at 882 American Pacific Dr, Suite C, Henderson, Nevada 89014.
2. Before issuance of the above-referenced Permit, the Applicant shall be required to:
 - a. Avoid material changes in any condition relied upon by the Authority in its determination of financial fitness and immediately report to Authority Staff any such material changes, should they occur.
 - b. Pay the permit fee to the Authority.
3. The Authority retains jurisdiction for the purpose of correcting any errors that may have occurred in the drafting or issuance of this Order.

By the Authority,

Dawn Gibbons, Chairman

George Assad, Commissioner

David Newton, Commissioner

Attest: _____
Jennifer De Rose, Deputy Commissioner

Dated: _____
Las Vegas, Nevada

**STATE OF NEVADA
TRANSPORTATION AUTHORITY
BACKGROUND INVESTIGATION FOR WAREHOUSE PERMIT**

DOCKET NUMBER: 20-12018	DATE APPLICATION RECEIVED BY NTA: 12/17/20
APPLICANT: Brian Linsey	TITLE: Owner
COMPANY NAME: Sin City BJ, LLC d/b/a Zippy Shell of Las Vegas, Zippy Shell	
ADDRESS: 882 American Pacific Dr. Ste C, Henderson, NV 89014	
PHONE NUMBERS: 702-525-4111	
INVESTIGATOR: K. Rayson	DATE ASSIGNED: 12/18/2020

Attach completed Application Oath page as Exhibit A	Exhibit A
--	----------------------

IDENTIFY OWNERSHIP STRUCTURE OF THE PROPOSED OPERATIONS					
Corporation		LLC	X	Partnership	
				Sole Proprietorship	

Identify each owner and their percentage of ownership: Brian Linsey – 70% James Schrecengost 30%

Attach as an exhibit, appropriate proof of ownership interest where applicable	Exhibit B
--	----------------------

Briefly describe the responsibilities of each owner, (i.e. driver, operational manager, mechanic, bookkeeper, financial backing only, etc): Brian Linsey – Oversees hiring and firing, maintaining the scheduling James Schrecengost – Oversees Safety (Including OSHA compliance), vehicle maintenance and accounting.
--

Will the Applicant be operating under fictitious firm name:	YES	X	NO	
---	-----	---	----	--

If the Applicant will be operating under a fictitious firm name, attach a copy of their certificate	Exhibit C
---	----------------------

Warehouse Location: 882 American Pacific Dr. Ste C Henderson, NV 89014

Has NTA Staff conducted a visual inspection of the Warehouse?	YES	X	NO	
Were there any issues of concern?	YES		NO	X

Attach the Warehouse Facility Inspection Report	Exhibit D
---	----------------------


 ENTERED
 3/11/21
 DT

Is the warehouse property suitable for the storage of HHG and effects? Properly Zoned?	YES	X	NO	
---	-----	---	----	--

Attach copy of business licenses, as an Exhibit	Exhibit E
---	--------------

Has an operational fire inspection been conducted of the warehouse?	YES	X	NO	
---	-----	---	----	--

Attach a copy of current Annual Operational Fire Permit as an Exhibit.	Exhibit F
--	--------------

Has the Applicant provided proof of financial ability with the Financial Analyst?	YES		NO	
---	-----	--	----	--

Is the Applicant familiar with Nevada statutes and administrative codes governing the storage of household goods and effects?	YES	X	NO	
---	-----	---	----	--

Does the Applicant have proof of the necessary liability insurance coverage against fire, theft, loss and damage in accordance with NRS 712.050 for stored property and effects?	YES	X	NO	
--	-----	---	----	--

Attach the Warehouse Permit Formula showing Insurance Limit Requirements and Copy of Insurance Quote	Exhibit G
--	--------------

Are the company records maintained at the warehouse?	YES	X	NO	
--	-----	---	----	--

If not, provide location:	
---------------------------	--

COMPLIANCE ITEMS	
1	File with the Authority evidence of insurance (Form H) in the Applicant's name.
2	File with the Authority the necessary insurance (Certificate of Insurance), describing liability limits for Warehouse
3	Copy of Warehouse Permit Formula w/Warehouse Diagram
4	Pay Permit Fee

INVESTIGATOR: <i>[Signature]</i>	DATE: 3/5/21
REVIEWED BY SUPERVISOR: <i>[Signature]</i>	DATE: 3/5/21
REVIEWED BY APPLICATION MANAGER: <i>[Signature]</i>	DATE: 3/11/21

Agenda Item#

77

21-02007



STATE OF NEVADA
DEPARTMENT OF BUSINESS AND INDUSTRY
NEVADA TRANSPORTATION AUTHORITY

IN THE MATTER of the Petition of Lyft, Inc.
for an application for Advisory Opinion
pursuant to NAC 706A.650 *Declaratory
orders and advisory opinions: Petition;
hearing* concerning the interpretation of NAC
706A.320.

Docket No.

**LYFT, INC.'S PETITION FOR ADVISORY OPINION FROM
THE NEVADA TRANSPORTATION AUTHORITY**

Petitioner Lyft, Inc. ("Lyft"), a Transportation Network Company pursuant to Chapter 706A of the Nevada Revised Statute ("TNC"), hereby applies by Petition to the Nevada Transportation Authority ("NTA") for an Advisory Opinion concerning the interpretation of regulation NAC 706A.320. This Petition for Advisory Opinion is made pursuant to NAC 706A.650 *Declaratory orders and advisory opinions: Petition; hearing*. In support of this Petition, Lyft states as follows:

I. Introduction

Lyft, a TNC operating in Nevada pursuant to Certificate No. TNC 0001.2, moves for an advisory opinion that paying safety operators of autonomous vehicles using a TNC platform through the third-party owner of the autonomous vehicle falls within the requirements of Nevada's regulation that drivers on TNC platforms cannot accept compensation for their transportation services "from any person except the transportation network company." NAC 706A.320.

Lyft runs a digital ride-hailing platform which connects passengers to drivers operating conventional motor vehicles who can provide transportation services to the passenger. Motional, Inc. ("Motional") owns and operates autonomous vehicles ("AV"). Lyft has partnered with

Motional to develop and run an autonomous vehicle pilot program (the “AV Pilot Program”) in Las Vegas wherein Motional’s AVs and safety operators can complete rides requested through Lyft’s platform.

This partnership is permitted and even encouraged by Nevada law¹, yet the regulations that govern it were not created with a program of this sort in mind. This raises the possibility of interpretations of the regulations that conflict with the program structure. So, while Lyft believes that its AV Pilot Program is in compliance with applicable regulations, and while the program clearly furthers the intent of Nevada and its Legislature, an advisory opinion is needed to ensure Lyft’s ability to operate its AV Pilot Program.

II. The AV Pilot Program

Under the AV Pilot Program, Motional is operating approximately ten AVs on the Lyft ride-hailing platform. Passengers who request a ride through the Lyft platform will have the option, under certain circumstances, of selecting an autonomous vehicle from Motional in addition to the option of a conventional rideshare vehicle. The availability of Motional AVs depends on several variables including the location of the pickup, the destination of the passenger, the passenger’s history of using the Lyft rider mobile app, and the location and status

¹ During a hearing on Assembly Bill 69 which authorized the use of autonomous vehicles to transport persons or property, including through a TNC platform, it was made clear the intent behind the bill was to “reestablish Nevada as a leader in autonomous vehicles,” in order to “provide access to the benefits we see from this industry.” See Exhibit 1, *Minutes of the Meeting of the Assembly Committee on Transportation, Seventy-Ninth Session*, March 23, 2017 at pgs. 8–9. Those benefits include “increased passenger safety,” as well as “a reduction in road congestion,” a growth of jobs associated with the industry, and “environmental benefit[s].” *Id.* at 9. The bill passed not only Nevada’s law regarding AVs, it also specifically addressed their use through TNC platforms. The intent was “to allow for commercial operations using fully autonomous vehicles to transport passengers and cargo. That is the overarching goal of the remainder of this bill.” *Id.* at 30. Part of the bill specified that it would “not preclude these companies from partnering together to provide these services as a whole” just as Lyft and Motional are now doing. *Id.* at 31.

of the Motional autonomous vehicle fleet. The AV Pilot Program began nearly three years ago, and Motional in partnership with Lyft has delivered well over 100,000 rides, with 98% of passengers awarding their rides a five-star rating.

Where an AV from Motional is selected by the passenger, the AV will have two individuals in the front seats of the vehicle serving as operators for the AV. The two operators are Motional employees and have specialized training as AV operators including tracking the AV functions, monitoring the AV status, and intervening in AV operation for safety reasons when appropriate. Examples of Motional AV operator training include defensive driving, driver fatigue awareness, vehicle dynamics, AV behavior awareness, AV sensor training, and takeover procedures, further distinguishing these operators from drivers engaged in traditional ridesharing activities through a TNC platform. In addition, the AV operators ensure passengers safely enter and exit the AV and prepare it for the next passengers. The operator in the driver's seat of the AV serves as the safety operator—if the AV, while in self-driving mode, requires human intervention, the safety operator is responsible for taking control of the vehicle. The operator in the passenger's seat monitors the self-driving system, logs events occurring during operation of the AV, and otherwise serves as a backup to the other safety operator. The Motional safety operators, in addition to the safety training described above, undergo the same application and screening protocols prior to being placed on the Lyft platform as any other Lyft drivers in Nevada. Nevertheless, their role as operators of self-driving vehicles is distinct from the role of a typical rideshare driver on the Lyft platform.

III. Pay Structure

All operators used in Motional's AVs are W-2 employees of Motional and receive standard full-time employee salaries and benefits. The safety operator is registered as a driver through the Lyft platform and is included on driver lists provided to the NTA pursuant to NAC

706A.180.2. Lyft collects fares from passengers who utilize the Lyft platform, using a similar process for both conventional and Motional AV rides. Where a Motional AV is selected through the Lyft platform, Lyft remits a portion of the fees collected from the passenger to Motional, minus taxes, regulatory fees, tolls, and other charges as permitted by Lyft's terms of service. Lyft tracks payments derived from Motional AV rides separately within Lyft's accounts. Motional tracks payments derived from the Lyft platform and remitted to Motional by Lyft in a separate budget within Motional. Motional assigns a specific pay code to this Lyft fare budget, and this code triggers a deduction from this budget when running payroll for its AV safety operators.

IV. The Nevada Legislature encourages Autonomous Vehicles in Nevada and partnership with TNCs.

In 2017, the Nevada Legislature passed, and the Governor signed, Assembly Bill 69 ("AB 69") which overhauled autonomous vehicle legislation in Nevada. There were several reasons for this overhaul: First, in 2011, when Nevada first adopted legislation on autonomous vehicles, Nevada was a leader in the AV industry. *See Exhibit 1, Minutes of the Meeting of the Assembly Committee on Transportation, Seventy-Ninth Session, March 23, 2017 at pg. 8.* By 2017, the AV industry had outpaced Nevada's 2011 legislation, so AB 69 was intended "to reestablish Nevada as a leader in autonomous vehicles." *Id.* Second, in 2011, TNCs were not in existence in Nevada, so the 2011 legislation did not take into account the possibility of using autonomous vehicles in a TNC setting. *Id.* at pg. 9. AB 69 allowed TNCs to use AVs in their network. The overarching goal was to bring Nevada back to the forefront as an R&D hub for the nascent AV industry, including allowing AVs to be utilized in conjunction with TNCs. *Id.* at pg. 34.

In fact, NRS 706B.110(4) specifically states that nothing in that particular chapter should be construed to prohibit autonomous vehicle companies "from collaborating to provide

transportation services with any other person authorized to provide such services pursuant to this chapter or chapter 706 or 706A of NRS.” And while, as explained below, neither Lyft nor Motional are autonomous vehicle companies that fall under the purview of 706B, the AV Pilot Program falls within the legislative intent of growing the AV industry in Nevada and utilizing AVs in transportation networks. These principles fueled the partnership between Lyft and Motional and originally attracted Lyft to deploy the AV Pilot Program in Nevada rather than another state.

V. The Proposed Pay Structure Provides for Payment to Drivers from Lyft through Motional.

NAC 706A.320 prohibits a TNC driver from accepting “any form of compensation for transportation services from any person *except the transportation network company*” (emphasis added). This regulation addresses concerns repeatedly brought up with regard to the possible abuse of transportation networks through cash rides, kellying, and kick-backs. *See Nevada Transportation Authority*, July 16, 2015 Workshop (Minutes with link to video attached at Exhibit 2). During the July 16, 2015 Workshop discussing the adoption of regulations that now make up NAC Chapter 706A, comments were addressed regarding the possibility of “drivers taking matters into their own hands” by conducting operations outside the app. *Id.* The NTA’s Commissioners recognized that not only was this a concern, but it was also a concern for TNCs who would receive no benefit from cash rides. *Id.* Without NAC 706A.320 drivers would be permitted to obtain compensation directly from passengers, and nothing would prevent a driver from using a TNC logo on his or her car and picking up passengers as a TNC driver without ever utilizing the respective TNC’s platform. To eliminate that possibility, Nevada’s regulations require that TNC drivers be paid by the TNC. The regulations also eliminate the possibility that

TNC drivers could receive remuneration in the form of kick-backs from Nevada businesses (e.g., entertainment venues) in exchange for steering passengers to such businesses.

Here, the compensation accepted by Motional's safety operators for AV rides facilitated by the Lyft platform is entirely consistent with the purpose and spirit of Nevada's statutory framework and the NTA's regulations. As explained above, the safety operators in Motional's AVs used in the AV Pilot Program are Motional employees. They are also registered with Lyft as Lyft drivers. As drivers, they in effect are paid by Lyft for the transportation services they provide Lyft passengers. These payments are made through Motional which, as its budgeting documents show, effectively pays the operators the fees earned through the Lyft platform, plus their salaries from Motional. The safety operators do not receive compensation from any other sources. The compensation paid to the safety operators by Motional beyond that received by Motional from Lyft is based upon their specialized training, knowledge and expertise with AVs as well as their responsibilities in tracking and monitoring AV functionality on behalf of Motional.

Lyft does not retain any funds from Motional AV fares other than those needed for payment of taxes, regulatory fees, tolls, and third-party fees—just as it would withhold such expenses for drivers on the Lyft platform using conventional vehicles. Motional also effectively does not retain any of the fees paid to it by Lyft as compensation to its safety operators outside of those required by law, such as payroll taxes. This compensation set-up provides a benefit to the safety operators who are paid through a single source. Additionally, the safety operators are required to utilize the Lyft platform in order to provide AV transportation services to passengers and be compensated for those services. The compensation structure does not permit safety operators to provide transportation services outside of the Lyft platform while performing their duties as Motional employees, nor does it permit safety operators to receive cash compensation

from passengers. The concerns which led to the addition of NAC 706A.320 are obviated with the AV Pilot Program payment structure described above.

VI. Though Not Required to Be Permitted Under 706B, The Same Reasoning Behind that Legislation Should Apply

NRS Chapter 706B lays out a framework of statutes for operating an Autonomous Vehicle Network Company (AVNC) or a combination AVNC and TNC. However, chapter 706B applies only where the autonomous vehicle will be “fully autonomous.” NRS 706B.040. This includes only “vehicles equipped with an automated driving system which is designed to function at a level of driving automation of level 4 or 5.” NRS 482A.036. Yet, “autonomous vehicle[s]” includes vehicles at a level 3 driving automation. NRS 482A.030. The distinction with these levels is that at level 3, a safety operator is required to be in the vehicle—the vehicle is not considered fully autonomous. Exhibit 1 at pg. 13. Level 3 is the automation level of the Motional AVs in the AV Pilot Program because while they operate autonomously, they are not designed to operate without a safety operator (as subsequent generations of Motional’s autonomous driving software are designed to). So while the AVs are autonomous vehicles, they are not yet fully autonomous and thus do not fall under Chapter 706B.

Yet, the disconnect between the TNC driver pay requirements found in 706A and the use of autonomous vehicles recognized in AB 69 still exists at level 3 driving automation. AB 69 recognized that the operators in autonomous vehicles were not drivers as contemplated by Chapter 706A, thus NAC 482A.020 uses the term “operators” rather than drivers. *Id.* at pgs. 30, 45. It recognized that operators of autonomous vehicles are not analogous to drivers of conventional vehicles. This distinction is important for Lyft’s purposes to illustrate that the melding of these two technologies—conventional vehicles and autonomous vehicles—under the TNC umbrella creates operational distinctions that were not contemplated at the time regulations

were drafted. For this reason, NAC 706B specifically grants the NTA the ability to deviate from the regulations for good cause. NAC 706B.105 (“The Authority will and the presiding officer shall allow deviation from the provisions of this chapter, if good cause for deviation appears.”)

But, because the AV Pilot Program does not fall under 706B, these distinctions do not exist in NRS Chapter 706A or its accompanying regulations. Since Chapter 706A was implemented in 2015, two years before Nevada updated its laws on AVs and implemented Chapter 706B, there is an incongruity in the interpretation of NAC 706A when applied to AVs which were not contemplated at the time NAC 706A was adopted. Nevertheless, the interpretation of NAC Chapter 706A should take into consideration subsequent legislative action related to the developing AV industry that were specifically addressed in AB 69 which updated Nevada’s law on AVs and created Chapter 706B. The intent and framework of the legislation passed in AB 69 should inform the interpretation of NAC 706A.320 when used to pay operators of AVs.

Ultimately, the AV Pilot Program is the proverbial toe in the water of autonomous vehicles used in conjunction with TNCs as was contemplated by the Legislature. It tests an initial form of automation with the benefit of a safety operator behind the wheel transporting passengers utilizing the TNC platform. While NAC 706A.320 did not foresee this exact scenario when requiring that payment to drivers be made by the TNC, at the time of its drafting, Nevada had not expanded its legislation on autonomous vehicles. Nonetheless, the AV Pilot Program’s pay structure remains true to the intent behind the TNC regulation and the legislation on autonomous vehicles that has been passed since.

For those reasons, Lyft believes the AV Pilot Program and its payment structure not only fall squarely within the bounds of NAC 706A.320, but also furthers Nevada’s goal of expanding AV technology. Therefore, Lyft respectfully requests an advisory opinion holding that the

aforementioned payment structure is consistent with the applicable statutory and regulatory provisions set forth above.

DATED this 11th day of March, 2021.

KAEMPFER CROWELL

BY:



Severin A. Carlson, (SBN 9373)
Sihomara L. Graves (SBN 13239)
50 W. Liberty Street, Suite 700
Reno, Nevada 89501
Telephone: 775-852-3900
Fax: 775-327-2011
scarlson@kcnvlaw.com
sgraves@kcnvlaw.com

On behalf of Lyft, Inc.

EXHIBIT INDEX

EXHIBIT	DESCRIPTION	PAGES
1	Minutes of the Meeting of the Assembly Committee on Transportation, Seventy-Ninth Session, March 23, 2017	53
2	Minutes of the Nevada Transportation Authority, July 16, 2015 Workshop	6

EXHIBIT 1

**Minutes of the Meeting of the Assembly Committee on
Transportation, Seventy-Ninth Session, March 23, 2017**

**MINUTES OF THE MEETING
OF THE
ASSEMBLY COMMITTEE ON TRANSPORTATION**

**Seventy-Ninth Session
March 23, 2017**

The Committee on Transportation was called to order by Chairman Richard Carrillo at 3:19 p.m. on Thursday, March 23, 2017, in Room 3143 of the Legislative Building, 401 South Carson Street, Carson City, Nevada. The meeting was videoconferenced to Room 4406 of the Grant Sawyer State Office Building, 555 East Washington Avenue, Las Vegas, Nevada. Copies of the minutes, including the Agenda ([Exhibit A](#)), the Attendance Roster ([Exhibit B](#)), and other substantive exhibits, are available and on file in the Research Library of the Legislative Counsel Bureau and on the Nevada Legislature's website at www.leg.state.nv.us/App/NELIS/REL/79th2017.

COMMITTEE MEMBERS PRESENT:

Assemblyman Richard Carrillo, Chairman
Assemblywoman Ellen B. Spiegel, Vice Chair
Assemblywoman Shannon Bilbray-Axelrod
Assemblyman John Ellison
Assemblyman Ozzie Fumo
Assemblyman Richard McArthur
Assemblywoman Daniele Monroe-Moreno
Assemblyman Michael C. Sprinkle
Assemblyman Justin Watkins
Assemblyman Jim Wheeler

COMMITTEE MEMBERS ABSENT:

Assemblywoman Melissa Woodbury (excused)

GUEST LEGISLATORS PRESENT:

None

STAFF MEMBERS PRESENT:

Jann Stinnesbeck, Committee Policy Analyst
Joan Waldock, Committee Secretary
Trinity Thom, Committee Assistant

Minutes ID: 582



OTHERS PRESENT:

Jude Hurin, Administrator, Division of Management Services and Programs,
Department of Motor Vehicles
Pete Vander Aa, Program Administrator, Program for the Education of Motorcycle
Riders, Office of Traffic Safety, Department of Public Safety
Erin Breen, Director, Vulnerable Road Users Project, Safe Community Partnership
Program, Transportation Research Center, University of Nevada, Las Vegas
Steven D. Hill, Executive Director, Office of Economic Development, Office of the
Governor
Terri L. Albertson, C.P.M., Director, Department of Motor Vehicles
Cory Hunt, Northern Regional Director, Office of Economic Development, Office of
the Governor
Bruce Breslow, Director, Department of Business and Industry
Alaina Burtenshaw, Chair, Nevada Transportation Authority, Department of Business
and Industry
Alisa Nave-Worth, representing Waymo, Mountain View, California
Paul Moradkhan, Vice President, Government Affairs, Las Vegas Metro Chamber
of Commerce
George Ivanov, representing Waymo, Mountain View, California
Lorne Malkiewich, representing General Motors, Washington, D.C.
Matthew Burton, Legal Director, Regulatory Development, Uber Technologies Inc.,
San Francisco, California
Curt Augustine, Director of Policy and Government Affairs, Alliance of Automobile
Manufacturers, Sacramento, California
Gail Tuzzolo, representing Transportation Resources Advisory Committee and
Regional Transportation Commission of Southern Nevada
Anthony J. Ruiz, Senior Director of Communications and Public Affairs, Las Vegas
Global Economic Alliance
Robert T. Eglet, representing Nevada Justice Association
Graham Galloway, Board Member, Nevada Justice Association

Chairman Carrillo:

[Roll was called. Committee protocols and rules were explained.] Today we have two bills
on the agenda. We are going to take them out of order to accommodate a scheduling issue.

[Assemblywoman Spiegel assumed the Chair.]

Vice Chair Spiegel:

We will open the hearing on Assembly Bill 261.

Assembly Bill 261: Revises provisions governing motorcycle drivers' licenses and instruction permits. (BDR 43-837)

Assemblyman Richard Carrillo, Assembly District No. 18:

Assembly District No. 18 covers portions of unincorporated Clark County and southeast Las Vegas and parts of Henderson. The bill you have before you is in response to a loophole in current law that essentially allows a motorcycle permit holder to ride indefinitely without ever fully getting a motorcycle operator's endorsement or a motorcycle driver's license. Essentially, this bill limits to six months the amount of time a motorcycle instruction permit is valid for anyone over 18 years old. It will only allow someone to renew a motorcycle instruction permit one time within a five-year period after the initial six-month period expires. There are also limits on how many times the person can take the motorcycle driving test without passing it before being denied a motorcycle endorsement or a motorcycle driver's license and must, instead, take a motorcycle safety course in order to get such an endorsement.

With your indulgence, I will briefly walk through the bill, and then be available for questions. Sections 1 and 2 contain current language in *Nevada Revised Statutes* (NRS) that establishes the provisions for a person under the age of 18 to obtain a driver's license after meeting the requirements for driver training and supervised driving. Section 2 adds language that allows for a motorcycle driver's license to be issued to a person after meeting the requirements of having held an instruction permit for not less than six months, having taken a motorcycle safety course, and having a log of 50 hours of motorcycle driving experience, signed by a parent or guardian.

Section 3 adds provisions for any person aged 15 1/2 to 18 to be issued a motorcycle driving permit after passing vision and written tests. This permit will enable the permit holder to drive the motorcycle for one year. The permit can only be renewed once and expires when the permit holder reaches the age of 18. This section also outlines that a person over the age of 18 may be issued a motorcycle driver's instruction permit after passing vision and written tests. The permit is valid for six months, and may only be renewed once within a five-year period. For both age groups, the instruction permit holder may not carry passengers or ride on a controlled-access highway. The permit holder may only drive between sunrise and sunset.

Section 5 of the bill requires that a person between the ages of 16 and 18 must meet the same requirements as someone in the same age range who is applying for a driver's license with motorcycle endorsement and must pass written and driving tests. For a person aged 18 or older, no written test is required if applying for the license right after the permit. All ages can skip the written test if they already have a regular driver's license; one only needs the driving test or to take the course to get the endorsement.

In closing, this bill is intended to ensure that those who are issued a motorcycle instruction permit go through the proper steps to obtain a motorcycle driver's license or endorsement which, in turn, leads to safer riders and fewer motorcycle crashes. I am happy to answer any questions that you may have at this time.

I do not know if you would like me to go through the conceptual amendment now. It may clarify some points.

Vice Chair Spiegel:
Yes, please.

Assemblyman Carrillo:
The conceptual amendment to A.B. 261 can be found on the Nevada Electronic Legislative Information System (NELIS).

In section 2 of the bill, add a new subsection 4 which will nearly duplicate existing subsection 2, which provides, in reference to the requirements of subsection 1, an exception for a situation where a course of motorcycle safety is not offered within a 30-mile radius of a person's residence. Such a person may substitute an additional 50 hours of experience in driving a motorcycle.

The new subsection 4 will reference the course of motorcycle safety requirements of subsection 3, and will allow substitution of an additional 50 hours of experience in accordance with paragraph (b) of subsection 3 if a course of motorcycle safety is not offered within a 30-mile radius of a person's residence. That aligns it with existing language.

Vice Chair Spiegel:
We have questions from Assemblywoman Bilbray-Axelrod.

Assemblywoman Bilbray-Axelrod:
I think I understand the genesis for this bill, although it was not clear to me in my reading of the bill. People were simply renewing their permits over and over, without ever getting their license to drive a motorcycle. Is that correct?

Assemblyman Carrillo:
Yes. Drivers over the age of 18 are renewing their permits. There is nothing that tells them they must test and actually get the endorsement. If they were to be pulled over, there is no statute they are violating. Much as a driver under the age of 18 cannot do certain things, there are restrictions for motorcycle permit holders. When I held my permit, I could not drive on major highways and could only drive between sunrise and sunset. I could have kept on with the permit and never gotten the license. Having the endorsement on my license means those restrictions no longer apply and that I passed the skills test.

Assemblywoman Bilbray-Axelrod:

I have a question about the conceptual amendment regarding the 50 hours of experience. Who monitors that? Am I logging my hours? Are we taking people at their word that they have completed their 50 hours?

Assemblyman Carrillo:

I am going to ask for support from the Department of Motor Vehicles (DMV) on this. I am not sure if there is a log that must be maintained that has to be signed by a parent or guardian. That already exists in statute. For the record, DMV nodded.

Assemblyman Sprinkle:

I am looking at the requirements under section 3—the classes and the driving hours. It is my understanding that if a person is outside a certain radius of where a class is offered, the class is no longer required; it may be replaced by a requirement for additional hours of driving experience. Is that correct?

Assemblyman Carrillo:

Yes, that is correct.

Assemblyman Sprinkle:

Did the class used to accomplish everything you needed to do in order to get your license? I do not think you had to keep a log of driving hours if you went through a formal class. Is that correct?

Assemblyman Carrillo:

If you take either a private course or one through a community college, you would be able to take that certificate to the DMV and get your license. You would have completed all of the requirements. You can take the course and be done with it, or you can teach yourself, learning out in the real world of traffic. With this bill, you would only be able to make two attempts to get your license that way. The only option after that is to wait five years or take the course.

Assemblyman Sprinkle:

The class does not change with this bill. You can still just take the course.

Assemblyman Carrillo:

That is correct.

Assemblyman Sprinkle:

In the original bill, section 2, subsection 3 gives the option of having 50 hours of experience. If you are between the ages of 15 1/2 and 18, you have to do all of the things listed.

Assemblyman Carrillo:

Yes. If you are under the age of 18, you cannot get an endorsement or a Class M license without meeting the requirements. We want to make sure that anyone under the age of 18

is operating under a permit only, not licensed. At the age of 18, the permit expires. The reason the lower age is 15 1/2 is because you can get a driver's license six months before turning 16. At the age of 16, you can get a driver's license with restrictions, such as you cannot carry passengers and you must maintain a certain grade point average. You cannot do that in getting a motorcycle license—the permit is maintained until the permit holder reaches the age of 18.

Vice Chair Spiegel:

Section 2, subsection 3(c), which starts on line 6 of page 5, talks about submitting to the Department on a form provided by the Department, a log which contains the dates and times and hours of experience and must be signed by the parent or legal guardian. I knew many teens who would forge their parents' signatures on documents if they wanted to do something their parents did not approve of. If it were discovered that something like that happened, would the teen lose the privilege? If so, would there then be a longer-term ramification as well?

**Jude Hurin, Administrator, Division of Management Services and Programs,
Department of Motor Vehicles:**

You are correct—it is very hard to enforce. My daughter will not do that; I guarantee it. There is nothing in place that enforces that. The Department has introduced a program that can electronically put an app on your mobile phone. We have expanded that role, but the enforcement piece is very tough. It is an honor system with the parents, and we hope they comply.

Vice Chair Spiegel:

On page 6, section 3, subsection 6 says that the holder of an instruction permit cannot carry any passengers or operate the motorcycle on a controlled-access highway. What happens if a permit holder is caught doing one of these things?

Jude Hurin:

I would have to check on this for accuracy, but I believe there is a violation code for that.

Vice Chair Spiegel:

Are there any further questions from members of the Committee? [There were none.] Is there anyone here in favor of this bill? [There was no one.] Is there anyone in Las Vegas in support of this bill? [There was no one.] Is there anyone in Carson City who is neutral?

Jude Hurin:

The Department of Motor Vehicles is neutral. As Assemblyman Carrillo has indicated, this bill provides for closing a loophole. I believe this is a good practice bill, but the Department's position is neutral.

Pete Vander Aa, Program Administrator, Program for the Education of Motorcycle Riders, Office of Traffic Safety, Department of Public Safety:

We also are neutral on this bill. I have prepared information, if you would like me to proceed with that. Otherwise, I am available for questions.

Vice Chair:

I think the Committee has no further questions. Is there anyone in Las Vegas who is neutral?

Erin Breen, Director, Vulnerable Road Users Project, Safe Community Partnership Program, Transportation Research Center, University of Nevada, Las Vegas:

Motorcycle riders are, in fact, vulnerable road users. This was never more evident than in 2016 when we had a 48 percent increase in motorcycle fatalities. If we were talking about motorcycle fatalities five years ago, we would say they were fairly evenly split between middle-aged drivers who thought they knew more than they did or that they remembered more than they did, many involving alcohol and young people whose accidents were caused by speed and inexperience. However, when we look at the statistics for the past two years, it has become an issue when looking at young motorcycle riders—the increase in fatalities is now mainly among motorcycle riders under the age of 30. I would like to commend Assemblyman Carrillo for this effort. Graduated driver's licensing is the law to which we point to prove that good laws save lives. I believe that a law such as this, if passed, would help young motorcycle riders gain the experience they so desperately need. Taking the class would help them understand that riding is critical business; they are putting their lives on the line. Maybe they would grow to be safe riders for their entire riding careers.

Vice Chair Spiegel:

Are there questions from the Committee?

Assemblywoman Bilbray-Axelrod:

I had pulled up the same statistics you did. Are you testifying as neutral because you do not think this bill is going far enough?

Erin Breen:

I am in the neutral position because I am required to be since I receive federal funds. I think this is a very good law that will save lives. This is a time when all of our motor vehicle fatalities are on the increase, but especially motorcycle fatalities of young people with the most life to lose. They are the ones who are losing their lives most often. I think this bill could make a dramatic change.

Vice Chair Spiegel:

Is there testimony in opposition in Carson City or in Las Vegas? [There was none.] I will invite Assemblyman Carrillo to make closing comments.

Assemblyman Carrillo:

I got my motorcycle license, then I took an advanced rider course. It helped me immensely, teaching me how to brake correctly and how to avoid vehicles on the road. I would be the first one to tell you that the course works. We do not want to have riders permitted forever.

Vice Chair Spiegel:

I will now close the hearing on Assembly Bill 261.

[Assemblyman Carrillo reassumed the Chair.]

Chairman Carrillo:

We will now open the hearing on Assembly Bill 69.

Assembly Bill 69: Authorizes the use of an autonomous vehicle to transport persons or property in certain circumstances. (BDR 43-246)

Steven D. Hill, Executive Director, Office of Economic Development, Office of the Governor:

We have offered an amendment to our bill that completely replaces what we submitted several months ago. With your permission, as we talk through our presentation, we will be referring to our amendment and not the original legislation.

I would like to thank all who have been involved in this process—Director Terri Albertson at the Department of Motor Vehicles (DMV) and her staff, and many in the industry representing a wide variety of involvement. We look forward to working with all involved as we move ahead.

Over the past six years, Nevada has become a center for the future of transportation, in both our country and in the world. It is an important economic opportunity for Nevada. It started in 2011 with the passage of a bill [Assembly Bill 511 of the 76th Legislative Session] that permitted testing of autonomous vehicles. Since that time, we have been designated a test site for unmanned aerial vehicles from the Federal Aviation Administration (FAA). Tesla Motors and its efforts in autonomous vehicles are a major presence in the state now. In southern Nevada, Faraday Future and Hyperloop One are both moving forward in North Las Vegas. This activity has attracted the attention of the globe and provided a real opportunity for Nevada to diversify its economy. The transportation industry is one of the five largest industries in the world. The last number I saw was that they are a \$17 trillion per year industry. Just being able to participate in a slice of that would make a significant difference for Nevada. We are certainly making progress in that area.

Assembly Bill 69 is designed to reestablish Nevada as a leader in autonomous vehicles. We were the leader in 2011 and as we moved into 2013. Because the industry has evolved over that period of time, the law we have in place needs to catch up with where the industry

is today. For example, some parts of the industry, such as transportation network companies (TNCs), were not even contemplated in 2011 when this legislation passed. We feel that A.B. 69 is a responsible way to accomplish this.

Regardless of the economic opportunities, safety has to be the top priority in the consideration of autonomous vehicles. We also feel that the autonomous vehicles industry will provide a number of benefits for the state. With respect to safety—when applied appropriately, autonomous vehicles are already safer than drivers. When I say "appropriately," I mean in the correct locations and under the correct conditions, they already exceed the ability of automobiles operated by a driver. More than 90 percent of the accidents in the United States are caused by drivers. Those accidents include 35,000 fatalities.

The technology that is available now can do things that drivers simply cannot. That technology has advanced past what most of us would have considered possible. Technology can now determine what hand signals from a traffic manager at a construction site mean. It can see through vehicles—if there is a child behind a car, the technology can pick up that child and anticipate that the child may dart out into the road. It can do those things in a 360-degree view, which is certainly something a driver cannot do. It can do them all at the same time, all the time. It does not get tired or lose attention. Those technology advances will allow this to be a great step forward in safety as well as economic development.

The industry will be disruptive; it will cause changes that may reduce driving jobs in the future; it will readjust industries; it will change the insurance industry. All of this will take time. Some of these jobs are not as easily automated as one might think. I spent the first 25 years of my career in Las Vegas in the ready-mix concrete industry. Those drivers do much more than just drive a truck. To the extent that someone would look to automate that function, the automation would have to spread across the entire range of responsibilities or be reconfigured. That will take time. In addition, the rollout of these vehicles will take time. This will be more of an evolution in the disruption. A part of our intention with A.B. 69 is to allow Nevada to have the opportunities, from a job-creation standpoint, that this industry would bring to help offset the disruption that occurs as this industry evolves.

I would like to go through a presentation we have prepared. Assembly Bill 69 is intended to update Nevada law on autonomous vehicles, to provide clarity, and to provide access to the benefits we see from this industry [page 1, ([Exhibit D](#))]. Those benefits include increased passenger safety and increased opportunities for mobility for disadvantaged populations [page 2, ([Exhibit D](#))]. There is a highly viewed YouTube video of a 95 percent blind person in Austin, Texas, who is riding in a fully autonomous vehicle. Those types of opportunities will be available for a broad cross section of our citizens. This technology has the potential to reduce road congestion and to increase productivity. As we become more automated, quite a number of jobs associated with the industry will be created. It also has the potential to provide an environmental benefit. Most of these vehicles are electric vehicles. As the industry becomes safer, some of the weight can be removed from vehicles, as a portion of current vehicle weight is there as a safety precaution.

There is a little bit of legislative history on the next page (page 3). In 2011, Assembly Bill 511 of the 76th Legislative Session was originally passed. In 2013, the law was updated a little. The next page is a chart that shows the current status of some of the other leading states in this industry (page 4). We talk about Nevada having been a leader but having lost that position recently. The shaded section of the chart—policies of permit testing without a human through regulations for operating—shows the difference among the states that are currently considered to be leaders in this area and where Nevada is currently. The line regarding the policy permitting operation without a human present has a faint check mark in Nevada. There are questions about whether operation without a human at the wheel is permitted for commercial use. When this law was originally passed, the focus was more on individual use of autonomous vehicles, so there is concern that this is not currently allowed by our law.

I will now talk a little bit about the levels of autonomy. These are definitions that are taken from the Society of Automotive Engineers (SAE) International (page 5). There are five levels that they define. The levels relate significantly to the safety of the vehicles. I will come back to this page a little later in my presentation.

The next three pages are copied from *Wired* magazine, showing the levels of autonomy. Level zero is no automation. Level one is driver-assisted. Virtually every car out there now is at least at level one with cruise control and those types of driver-assistance mechanisms (page 6).

Level two steps up to partial automation—the car is helping the driver, but the driver is still responsible (page 7). Level three is the level where that transformation from the driver obviously being responsible and in control of the vehicle at all times to automation in the vehicle, with the driver at times taking control, exists. Levels four and five are very high or full levels of automation (page 8). I cannot speak for all companies that are working on automation—but at level four, the concept generally is that the car will be operated autonomously. If the car is, for any reason, not capable of being operated autonomously, it would shift into what we call a "minimal risk condition." That means, the car will pull over to the side of the road and stop. There would not necessarily be the interim step of the driver taking control of the car. Level three is where the transition takes place. So, back to page 5, at level three, there is a human in the vehicle who is responsible for reacting when the technology cannot. Level four shifts the liability away from a person who is driving to the car, the companies, and the manufacturers themselves.

The National Highway Transportation Safety Administration (NHTSA) has the authority to investigate, recall, create requirements, and enforce civil penalties. The Department of Motor Vehicles and the Department of Public Safety have the responsibility for enforcing vehicle registration requirements, which requires a certification by these companies that they are capable of operating at these individual levels. The Department of Public Safety and local law enforcement enforce the traffic laws.

The next slide is a different depiction of how those SAE levels are defined [page 9, ([Exhibit D](#))]. The bill does not change insurance requirements or liability law in the state, other than to clarify that manufacturers are protected from liability if unauthorized third-party modifications occur [page 10, ([Exhibit D](#))]. Autonomous vehicles will change the insurance industry as we go forward. KPMG, our consultant accounting firm, has projected that the automobile insurance industry, which is currently a \$125 billion industry—about the size of the economy of Nevada—will drop to being about a \$50 billion industry by 2040. This reflects the additional safety benefit that the autonomous vehicle industry will bring. I will stop my presentation at this point. We have summarized what changes to *Nevada Revised Statutes* (NRS) Chapter 482A and NRS Chapter 706A would be (pages 11-13).

Terri L. Albertson, C.P.M., Director, Department of Motor Vehicles:

I would like to start by saying that the DMV has worked very closely on A.B. 69 with the Office of Economic Development, Office of the Governor (GOED), industry representatives, and relevant state agencies relating to autonomous technology. The Department originally proposed to address autonomous technology changes in Assembly Bill 68, which was heard before your Committee on March 21. After meeting with GOED, autonomous vehicle language was removed from A.B. 68 and placed into A.B. 69 to provide a comprehensive revision to NRS 482A. The Department's proposal is to ensure that the safe testing of platooning technology on Nevada's highways and the ability to create regulations regarding the testing and operation of driver-assistive platooning technology exist. The language regarding driver-assistive platooning technology is defined in the proposed amendment under NRS 482A.036. Also in the amendment, NRS 482A.110 would provide for our ability to adopt regulations and NRS 482A.115 authorizes driver-assistive platooning technology to be operated in Nevada. The remainder of the autonomous technology language in A.B. 69 is being proposed by GOED.

Chairman Carrillo:

We had some concerns about going through the physical bill itself.

Cory Hunt, Northern Regional Director, Office of Economic Development, Office of the Governor:

I am happy to walk you through the bill. Would you like to take questions as we go, or would you prefer that I go through the entire bill?

Chairman Carrillo:

Please go through the entire bill. We have many questions. It would be hard to pick one thing out at a time, so we will go through the entire bill.

Cory Hunt:

The first section of the bill creates a number of definitions related to autonomous vehicles and autonomous vehicle technology [pages 1-2, ([Exhibit E](#))]. These are standard definitions that we have taken from the Society of Automotive Engineers International—these are industry-recognized definitions, so that we are not creating our own. It allows industry to

comply with these and understand clearly what they are. The SAE document is one of the most comprehensive areas where technology companies, engineering, and automotive engineering companies have come together to define the terms so that everyone understands what they are and are not. "Automated driving system" is a key definition. It is the hardware and software that are capable of operating the entire vehicle. You see that we have replaced "autonomous technology" with this broader definition that is focused on the driving of the vehicle.

The term "dynamic driving task" appears throughout the bill. This refers to all the things the vehicle needs to do to be able to move on the road. Steering, braking, accelerating, and signaling are standard dynamic driving task features. The "operational design domain" is another important concept. It has to do with where the vehicle is approved to be able to operate. It may be urban or rural environments—environments that have already been mapped extensively, or it may be weather or road conditions—is it foggy, snowy, or raining? When manufacturers design the automated driving system, they must specify what the operation design domain is in order for the software to know where it can and cannot properly operate.

The term "SAEJ3016" is the standard document that we reference. This is like a document building code. The Department is able to adopt later updates to this version by regulation. We think that provides great certainty for industry and is something that they understand. It also allows the Department to update as the technology progresses.

The "minimal risk condition," as Director Hill mentioned, is an important feature.

Chairman Carrillo:

Mr. Hunt, can you specify the locations of the definitions?

Cory Hunt:

Nevada Revised Statutes 482A.029 is the "minimal risk condition." That condition is important in level four and level five autonomous vehicles, where the vehicle itself has a backup system. If the technology fails, that system will take over and bring the vehicle to a safe state. The technology must be smart enough so that it does not just immediately slam on the brakes in the middle of the roadway. It must take the vehicle off to the side of the road at a safe time and come to a safe stop. The minimal risk condition is an important safety feature that we would require for any autonomous vehicle.

Nevada Revised Statutes 482A.030 defines that we are only talking about levels three, four, and five autonomous vehicles in this bill. We are not asking or looking to regulate cruise control, adaptive cruise control, or lane-controlling systems. We are looking at systems that can control a vehicle throughout a range of operating modes. A "fully autonomous vehicle" is defined in NRS 482A.035. It is one that is designed to function without a human driver—a level four or five in the SAE system.

Director Albertson mentioned NRS 482A.036 language regarding "driver-assistive platooning technology." This is technology that would allow vehicles, typically trucks, to draft off of one another. It is not an automated driving system, but a system of technologies and communication technologies that allow the trucks to communicate with one another so that they can operate safely.

Moving to NRS 482A.070, we include testing or operating autonomous vehicles. This breaks into two subsections. Subsection 1 refers to a level three autonomous vehicle, in which a human operator must be present in order to take over control of a vehicle or reach a minimal risk condition. We require that the human must be seated in a position to take over immediate manual control and that the human take over that control if the autonomous vehicle system fails. We have eliminated the second paragraph because the monitoring of the safe operation of the autonomous vehicle is an SAE level three in which the vehicle is responsible for monitoring the driving environment.

Subsection 2 of NRS 482A.070 talks about level four and level five autonomous vehicles. It is important to note that, regardless of whether testing or operating, we require that if the vehicle operates without a human operator, it must meet the requirements of NRS 482A.080. Remember that as we go through the next section. Everything in it is required for any vehicle that is tested or operated without a human driver.

Nevada Revised Statutes 482A.080, subsection 1, says the base vehicle must meet Federal Motor Vehicle Safety Standards—the brakes, the crumple zones, the airbags, or whatever the case may be must meet those federal standards before it can be operated on Nevada roads.

Subsection 2 of NRS 482.080 breaks into paragraphs. Paragraph (a) talks about vehicles that are not fully autonomous—level three vehicles. They must be equipped with a means to engage and disengage the automated driving system, equipped with an indicator—we do not specify whether or not it is a visual indicator [page 3, [Exhibit E](#)].

Chairman Carrillo:

Which section are you on now?

Cory Hunt:

I am on NRS 482A.080, at subsection 2, paragraph (a), subparagraph (2). It must be equipped with a means to alert the operator if the automated driving system is unable to perform a driving task within its operational design domain so that the individual can take over. Those are all requirements for a level three vehicle. If there is a human in the vehicle, that human can take over if there is a failure of technology, so they have to know the technology is failing.

Paragraph (b) of subsection 2 talks about fully autonomous vehicles, which are levels four and five. This requires that any vehicle tested or operated must be capable of achieving minimal risk condition if there is a failure of the system. That is an important safety feature—if a vehicle detects that it has gone outside of its operational design domain, for

example. That could happen if it comes into a neighborhood that it has not mapped; it would be required to pull over and come to a safe stop. If it is not designed to operate in the rain and it starts to rain or the car detects a wet roadway, it would be required to pull over and come to a safe stop, whether testing or operating.

Paragraph (c) of subsection 2 requires that any vehicle testing or operating must be capable of operating in compliance with the applicable motor vehicle laws in the state. The last section where we have "an exemption has been granted by the Department" is to allow for the Department to permit testing of certain capabilities. For example, if there is a construction worker standing in the road and there is a double yellow line, and the car is programmed so that it cannot cross a double yellow line, the Department could grant an exemption that would allow the computer to say, "There is a human in the road. I need to move out of the way of that and cross a double yellow line to achieve that." That is something that would not put the vehicle out of compliance with these sections.

Nevada Revised Statutes 482A.080 is an important section, but the big thing to remember is: if it is an autonomous vehicle without a human, we are requiring that it be able to reach the minimal risk condition and also to comply with any applicable motor vehicle laws.

I am now on NRS 482A.090, regarding unauthorized modification. This section originally talked about manufacturers of a motor vehicle that had been modified to become an autonomous vehicle. It protected the original manufacturer from liability if someone made their vehicle into an autonomous vehicle and the technology failed. It would not be the original manufacturer's fault. This section extends that liability. Now there are third-party manufacturers designing these systems. This section would extend that protection to manufacturers who manufacture and develop that software. If I were to purchase a system and put it on my truck, then I hacked into so that it would allow me to go 80 miles per hour, that would not be the fault of the manufacturer of the automated technology. We are extending the liability protection to manufacturers. It prevents unauthorized third-party modifications.

Chairman Carrillo:

When you get to the end of NRS Chapter 482A, we will have some questions for you.

Cory Hunt:

Nevada Revised Statutes 482A.100 is where we talk about adopting regulations concerning the testing and operation of autonomous vehicles for the Department of Motor Vehicles. We require the Department to adopt regulations and bring them in line with NRS Chapter 482A. Subsection 2 talks about the testing and operation of vehicles. We want this technology to come forward, so we allow for manufacturers and companies that have this automated technology to certify that, if they can comply with the requirements of NRS Chapter 482A—if their vehicle and technology can meet all the minimal risk condition requirements and can comply with all applicable motor vehicle laws—they can self-certify that they can operate when this bill is enacted. The second part of subsection 2 allows for a grace period so that once regulations are adopted, the companies do not have to stop

operating, then come into compliance. This gives them a 180-day grace period to fill out the necessary forms with the Department of Motor Vehicles without stopping operations. That extension would continue for future versions of regulations adopted so that once a new standard comes out, they would have the grace period for coming into compliance. If there was a safety issue involved, we would take note of that and ask people to stop operating.

Subsection 3 of NRS 482A.100 has much stricken language, replaced by much of the rest of the requirements for complying with the motor vehicle laws and the minimal risk condition [pages 3-4, ([Exhibit E](#))]. Paragraph (a) of subsection 3 allows the Department to adopt regulations that require that, prior to operating on a highway of the state, an autonomous vehicle be certified by the manufacturer of the vehicle, the manufacturer or developer of the automated driving system, or a licensed autonomous vehicle certification facility—a unique facility we have in Nevada that tests these vehicles and equipment for certification. That self-certification provision is consistent with the Federal Motor Vehicle Safety Standards.

In 2011, we did not have a solid idea on what this technology was, so the regulations were broad, providing for things that are within the domain of federal regulations. For 50 years, the federal government has established, through the National Traffic and Motor Vehicle Safety Act, motor vehicle safety and performance standards. They adopt the standards for the equipment on your vehicle. States are responsible for enforcement, licensing, and registration. They are like two lanes. This language restores that balance between the two. We go back to a self-certification standard in paragraph (a). Self-certification is done at the federal level as well with regular motor vehicles. This is not something we are doing that is outside of the box; this is how the motor vehicle industry is operated at the federal level. The federal government establishes standards; companies certify that they are in compliance. Then the federal government has enforcement authority to issue recalls, to conduct investigations, and to apply penalties. It is important to note that the federal government has not adopted specific standards for autonomous vehicles yet. They have issued guidelines that have not been adopted and have noted that they intend to go through a rule-making process in the coming months to do that formally. In the absence of that, other federal motor vehicle standards still apply, and the federal government still has the authority to enforce those standards. For instance, everyone heard about the Tesla accident that occurred in Florida, a tragic accident in which an individual was killed when a vehicle was operating with some autonomous technology. The federal government stepped in and did an investigation; they immediately inquired and looked at the technology; they collected data. They found vehicles that had this technology installed were 40 percent safer than Tesla vehicles without it. They showed that they have the ability to step in and do that with autonomous technology, both software and equipment.

Another example is a technology company called comma.ai. They crafted software that they proposed you could buy for \$1,000. It was a system that you could plug into an Acura that would give you some limited autonomous technologies and capabilities. The federal government and the California Department of Motor Vehicles wrote comma.ai with some serious questions about the technology, asking them to respond on certain points. They also said they would assess criminal penalties and call for an injunction that would preclude them

from selling the technology if they did not respond. The next day, the company announced they would no longer be in this business. Those are important instances where the federal government has demonstrated its enforcement authority on this point. The National Highway Traffic and Safety Administration (NHTSA) has also issued a docket regarding its Enforcement Guidance Bulletin 2016-02. I would be happy to introduce this for the record. It is titled "Safety-Related Defects and Automated Safety Technologies." In it, they outlined their specific enforcement authorities for all of these technologies. The point of this soapbox is to say the federal government has the authority to step in and take over, preemptively, proactively, and retrospectively if they see a safety risk.

Paragraph (b) of subsection 3 of NRS 482A.100 includes provisions regarding the Department's ability to adopt regulations pertaining to vehicle license plates and registrations, driver licensing, and driving training, which are standard Department of Motor Vehicles areas [page 4, ([Exhibit E](#))]. The registration component is important, because under this bill the Department would be able to revoke a registration if someone unlawfully self-certified their vehicle. That is another mechanism we can use along with the authority the Department would have to preclude a vehicle from operating autonomously in this state.

Nevada Revised Statutes 482A.110 regards the driver-assistive platooning language that Director Albertson mentioned. It allows the Department to adopt regulations regarding testing of a truck or other vehicle that would use this technology. Those regulations may establish minimum requirements that the truck or vehicle must meet in order to be tested. They may set forth requirements for insurance and may establish exceptions for traffic violations. One that comes to mind is following a vehicle too closely. It allows the Department to work with companies that want to test these technologies, which have great opportunity for industry and for safety. They can also work with the Department of Public Safety and the Nevada Highway Patrol so that if officers see two or three vehicles following each other very closely, they would not get pulled over or be cited.

Nevada Revised Statutes 482A.115 is an authorization for operation. Right now, there is nothing that prohibits driver-assistive platooning technology from operating in the state. This is a clear statement that if the vehicle can meet the applicable motor vehicle and traffic laws of the state, unless granted a specific exemption by the Department, that technology may be used. They have to certify that they can meet and comply with all of those state motor vehicle laws.

Nevada Revised Statutes 482A.200 is the endorsement on driver's license. That section is stricken. For a level four or five autonomous vehicle, we would not want to require this, particularly in the case that Director Hill mentioned—an individual who has a disability. An individual who is vision-impaired may not be able to get a driver's license, so requiring a license plus an endorsement to get in a vehicle that does not require a driver is not consistent with the technology. This is not saying we do not have to train people who are using level two or three vehicles—those individuals have the responsibility to know how to use them. But a level four or level five vehicle that truly requires no driver may have

no steering wheel, brakes, or pedal, and could be used by someone unqualified to hold a driver's license. We think this is a tremendous opportunity to increase mobility and service in our community. We think that is consistent with the technology.

Nevada Revised Statutes 482A.200 states that no motor vehicle laws shall be construed as requiring a human driver to operate a fully autonomous vehicle if the automated driving system is operating. When that system is engaged, it is deemed to fulfill any physical acts required of a human driver. What this means is that when we refer to a human driver in other statutes, if the automated driving system is driving the car, then the automated driving system fulfills that definition. Without this, we would have to add "or automated driving system" every time we mentioned "driver."

Nevada Revised Statutes 482A.300 is about controlling authority [page 5, [Exhibit E](#)]. Here our intent is to say that the Department of Motor Vehicles is responsible for the licensing and registration of these vehicles and for getting the self-certification on these vehicles. It is not the responsibility of any other state agency to do that from a performance and safety standard. We are not trying to limit the authority of the Department of Public Safety to apply motor vehicle laws or to enforce them. We want to make sure that the Department of Motor Vehicles is clearly the lead agency that regulates and oversees the testing and operation of these vehicles. Subsection 2 says that, except for the Legislature, no state agency other than the Department of Motor Vehicles may impose additional requirements on those autonomous vehicles just because they are autonomous vehicles.

Nevada Revised Statutes 482A.400 empowers the Department to be able to enforce these provisions. Subsection 1 allows the Department to impose administrative fines if someone knowingly falsifies a document. If a company were to self-certify that they can comply with all of the motor vehicle laws of the state and that they can reach a minimal risk condition but they cannot, they would be guilty of both of these penalty sections. The second penalty section allows for a criminal penalty to be available for those fraudulent actions related to this. This is an important additional barrier that allows the Department to help protect from bad actors who might abuse this opportunity in the state.

The last section is transitory language requiring the Department to update regulations by January 1, 2018. It also says that if a company can comply with the provisions of the law and demonstrate that prior to the adoption of those regulations, it is permissible to self-certify and operate. That brings us to the end of NRS Chapter 482A.

Chairman Carrillo:

We have questions from Committee members.

Assemblyman Fumo:

I want to preface everything I am going to say with I believe the technology exists, and it is here to stay. It scares me, so I have a ton of questions about that. It is like the first time I went scuba diving—it was unnatural for me to consider breathing underwater. It is unnatural for me to consider having someone else in control of a car. There is no doubt in

my mind that driving is a divided-attention task, and a computer can process that information better than a human mind can. The technology is only as good as what is put into it. Computers crash and have glitches all the time. It seems as if every time Apple has a new version coming out, coincidentally my current phone crashes and no longer holds a charge. Are we going to have problems like that with whoever is designing this technology, such as Google? How do we deal with that?

Steve Hill:

We have a representative from Waymo here today. I will try to be brief with my answers to questions that the industry is better at answering. The companies certify that they have the ability to achieve the minimal risk condition in the event of a glitch or computer crash. Waymo has a computer in the car that is there specifically in the event that the main computer operating the vehicle fails. The backup computer has the ability to cause the car to achieve the minimal risk condition—to pull over to the side of the road and stop.

Assemblyman Fumo:

So if something happens, the car will pull over and stop. You talked about the Tesla accident in Florida. There was a video of an autonomous car driving through a red light in San Francisco. Things are going to happen. In your presentation, you spoke of a child darting out into traffic and having the car move over the center lane to avoid hitting that person. Let us say that a family of four is driving the opposite direction in that center lane—how does the computer calculate those ethical decisions that a human can make very quickly? Is there an algorithm for that? I realize the car might see there is a car in that lane, but it might crash. How does it determine that kind of decision?

Steve Hill:

The representative from Waymo and others here today will be able to answer your question better than I can. You said that a human can process this very quickly—not nearly as quickly nor as thoroughly as an autonomous vehicle can. That autonomous vehicle now has the ability to look out about 200 yards; that distance will grow as time goes on. It can see everything ahead in that 600 feet and everything behind in that 600 feet. The algorithms take all of what is going on into consideration and will start to move the car away from risk well before, in most cases, a human would have the ability to do so. While those situations may continue to occur, they will come up less often with an automated vehicle than they would with a human driver.

Assemblyman Fumo:

Accidents will occur; we know that certainly. You talked about insurance rates being reduced because there will be fewer drivers. I assume that the Department of Motor Vehicles will lose money because there will be fewer drivers getting licenses. The way I understood, you will make up for that lost income by the DMV overseeing fines, imposing penalties, operating costs, and testing procedures for autonomous vehicles.

Steve Hill:

My comment about the size of the insurance industry was not necessarily related to the number of people who would be insured. At some point well in the future, if we reach a point where no one is driving, that would certainly be the case. It is not just an issue for the DMV; insurance taxes make up one of the larger revenue sources for the State General Fund as well. That will have to be taken into consideration as time passes. Largely, the cost of insurance now and in the future is related to the cost of claims. The reduction that is projected over time would be a result of the cost of accidents being lower, not the number of people buying insurance.

Assemblyman Fumo:

When you said that the DMV would be responsible for fining and collecting fees, from whom would they be collecting fines and fees? Is it Joe's Plumbing who now has an autonomous vehicle to go to people's houses? Is it Google, the manufacturer of the computer? Is it General Motors, who made the car?

Steve Hill:

As it relates to autonomy, which is at the core of what is in A.B. 69, the company that provided the certification on the car—the company itself or the third-party certifier of the car would pay fees and fines.

Terri Albertson:

We would also include those individuals or companies that were operating without permission from the Department. We would have the ability to penalize them. Currently we do not. If there was an instance where someone wanted to operate or test in Nevada without our approval, we would have the ability to penalize them for doing so. Mr. Hunt has alluded to the company in California that was attempting to operate without the permission of the California Department of Motor Vehicles. The DMV there had the ability to apply civil penalties if the company continued without the proper approval. We are asking for that same authority for Nevada.

Assemblyman Fumo:

This is groundbreaking—I think Nevada may be the first state to pass or look into these sorts of laws. The federal government does not even have anything on the books yet; they just step in. This is like breathing underwater—it is unnatural, so I want to get it right the first time.

I would like to go back to the scenario in which the autonomous vehicle hits a family of four while avoiding hitting a child who darts out into the street. Who do the survivors seek justice from? Where do they go? Do they go to Google? Do they go to Joe's Plumbing? If there is no driver of this car, is this a product liability claim, not a negligence claim?

Steve Hill:

I am certainly not an attorney. We have looked at liability issues as a result of the change in technology. I realize that for whatever answer I give, there is an attorney out there who can

find an exception to what I am getting ready to say. At its core, the company that is responsible for the technology, which most of the time will be the manufacturer of the car, is going to be responsible for the liability. I know that the Nevada Justice Association has an amendment they will want to talk about later in the hearing. Their amendment requests that the manufacturer be negligent per se in the event of a driver not being at the wheel of a car. Currently, I believe it would be a product liability case.

Assemblyman Fumo:

That troubles me. I am an attorney. I do not practice personal injury, I handle criminal cases. Your answer worries me.

Assemblyman Watkins:

Are there any level five autonomous vehicles in existence right now that can operate under any condition?

Steve Hill:

No. The target level for the leaders in the industry currently is level four.

Assemblyman Watkins:

If we were to pass this bill, we would give somebody authorization to operate that vehicle when the technology comes, even though we do not know what it looks like yet?

Steve Hill:

That is probably a good question for the automobile companies that are here. I think we know what it will look like. The difference between level four and level five is not, from our viewpoint, all that significant. They are close together. The difference between level four and level five is that, in level five, the car will be capable of all driving modes.

Assemblyman Watkins:

The reason I asked that question is that I feel as if we are being asked to regulate in the dark. The bill asks us to set up regulation for something that does not yet exist with the idea that it will exist in some form that this bill will work with. Why would we not create in this bill regulations for what currently exists, with the idea that once new technology exists we then regulate that?

Steve Hill:

The bill provides the authority to change the regulations over time in order to be responsive to the industry and the innovation as it moves forward. It does not set in stone anything based on the technology that exists today.

Assemblyman Watkins:

Right. But, this does authorize somebody with the technology for a level five autonomous vehicle to operate on the public highways in this state right now.

Steve Hill:

That is true only if that person can certify to NHTSA that they have the ability to do so; the DMV is willing to provide a registration for that vehicle to operate on the road; they can operate according to all the traffic laws in the state of Nevada; and they can achieve a minimal risk condition. If they can meet all of those standards, we feel it is appropriate to allow them to do so. If they cannot meet any one of those criteria, we do not feel it is appropriate, and we will not allow them to operate.

Assemblyman Watkins:

That leads me to two other questions. Is my understanding correct that we do not currently have federal guidelines for level five autonomous vehicles that we could consult?

Cory Hunt:

There are no adopted regulations or Federal Motor Vehicle Safety Standards. There are guidelines for all autonomous vehicles that are not regulatory right now. The federal government has said that their current authority covers all of those vehicles. We know what a level five vehicle will look like and what it will be capable of doing. We know the difference between a level four and a level five. It is not that we do not know what it looks like or will be capable of doing. There may not be a vehicle that can do that now. A fully autonomous vehicle will be able to operate in any operational design domain. It can go on any road anywhere it goes, make decisions, and reach the minimal risk condition.

Assemblyman Watkins:

We know what it looks like, but we do not know how it works.

Cory Hunt:

We know how it works, too.

Assemblyman Watkins:

If we have both of those components, then do we not have it?

Cory Hunt:

Those are technical questions that the companies would have to answer. Level four is very near; level five is not far off.

Assemblyman Watkins:

In testimony, we were told that in the minimal risk condition maneuver, the car senses that something is going wrong or is in an unsafe situation and pulls over to the side of the road until there is a fix to the computer system or the traffic conditions change. Do we know what would happen or how this is programmed if the minimal risk condition is necessarily going to result in injury or death to somebody? There may be a situation where the computer has to make a choice—do I run into this child crossing the street, or do I go into the oncoming traffic with a vehicle carrying a family of four? It cannot just float up into the air and stop all conditions. Who makes that decision?

Steve Hill:

That is a question that, from a technical standpoint, representatives here from the industry are going to be able to answer better than we can. The point that we would make is that this type of situation will happen less often.

Terri Albertson:

Staff is advising me at this time that we currently have in our regulations the ability for manufacturers to test all the way up to level five. We do not need to amend our regulations.

Assemblyman Watkins:

To go back to the answer to the last question, is that something we want technology companies to decide—how to evaluate life, whose life is more valuable? Or, is that something that we, as the legislative body, should be deciding for them?

Steve Hill:

I think that answer would be up to you.

Assemblyman Sprinkle:

To confirm, this amendment was submitted two days ago?

Steve Hill:

I believe that is correct.

Assemblyman Sprinkle:

You just touched on this—would you remind me when we first passed laws to allow testing in Nevada?

Steve Hill:

The original law was passed in 2011 and modified in 2013.

Assemblyman Sprinkle:

Are those laws still in place? Are those the laws we are using to continue testing here?

Steve Hill:

Yes.

Assemblyman Sprinkle:

Where is testing of these vehicles occurring today?

Steve Hill:

The Department of Motor Vehicles would have more thorough information than I have. Testing is occurring today at some level. When you ask where it is happening primarily, do you mean within Nevada or throughout the country?

Assemblyman Sprinkle:

I mean throughout the country.

Steve Hill:

There are several primary locations where testing occurs—Pittsburgh, Pennsylvania; Austin, Texas; and the state of Arizona. Unless it has been periodically interrupted, the state of California is a center for testing, as is the state of Florida. There may be additional locations.

Assemblyman Sprinkle:

How are you obtaining the results of the testing that is going on with these vehicles throughout the entire United States? What is that source?

Steve Hill:

I am not sure I understand your question. Are you asking how do I know where the testing is taking place?

Assemblyman Sprinkle:

How do you know that the testing is appropriate, that they are achieving the goals they are setting forth to begin with? Have there been failures that we would want to know about before we as a body actually allow these vehicles on our roads? Where are the results from all the testing that is going on?

Steve Hill:

These vehicles are already allowed on the roads in Nevada. We are only modifying the process with this bill. The information of how these cars perform in Nevada is reported to the DMV.

Assemblyman Sprinkle:

That gets back to my previous question. I assume that you would be well aware of anything that happens in Nevada. If we are now going to allow the certification label on a vehicle rather than actual testing that shows it to be proven in the state, how are we to know that certification label is accomplishing whatever it is accomplishing, that those certification standards are accurate if the testing is being done elsewhere? What you just told me is that we only know what is happening in Nevada.

Terri Albertson:

If you want to get into detail on this, I will ask Jude Hurin to answer. We currently have eight companies that are licensed to test in Nevada. Through our testing regulations and requirements, they have to report any incidents to the Department.

Assemblyman Sprinkle:

Where can we obtain this information? Is it proprietary?

**Jude Hurin, Administrator, Division of Management Services and Programs,
Department of Motor Vehicles:**

Could you please restate your question?

Assemblyman Sprinkle:

Which one?

Jude Hurin:

Let me give you an overview. The way the program is set up, and the intent of A.B. 511 of the 76th Legislative Session, was for the Department to create a testing program with requirements, insurance, definitions and so forth. We also have the ability, based on language, to create a consumer deployment-type of program. The way the program is created today is that we work with each company. They fill out an application in which they provide nonproprietary information to the Department that explains their safety redundant system—how it operates, the training test drivers have for their test vehicles under a testing program. The current language of the regulations as well as NRS does not require us to collect data, with the exception of the regulations that we added in 2012. We collect data on citations that were issued during testing and/or any accidents that occurred while they were in the testing license. That data is collected and provided to us within ten days of an incident. We do not collect any of the technical data. I think California is the only state that actually collects data. What they collect is how many times an individual engaged and disengaged the technology in the vehicle.

What we are concentrating on right now is providing the ability to law enforcement to extract the data needed to add to their investigative tools at the scene of what might be an accident under a testing license or when an autonomous vehicle is sold to the public in the future. Under current laws, we can subpoena that information due to litigation. However, we do not feel that we would know what to do with the technical information we might collect. The way that we work with the companies and try to understand the redundant systems helps us to understand what the limits and capabilities of their technology are prior to licensing them to test on our roadways.

The current regulations already have a self-certification process in place. If I were Toyota and I wanted to start selling my technology to a licensed Nevada dealership, I could do that today. If there is an after-market company that wants to attach that technology to your existing vehicle, they can do that today, but they have to provide the recipient a certification that we have provided to them or they have created that says that, under *Nevada Administrative Code* (NAC) 482A.190, they comply with all the requirements to operate in our state. The bill today is putting that into statute and enhancing it. But the regulations have been there since 2012.

Assemblyman Sprinkle:

You have answered where I was going with my questions. The certification label is a one-stop place that allows us to know that all of Nevada's regulations are being met.

Jude Hurin:

You are correct. The label is based on our current certification requirements. As Mr. Hunt indicated, there are no updates to the Federal Motor Vehicle Safety Standards for automated technologies, but they are soon to come. Until then, autonomous vehicles still have to abide by the rules of the road and the requirements under NHTSA and the U.S. Department of Transportation.

Assemblyman Sprinkle:

Mr. Hill, you stated that we are already operating vehicles in the state. The language in this amendment that states that "a fully autonomous vehicle may be tested or operated without a human operator" is already in statute?

Steve Hill:

As I said when we showed the state comparisons, there is a lighter check mark on the authorization to operate in Nevada without a driver. There are some differences of opinion on whether that is broadly available on any application or whether it is only available for personal use. The statute authorizes at least personal use without a driver. What I tried to say then is that authorization is available, but they would have to go through the entire process of certification to achieve that. To my knowledge, there is no vehicle operating in the state in a fully autonomous manner, but the law allows it.

Assemblyman Sprinkle:

Does the law allow that within what we passed in 2011 and the cleanup in 2013 in regard to testing?

Steve Hill:

It is with respect to the laws that were passed in 2011 and 2013, which authorized testing and at least the ability to operate for personal use.

Assemblyman Sprinkle:

Subsection 3, paragraph (b) of *Nevada Revised Statutes* 482A.100 references licensing of drivers and license plates for vehicles. Is that all new? Are we just starting the process of determining whether an individual is even capable of being in the vehicle with the car in control? Would you have to have a special permit on your driver's license to be in one of these vehicles?

Steve Hill:

I will let Mr. Hunt answer that.

Assemblyman Sprinkle:

The language in the amendment is vague, so I would like to know what you mean.

Cory Hunt:

Are you referring to the section that reads "include provisions regarding vehicle license plates and registration?"

Assemblyman Sprinkle:

Yes.

Cory Hunt:

That language is intended to provide the DMV authority to adopt regulations pertaining to traditional DMV actions regarding license plates, registrations, driver education, driver licensing, and driver training. They could adopt regulations pertaining to those, particularly at level three. If there is no steering wheel and there are no pedals, then you do not need a driver education test because no one is driving. A level three vehicle in which someone could take control of the vehicle would need to have someone with a driver's license to operate the car. The DMV may also require certain education demonstrating that a driver understands how to use the technology. Right now, we do not require that anyone take a driver education class on how to use cruise control. Maybe the licensing has to do with adoption of the technology. This would allow the DMV to adopt regulations pertaining to those standard-issue items.

Assemblyman Sprinkle:

I assume that would also include registration of these new vehicles.

Cory Hunt:

Absolutely.

Assemblyman Sprinkle:

That is what we are starting to build the framework for with this bill.

Cory Hunt:

I think we are restructuring the framework. The framework is there; we are clarifying it.

Assemblyman Sprinkle:

Mr. Hill, earlier you testified to the effect that in the fully autonomous vehicles, liability would rest with the manufacturer. Are they in agreement with that interpretation of the liability?

Steve Hill:

We have had some conversations with them. In any accident, there can be a broad variety of claims. I do not think they will agree that in every situation they would be liable, because in every situation they probably would not be. The operator and the manufacturer of the car are one and the same. It is our opinion that is the predominant situation. They are here and can answer.

Assemblyman Sprinkle:

I will say, as an overarching statement, that will probably need to be a lot better defined.

Steve Hill:

I understand the issue. We have done a fair amount on this subject. The third-party think tanks that are watching this industry and providing input—the RAND Corporation, the Brookings Institution, and those types of organizations—have relatively uniformly advised not changing the liability statutes until there has been more experience with the process. They have also made the point that the court system has historically been very adept at dealing with new technology as it comes up. We think their recommendation makes sense.

Assemblyman Sprinkle:

That is relevant and important information for me as a legislator. I will need to see more definition with all of this.

Steve Hill:

We would be happy to forward that information to you and the Committee.

Assemblywoman Spiegel:

When I read through the bill and the amendment, I did not see a requirement for there to be any public notice of safety track records that would give the public the ability to make an informed decision about whether or not they would want to ride in one of these vehicles or purchase one. Is there a requirement that safety data be available to the public?

Cory Hunt:

There is not any language in the law that requires that at this time. I think, from a liability perspective, manufacturers and companies that offer this as a service will be overly cautious in terms of consumer product notifications and disclaimers related to this technology. There is a large standard of that. I recognize that is not the hard standard that is in the law, but I hope it is something that gives you some comfort. To answer your question directly, no, there is not language in this law right now that requires that.

Assemblywoman Spiegel:

After seeing what happened with Volkswagen last year, I do not have a high level of confidence without there being mandatory public reporting. My other question is also related to the liability issue. I understand that there can be a whole series of liability questions if you have an autonomous vehicle in an accident with a real human driver. What would happen if there was an accident that involves two autonomous vehicles? How would a determination of liability be made?

Cory Hunt:

All of these vehicles have systems that are tracking all of their movements. Many of these vehicles use cameras, so there will be lots of data related to crashes that could be reviewed to determine fault.

Assemblywoman Spiegel:

My car emails me if it has a problem. Are there any requirements that problems with the vehicle itself and/or incidents that happen to contribute to accidents that would cause the vehicles themselves to provide reporting to the state?

Cory Hunt:

No, there is nothing in this law that would require that. Consumer product notifications are standard for cars like the Tesla Model S and other vehicles that have some of these technologies.

Terri Albertson:

Staff is informing me that at this time we have the ability to access data collected on a box three seconds before an accident. That information is provided to law enforcement for investigative purposes. I also have a follow-up response to Assemblyman Sprinkle's question. Currently in *Nevada Administrative Code* (NAC) 482A.020, operator is defined:

For purposes of this chapter, unless the context otherwise requires, a person shall be deemed the operator of an autonomous vehicle which is operated in autonomous mode when the person causes the autonomous vehicle to engage, regardless of whether the person is physically present in the vehicle while it is engaged.

Assemblyman Watkins:

Do we have that in the bill, as being amended or changed in any way?

Terri Albertson:

That is actually in NAC 482A.020, not in NRS.

Assemblyman Watkins:

It is not in our NRS, it is an administrative regulation that was adopted by the Department.

Terri Albertson:

That is correct.

Assemblyman Watkins:

Mr. Hill, if I understood your previous testimony and your presentation, we would not want to change the current liability laws so that in a car accident with a level five autonomous vehicle you would have to go after the manufacturer on the basis of a product liability claim, rather than going after the owner of the autonomous vehicle as the driver under a strict negligence claim.

Steve Hill:

Our intent is not to change the legal process at all as it relates to accidents. The plaintiff could sue whoever it made sense to sue at the time, as they can do now.

Assemblyman Watkins:

That is my point—maybe we do need to change the legal process when we are dealing, for the first time in human history, with artificial intelligence that is stepping into the place of a person. Where does liability go when a machine makes a mistake? Human history and the court system have never dealt with this. Maybe we need to look at making changes for situations dealing with artificial intelligence.

Steve Hill:

I understand your point, and I look forward to working with you on this over the next several weeks.

Assemblywoman Bilbray-Axelrod:

I want to go back to what you said about having policy you created within the DMV. In this proposed amendment, it specifically says that no state agency can create its own policy. I think you said that the Legislature is an exception, but I do not see that in here either. Would that preclude the DMV from creating a more stringent role if they saw fit?

Cory Hunt:

The Department in that section refers to the Department of Motor Vehicles throughout this bill. They would clearly be able to authorize that. We would be happy to clarify the section of the statute you are referring to you. Nothing would prohibit the Legislature from changing that law or any other law, for that matter.

Assemblywoman Bilbray-Axelrod:

I am still concerned. What if another state agency found something about the technology that does not yet quite exist that they wished to create policy for? Trying to create these rules is rather like putting the cart before the horse.

Steve Hill:

To be clear, the technology does exist all the way through the entire process. What does not exist in breadth yet is the testing, the repetition, the reliability to allow it to be broadly applied. We know what this looks like. It is not as if it is a concept that we do not know how to implement. It is just in its formation period, but it is out there and operating now.

Cory Hunt:

This section is intended to say that the Department of Motor Vehicles is responsible for the oversight of the registration process and making sure that manufacturers of these systems, when they certify that they can meet all these standards, are complying with that. That is just for the vehicles and the autonomous technology. If the Department of Public Safety needs to adopt some other regulation or standard, they are not precluded from doing so as relating to traffic laws. However, from a regulatory perspective on safety and certification, registration, and licensing of these vehicles, that is the responsibility of the Department of Motor Vehicles.

Chairman Carrillo:

Are there questions from other members? My question has to do with NRS 482A.100, subsection 3, paragraph (a) [page 4, [Exhibit E](#)]. It mentions a "licensed autonomous vehicle certification facility." How are these vehicles licensed, and who licenses them?

Terri Albertson:

The DMV does, through our current statutes and regulatory authority.

Chairman Carrillo:

In paragraph (b) of that same subsection is the phrase, "... or in any way impede the testing and operation of autonomous vehicles." It essentially provides no room for regulation of any sort. Perhaps the phrase should read, "or in any way unreasonably impede the testing and operation of autonomous vehicles."

Cory Hunt:

We would agree with your suggested wording.

Chairman Carrillo:

Are there any other questions or comments from Committee members?

Assemblywoman Spiegel:

I know this was in the original bill, but I am not sure it is in the amendment. The original bill said that the state may not regulate the technology or the human-machine interface. That leaves me uncomfortable, as it creates the potential for abuse. Things like longhauling could be programmed in, and the state would then not have the ability to get involved. Could you please speak to that?

Steven Hill:

That concept has been removed.

Chairman Carrillo:

Would you please start your walk-through of NRS Chapter 706A?

Cory Hunt:

I am on page 7 of the amended bill ([Exhibit E](#)). Our intent in NRS 706A.110 is to allow for commercial operations using fully autonomous vehicles to transport passengers and cargo. That is the overarching goal of the remainder of this bill. The way we accomplish that is by creating a new class of company, called an "autonomous vehicle network company." If you look at the old version of Assembly Bill 69—it is a giant bill because every time we mentioned "driver," we had to reference "or autonomous vehicle." Then we ran into conflicting issues on both the transportation network company (TNC) side as well as on the common motor carrier side. This language is intended to be a middle ground, where both TNCs and cab companies could apply for permits from the Nevada Transportation Authority (NTA) to operate an autonomous vehicle network company. Nothing in the rest of this bill would prohibit either company from applying for

that permit and then operating a joint company of both a TNC and an autonomous vehicle network company, or a common motor carrier or a transportation for-hire company as well as an autonomous vehicle network company. That is our overall goal for the changes we have made in NRS Chapter 706A.

I can walk through a few high points. On page 5 of the amended bill we define a fully autonomous vehicle, so only level four or level five vehicles would be within an autonomous vehicle network company. In NRS 706A.055, we define the "autonomous vehicle network company" as an entity connecting a passenger to a fully autonomous vehicle for transportation—including for-hire, so a car service or a transportation for compensation. The "transportation services" envisioned in the definition in NRS 706A.060 was originally for a TNC. You will see that the second part of that paragraph includes "when a driver accepts a request by a passenger." That is where we start to deal with the difference between a driver and a passenger or an autonomous vehicle and a passenger.

Throughout the bill, you will see "a transportation network company or autonomous vehicle network company." For the sake of time and to prevent boring everyone to death, I will not go over every section that says that, but if there are questions on why they are inserted, I am happy to answer them. *Nevada Revised Statutes* 706A.085 makes clear that you can use a fully autonomous motor vehicle with an autonomous vehicle network company to provide transportation services.

Steve Hill:

This requires that all of the requirements that we talked about in NRS Chapter 482A are met in order for these companies to operate this way. This allows that companies in this sphere, as long as they meet all the requirements of NRS Chapter 482A, can operate.

Cory Hunt:

Nevada Revised Statutes 706A.090 makes changes that allow an autonomous vehicle network to direct a motor vehicle, to tell it where to go. Under current law, a TNC cannot tell a vehicle where it needs to go to wait to pick up a passenger. *Nevada Revised Statutes* 706A.100 allows the Transportation Authority to adopt regulations relating to autonomous vehicle network companies. That provision also allows them to use the current process in the interim while they adopt regulations to be able to be licensed and receive a permit as an autonomous vehicle network company while those regulations are being adopted.

Nevada Revised Statutes 706A.110, subsection 4 mentions that a transportation network company can be an autonomous vehicle network company—nothing precludes them from being both, but it requires that the entity adhere to both of the requirements of the chapter. Subsection 5 says that we will not preclude these companies from partnering together to provide these services as a whole.

Nevada Revised Statutes 706A.120 talks about submitting an application for permit, either as one entity or as a combined entity, saying that whatever form is currently there can be used

until those regulations are adopted and updated. *Nevada Revised Statutes* 706A.130 authorizes an autonomous vehicle network company to use a dispatch center, a software package, or other means of digital communication to connect passengers with these autonomous vehicles. In subsection 3 we make clear that a company regulated under Chapter 706 of NRS as a common motor carrier can also apply to be an autonomous vehicle network company. Nothing in the chapter prohibits a common motor carrier from operating also as an autonomous vehicle network company.

Moving on to page 11 ([Exhibit E](#)), NRS 706A.170 allows an autonomous vehicle network company with a permit issued by the Nevada Transportation Authority to charge a fare for transportation services. Currently, in a transportation network carrier environment, you are required to notify the passenger before you arrive with a photograph of the driver and the license plate number. *Nevada Revised Statutes* 706A.200 states that the autonomous vehicle network company would have to provide the license plate number.

Nevada Revised Statutes 706A.210 requires that autonomous vehicle network companies provide passengers with a receipt in a timely manner. On page 13, NRS 706A.230 outlines the reporting requirements that an autonomous vehicle network company must maintain for at least three years and make available to the Transportation Authority—trip records, vehicle inspection records, and complaints and resolutions of complaints.

On the bottom of page 14 ([Exhibit E](#)), NRS 706A.270 requires reports to the Nevada Transportation Authority regarding any vehicle crashes with a fully autonomous vehicle while the vehicle is providing transportation services. On page 15 ([Exhibit E](#)), NRS 706A.280 prohibits an autonomous vehicle network company or its vehicles from longhauling unless specifically requested to do so by the passenger. That provides similar protection as provided with TNCs, but for autonomous vehicles.

Nevada Revised Statutes 706A.300 on page 16, provides for suspension or revocation of a permit and fines in a similar fashion as is done with transportation network companies. *Nevada Revised Statutes* 706A.310 requires that the autonomous vehicle network company be a properly licensed company to operate. That takes us through the end of the bill.

Assemblyman Sprinkle:

You answered several of my questions with your presentation. Where will the specific regulations be located in statute for this new autonomous TNC that we are establishing?

Cory Hunt:

Those would be under NRS Chapter 706A, so I imagine they would be under NAC Chapter 706A, under the authority of the Nevada Transportation Authority.

Assemblyman Sprinkle:

I did not see those in the mockup. It has yet to be determined what that will look like?

Cory Hunt:
Correct.

Assemblyman Sprinkle:
Who has the authority for that?

Cory Hunt:
The Department of Business and Industry would have the authority. We have representatives here from that department, the Nevada Transportation Authority, and the Taxicab Authority.

Assemblyman Sprinkle:
In reference to NRS 706A.280, subsection 3, if those infractions occur, what are the consequences?

Cory Hunt:
In NRS 706A.310, the Nevada Transportation Authority can determine if some term of the permit has been violated. If that is the case, the result can be suspension or revocation.

Assemblyman Sprinkle:
Do we know that through the report that they submit? Or will there be periodic audits done with the data that is required to be gathered?

Cory Hunt:
I will defer to Director Breslow on that.

Bruce Breslow, Director, Department of Business and Industry:
Alaina Burtenshaw, Chair of the Nevada Transportation Authority is also here. We would have public hearings and workshops in order to adopt regulations to address those things as they develop. I was the Director at the DMV back in 2011. All of your questions and more were asked and argued—not only by the Legislature, but also by the DMV in drafting the first framework to do this. We had Toyota, Ford, General Motors, Audi, Bosch, Stanford University, Carnegie Mellon University, the insurance network, the Department of Public Safety, the court system, the National Highway Transportation Safety Administration, Google, and more meeting in Nevada, creating the first-ever framework and the law that is on the books today. While there are no level five vehicles being sold to customers, if there were, you could buy one and go to the DMV today and get a green license plate under the current law. They are being tested across the country. What this bill is doing is updating the law. Because Nevada was the first state to do this, the definitions you saw were developed because Nevada created the framework.

Assemblyman Sprinkle:
My question was, where are these regulations going to be and what are the consequences going to be?

Bruce Breslow:

The process I was describing will take place as we develop the regulations.

Assemblywoman Spiegel:

There could be a cab company that has both autonomous vehicles and traditional vehicles. What if someone were waiting at a queue at the airport and the next cab up is an autonomous vehicle and they do not want to ride in it? Would there be the ability to turn down that ride without losing a place in line?

Bruce Breslow:

Someone hailing a vehicle always has a choice as to whether or not to accept the vehicle.

Assemblywoman Spiegel:

I know that one or two TNCs will charge a no-show fee if the car comes up and you do not want to take the ride. What if that happens? If someone uses a TNC, orders a vehicle, thinks the ride will be a traditional car, but an autonomous vehicle shows up? Would a no-show fee be charged? Would there be any recourse if the ride in an autonomous vehicle was turned down?

Bruce Breslow:

That is one of the questions that we would ask the companies during the regulatory process in one of the workshops. We would create regulations to protect the Nevada consumer.

Assemblywoman Spiegel:

What is your intent?

Bruce Breslow:

My intent is to follow the law that is passed by the Legislature.

Assemblywoman Spiegel:

Has this situation been contemplated? What are your thoughts?

Bruce Breslow:

The technology exists in other states. We pioneered it, but other states have passed us. Updating this would allow this technology to once again come to the forefront, be tested, and eventually be on the streets in Nevada. Because of the way the original law was written, there is reference to a driver, so cab companies or TNCs would not ever be allowed to use autonomous cars in their fleets unless we updated this law. That is all this does. It creates a definition that would allow those industries to purchase autonomous vehicles if they so choose to use them, and also a licensing application under NRS Chapter 706A which would allow the NTA to create regulations to go with the law for that to take place. It is a regulatory framework that has yet to be developed, but it is necessary because that technology is currently on the roads across America, but it cannot be used in a fleet. You could buy an autonomous car from Toyota and register it, but a taxicab company could not buy it and add it to its fleet unless we change this.

Steve Hill:

Assemblywoman Spiegel, our recommendation would be that no one would be forced to use an autonomous vehicle without their consent, nor should any penalty be incurred for rejecting a ride in an autonomous vehicle.

Assemblyman Watkins:

If level five autonomous vehicles exist, how are they programmed to deal with the scenario I laid out before in which someone is likely to be severely injured or killed? How do they evaluate who should be hurt and who should not?

Steve Hill:

Could we allow the manufacturers that are here to address that? They will be able to do that a lot better than we can.

Chairman Carrillo:

I have follow-up questions pertaining to amendments to NRS Chapter 706A governing TNCs. Is it your intent with these amendments that autonomous vehicle companies which operate fully autonomous vehicles be subject to permit requirement regulations by the NTA and payment of annual fees based on gross operating revenue in the same way that TNCs currently are?

Cory Hunt:

That is our intent. We would not establish that by law, but that would be governed by the Nevada Transportation Authority and decided through regulation and their process.

Chairman Carrillo:

On the middle of page 7, amendments to NRS 706A.100, I have a question regarding the last sentence added. Is it your intent that the autonomous vehicles used in this chapter by autonomous vehicle networks companies not be subject to any of the safety, licensing, or registration requirements imposed on the autonomous vehicles in NRS Chapter 482A?

Cory Hunt:

No, that is not our intent. In NRS 706A.085, we state that the vehicle must meet the requirements of NRS Chapter 482A. That is our clear intent.

Chairman Carrillo:

Are the provisions of NRS 706A.075 intended to be the sole requirement for such vehicles? Can you elaborate on that?

Cory Hunt:

What is the question?

Chairman Carrillo:

Is this intended to be the sole requirement?

Cory Hunt:

I am not sure I understand the question. We would be happy to follow up with you on that. The intent of that section is that the motor vehicle laws that we have in statute apply.

Chairman Carrillo:

That was just to confuse you. I think I did a good job.

Cory Hunt:

Our intent in NRS 706A.100 and NRS 706A.075 is to clarify that any regulations adopted under the NTA would not cover vehicle safety, licensing, or registration as we mentioned in NRS Chapter 482. These sections are saying that we want the NTA to govern the consumer side of the deployment of these vehicles and the Department of Motor Vehicles to govern that they can be driven on the public roads in Nevada.

Chairman Carrillo:

There appear to be no other questions from Committee members, so I would like to move on to testimony in support of Assembly Bill 69.

Bruce Breslow:

I am here today to support this bill. I would like to introduce to the Committee the Chair from NTA.

Alaina Burtenshaw, Chair, Nevada Transportation Authority, Department of Business and Industry:

The NTA supports A.B. 69. I am here to answer any questions you might have.

Chairman Carrillo:

There are no questions from the Committee members. Is anyone else here in support of A.B. 69?

Alisa Nave-Worth, representing Waymo, Mountain View, California:

Waymo is a member the Self-Driving Coalition for Safer Streets, which consists of Ford, Lyft, Volvo, Uber, and Waymo (formerly known as the Google Self-Driving Car Project). They have asked us to submit to the record a letter of support for A.B. 69 as revised (Exhibit F).

Paul Moradkhan, Vice President, Government Affairs, Las Vegas Metro Chamber of Commerce:

The Chamber would also like to offer its support for A.B. 69 and support the amendment that has been offered by GOED as presented today. The Chamber supports the transportation policy that has been brought forth to this Committee for its consideration. Obviously transportation is an important part of our commerce. Our Chamber supports many of the benefits you heard earlier today in the presentation. We have also been asked to offer the support of The Chamber, Reno-Sparks-Northern Nevada.

Chairman Carrillo:

I have a question for Waymo.

George Ivanov, representing Waymo, Mountain View, California:

Waymo, formerly known as the Google Self-Driving Car Project, has been developing self-driving technology since 2009 to improve safety and mobility on our roads. We support the amendment to Assembly Bill 69 proposed by the Governor's Office of Economic Development and the Department of Motor Vehicles, which would enable the safe operation and commercial use of fully self-driving vehicles in Nevada by updating key provisions in the existing statutes. We look forward to working with the Committee throughout this process and look forward to answering any questions.

Assemblyman Watkins:

Are you able to answer my question? How does the technology prioritize life and injury when making a minimal risk condition maneuver?

George Ivanov:

I think we are describing two different things. A minimal risk condition is achieved when there is a failure of the automated system. In normal operating circumstances, vehicles are designed to not put themselves in any situation that forces them to make a decision that is life threatening to any entity. In prior testimony, there was mention of the range in detection these vehicles have. For our specific technology, our sensors' accommodation of radar, laser, and camera sensors can see up to two football fields out on all sides—360 degrees, day or night. That technology is detecting every single car on the road, every pedestrian, every cyclist, in real time. It detects hazardous situations as they are happening all around the car and ensures that it does not put itself into any situation of the nature you described. If there is a failure of the main system, however, the minimal risk condition is designed to put the vehicle into a state in which it would not create any form of injury. The backup computer of our system is designed to either stop the vehicle safely in its place or, if that is not possible, to pull over safely to the side of the road away from incoming traffic.

Assemblyman Watkins:

What if the road conditions are created in such a way that there will be an accident and the system knows it. How does it prioritize what to do in that situation—who to hurt and who not to hurt?

George Ivanov:

I will give you an example of some of the circumstances we have seen. In California, we have been involved in accidents in the course of our testing over the past couple of years. The vast majority of those have been rear-end collisions in which our vehicle stopped and was rear-ended at a light or as it was about to make a turn. In those situations, unfortunately, there is nothing we can do. These are the types of collisions that technology cannot prevent, and we cannot accommodate a change, especially when a vehicle is boxed in on all sides.

There is simply nothing we can do to prevent a rear-end collision, no matter what the technology is. Whether it is a level four or level five system, we believe that those types of collisions will continue to occur.

Assemblyman Watkins:

That does not answer my question. If your level five vehicle is driving down the street when a little girl steps out right in front of it and if there are vehicles on both sides, how does the system decide whether to kill that little girl or to run into the car next to it?

George Ivanov:

With apologies, the vehicle would see the little girl before even reaching that situation. We would detect the situation as far out as possible, and avoid being put in that circumstance.

Assemblyman Watkins:

Are there no systems in place in the technology right now to prioritize, if there is nothing that can be done to avoid the accident, who will be hurt or who will be killed?

George Ivanov:

Our systems have buffers in place to identify the types of entities we have detected on our public roadways—whether they are cyclists, trucks, motor vehicles, small children, or large adult human beings. We have detected enough over the 2.5-plus million miles we have driven on the roads that we know which entities are of higher and lower risk. One of the key things we have to see beyond just what is on the road around us at all times is being able to predict what those entities are likely to do based on the velocity of the vehicles around us, and the actions they are taking. We need to understand which types of entities are likely to be high risk.

For example, if the technology sees that child, seeing through or around a vehicle to detect the child, we would classify that as a higher-risk entity than an adult, one who is more likely to run into a street, or an entity more likely to break the law by stepping off the curb at the wrong time. Our vehicles are designed to ensure that we are always detecting for those situations, switching into adjacent lanes when necessary. We have run into situations in which we have had cyclists going the wrong way on a one-way road into oncoming traffic, and the vehicles around us have not detected the situation in pitch-black night conditions. Our sensors had detected those and accommodated for them. Those are the types of situations we have put into our systems and run in simulation for billions of miles over the last couple of years. We simulate a billion miles every year from those real-world situations and try to accrue as much real-world driving to catch those situations. Right now, we are doing roughly 30,000 miles per week of real-world driving in California, Arizona, Texas, and Washington State.

Assemblyman Watkins:

I do not think you answered my question. Does your technology currently prioritize who or what will be injured or damaged when an accident is unavoidable? Is that part of the algorithm?

George Ivanov:

As I mentioned, in situations in which an accident is unavoidable because there is no ability to move, the vehicle will not, for example, run into the car ahead of it or the vehicles around it. In those situations, we have been rear-ended. Fortunately, we have not had any situations in which our test drivers sustained personal injury.

Assemblyman Watkins:

I understand that you have not had any situations in which this has happened; what if it does happen in the future? What do we do?

George Ivanov:

The key element for us has been to improve the sensing as much as we can. For us, that has meant designing the systems in-house. We started with many off-the-shelf parts over the years. As the Committee knows, these sensors and technologies are expensive, making a high cost on top of the base vehicles on which they are installed. We have managed to reduce the cost by roughly 90 percent by designing the lasers, radar, cameras, and computing designs in-house. That is, in part, to reduce costs, but also to improve the safety, range, and fidelity of what we are seeing. As described in earlier testimony, our technology now recognizes hand signals. In early 2009 when we began, that was not something we were capable of. When we began in 2009, we also were not capable of working on surface streets, which are much higher-density, much more complex. We were only able to do highway driving. In those early days, we were not confident that we could be fully self-driving.

In fact, that inflection point occurred in late 2012. At that time, we provided training to 140 Google employees who were not affiliated with the project on how they could use our vehicles for a one-month period of time on highways in the Bay Area. We found, in the course of testing, that the vehicles handled as intended in highway-only conditions, which were intended to hand control back to a human driver. But we found that the people in the vehicles were not following the instructions—they were not monitoring the vehicles and were not ready to take control when needed. Oftentimes they were conducting unsafe movements and tasks, such as moving into the backseat of a vehicle, looking for items, checking their phones—being distracted in ways that, unfortunately, we have seen in drivers on the roads today. That is when we made the jump on our end. First, we shut down the testing because, in our view, it was not safe. Second, we moved toward developing fully self-driving technology. That is why we made a pivot, investing in that fully self-driving technology. October 2015 is when we completed the world's first fully driverless trip in Austin, Texas. Unfortunately, the test is not something that could ever have been done in Nevada, based on current statute.

Assemblyman Fumo:

What does your company do to prevent hacking? I have seen on the news that cars are hacked by teenagers who take control of braking. Are there algorithms and programs in place to guard against that?

George Ivanov:

We have the benefit of leveraging Google's security team, which is made up of over 400 security professionals who, day-to-day, protect both Google's data centers and people's emails and phones. We have leveraged much of that experience for how we protect our vehicles. A couple of measures come into play in that respect. Those are industry best practices in both the technology and automotive industries. They include system encryption, communication encryption, and a reduction of the number of wireless access points in the vehicle. They ensure that safety-critical systems are segmented from nonsafety-critical systems wherever possible. In many of the reports we have seen, we have found that in most of those situations, one of those elements had been missing. We are regularly going through exercises that include pressure-testing our systems with those security teams to ensure that we have adequate protections.

Assemblyman Fumo:

Even with adequate protections, there is no way to know for sure that you can prevent hacking, correct?

George Ivanov:

There is no way to know for sure. There are always threat actors out there. One element that we have found to be extremely valuable is the federal government's action on this. Recently they issued cybersecurity guidance as well as separate guidelines for autonomous vehicles. The autonomous vehicle guidance included cybersecurity, privacy provisions, as well as provisions for complying with federal, state, and local law around setting your operational design domains. In their view, all of those elements would be provided back to the National Highway Traffic Safety Administration by a company such as Waymo in the form of a safety assessment letter for the agency to view and understand.

Assemblyman Fumo:

I heard that there is data collection that the computer saves three seconds before an accident. It sounds similar to a black box. Does your company do that as well?

George Ivanov:

Under the California statute there is a 30-second data collection after an accident. We are required under the current law and under current regulations to disclose those.

Assemblyman Fumo:

If a vehicle is in an accident does that information become part of the Nevada public record? Or do you consider that proprietary information, requiring a lawsuit to get it?

George Ivanov:

My understanding is that information is provided to the Department of Motor Vehicles under the California law. I am not as familiar with the Nevada process, but my understanding is that it is similar.

Assemblyman Fumo:

I have not heard the answer to this question yet. I would like a yes or no answer regarding the ethical decision in our hypothetical situation in which a child is standing still, so the system thinks she is a fencepost. A truck is going 80 miles per hour down the highway. At the last second, the child jumps out, forcing the vehicle to make a decision in the blink of an eye. Does the vehicle hit the child or move over into another lane and kill a family of four that is coming in the other direction? Do you have an algorithm that decides that?

George Ivanov:

Our algorithm is a program to ensure that we do not end up in that situation.

Assemblyman Fumo:

Yes or no. Do you have an algorithm that prevents that?

George Ivanov:

We are designing the system to ensure that we do not face such a situation.

Assemblyman Fumo:

Then the answer to my question is no.

George Ivanov:

Politely, with due respect, we are designing to ensure we do not face that situation.

Assemblyman Fumo:

Your answer is no.

Assemblywoman Monroe-Moreno:

In the event that your system is hacked, who takes responsibility for the liability for the accident that is caused by the hacking?

George Ivanov:

We are currently operating our own testing fleet. Under California law and regulations, as well as other existing state laws and motor vehicle codes in the states in which we are testing, all of the existing rules and liability and insurance requirements and, ultimately any legal action that may be taken, are ones that we would be complying with and subject to. That applies to any cybersecurity-related actions or any other matters that may occur that would impede the safety of the vehicle.

Assemblywoman Monroe-Moreno:

Going back to the scenario that Assemblymen Fumo and Watkins brought up—let us say the little girl was hit after your vehicle was hacked. Could her parents sue you?

George Ivanov:

We expect that the existing tort framework will settle this. Ultimately, we expect that there will be an evaluation of this in the courts. For the companies that are operating or testing this technology—we are all adequately preparing for that, with the expectation that those questions will arise.

Assemblywoman Spiegel:

As I was reading through this, I could imagine an incident in which an autonomous bus that is driving in a dedicated bus lane, so that it would count under the framework as detailed in this amendment, could be behind a vehicle that stalls while crossing train tracks. Are you saying that the technology exists today that a bus that is traveling at a fair amount of speed would have the wherewithal to see that something in its path has stalled and be able to stop?

George Ivanov:

That is correct.

Lorne Malkiewich, representing General Motors, Washington, D.C.:

You have a copy of a statement prepared by General Motors on NELIS ([Exhibit G](#)). I will not read the statement to you, but will indicate that General Motors appreciates the opportunity to collaborate with the state, GOED, the Department of Motor Vehicles, and the other stakeholders. They look forward to working with the Committee and stakeholders on this bill. I would be glad to answer any questions.

Assemblyman Watkins:

There was a question posed earlier as to whether the current liability construct was okay with the automobile manufacturers and/or the amendment submitted for consideration by the Nevada Justice Association. Have you seen that amendment, or do you have an opinion on that debate?

Lorne Malkiewich:

I have just seen this provision. We will check with General Motors. I assume this is one of the issues that will be addressed by the Committee again with this bill.

**Matthew Burton, Legal Director, Regulatory Development, Uber Technologies Inc.,
San Francisco, California:**

Thank you for taking so much time on this bill. I realize it is late, so I will limit my comments to echoing the support from the coalition for the amendment of NRS Chapter 482A. I would like to note a couple of points on the proposed amendment to NRS Chapter 706A. While we think the current draft is heading in the right direction with respect to amendments, we still have some questions with respect to the timing of the legislation and the contours of the approach taken there. We are not aware of another state in the Union that has adopted comprehensive laws regarding the use of autonomous vehicles in a for-hire capacity. We urge some caution on legislating in this area too quickly, as this is an area of rapid technological innovation. Establishing a new statutory framework too soon can have the unintended effect of slowing that innovation. As just one example,

we believe there is a spectrum of operational models for the introduction of fully autonomous vehicles in a ride-sharing capacity. For instance, Uber has introduced vehicles with certain capabilities on its network in places like Pennsylvania and Arizona. Other companies may want to do something similar in the future; however, the current amendments do not obviously embrace this iterative approach that autonomous vehicle ride sharing may take. We are still reviewing these changes and what these would mean in the short term and in the long term. We look forward to continuing to work on this bill throughout the rest of the session.

Chairman Carrillo:

Are there any questions from the members? [There were none.]

Curt Augustine, Director of Policy and Government Affairs, Alliance of Automobile Manufacturers, Sacramento, California:

I want to thank the Department of Motor Vehicles and GOED for all their work on this bill. We still have some concerns with the bill which we have shared with them. Based on the working relationship we have had with the two entities, we are confident that they will fairly evaluate our comments and incorporate them through the process as we go. There are many issues that are still in play as highlighted by the gentleman who spoke before me. We look forward to working with the Legislature and the Executive Branch on trying to resolve the concerns for the manufacturers, the motoring public, and everyone else in society that will be affected by these vehicles.

Gail Tuzzolo, representing Transportation Resources Advisory Committee and Regional Transportation Commission of Southern Nevada:

Tina Quigley of the Regional Transportation Commission (RTC) of Southern Nevada had to go to another hearing. She asked me to add the RTC as being in favor of this bill. The Transportation Resources Advisory Committee is also in support. We appreciate the amount of work that GOED has put into this bill. We believe that transportation is critical to our economic development in Nevada. We look forward to continuing to work on these issues.

Chairman Carrillo:

Seeing no one else in support in Carson City, we will take testimony in support of A.B. 69 in Las Vegas.

Anthony J. Ruiz, Senior Director of Communications and Public Affairs, Las Vegas Global Economic Alliance:

The Las Vegas Global Economic Alliance is the regional development authority for southern Nevada. It is a public-private partnership that includes local communities and businesses. It supports the amendment to and the passage of Assembly Bill 69 through the bill and amendment as we believe it will create additional economic opportunities in an emerging target industry for the region.

I have submitted a new study as an exhibit (Exhibit H) which should be on NELIS for your consideration. It focuses on the ways in which different target industries need to shift over

time to promote continued growth and economic success in southern Nevada. I know it is getting late, so I will just say that the study will guide our economic development efforts over the next five years. Among its key findings and recommendations is that autonomous systems be one of the seven focus industries, with a specific focus on terrestrial autonomous systems as an important emerging element within that cluster.

That report builds on the Brookings Mountain West report that was developed in 2011. This legislation has the support of the Las Vegas Global Economic Alliance.

Chairman Carrillo:

Are there questions from members of the Committee? [There were none.] There is no one else in support in Las Vegas, so we will take neutral testimony in Las Vegas. [There was no one.] Is there anyone neutral in Carson City? [There was no one.] Is there anyone in opposition to A.B. 69?

Robert T. Eglet, representing Nevada Justice Association:

The Nevada Justice Association is supportive of the concept and the purpose for A.B. 69. We hesitated as whether to testify as neutral or opposed to the bill, but we cannot offer our support unless certain proposed amendments designed to protect Nevada's citizens who are also using our roadways are adopted into the final iteration of the bill. As a preliminary measure, I would like to thank the Committee for the time it is spending on this bill and for the concerns you have raised. While A.B. 69 does much to create the enabling legislation necessary to regulate the autonomous vehicle industry, we have concerns that this bill stops short of doing enough.

Despite a draft version of A.B. 69 and a new version containing substantial changes that was provided to us this morning by GOED, we still have many concerns. Those concerns relate to the lack of key terms that should be defined in statute, as opposed to being done in regulation. Additionally, we believe that traditional theories of negligence should apply in auto accident cases by autonomous vehicles. To that end, the Nevada Justice Association is proposing several amendments to A.B. 69. I would like to walk the Committee quickly through our proposed changes, which you can find on NELIS ([Exhibit I](#)).

To begin with, we wish to clarify in NRS Chapter 482A the definition of "autonomous vehicle." Existing law provides that an autonomous vehicle is "a motor vehicle that is equipped with autonomous technology." In the most recent draft of the bill prepared by GOED, the definition has been amended to include, among other things, that the "vehicle is equipped with an automated driving system." In light of this recent amendment, the Nevada Justice Association is requesting that the word "safely" be interposed before the phrase "function as a level three, four, or five system." We feel this additional language is necessary in order to emphasize the fact that these vehicles should be safely operated, irrespective of whether the automated driving system is engaged. Additionally, the Nevada Justice Association is recommending the terms "autonomous mode," "driver," and "manufacturer" be added to the statute. Having these terms defined in statute promotes clarity in the law and will be essential to clarify liability in car accident cases involving autonomous vehicles.

In its amended draft of A.B. 69, the bill defines an "automated driving system." The Nevada Justice Association wishes to take that one step further by also defining "autonomous mode." In doing so, we seek to distinguish between when a vehicle is being operated by a human driver versus when the car is driving itself with the automated driving system engaged. This applies to the level three automated vehicles. It also takes into consideration existing technology that allows a vehicle to switch from one mode to another, either for emergency reasons or otherwise.

Additionally, we believe that the term "human operator" should be kept in the bill. While the term was removed from the most recent draft, this language is critical in ensuring we are able to properly distinguish between a vehicle operated by an actual driver rather than the automated driving system on the level three vehicles. In keeping the original definition from A.B. 69, we merely wish to add the word "safely" to emphasize the safe operation of these types of vehicles.

In defining "manufacturer," we correct an oversight in Nevada law, which does not presently define who a manufacturer of an autonomous vehicle actually is. We define a manufacturer as "the person that originally manufactures a vehicle and equips autonomous technology on the originally completed vehicle" or, in the case of a third-party modification, "the person that modifies the vehicle by installing autonomous technology to convert it to an autonomous vehicle . . ." after manufacturing.

Defining "driver" is the key to our request. Throughout NRS and common law in Nevada, "driver" is the term that is used. We include both the human operator and the manufacturer in the definition. This ensures that in the case of an auto accident either a human driver, if physically driving the vehicle, or the manufacturer, if the automated driving system is engaged, can be held responsible for negligence or other applicable theories of liability by failure to observe the rules of the road. Additionally, the "driver" would also include an autonomous vehicle network company that may be remotely controlling the autonomous vehicle irrespective of whether they are a first-party manufacturer or a third-party manufacturer of the vehicle. This definition contemplates a situation in which a transportation network company purchases a fleet of autonomous vehicles and is controlling them through their own software, independent of the first-party manufacturer. By clearly defining manufacturers and autonomous vehicle network companies as drivers, as well as human drivers, we ensure that both will be subject to traditional negligence claims in auto accident cases when an automated driver system is engaged in driving the vehicle.

In general, motor vehicle accident lawsuits are mainly negligence actions. This type of claim is commonplace in Nevada and throughout the country; however, manufacturers may take the position, with autonomous vehicles, that if a driverless vehicle causes a car accident, only a product defect claim can be asserted against them. If we were to allow that, autonomous vehicle manufacturers would receive a significant windfall at the consumer's expense. Product defect litigation is anything but straightforward. For 30 years, it has encompassed the vast majority of my practice. It is more complex and costly. For instance, expert witnesses must be retained as a matter of course in product liability cases instead of having

a jury decide if a driver violated the rules of the road by running a stoplight or failing to yield the right-of-way. Hiring a product liability expert can cost upwards of \$150,000 to \$200,000 and can be prohibitively expensive for cases involving nonserious or nonlife-threatening injuries. Inevitably, this would deter people from pursuing compensation for their medical expenses, lost income, pain and suffering, and property damages in cases with values of less than \$150,000 to \$250,000 despite having a legitimate claim. Injured people will go uncompensated for their injuries because these cases will be too cost-prohibitive to bring. It would undoubtedly have a chilling effect on injured victims from being compensated for their injuries resulting in the cost of these damages being passed on to the state or federal governments instead of the responsible party, in this case the autonomous vehicle manufacturer.

In sections 22, 32, and 55 of A.B. 69's original draft, the bill would require motor carriers, taxicabs, and transportation network companies operating autonomous vehicles to maintain \$5 million or more in insurance coverage for bodily injury claims. To my knowledge, those provisions were not included in the most recent draft circulated by the Governor's Office of Economic Development—the insurance was removed. However, those provisions should be included. It is the Nevada Justice Association's position that the insurance be raised to a minimum of \$25 million when these vehicles are actually deployed. Existing law requires businesses to obtain \$5 million in insurance coverage before testing autonomous vehicles on state highways. While this may be adequate for the purposes of testing a small number of vehicles, full-scale deployment necessarily involves higher risk and warrants a higher insurance policy limit. We believe a \$25 million policy is reasonable and necessary, given the safety concerns with adopting such new and unproven technologies and putting them directly into the public.

In sections 71-76 of our amendment, we are proposing supplemental language to be added to NRS Chapter 482A. This language reiterates the definition of driver and reaffirms manufacturers are considered drivers of vehicles if the autonomous mode is engaged. It further establishes that manufacturers will still be subject to traditional negligence claims, not just product defect claims, in the event their vehicles cause an auto accident. These provisions are critical in ensuring that people injured by autonomously-driven vehicles are not precluded from bringing traditional negligence claims against the manufacturers and are not limited to very expensive product liability claims.

Mr. Hill testified that he believed that the proposals by the Nevada Justice Association required that, if an autonomous vehicle is in an accident, then it is negligence per se under the amendment. That is not true; it is a misunderstanding of our amendment. Just as any driver who violates a statutory rule of the road can be held negligent per se if their violation of the law caused the accident and injured somebody, our amendment asks the same be true of autonomous vehicles.

In sections 77-91 inclusive of our proposed amendments, we ask this Committee to create a new chapter in the *Nevada Revised Statutes*, dedicated to autonomous vehicle network companies. In my meeting with Mr. Hunt this morning, he said that the Governor's Office

had considered that and still may be considering it. Traditional car ownership, precipitated in large part by the millennial generation, may be relegated to the dustbin of history, and a new model of rideshare may emerge in its place. Instead, auto manufacturers may choose to deploy their own vehicles, using their own autonomous vehicle networks accessible through a smartphone application. Owning or leasing a car may still be an option provided by the manufacturer, but a flat per-month fee in exchange for transportation services offered directly by the auto manufacturer may be the predominant way we travel in the future. Therefore, it is advisable, in our opinion, to create a new chapter to deal with such issues, and A.B. 69 can be amended to accommodate those changes. While the Governor's Office of Economic Development's draft bill incorporates autonomous vehicle network companies into the same chapter governing transportation network companies, these autonomous vehicle network companies arguably pose their own unique set of challenges.

I will not go through all of the key provisions that we have in our proposed addition to NRS Chapter 482A. It repeats some of the requests we have on amendments. I want to highlight that in sections 83-84 of our proposed amendment, we believe the definitions of "autonomous vehicle network company" and "transportation services" must include autonomous vehicles transporting goods as well as passengers. In doing so, businesses like UberEATS and Postmates that are primarily engaged in food delivery service, will be covered under the law if using autonomous technology. In comparison, these types of companies are not technically considered transportation network companies, based upon the plain reading of NRS Chapter 706A. I do not see them including transporting goods in the new proposed and amended bill. Our amendment would put motor carriers, taxicabs, and commercial motor vehicles within the ambit of the statute, provided that these vehicles are being autonomously operated in conjunction with a digital network or software application.

We have a concern about platooning, which Mr. Hunt talked about earlier. I want the Committee to understand exactly what platooning means. We are talking about trucks stacked up behind each other—one after the other after the other—with no limit in the legislation that I see as to how many can stack up. I know there are some truck drivers on the road that think they can already platoon and draft behind each other, but under the law there is a certain amount of space based upon the speed they are travelling that must be left between vehicles. The sponsors of this bill are asking the Nevada Transportation Authority or the DMV to allow exemptions to that law, allowing them to stack these vehicles up in close proximity to draft off of each in order to save fuel or battery power. I understand the economic reasons for that; however, the risk that poses if just one of the vehicles' software fails—the pileup and the injuries that could cause—requires that more research be done before it is let loose in our communities.

I agree that this Committee and this Legislature has the power to be at the forefront in this type of legislation, setting the standard for the entire country. There has been much written by leaders in this technology so that other states are looking to see what Nevada does and

will likely follow your lead. As a result, it is important that you spend a lot of time on this bill, and I appreciate your allowing this hearing to extend into late hours, and I appreciate the questions you have asked. We were glad to hear GOED say that safety must take a priority over economics. We agree with that. The governor's Office of Economic Development also stated that it is not their intent to change the legal process. We need these amendments placed in the bill to make the autonomous software become the driver—this is not like cruise control in which technology is assisting us. Negligence laws should apply. This bill changes liability laws in Nevada. People with nondeath or nonserious injury cases may not have any recourse. This bill could cause the hard-working citizens of Nevada to suffer.

We are not opposed to this legislation. We understand the purpose and the concept. We know this technology is coming faster than a lot of us believed it would. We think there has to be a fair balance throughout the legislation and, as GOED stated, we believe that safety needs to be the priority.

Assemblywoman Spiegel:

Did I understand your definition of manufacturer correctly? If General Motors makes a car, someone buys it then takes it to a local auto shop to have it modified to make it an autonomous vehicle, would General Motors not be considered the manufacturer?

Robert Eglet:

That is correct. The company that manufactured the software that made the vehicle autonomous would be considered the manufacturer.

Assemblywoman Spiegel:

Would that then void the original manufacturer's warranty?

Robert Eglet:

Existing law in Nevada regarding product liability cases maintains that if a product is altered and the alteration of the product is what caused the failure, then the original manufacturer is not responsible.

Assemblywoman Spiegel:

I understand that. Let me give you an example. Let us say that the product defect of the car had nothing to do with the autonomous equipment that was installed. Let us say that an old Ford Pinto with a known product defect was made into an autonomous vehicle. The defect with the gas tank may not have had anything to do with the autonomous technology. Would Ford still be responsible for the product defect, even though it was separate and apart from the autonomous technology?

Robert Eglet:

First of all, I would find it very hard to believe that any state's DMV would allow

a Ford Pinto to be registered with autonomous vehicle technology. If it happened, Ford would still be responsible for the exploding gas tank because it had nothing to do with the autonomous software.

Assemblywoman Spiegel:

Thank you. I wanted to clarify that even though we are changing what some might think of as the definition of manufacturer, the original manufacturer would still be the official manufacturer for defects that had nothing to do with autonomous technology.

Robert Eglet:

This does not change the other statutes in common law on that.

Assemblyman Fumo:

We have seen videos in which an autonomous vehicle ran a light in San Francisco, T-boning another car. The autonomous vehicle had no driver, but the driver of the car it hit was injured. He broke his leg; his damages were around \$30,000. What is the difference in procedure for a regular case you would pursue against someone driving a car versus a case with an autonomous vehicle? You mentioned product liability; please discuss that.

Robert Eglet:

Under current law, the driver of a vehicle running a red light or failing to yield right-of-way that caused the accident would be sued under negligence law, which is the common law throughout every state in the country. If there was a failure in the vehicle that caused the driver to run the red light, then there could be a product liability suit. In that case—because we are talking about only \$30,000 in medical expenses and a month or two in lost wages—the cost of experts required in order to bring a product liability case would not be warranted. In the case of autonomous vehicles—I do not even know how we would find an expert, as everyone who is an expert in this technology is developing the technology now. It is unlikely they would be willing to testify against another manufacturer. That is one of the reasons we think it would be appropriate that the manufacturer be classified as the driver of the vehicle under Nevada law so that a negligence action could be brought.

Assemblyman Sprinkle:

For the record, would you agree with the statements made earlier that if a serious accident occurs with a fully autonomous vehicle, the liability would rest with the manufacturer?

Robert Eglet:

The liability may be with the manufacturer; whether the injured parties could find a lawyer who would bring the case as a product defect case would depend on how serious the injuries were—if there were enough damages involved, they might be able to find a lawyer willing to pursue the case. A lawyer is not going to bring a case if it costs more to pay experts than can be recovered by the suit.

Assemblyman Sprinkle:

I understand that. Where does the liability lie if a fully autonomous vehicle was to cause a serious accident?

Robert Eglet:

The liability lies with the manufacturer, whether the original manufacturer of the vehicle who installed the autonomous software, or a subsequent manufacturer who bought a fleet of vehicles from General Motors and installed the software. In that case, that would be considered the manufacturer who would be responsible.

Chairman Carrillo:

Are there questions from any other members of the Committee? [There were none.]

Graham Galloway, Board Member, Nevada Justice Association:

Expanding ever so briefly and, hopefully, quickly on this topic that has just been discussed—if you are going to have comprehensive legislation on autonomous vehicles, you have to address the issue of liability responsibility. You cannot leave that blank. Right now, if you are in a car crash, it is a simple negligence case. If the playing field is changed—which is what I heard in previous testimony—and my clients are forced to litigate or present their claims under the laws of defective products—products liability—a lot of people are going to drop by the wayside. This is an access to justice issue. If you force people who have been injured in an accident involving an autonomous vehicle to present their claims under product liability law, those people who have small, modest, or moderate cases are not going to be able to pursue them; they will not receive redress for the injuries that have been caused by the autonomous vehicle. It is important that you address that issue. That is the point I wanted to make. You have to address that issue; you cannot ignore it.

Chairman Carrillo:

Are there any other questions from Committee members? [There were none.] Is there any opposition in Las Vegas? [There was none.] Is there any neutral testimony? [There was none.] Does the bill's sponsor have any closing remarks?

Steve Hill:

Thank you for the time you have taken to work through this. We look forward to working with you on this bill.

Chairman Carrillo:

I will now close the hearing on Assembly Bill 69. Is there anyone here for public comment in Las Vegas or Carson City? [There was no one.]

This meeting is adjourned [at 6:33 p.m.].

RESPECTFULLY SUBMITTED:

Joan Waldock
Committee Secretary

APPROVED BY:

Assemblyman Richard Carrillo, Chairman

DATE: _____

EXHIBITS

Exhibit A is the Agenda.

Exhibit B is the Attendance Roster.

Exhibit C is a copy of a conceptual amendment to Assembly Bill 261 presented by Assemblyman Richard Carrillo, Assembly District No. 18.

Exhibit D is a copy of a PowerPoint presentation titled "Autonomous Vehicles, Driver-Assistive Platooning & Autonomous Vehicle Network Companies," dated March 23, 2017, presented by Steven D. Hill, Executive Director, Office of Economic Development, Office of the Governor.

Exhibit E is a conceptual amendment to Assembly Bill 69, dated March 22, 2017, presented by Cory Hunt, Northern Regional Director, Office of Economic Development, Office of the Governor.

Exhibit F is a letter dated March 14, 2017, to Governor Brian E. Sandoval, authored by David Strickland, Counsel, Self-Driving Coalition for Safer Streets, in support of Assembly Bill 69, presented by Alisa Nave-Worth, representing Waymo, Mountain View, California.

Exhibit G is a prepared statement of General Motors, Washington, D.C., dated March 23, 2017, presented by Lorne Malkiewich, representing General Motors, regarding Assembly Bill 69.

Exhibit H is a copy document titled "2021 Southern Nevada Target Industry Validation Study," dated March 2017, prepared by Emergent Method and presented by Anthony J. Ruiz, Senior Director of Communications and Government Affairs, Las Vegas Global Economic Alliance.

Exhibit I is a proposed amendment to NRS Chapter 482A and a proposal of a new NRS Chapter 706B regarding autonomous vehicle network companies, authored by the Nevada Justice Association and presented by Robert T. Eglet, representing the Nevada Justice Association.

EXHIBIT 2

**Minutes of the Nevada Transportation Authority, July 16, 2015
Workshop**

BRIAN SANDOVAL
Governor

STATE OF NEVADA



BRUCE BRESLOW
Director B&I

ANDREW J. MACKAY
Chairman

GEORGE ASSAD
Commissioner

KEITH SAKELHIDE
Commissioner

DEPARTMENT OF BUSINESS AND INDUSTRY
NEVADA TRANSPORTATION AUTHORITY

MINUTES OF THE July 16, 2015 WORKSHOP

**Grant Sawyer State Office Building, Room 4412
555 E. Washington Ave.
Las Vegas, Nevada 89101**

By videoconference:
**Legislative Building, Room 3137
401 S. Carson St.
Carson City, Nevada 89701**

AGENDA

1. Call to Order

Chairman Andrew J. MacKay called the meeting to order at 9:00 a.m.

2. Roll Call

Present in Las Vegas: Chairman Andrew J. MacKay, Commissioner George Assad, Commissioner Keith A. Sakelhide, Administrative Attorney James Day, Applications Manager Liz Babcock, Chief of Enforcement Michael Bradford, Senior Deputy Attorney General David Newton.

3. Pledge of Allegiance

Administrative Attorney James Day led a recital of the Pledge.

4. Public Comment

Stanley Washington, World Ride Hailing Association (WRA), Aaron Leonard, Pure Hearts RVS and Brad Carson, Jobs Create Peace each made a brief statement. Steve Thompson, General Manager of Transportation, UBER and Timothy Burr, Government Relations Manager, Lyft each made a statement. Camina Stevenson, and Racquel Aniag, representatives of Lyft, made a statement in support of TNC's. Monica Lenoir, Network Nevada, Tony Clark, Nevada Bus and Limo Association (NBLA) made a statement. Carson City: Dave McCullough, Elite Taxi made a statement.

5. Approval of Agenda

Approved 3-0

DISCUSSION ITEM / RULEMAKING WORKSHOP

- 6. The Nevada Transportation Authority is considering proposing the adoption of regulations to a new chapter of the Nevada Administrative Code for purposes of implementing Assembly Bill No. 175 and Assembly Bill No. 176 of the 78th (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 from interested persons on the following general topics that may be addressed in the proposed regulations:

- 1) Adopting, amending and/or repealing regulations related to the implementation of Assembly Bill No. 175 and Assembly Bill No. 176 of the 78th (2015) Nevada Legislative Session, establishing new statutory authority for permitting and regulation of Transportation Network Companies and their drivers; and
- 2) Other appropriate matters related thereto.

The proposal has been designated as Docket 15-06024 by the Authority and as File No. R029-15 by the Nevada Legislative Counsel Bureau.

Commissioner Sakelhide asked Senior Deputy Attorney General Newton to detail the regulatory workshop process and timelines. Commissioner Sakelhide briefly summarized the instant matter and how the regulations would be discussed.

Sections 0-32 General provisions

James Kent, Esquire questioned the AB references. Matt Griffin, Esquire, representing Uber and Steve Siger, Esquire, in house counsel for Uber, expressed concern with certain items in Section 27 and 30. Michael Hillerby, and Kelly Kay, Chief Compliance Officer, Lyft detailed concerns. Tony Clark, 24/7 Limousines, offered a statement. Matt Griffin, Esquire, for Uber, questioned Section 30 detailing the documents that are confidential. Administrative Attorney Day gave an explanation.

Section 33 and 34 Applications Relating to Permits for Transportation Network Companies

Steve Thompson, Uber, questioned how the application fee was determined. Commissioner Sakelhide explained the fees would be used to capture funds to operate regulation and staff. Michael Hillerby and Kelly Kay, Lyft, questioned the application fee and expressed general concerns about public notices, legal publications and hearings. Tony Clark, NBLA, made a statement regarding the application fee, vehicle fee and 3% fees. Kimberly Maxson-Rushton, Esquire representing Livery Operators Association (LOA) suggested Section 34 specify type of service, require a local business license, include contract/privacy forms for the mobile application and adopt an intervenor process with respect to the applications. Commissioner Sakelhide stated the Authority is precluded from an intervenor process. Matt Griffin, Uber, Kimberly Maxson-Rushton, LOA and Commissioner Sakelhide had a brief discussion with regard to intervenors. Krishna Juvvadi Senior Counsel, Uber, stated the TNC applications would only be Uber.

Break at 10:40 a.m.

Josh Griffin, Griffin Company, Uber offered a statement. Bill Schranko, COO, Yellow Checker Star, voiced concerns with texting/driving and enforcement of same. Stanley Washington, WRA, made a statement. James Rickett, City of Las Vegas, Business Licensing, stated he did not think local licensing needed to be part of the application package. Eyv Childress questioned provisions for special needs passengers. Kellie McKinley, Platinum LV Transportation asked if each Uber driver needed a business license. She also stated the public is currently trying to buy "black car" type vehicles, voiced concerns with arrangements with certain properties, enforcement of illegal actions and contract language. Chairman MacKay and Commissioner Sakelhide explained the vehicle type. Steve Thompson, Uber, and Krishna Juvvadi Senior Counsel for Uber, stated currently, they do not intend to initiate UberBlack or UberLux. Kelly Kay, Lyft, stated they do not intend to contract with hotels for staging. Matt Griffin, Uber, indicated boilerplate language in the driver/passenger

contract. James Kent, Esquire questioned the contract language between the TNC and the driver, the location of records, fictitious firm names, operation areas or maps and economic viability for insurance. Chairman MacKay stated nothing in regulation requires the Authority to determine economic viability. A.R. Fairman in Reno questioned if companies like RideGenie will have to apply for a TNC permit. Commissioner Sakelhide stated the RideGenie application currently operates as a ride hailing application for certificated carriers, if they intend to operate as a TNC, they will need to apply. Dennis Whitehead, Whittlesea driver, suggested possibly posting a public agreement between passenger and TNC driver.

Sec 35 – 37 Permits for Transportation Network Companies

Chris Hayashi, retired resident of Clark County, mentioned the issues California currently faces with Uber and the possible suspension of permits, and suggested the Authority utilize an API to feed data to the Authority in real time. Example: Hours of service, number of vehicles, insurance coverage, etc. D.A. Ballinger, Los Angeles Lyft driver, offered a statement in support of TNC's.

Sec 38 Registry for Drivers of Transportation Network Companies

Michael Hillerby, and Kelly Kay, Lyft, indicated in other jurisdictions driver names and contact information is provided to the authority that requires it. Commissioner Sakelhide stated the Authority must have the driver list prior to putting drivers on the road, the list must be maintained and the background investigations must be complete. Kelly Kay, Lyft, questioned the proposed \$50.00 fee per driver. Michael Hillerby, Lyft requested insight into the budget to better understand the fee requirements of the Authority. Stanley Washington, WRA, offered the suggestion that the background check, drug testing and licensing could possibly be taken care of through the WRA. Kellie McKinley, Platinum LV questioned the differences between the current carrier driver background checks and the Uber background check. Commissioner Sakelhide stated the Authority is required to do a study 6 months after the TNC's go operational as to the differences and the results of the study. Monica Lenoir, Network Nevada, suggested a driver registration system. Kimberly Maxson-Rushton, Esquire made a statement regarding the study, a nominal driver fee and a requirement the driver sign a release or indemnification Form 17. James Kent, Esquire, questioned the livery limousine/ traditional limousine verbiage. Dennis Whitehead, Whittlesea, feels TNC drivers should comply with the FBI driver background check.

Break at 12:20 p.m. to 1:30 p.m.

Section 38.5 Regulatory Assessment

Josh Griffin questioned if the 1% was a "not to exceed" number. Commissioner Sakelhide stated it was a starting point to generate the revenue for the operating budget and would need to be evaluated and requested suggestions. Chairman MacKay stated it was intended to be revenue neutral.

Section 39 – 51 Regulation of Transportation Network Companies Generally

Tony Clark, 24/7, in Section 43 questioned whether both permit numbers would be displayed if working for two different TNC's and would there be a designated area for display. He expressed concerns with Section 44 regarding insurance coverage and Section 49 solicitation of passengers and staging areas with a possible 50 foot ruling. Commissioner Sakelhide, Administrative Attorney Day and Chairman MacKay stated the Authority cannot interfere with business arrangements or add additional regulations. Steve Thompson, Uber stated in other jurisdictions, the identification of vehicles was a type of removable i.d. Commissioner Sakelhide pointed out a removable type of i.d. could be utilized on an uninspected vehicle. Josh Griffin, Uber questioned the immediate inspection referenced in Section 46. Commissioner Sakelhide stated enforcement staff must be able to verify

documents, driver and vehicle are one and the same. Matt Griffin, Uber requested clarification of language on Section 46. Charlie Myers, Frias questioned inspections for illegal activity or firearms. Josh Griffin, Uber questioned Section 48. Commissioner Sakelhide explained the requirement of notification of the Authority in the event of a sale/transfer/change of corporate interest. Timothy Burr, Lyft, addressed vehicle identification concerns. Commissioner Sakelhide requested suggestions from TNC's to accommodate identification. Kelly Kay, Lyft recommended training for enforcement on how to open the application to identify the driver and vehicle. She questioned the 30 day provision and Administrative Attorney Day stated the permit was for immediate use to prevent warehousing. Additionally, she questioned Section 48 to possibly apply for approval of a sale and/or transfer within 30 days. Commissioner Sakelhide stated Authority may not approve a sale and/or transfer after the fact. Michael Hillerby, Lyft questioned Section 42, the noticing for fictitious firm name submission. Kellie McKinley, Platinum LV, per Section 46, where the records would be kept. She suggested a repository at a physical address for the Authority to inspect. Commissioner Sakelhide requested the TNC's help with the determination where records will be kept. Kimberly Maxson-Rushton, Esquire, LOA, suggested an amendment to Section 47 that the records be maintained in Nevada and if maintained out of state, post a bond to enable inspection, and that Section 49 Sub 2 & 3 be revised to add a designated vehicle loading area. Steve Siger, internal counsel for Uber, stated the records are stored electronically and therefore can be accessed anywhere. James Kent, Esquire made a statement with regard to insurance coverage, and in Section 45 suggested a change in insurance should have to notify the Authority immediately and in Section 49, insert language in the permit stating no staging or kellying.

Sec. 52 Adoption and enforcement of federal regulations for transportation network company safety.

Matt Griffin, Esquire, Josh Griffin, Uber, addressed drug testing, pre-employment or otherwise, should not be required as legislature did not require it. Krishna Juvvadi, Esquire stated Uber would be investigating state to state transportation. A.R. Fairman in Carson City stated if transportation occurred for compensation an MC number is required. Commissioner Sakelhide asked for discussions about Uber/Lyft trust and safety requirements. Timothy Burr, Lyft, stated AB176.39 did not find issue with the TNC drug testing or fingerprinting policies. Stanley Washington, WRA, agreed with drug testing requirements and offered the association's assistance. Tony Clark, NBLA, stated the zero tolerance policy applies to all carriers, however, random testing protects the public. Kellie McKinley, Platinum LV, stated zero tolerance is reactive, where pre-employment and random testing is pro-active and preventative. Bill Schranko, COO, Yellow Checker Star stated his agreement. A.R. Fairman, Carson City suggested the Authority adjust language for vehicle weight limitations.

Sec. 53-55 Adoption of and compliance with federal regulations

Michael Hillerby, Lyft, made a statement with regard to persons with disabilities and stated they prefer not to include placard in vehicle required in Section 55. Commissioner Sakelhide suggested the TNC provide an alternative to make the rider aware of the Authority.

Sec 56 – 61 Rates and Services

Kelly Kay, Lyft, offered to submit proposed language to enable refunds, credits, dynamic pricing etc. Michael Hillerby, Lyft, questioned the language to identify emergency rate structure and stated gratuity language is a company policy issue. Arthur McClennan, former driver, made a statement in support of gratuities. Bill Schranko, COO, Yellow Checker Star suggested driver education. Tony Clark, NBLA suggested the removal of the 10% referral fee in Section 57.2. Kellie McKinley, Platinum LV suggested free transportation or no rate change during an emergency and indicated concern with uniform rates and surge pricing. Kimberly Maxson-Rushton, Esquire, LOA, suggested a

cap be placed on basic rates and surge pricing. Commissioner Sakelhide stated the Authority does not place a cap on current carriers.

Sec 62 – 66 Drivers

Josh Griffin, Lyft, stated they will submit concerns and suggestions in writing. Tony Clark, NBLA, suggested the application be configured to stay off 8 hours after being utilized for 16, and expressed concerns about kellying and insurance coverage. John Marushok, General Manager for Frias expressed concern with hours of service for drivers that may work part-time for TNC's and full time for carriers. Commissioner Sakelhide suggested working with TNC representatives to coordinate information. Stephanie Edleman, United Steelworkers and driver for Frias, requested the Authority spell out seatbelt requirements for each passenger and limit the number of passengers. Kimberly Maxson-Rushton, Esquire, LOA suggested the Authority delineate number of passengers equal the number of seatbelts.

7. Public Comment

Kellie McKinley, Platinum LV made a statement suggesting medical card requirements and driver permitting requirements be the same across the board. Kimberly Maxson-Rushton, Esquire, LOA, made several recommendations and indicated she would also submit such in writing.

8. Adjournment

Meeting adjourned at 4:25 p.m.

To access a complete video of the proceedings, please go to:

LCB Publishing Point for 7-16-15 Workshop

http://nvleg.granicus.com/MediaPlayer.php?publish_id=aca30723-2c15-11e5-b65c-f04da2064c47

JACOB D. BUNDICK, ESQ.
Nevada Bar No. 9772
CHRISTIAN T. SPAULDING, ESQ.
Nevada Bar No. 14277
GREENBERG TRAURIG, LLP
10845 Griffith Peak Drive, Suite 600
Las Vegas, Nevada 89135
Telephone: (702) 792-3773
Facsimile: (702) 792-9002
Email: bundickj@gtlaw.com
spauldingc@gtlaw.com

Counsel for Motional AD Inc.

STATE OF NEVADA

DEPARTMENT OF BUSINESS AND INDUSTRY

NEVADA TRANSPORTATION AUTHORITY

Docket No.

IN THE MATTER of th Petition of Lyft Inc. for an
application for Advisory Opinion pursuant to NAC
706A.650 *Declaratory orders and advisory
opinions; Petition; hearing* concerning the
interpretation of NAC 706A.320

**PUBLIC COMMENT IN SUPPORT OF
LYFT INC.'S PETITION FOR AN
APPLICATION FOR ADVISORY
OPINION PURSUANT TO NAC
706A.650 DECLARATORY ORDERS
AND ADVISORY OPINIONS,
PETITION; HEARING CONCERNING
THE INTERPRETATION OF NAC
706A.320**

Motional AD Inc. ("Motional"), by and through its counsel, the law firm of Greenberg
Traurig, LLP, hereby submits the following comment in support of Lyft Inc.'s Petition for an
application for Advisory Opinion pursuant to NAC 706A.650 *Declaratory orders and advisory
opinions; Petition; hearing* concerning the interpretation of NAC 706A.320 (the "Lyft Petition").
Motional respectfully requests all communications regarding this comment be sent to:

Jacob D. Bundick, Esq.
Christian T. Spaulding, Esq.
GREENBERG TRAURIG, LLP
10845 Griffith Peak Drive, Suite 600
Las Vegas, Nevada 89135
Tel.: 702-792-3773
bundickj@gtlaw.com
spauldingc@gtlaw.com

I. Motional Seeks to Provide Additional Support to the Lyft Petition

On March 11, 2021 Lyft submitted the Lyft Petition seeking, *inter alia*, clarification and confirmation that an autonomous vehicle pilot program launched - in conjunction with Motional - falls within the bounds of NAC 706A.320. Given that the outcome of the Petition directly affects and/or involves Motional and its operation, Motional seeks to provide the following support of the arguments set forth therein.¹

II. Factual Background of Motional Inc.

“We’re making driverless vehicles a safe, reliable, an accessible reality.”² It is not often a revolutionary company can establish its goal in so few words - yet Motional can. Motional is dedicated to creating a safer and more reliable means of transportation for everyone and has made significant strides in the growth and development of autonomous automotive technology. Motional, in all its previous forms, has worked for decades to revolutionize driverless technology resulting in vehicles that are currently traveling the streets in the State of Nevada, as well as other states.

Motional is a 50/50 joint venture between Hyundai, the world-leading vehicle manufacturer, and Aptiv, one of the industry’s most innovative automotive technology providers through which Motional has developed and implemented an autonomous vehicle research and development program (“AV Program”) in numerous cities world-wide, including Boston, Pittsburgh, Las Vegas, and Singapore. The AV Program is comprised of autonomous vehicles featuring sophisticated camera, radar, and LIDAR systems allowing the vehicle to drive autonomously today under the supervision

¹ All arguments set forth herein are intended to join and support those espoused by Lyft in the Lyft Petition and are not intended to contradict, counter, undermine, or alter any argument previously made by Lyft.

² See <http://motional.com> [last accessed March 23, 2021].

1 of Motional safety engineers (the “Motional Vehicle”).³

2 The AV Program has, to date, been a success by all accounts and continues to usher in the
3 future of autonomous vehicles and transportation not only in the State of Nevada, but throughout the
4 world. Indeed, in a world of unpredictable and distracted drivers, the implementation and adaptation
5 of autonomous vehicles to the roadways and transportation systems not only furthers the State of
6 Nevada’s interests, but makes the roads a safer place for all. Through its AV Program, Motional has
7 partnered with certain Transportation Network Companies, including Lyft⁴, to provide autonomous
8 vehicles to passengers utilizing mobile ride-hailing platform.

9 Motional’s partnership with Lyft began in 2018 and has proven to be a valuable and beneficial
10 partnership for both parties as well as the State of Nevada. It is worth echoing that Lyft has provided
11 more than 100,000 autonomous rides using the Motional Vehicles with an impressive 98% of riders
12 rating their ride at five out of five stars. Moreover, Motional employs more than 200 Nevadans in
13 connection with its AV Program and other research and development efforts.

14 **a. The AV Program**

15 The AV Program is designed to perform the entire dynamic driving task. The Motional
16 Vehicles utilized in the AV Program utilize a series of systems designed to allow the vehicle to (a)
17 sense information about its environment; (b) perceive, understand and categorize the world around it
18 including pedestrians, signage and the like; (c) plan the actions of the vehicle and others and route or
19 re-route the vehicle accordingly; and (d) control how the vehicle acts based on these inputs.

20 Motional’s AV Program follows decades of innovation, including more than 1.5 million miles
21 traveled and a two-year self-imposed safety evaluation process performed by hundreds of Motional
22
23

24 ³ Currently, Motional Vehicles are not “Fully Autonomous”. In other words, there must be a driver present in the
25 vehicle ready to take control at any moment should any necessary situation arise.

26 ⁴ In addition, Motional has partnered with Via Transportation, Inc. and its subsidiary River North Transit LLC
27 (collectively, “Via”), another Transportation Network Company, to launch a platform to provide autonomous vehicles
28 to passengers. Via offers multiple transit technology products and services, including a ride-sharing platform in which,
similar to Lyft, users utilize their mobile device to book a ride in a private vehicle that can/may be shared with others
going to the same or similar destination or along a similar route. See <http://ridewithvia.com> [last accessed March 23,
2021]. At present, Via does not operate in the State of Nevada; but Motional anticipates the expansion of Via to
potential additional states, including the State of Nevada.

employees resulting in first-of-its-kind third party endorsement from TÜV SÜD.⁵

i. Motional's Safety Engineers

Through its implementation of the AV Program in the State of Nevada and in conjunction with its partnership with Lyft, Motional Vehicles currently operating in this state are equipped with two safety engineers who are trained to supervise and operate the Motional Vehicle should any necessary situation arise. As laid out in the Lyft Petition, the safety engineers present in the Motional Vehicles are W-2 status employees of Motional who receive salaries and benefits therefrom. Given that the safety engineers are employees of Motional, each is registered as a driver through the Lyft platform and are included on Lyft's required documentation to the NTA under NAC 706A.180.2.

The role of these safety engineers and the beneficial effect each provide to the State of Nevada cannot be understated. While able to drive autonomously in most circumstances, the Motional Vehicles currently utilized by Lyft in Nevada require a safety engineer present in the vehicle to act should human intervention become necessary. Without the safety engineers at issue in the Lyft Petition, the technology employed via the AV Program would not be available to the general public and the development of the same would be hindered. Development of this technology cannot happen in a vacuum and the use of safety engineers allows Motional to develop driverless technology in the real-world.

ii. Payment of Safety Engineers

The Lyft Petition accurately sets forth the payment structure applicable to Lyft and the safety engineers employed by Motional. Specifically, the safety engineers who are registered drivers with Lyft, are in effect paid in significant part by Lyft for the transportation services they provide to passengers. That is, the funds earned by the safety engineers through the Lyft platform are passed on to the safety engineers through Motional's payroll. The safety engineers do not receive compensation from any other source outside of the funds earned through the Lyft platform and compensation from Motional.

⁵ TÜV SÜD provides a comprehensive portfolio of testing, certification, auditing and advisory services to businesses designed to protect people, the environment and assets from technology-related risks. See <https://www.tuvsud.com/en-us/about-us> [last accessed March 25, 2021].

b. Motional's Relationship to the State of Nevada

As noted above and in the Lyft Petition, Motional Vehicles can be found on this state's streets due, in large part, to Motional's relationship with Lyft.⁶ Motional's relationship with Lyft has allowed more than 100,000 autonomous vehicle rides to be completed with effectively unanimous approval. When Nevada's autonomous vehicle laws were overhauled in 2017, such staggering numbers would have been nothing more than a fanciful dream. However, thanks to the partnership with Lyft, Motional has made this dream a reality and countless rides have been successfully completed without incident. Indeed, the integration of this technology has been so smooth, it is likely most Nevadans are completely unaware Motional Vehicles are traversing their neighborhoods—a positive sign to say the least.

Motional's success in the state of Nevada falls squarely in line with its focus on safety—a paramount concern in the realm of autonomous vehicles.⁷ To date, Motional has safely delivered every passenger to their destination through its partnership with Lyft. Moreover, Motional supports the current economy by employing hundreds of Nevadans (including providing benefits).

While Motional is currently contracted with two ride-sharing platforms, one of whom actively operates in the state of Nevada, Motional intends to continue its growth and development of driverless technology. However, Motional cannot reach this goal on its own and requires the advisory opinion sought by Lyft.

III. Advisory Opinion Sought

Accessibility to safe and reliable driverless vehicles is within reach but cannot be completed in a computer or a simulation. Through the dedicated work of Motional and its partners, including Lyft and Via, Motional is able to safely implement and develop its technology on the roadways of

⁶ As noted above, Motional's partnership with Via is relatively new and has not yet reached Nevada roadways, but encompasses the same principals and goals—to provide driverless rides in a shared "robotaxi".

⁷ The importance of safety was stressed in the meetings leading up to the Governor's approval of Assembly Bill 69 in 2017. *See generally*, March 23, 2017 Minutes attached to the Lyft Petition as Exhibit 1 at pp. 8-9.

1 Nevada, which in turn permits the revolutionary technology to grow daily and become safer by the
2 minute while also continuing to offer employment to more Nevadans. However, such growth requires
3 consistent and dedicated development and implementation through programs akin to the AV Program.
4 For that reason, Motional is dedicated to furthering its presence in the state of Nevada through ride-
5 sharing platforms such as Lyft and Via.

6 Motional's arguments fall in line with those presented by Lyft in the Lyft Petition.
7 Accordingly, Motional seeks to expand upon the opinion sought by Lyft as contemplated herein. That
8 is, Motional seeks to include in the requested advisory opinion that the structure implemented by
9 Motional through Lyft, Via and any other Transportation Network Company that Motional may
10 contract with in the future falls squarely in line with the requirements of NAC 706A.320.

11 **WHEREFORE**, Motional hereby request as follows:

12 1. This department consider the arguments set forth herein when ruling on the Lyft
13 Petition; and

14 2. To participate fully at the April 8, 2021 hearing on the Lyft Petition, including the
15 right to offer evidence of any kind, to wit: affidavits, transcripts, to examine and cross-examine
16 witnesses, make arguments, file briefs and participate in all other aspects of this matter.

17 DATED this 25th day of March 2021.

18 Respectfully submitted,

19 **GREENBERG TRAURIG, LLP**

20 By: /s/ Jacob D. Bundick
21 JACOB D. BUNDICK, ESQ.
22 Nevada Bar No. 9772
23 CHRISTIAN T. SPAULDING, ESQ.
24 Nevada Bar No. 14277
25 10845 Griffith Peak Drive, Suite 600
26 Las Vegas, Nevada 89135

27 *Attorneys for Motional AD Inc.*
28

Agenda Item# 78



Salt Lake Express
Kathy Pope
P.O. Box 566
Rexburg, ID. 83440

March 16, 2021

RE: Request for Advisory Opinion

To NTA Commission,

We would like to request for an advisory opinion on our current extension of our route between St George, Utah and Reno, NV. Salt Lake Express has partnered with NDOT on this project to extend our routes. I have attached the contract between Nevada Department of Transportation and Salt Lake Express with this email. It was approved by Susan C with the Board of Examiners on 3/09/2021 with Deputy Attorney General Shane Chesney and Kristina Swallow with NDOT. Our contact at NDOT is Graham Dollarhide Transit Program Manager Multi-Model Planning and Development cell 775-762-8264 and email is Gdollarhide@dot.nv.gov.

In 2016, we were operating the service between St George and Las Vegas that connects with our other routes from Northern Utah, Idaho Wyoming and Montana and were seeking to add a stop in Mesquite, NV as well as seeking charter authority. We started the process to get authority for the following statutes: NAC 706.015 Airport Transfer service and NAC 706.034 Charter Bus Service in mid 2016. We received a Petition for Leave to Intervene and had a call with then Attorney General David Newton on Friday March 17, 2017 at 10:00AM to determine if that Petition would be granted. Attorney General David Newton told us on the call to drop the NAC 706.015 as we did not need it. He told us that we did not need authority NAC.706.015 if the bus itself originated from outside the state. Who it picked up along the way to Las Vegas did not matter because it crossed state lines. So, when we started this new extension to Reno on Monday March 15, 2021 under this guidance we received on this call on March 15th, 2017 that as long as the bus was not housed or dispatched in Nevada we did not need additional authority. And, because we don't have a bus facility in Nevada, this was a good solution to be compliant with NTA rules and still start the service until we could add the additional authority. This service is so desperately needed in this region. We are an intercity bus carrier and provide services exactly like Greyhound and are building a large intercity bus network in 6 states that connects and interlines with Greyhound in the Nation-wide Intercity Bus Network. We are members of NBTA and sell seats from locations all over the United States. With this new extension people from all over the United States can now access these rural towns between Las Vegas and Reno,NV.

Our USDOT#524401 and I have attached our Safety Rating from the FMCSA website documenting that number. Our Interstate Commerce Commission motor carriers number is MC-263716.

NTA officers were waiting for us at the Sparks Terminal because of the press release sent out by NDOT on Friday March 12, 2021. We received two citations on March 15, 2021. One is for use of

vehicles beyond the scope of authority NAC706.360. And the other is for Inspection of vehicles NAC 706 379. Citation number 23151.

SLE have sold millions of fixed route intercity bus tickets and served thousands of charter clients' worldwide for over (26) years. Salt Lake Express is owned by Jacob and Lori Price. I have attached the contract with NDOT that contains the Scope of Services. The only change we have made to our Scope of Service is that the bus is dispatched from St George, Utah and the driver overnights at a hotel in Reno and returns to St George the next day.

Despite Covid-19 and the reduction of frequency, Salt Lake Express has continued operating all routes. Salt Lake Express remains diligent in providing intercity travel for essential workers and travelers. The ridership is slowly returning and we are confident that the ridership will return to Pre-Covid-19 levels by mid 2021.

SLE is defined as an intercity bus carrier as defined by FTA:

- Open to the general public
- Regularly scheduled service (service offered seven days a week)
- Fixed-route
- Fixed schedule
- Capable of carrying baggage and freight
- Provides a meaningful connection (in terms of coordinated stop locations, schedules, and information) to the national system of intercity bus transportation.

Here are the only locations of our Bus Storage and Maintenance Shops:

St George Utah Bus Storage & Shop	Logan Utah Bus Storage & shop	Salt Lake City Bus Storage & Shop	Rexburg Idaho Bus Storage & Shop
3828 S. 1700 E.	110 W 3760 N	2175 S 3140 W	785 S Railroad Ave
St George, UT. 84790	Hyde Park, UT. 84318	West Valley, UT.84119	Rexburg, ID. 83440

SLE has many shared stops with Greyhound, Amtrak and their many transit partners as well as many airports and local transit services throughout the Rocky Mountain West. These stops are convenient for riders to connect between transit services. The connecting services are in the same facilities and do not require the rider to walk between facilities to transfer. Salt Lake Express works hard to ensure that all passengers if at all possible can seamlessly travel from their origin to their

destination wherever it may be. All of the routes connect with each other creating a seamless operation of intercity fixed route bus services for passengers traveling for business or pleasure. SLE has a reservationist line open 24/7 with several reservationists standing by to take a reservation or answer questions. About 78% of our reservations are made online and 22% are called in on our 800-356-9796 phone line. SLE has a website address at www.SaltLakeExpress.com. There are three (3) 24 hour call centers. You can reach them 24/7 at 800-356-9796. SLE employs 35 reservationists in their three call center locations. The locations are listed below:

Rexburg Idaho Call Center	Idaho Falls Idaho Call Center	St George Call Center
785 S Railroad Ave	1520 Grandview Ave	805 S Bluff St
Rexburg, ID. 83440	Idaho Falls, ID. 83402	St George, UT 84770

In conclusion, please allow us to continue operation of this very important region that currently has no options for transportation. We only seek to adhere to all the rules and regulations put forth by NTA and always strive to be in compliance with all the rules and regulations put forth in all the six states in which we operate our intercity bus services. We had this guidance in March of 2017 and made the decisions to extend our routes based on this information. We are currently working with Liz Babcock on getting the authority to operate this route based out of Las Vegas and one out of Reno. But, that will take time and we need to provide this service as we have already sold many tickets for the next few months from the Nationwide Intercity bus Network from Greyhound ticketing and other carriers connecting from all over the U.S into this rural area between Las Vegas and Reno. As I stated earlier, the bus will be dispatched and depart St George, UT with passengers from all over the U.S and will overnight in Reno, NV and return to St George the next day. This will be our scope of service until we get the authority to dispatch the bus between Las Vegas and Reno, NV. Thanks so much for taking the time to review this and look forward to your advisory opinion on this matter. Please feel free to contact myself or Jacob Price the owner with any questions or clarifications.

Kathy Pope (Grant manager)
208-317-8211
Kathy.Pope@SaltLakeExpress.com

Jacob Price (Owner)
208-317-8212
Jacob.Price@SaltLakeExpress.com

Agenda Item#

79

**Revision to initial request
provided after initial posting of
supporting material but prior to
meeting.**

79

COOPER LEVENSON
ATTORNEYS AT LAW



KIMBERLY MAXSON-RUSHTON
EMAIL: krushton@cooperlevenson.com

3016 W. Charleston Blvd., Suite 195
Las Vegas, NV 89102
Phone (702) 366-1125
Toll Free (800) 529-3161
Fax (702) 366-1857
www.cooperlevenson.com

21-03003

Direct Phone (702) 832-1900
Direct Fax (702) 832-1901

FILE NO.

April 6, 2021

Liz Babcock, Applications Manager
Nevada Transportation Authority
3300 West Sahara Avenue
Suite 200
Las Vegas, NV 89102

Re: 21-03003 –Kaptyn/Uber Pilot Program

Dear Ms. Babcock:

Please find enclosed herein a revised Request to Conduct a Pilot Program in response to the letter received by the NTA on April 1, 2021 from the Dept. of Aviation ("DOA"). Specifically, Uber and Kaptyn ("Parties") acknowledge the concerns raised by the DOA relative to McCarran's need to formulate a tracking and monitoring system for operations such as those proposed in the subject Request. Furthermore, the Parties acknowledge that the County Ordinance relative to a TNC's ability to operate at McCarran requires modification should the Pilot Program be authorized. Thus, until the monitoring system is implemented and the ordinance changed the Parties agree to not load passengers seeking Uber Premiere Electric services.

Additionally, I'd note that the DOA may not prohibit a commercial operator from dropping off passengers at McCarran. Therefore, Kaptyn/Uber, like other certificated carriers and TNC's may transport *Uber Premiere Electric* passengers to the airport.

Lastly, I'd note that the amount of insurance coverage currently maintained by Kaptyn/Uber far exceeds the amount of coverage a TNC must have in order to operate at the airport¹.

¹ Kaptyn/Uber maintain \$5m in insurance coverage whereas TNC's at McCarran are required to maintain \$1.5m in insurance coverage.

COOPER LEVENSON, P.A.

Liz Babcock, Applications Manager

April 6, 2021

Page 2

As always, my clients and I appreciate your consideration of this request. Should you have any questions, please do not hesitate to contact me

Warmly,

/s/ Kimberly Maxson-Rushton

Kimberly Maxson-Rushton



79

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

BEFORE THE NEVADA TRANSPORTATION AUTHORITY

Request by Kaptyn Nevada, LLC to Provide
Fleet Management Services to Uber Technologies,
Inc.

) Docket No.
21-03003
Revised JB

PETITION TO CONDUCT PILOT PROGRAM
REQUEST FOR INTERIM AUTHORITY

COMES NOW, Petitioner Kaptyn Nevada, LLC ("Kaptyn") by and through their counsel of record, Kimberly Maxson-Rushton, Esq. of the law firm COOPER LEVENSON, P.A. ATTORNEYS AT LAW and hereby submits the following Petition to Conduct a Pilot Program in conjunction with Uber Technologies, Inc. ("Uber") (collectively referred to as the "Parties"). In addition, the Parties request Interim Authority to initiate the service on April 1, 2021. This Petition and Request for Interim Authority are submitted pursuant to Nevada Revised Statutes ("NRS") 706A, Nevada Administrative Code ("NAC") 706A.390 as well as NAC 706.3957 and 706.3998.

All notices, pleading documents and correspondence pertaining to this proceeding should be directed to the following individual:

Kimberly Maxson-Rushton, Esq.
Cooper Levenson, Attorneys at Law
3016 W. Charleston Blvd., Ste. 195
Las Vegas, Nevada 89102
krushton@cooperlevenson.com

I. INTRODUCTION

Kaptyn is currently a certificated common motor carrier authorized to provide passenger transportation services in Nevada pursuant to Certificates of Public Convenience and Necessity ("CPCN") 1040, 1070, 2063 and 2119. Similarly, Uber holds a transportation network company ("TNC") permit in Nevada.

1 Kaptyn and Uber have entered into a Fleet Management Agreement whereby, if authorized
2 by the Nevada Transportation Authority ("NTA"), Kaptyn will provide electric vehicles and
3 drivers to TNC passengers in Las Vegas seeking *Uber Premier Electric* service. More
4 specifically, consistent with Uber's authority under NRS 706A the Parties request authorization to
5 conduct a pilot program in order to initiate the first ever *Uber Premier Electric* service and to
6 determine the feasibility of the Fleet Management Agreement. In support of said request, the
7 Parties mutually submit that the proposed pilot program is not prohibited by Nevada law and is
8 clearly in the public interest.

9 10 II. MEMORANDUM OF POINTS AND AUTHORITIES

11 A. Public Interest

12 Pursuant to NRS 706.151, the NTA is to use impartial regulation to promote safe, adequate,
13 economical and efficient transportation services, foster sound economic conditions in the motor
14 transportation industry, and encourage the establishment of reasonable charges. Similarly, as
15 applicable to TNC's the NTA is to ensure the safety, reliability and cost-effectiveness of the
16 transportation services provided by permitted TNC's. NRS 706A.010. Collectively these
17 respective Legislative directives provide the NTA the ability to ensure that their actions and the
18 corresponding transportation services provided under their authority serve the public interest.

19 Kaptyn and Uber submit that high-end (premium, premier, etc.) TNC services are a
20 common practice within the transportation industry with proven success however, *Uber Premier*
21 *Electric* service is a new concept that's yet to launch. Should the NTA allow this pilot program
22 Nevada will be the first jurisdiction to offer *Uber Premier Electric* service. What does this mean
23 for Nevada? In addition to a passenger's ability to connect seamlessly to their preferred TNC, at
24 rates currently on file with the NTA, said passenger will be provided premium service in a NTA
25 inspected vehicle, with five million (\$5m) commercial insurance coverage provided by Bell
26 United. Said TNC passengers will have drivers who have undergone extensive training in safe

1 driving and compliance as an NTA permitted driver¹. The public interest will also be served by the
2 Parties intent to reduce the amount of traffic and congestion at Nevada's airports and resort
3 properties through better coordination of services. Finally, the use of electric vehicles provides a
4 significant public service through minimizing the carbon footprint.

5 Clearly, the Parties proposal – the first ever *Uber Premier Electric* service using Kaptyn's
6 premier electric vehicles and permitted drivers - evidences the public interest in authorizing this
7 request. Equally important is the clear evidence of the NTA's recognition of the respective
8 Declarations of Purpose and its forward thinking relative to innovations in transportation in
9 consideration of this Petition.

10 **B. A Pilot Program Is Not Prohibited Under Nevada Law.**

11 Neither NRS 706 or 706A prohibit a NTA permitted driver from providing Uber service in
12 a Kaptyn electric vehicle. Specifically, the provision of said TNC services as proposed herein will
13 not violate NRS 706A.040, 706A.090 nor NAC 706A.320².

14 As it applies to NAC 706A.320, which precludes TNC drivers from being paid by anyone
15 other than the TNC, the Parties submit that the terms of the Fleet Agreement are consistent with
16 the regulatory intent behind NAC 706A.320. Under the terms of the Agreement, Uber will pay a
17 fee for Kaptyn's electric vehicle and driver and thereafter, remit the driver's gratuity to Kaptyn to
18 be paid directly to the driver. As the intent behind NAC 706A.320 is to prevent drivers from
19 performing off-app, cash rides the Parties respectfully submit that approval of this Petition will not
20 conflict with nor lessen the prohibited acts intended by NAC 706A.320. Additionally, if approved
21 to conduct the proposed pilot program, Uber will add the Kaptyn drivers to the company's list of
22 active drivers. See, NAC 706A.180.

23 Similarly, approval of this request will not conflict with NRS 706A.310(2) relative to the
24 Parties ability to provide services at McCarran Airport. There is no question that Kaptyn and Uber

25 ¹ All of the information required pursuant to NRS 706A.160 is currently on file with the NTA.

26 ² The Parties refer to NRS/NAC 706A as applicable to this matter based on the fact that the proposed services are TNC
27 services.

1 may drop off passengers at McCarran however, due to the two tracking systems (AVI and geo-
2 fence) used by Dept. of Aviation's ("DOA") *Uber Premier Electric* passengers will not be
3 permitted to load at Zero Level until the DOA determines, which monitoring system to use.
4 Additionally, as the NTA is aware, Clark County Code 20.04.010 relative to a TNC's operation at
5 McCarran will need to be amended in order to allow *Uber Premier Electric* passengers to be
6 loaded at McCarran. The DOA has agreed to request that the applicable County Code be amended
7 in order to accommodate the requested Pilot Program. Accordingly, all applicable airport fees will
8 be remitted by the Parties consistent with the operating terms set forth by McCarran and no
9 loading of *Uber Premier Electric* passengers will occur until the DOA authorizes it.

10 Equally compelling to the NTA's consideration of this proposal is NAC 706A.370 and
11 Uber's interest in providing "reliable and cost-effective" transportation with a level of service that
12 is not readily and consistently available from its driver-partners. The uniqueness of the proposed
13 TNC service, the fact that it will be the first of its kind, evidences the creation of a new method of
14 operation as intended by the regulation. Thereby, providing further demonstration of how the
15 public interest will be served should the pilot program be successful.

16 **C. Request for Interim Authority**

17 Due to the fact that the next regularly scheduled NTA General Session Meeting isn't until
18 April 8, 2021, the Parties respectfully request interim authority to initiate the pilot program
19 described herein on April 1, 2021. In consideration of the proposed launch date, and to ensure
20 adequate time for the Parties to meet all compliance related requirements and/or inspections the
21 Authority deems necessary prior to the initiation of services, Kaptyn and Uber request interim
22 authority.

23 ///

24 ///

25 ///

26 ///

27 ///

1
2
3
4
5
6
7
8
9
0
1
2
3
4
5
6
7
8
9
0
1
2
3
4
5
6
7
8

2
3
4
5
6
7
8
9
0
1
2
3
4
5
6
7
8
9
0
1
2
3
4
5
6
7
8

7
8
9
0
1
2
3
4
5
6
7
8
9
0
1
2
3
4
5
6
7
8

8
9
0
1
2
3
4
5
6
7
8
9
0
1
2
3
4
5
6
7
8

9
0
1
2
3
4
5
6
7
8
9
0
1
2
3
4
5
6
7
8

- 1
- 2
- 3
- 4
- 5
- 6
- 7
- 8
- 9
- 10
- 11
- 12
- 13
- 14
- 15
- 16
- 17
- 18

CERTIFICATE OF SERVICE

I hereby certify that I am an employee of COOPER LEVENSON, P.A. ATTORNEYS
AT LAW and on this 6th day of April, 2021, served the foregoing **PETITION TO CONDUCT
PILOT PROGRAM and REQUEST FOR INTERIM AUTHORITY** via U.S. Mail First

Class Postage and via email to the following:

Louis Csoka, Sr. Deputy Attorney General
Office of the Attorney General
555 E. Washington Ave., Suite 390
Las Vegas, NV 89101
LCsoka@ag.nv.gov

/s/Christiane Smith

An employee of COOPER LEVENSON

Initial request and supporting material at the time of website posting.

RECEIVED

MAR 11 2020

NTA APPLICATIONS
Las Vegas, Nevada

BEFORE THE NEVADA TRANSPORTATION AUTHORITY

Request by Kaptyn Nevada, LLC to Provide
Fleet Management Services to Uber Technologies,
Inc.

) Docket No.

21-03003

Agm d
sh/mf
3/31/21

PETITION TO CONDUCT PILOT PROGRAM

REQUEST FOR INTERIM AUTHORITY

COMES NOW, Petitioner Kaptyn Nevada, LLC ("Kaptyn") by and through their counsel of record, Kimberly Maxson-Rushton, Esq. of the law firm COOPER LEVENSON, P.A. ATTORNEYS AT LAW and hereby submits the following Petition to Conduct a Pilot Program in conjunction with Uber Technologies, Inc. ("Uber") (collectively referred to as the "Parties"). In addition, the Parties request Interim Authority to initiate the service on April 1, 2021. This Petition and Request for Interim Authority are submitted pursuant to Nevada Revised Statutes ("NRS") 706A, Nevada Administrative Code ("NAC") 706A.390 as well as NAC 706.3957 and 706.3998.

All notices, pleading documents and correspondence pertaining to this proceeding should be directed to the following individual:

Kimberly Maxson-Rushton, Esq.
Cooper Levenson, Attorneys at Law
3016 W. Charleston Blvd., Ste. 195
Las Vegas, Nevada 89102
krushton@cooperlevenson.com

I. INTRODUCTION

Kaptyn is currently a certificated common motor carrier authorized to provide passenger transportation services in Nevada pursuant to Certificates of Public Convenience and Necessity ("CPCN") 1040, 1070, 2063 and 2119. Similarly, Uber holds a transportation network company ("TNC") permit in Nevada.

1 Kaptyn and Uber have entered into a Fleet Management Agreement whereby, if authorized
2 by the Nevada Transportation Authority ("NTA"), Kaptyn will provide electric vehicles and
3 drivers to TNC passengers in Las Vegas seeking *Uber Premier Electric* service. More
4 specifically, consistent with Uber's authority under NRS 706A the Parties request authorization to
5 conduct a pilot program in order to initiate the first ever *Uber Premier Electric* service and to
6 determine the feasibility of the Fleet Management Agreement. In support of said request, the
7 Parties mutually submit that the proposed pilot program is not prohibited by Nevada law and is
8 clearly in the public interest.

10 II. MEMORANDUM OF POINTS AND AUTHORITIES

11 A. Public Interest

12 Pursuant to NRS 706.151, the NTA is to use impartial regulation to promote safe, adequate,
13 economical and efficient transportation services, foster sound economic conditions in the motor
14 transportation industry, and encourage the establishment of reasonable charges. Similarly, as
15 applicable to TNC's the NTA is to ensure the safety, reliability and cost-effectiveness of the
16 transportation services provided by permitted TNC's. NRS 706A.010. Collectively these
17 respective Legislative directives provide the NTA the ability to ensure that their actions and the
18 corresponding transportation services provided under their authority serve the public interest.

19 Kaptyn and Uber submit that high-end (premium, premier, etc.) TNC services are a
20 common practice within the transportation industry with proven success however, *Uber Premier*
21 *Electric* service is a new concept that's yet to launch. Should the NTA allow this pilot program
22 Nevada will be the first jurisdiction to offer *Uber Premier Electric* service. What does this mean
23 for Nevada? In addition to a passenger's ability to connect seamlessly to their preferred TNC, at
24 rates currently on file with the NTA, said passenger will be provided premium service in a NTA
25 inspected vehicle, with five million (\$5m) commercial insurance coverage provided by Bell
26 United. Said TNC passengers will have drivers who have undergone extensive training in safe
27
28

1 driving and compliance as an NTA permitted driver¹. The public interest will also be served by the
2 Parties intent to reduce the amount of traffic and congestion at Nevada's airports and resort
3 properties through better coordination of services. Finally, the use of electric vehicles provides a
4 significant public service through minimizing the carbon footprint.

5 Clearly, the Parties proposal – the first ever *Uber Premier Electric* service using Kaptyn's
6 premier electric vehicles and permitted drivers - evidences the public interest in authorizing this
7 request. Equally important is the clear evidence of the NTA's recognition of the respective
8 Declarations of Purpose and its forward thinking relative to innovations in transportation in
9 consideration of this Petition.

10 **B. A Pilot Program Is Not Prohibited Under Nevada Law.**

11 Neither NRS 706 or 706A prohibit a NTA permitted driver from providing Uber service in
12 a Kaptyn electric vehicle. Specifically, the provision of said TNC services as proposed herein will
13 not violate NRS 706A.040, 706A.090 nor NAC 706A.320².

14 As it applies to NAC 706A.320, which precludes TNC drivers from being paid by anyone
15 other than the TNC, the Parties submit that the terms of the Fleet Agreement are consistent with
16 the regulatory intent behind NAC 706A.320. Under the terms of the Agreement, Uber will pay a
17 fee for Kaptyn's electric vehicle and driver and thereafter, remit the driver's gratuity to Kaptyn to
18 be paid directly to the driver. As the intent behind NAC 706A.320 is to prevent drivers from
19 performing off-app, cash rides the Parties respectfully submit that approval of this Petition will not
20 conflict with nor lesson the prohibited acts intended by NAC 706A.320. Additionally, if approved
21 to conduct the proposed pilot program, Uber will add the Kaptyn drivers to the company's list of
22 active drivers. See, NAC 706A.180.

23 Similarly, approval of this request will not conflict with NRS 706A.310(2) relative to the
24 Parties ability to provide services at McCarran Airport. Akin to this request, the Parties have

25 ¹ All of the information required pursuant to NRS 706A.160 is currently on file with the NTA.

26 ² The Parties refer to NRS/NAC 706A as applicable to this matter based on the fact that the proposed services are TNC
27 services.

1 received interim authority from McCarran Airport, which will allow *Uber Premier Electric*
2 passengers to load at Zero Level. Accordingly, all applicable airport fees will be remitted by the
3 Parties consistent with the operating terms set forth by McCarran.

4 Equally compelling to the NTA's consideration of this proposal is NAC 706A.370 and
5 Uber's interest in providing "reliable and cost-effective" transportation with a level of service that
6 is not readily and consistently available from its driver-partners. The uniqueness of the proposed
7 TNC service, the fact that it will be the first of its kind, evidences the creation of a new method of
8 operation as intended by the regulation. Thereby, providing further demonstration of how the
9 public interest will be served should the pilot program be successful.

10 **C. Request for Interim Authority**

11 Due to the fact that the next regularly scheduled NTA General Session Meeting isn't until
12 April 8, 2021, the Parties respectfully request interim authority to initiate the pilot program
13 described herein on April 1, 2021. In consideration of the proposed launch date, and to ensure
14 adequate time for the Parties to meet all compliance related requirements and/or inspections the
15 Authority deems necessary prior to the initiation of services, Kaptyn and Uber request interim
16 authority.

17 ///

18 ///

19 ///

20 ///

21 ///

22 ///

23 ///

24 ///

25 ///

26 ///

27 ///

28

1
2
3
4
5
6
7
8
9
0
1
2
3
4
5
6
7
8
9
0
1
2
3
4
5
6
7
8

DATED this 11th day of March, 2021.

/s/ Kimberly Maxson-Rushton

Kimberly Maxson-Rushton, Esq.
Nevada Bar No. 5065
3016 W. Charleston Boulevard, #195
Las Vegas, NV 89102
Telephone (702) 366-1125
Email: krushton@cooperlevenson.com
Counsel for Kaptyn Nevada

16
17
18
19
20
21
22
23
24
25
26
27
28

Mail First Class Postage and via email to the following:

/s/Christiane Smith

An employee of COOPER LEVENSON



3016 W. Charleston Blvd., Suite 195
Las Vegas, NV 89102
Phone (702) 366-1125
Toll Free (800) 529-3161
Fax (702) 366-1857
www.cooperlevenson.com

KIMBERLY MAXSON-RUSHTON
EMAIL: krushton@cooperlevenson.com

Direct Phone (702) 832-1900
Direct Fax (702) 832-1901

FILE NO.

March 29, 2021

Liz Babcock, Applications Manager
Nevada Transportation Authority
3300 West Sahara Avenue
Suite 200
Las Vegas, NV 89102

Re: Kaptyn-Uber Fleet Management Agreement

Dear Ms. Babcock:

Previously, Kaptyn Nevada and Uber (the "Parties") submitted a request for authority to conduct a pilot program whereby, if approved, Uber will utilize Kaptyn's electric vehicles and drivers to provide Uber Premier Electric service in Nevada. In relation to said filing enclosed is a Fleet Management Agreement (the "Agreement") evidencing the terms of the pilot program and the Parties mutual intent to work together to ensure its success. The Parties hereby request that said Agreement be maintained as "confidential" pursuant to Nevada Administrative Code 706.3949.

The Parties further submit that the Agreement contains proprietary and competitively sensitive information that is critical to their proposed business model, and the Agreement should be treated as confidential in accordance with NRS 706.1725. Consistent with the regulatory standard attached is a "clean" copy of the requested Agreement marked "CONFIDENTIAL." This copy of the Agreement should be treated as the Parties' confidential information; and this information should not be disclosed to the public for the term of Agreement, including all renewals, and three years thereafter. Enclosed also is a redacted copy of the Agreement, which the Parties respectfully request be included in the public file.

COOPER LEVENSON, P.A.

Liz Babcock, Applications Manager

March 29, 2021

Page 2

As always, my clients and I appreciate your consideration of this request. Should you have any questions, please do not hesitate to contact me

Warmly,

/s/ Kimberly Maxson-Rushton

Kimberly Maxson-Rushton

KMR

ELECTRIC VEHICLE STRATEGIC FLEET AFFILIATION AGREEMENT

This Strategic Fleet Affiliation Agreement (the "Agreement") is effective as of November 03, 2020 (the "Effective Date") and is made by and between Kaptyn Acquisition Corp, a Delaware corporation with offices at 4675 Wynn Road, Las Vegas Nevada 89103 ("Kaptyn") and Uber Technologies, Inc., a Delaware corporation with offices at 1455 3rd Street, San Francisco, CA 94158 (together with its affiliates, "Uber"). Kaptyn and Uber may be referred to individually as a "party" and together as the "parties."

WHEREAS,

1. Uber has developed and makes available in cities throughout the world a mobile application and related technology that connects people seeking rides with individual transportation providers seeking to provide rides, including individual drivers and drivers employed by commercial fleets (the "Uber App").

2. Kaptyn is in the business of managing vehicles and drivers that are privately employed or contracted by Kaptyn, and owns, leases, or otherwise legally possesses a fleet of electric and gasoline-powered vehicles (each vehicle, a "Kaptyn Vehicle").

3. Kaptyn has developed and makes available in cities in which it currently operates or will operate a mobile application and related technology that connects people seeking rides with individual transportation providers seeking to provide rides, including individual drivers and drivers employed by commercial fleets (the "Kaptyn App").

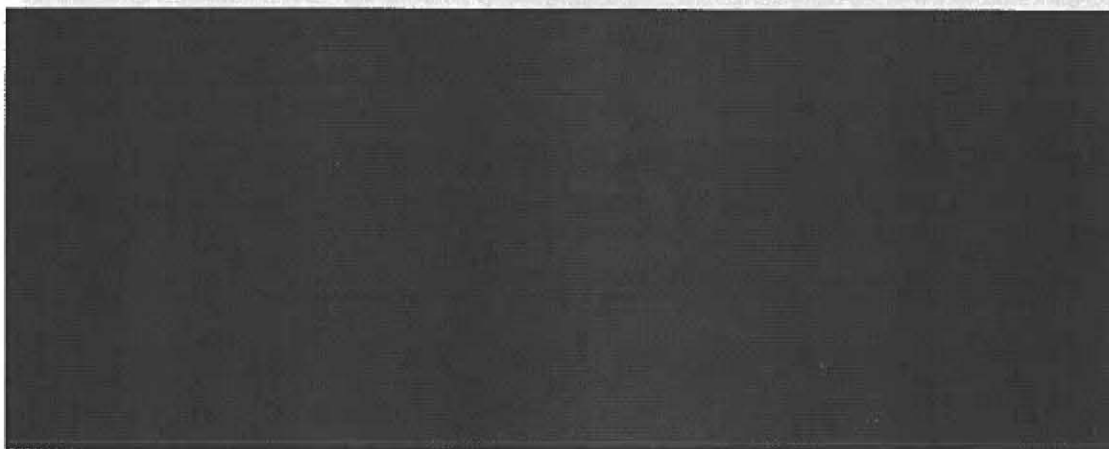
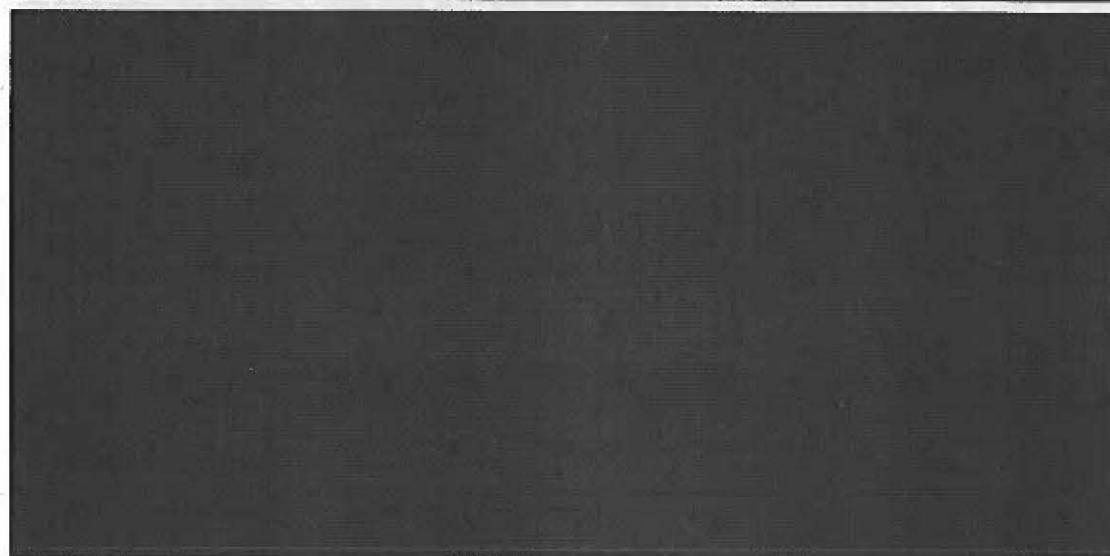
4. [REDACTED]

NOW, THEREFORE, in consideration of the mutual covenants herein and for other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged by the parties, Uber and Kaptyn agree as follows:

1. Scope of Agreement

1.1. [REDACTED]

CONFIDENTIAL PURSUANT TO NAC 706.3949 AND NRS 706.1725



2. Term and Termination.

2.1. Term. The term of this Agreement will commence as of the Effective Date and will continue for a period of one (1) year (the "Initial Term") following the Effective Date. If neither party has provided a written notice of non-renewal at least sixty (60)

CONFIDENTIAL PURSUANT TO NAC 706.3949 AND NRS 706.1725

days prior to the expiration of the Initial Term, this Agreement shall automatically renew for an additional one (1) year term (each a "Renewal Term", and the "Initial Term" individually and together with the "Renewal Term", the "Term"), however the Term may be shortened if Kaptyn and Uber enter into a new or amended Strategic Fleet Affiliation Agreement and in such event the Term will end upon entrance into a new or amended Strategic Fleet Affiliation Agreement.

3. [REDACTED]

[REDACTED]

[REDACTED]

CONFIDENTIAL PURSUANT TO NAC 706.3949 AND NRS 706.1725

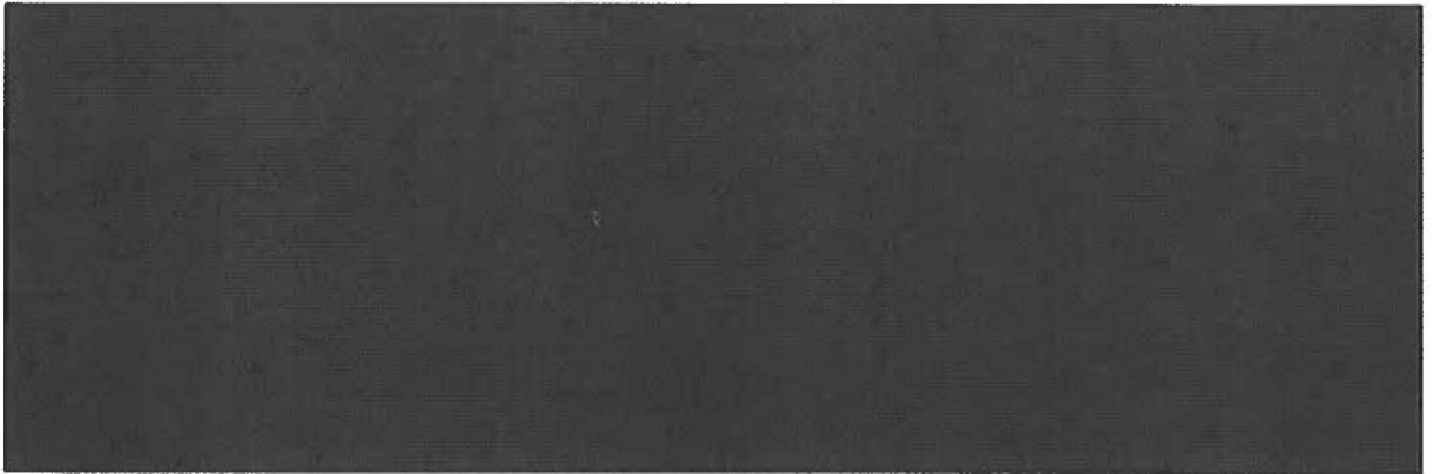
[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

CONFIDENTIAL PURSUANT TO NAC 706.3949 AND NRS 706.1725



5. Fees.

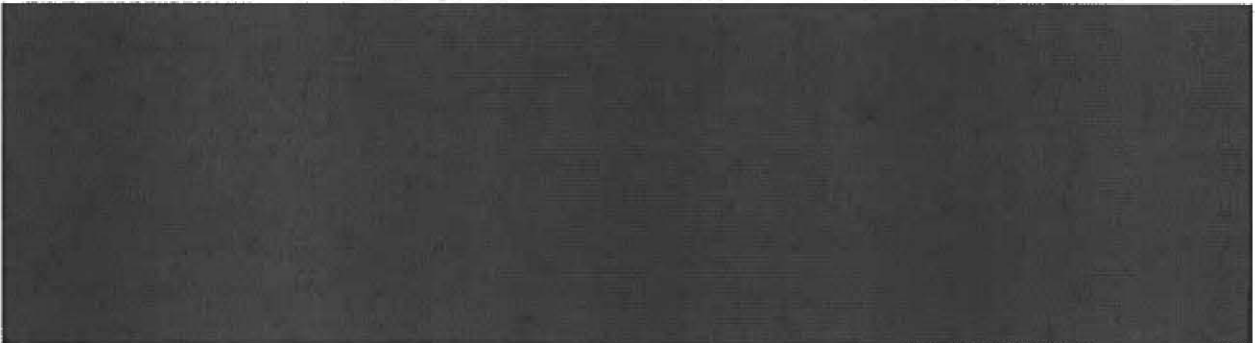


6. Payment.



7. Program Management.

7.1. Within three (3) days of the Effective Date, each party will identify a primary point of contact for operational issues and other communications regarding the Program. The primary points of contact will meet as necessary to maintain and review the progress of the Program. Uber and Kaptyn will work together to identify and address each party's growing transportation needs and opportunities during the Term. The parties will participate in meetings, including without limitation periodic strategic business reviews, to create alignment on each party's rideshare strategy and discuss potential collaboration on additional projects.



CONFIDENTIAL PURSUANT TO NAC 706.3949 AND NRS 706.1725

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

CONFIDENTIAL PURSUANT TO NAC 706.3949 AND NRS 706.1725

[REDACTED]

10. Confidentiality.

10.1. Definition. For purposes of this Agreement, the term "Confidential Information" means any non-public information of a party or its affiliates that is disclosed or otherwise made available by or on behalf of such party or its affiliates ("Disclosing Party") to the other party ("Receiving Party"), before or after the Effective Date and whether orally, visually, in writing or in any other form, including, without limitation, the existence and terms of this Agreement and information about the Disclosing Party's technology, products, properties, employees, finances, businesses and operations. Confidential Information includes all notes, analyses, compilations, interpretations or other documents prepared by or for the Receiving Party, to the extent they contain, reflect or are based upon the Disclosing Party's Confidential Information. "Representative" means a Receiving Party, its controlled subsidiaries, and their respective officers, directors, employees, consultants and agents. Neither party shall disclose or otherwise make available any personally identifiable information or protected health information under this

Agreement. The obligations set forth herein will not apply to Confidential Information that: (i) is or

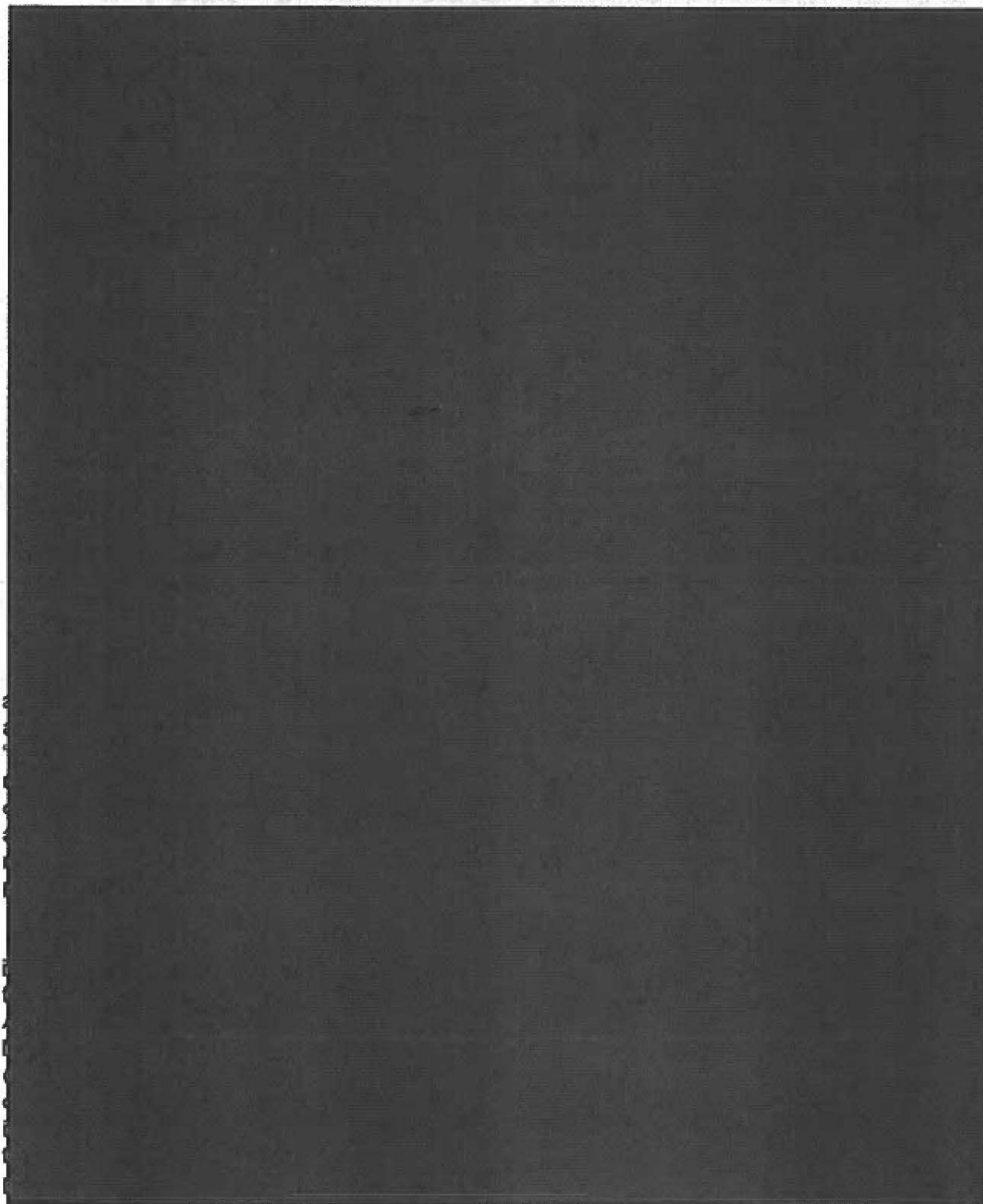
[REDACTED]

[REDACTED]

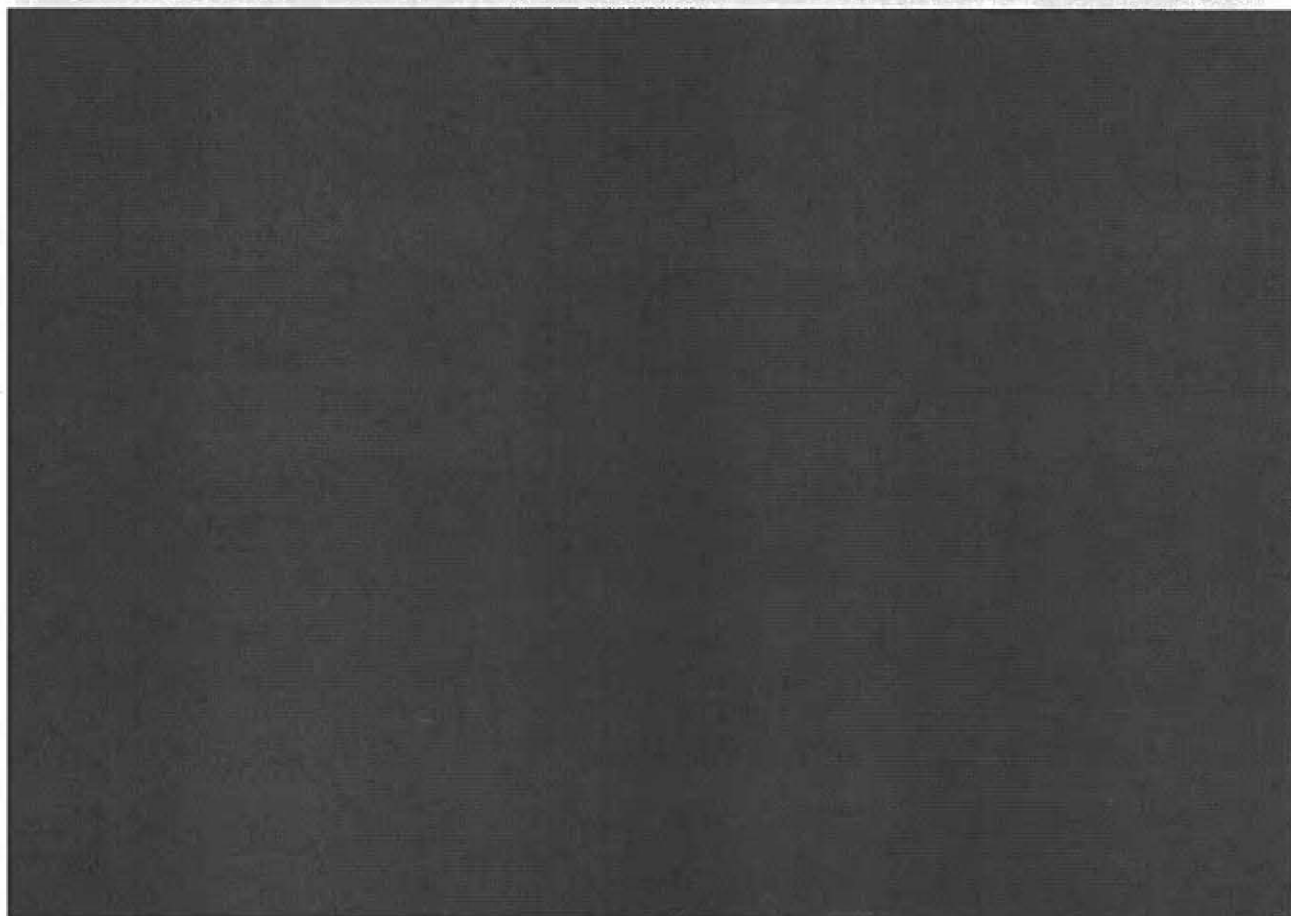
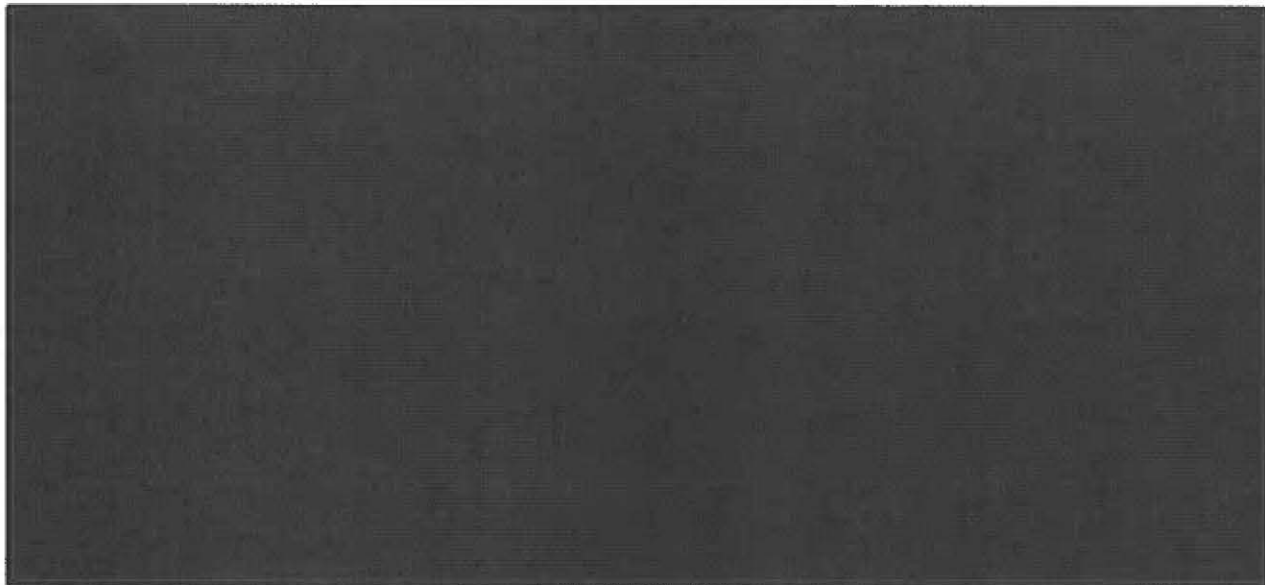
[REDACTED]

[REDACTED]

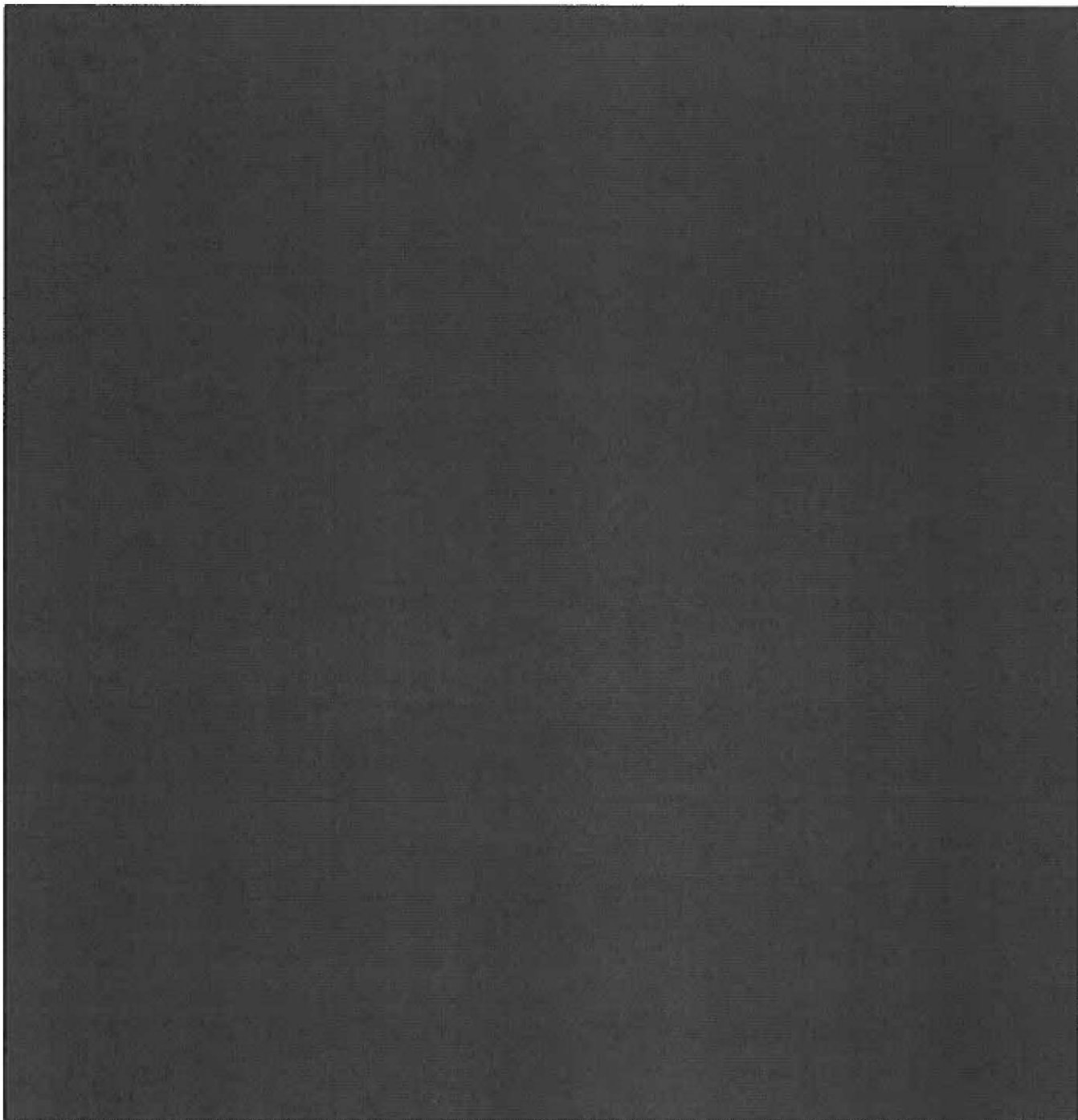
CONFIDENTIAL PURSUANT TO NAC 706.3949 AND NRS 706.1725



CONFIDENTIAL PURSUANT TO NAC 706.3949 AND NRS 706.1725



CONFIDENTIAL PURSUANT TO NAC 706.3949 AND NRS 706.1725





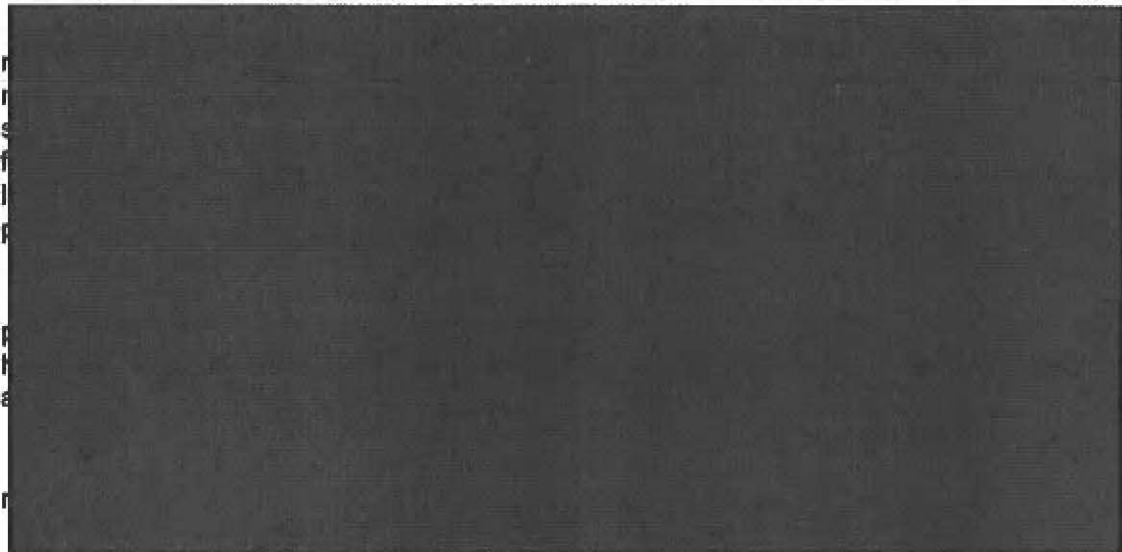
15. Miscellaneous.

15.1. Relationship of the Parties. Neither this Agreement nor the relationship set forth herein shall be deemed or construed to create any partnership, joint venture, employment, or agency relationship between the parties. Except to the extent expressly provided, neither party is, nor shall either party hold itself out to be, vested with any power, or right to bind the other party contractually or to act on behalf of the other party as its employee, contracting broker, agent or otherwise.

15.2. Interpretation. In this Agreement, "including" and "include" mean "including, but not limited to."

15.3. Headers. Headers and section titles are inserted solely for the convenience of the parties and shall not be used for purposes of interpreting or construing this Agreement.


15.4. Notices. Except as expressly stated otherwise, any notices shall be given by certified mail, postage prepaid and return receipt requested to Uber or Kaptyn at the address first written above.



15.8. Force Majeure. Except for the duty to make payments hereunder when due, neither party shall be liable to the other party for failure or delay in performance or nonperformance caused by circumstances beyond the reasonable control of the party affected which materially interrupts, hinders, or interferes with the purpose of this Agreement, and occurs on or after the Effective Date, including but not limited to acts of God, fire, flood, explosion, war, terrorism, epidemics, pandemics, quarantine, unusually severe weather, embargo, action or request of governmental or judicial authority, strikes, labor stoppages or other industrial disturbances that do not involve the affected party's own workforce, civil commotion, civil riot or insurrection. In the event that either party is


CONFIDENTIAL PURSUANT TO NAC 706.3949 AND NRS 706.1725

unable to perform its obligations under this Agreement by reason of force majeure, it shall immediately give notice thereof to the other party and shall use commercially reasonable efforts to recommence performance.



15.10. Governing Law, Dispute Resolution. This Agreement shall be governed by and construed in accordance with the laws of the State of California without regard to its choice or conflict of laws provisions. Kaptyn hereby consents to exclusive jurisdiction and venue in the state and federal courts sitting in San Francisco County, California. If any dispute between the parties arises out of any matter governed by this Agreement, each party will first attempt in good faith to reach a settlement through negotiation by its appointed representative.

15.11. Partial Invalidity. Invalidity of any provision of this Agreement does not affect the rest of this Agreement. The parties shall replace the invalid or non-binding provision with provision(s) that are valid and binding and that have, to the greatest extent possible, a similar effect as the invalid or non-binding provision, given the contents and purpose of this Agreement.



15.13. Conflicts. If there is a conflict between this Agreement and any supplemental terms, including Uber's Terms and Conditions, this Agreement will prevail with respect to the specific subject matter provided herein. Notwithstanding the foregoing, in the event of a conflict between this Agreement and a Location Addendum, and any amendments thereto, the terms and conditions of the applicable Location Addendum will prevail.

15.14. Modification. No amendment or modification of this Agreement shall be made except by a writing duly executed by both parties.

15.15. Entire Agreement. This Agreement, including any exhibits attached hereto, together with Uber's Terms and Conditions, contains the full and complete agreement between the parties relating to the subject matter hereof and supersedes all prior and contemporary understandings and agreements, whether oral or written, relating to the subject matter hereof.

15.16. Counterparts. This Agreement may be executed in counterparts, each of which will constitute an original, and all of which will constitute one agreement. The parties agree that they will accept signature by electronic transmission in portable

CONFIDENTIAL PURSUANT TO NAC 706.3949 AND NRS 706.1725

document format (PDF) in lieu of original signatures and that the Agreement and any amendments hereto will have the same binding and enforceable effect with electronic PDF signatures as they would have with original signatures.

IN WITNESS WHEREOF, the parties have caused their authorized representatives to execute this Agreement as of the Effective Date.

Uber Technologies, Inc.

By: Jennifer Vesio
AAC87E36591B4FE...

Name:

Jennifer
Vescio

Title:

Head of
Business Development

Kaptyn Acquisition Corp

By: Andrew Meyers
90CB9563A844BA...

Name: Andrew J. Meyers

Title: President and CEO

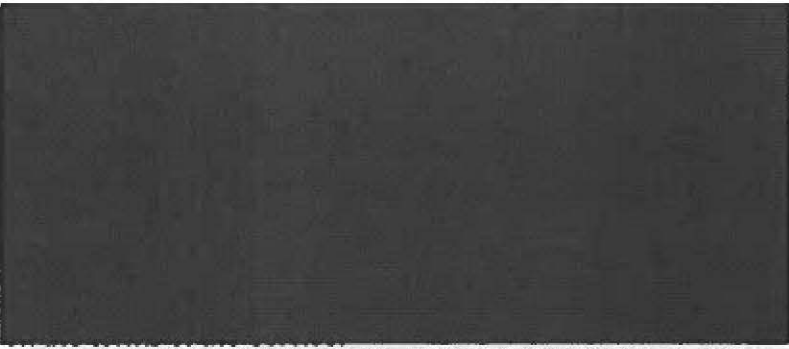


ATTACHMENT 1

Location Addendum #1: Las Vegas, NV

This Location Addendum ("Location Addendum #1") is entered into as of the effective date set forth below (the "Location Addendum #1 Effective Date"). Terms not defined herein shall have the meaning set forth in the Agreement. In the event of a conflict between this Location Addendum #1 and the Agreement, this Location Addendum #1 shall prevail with respect to the subject matter set forth herein.

City ("Location"):	Las Vegas, NV
Regulator(s) ("Location Specific Regulator"):	Nevada state and local laws, regulations, policies, and orders
Schedule:	

CONFIDENTIAL PURSUANT TO NAC 706.3949 AND NRS 706.1725

Classes of Service	
Location-Specific Payment Terms (from Section 5):	
Location-Specific Service Fee (from Section 5)	
Other Location-- Specific Terms (if applicable):	N/A

**Additional material provided
after initial posting of
supporting material but prior to
meeting.**



Department of Aviation

ROSEMARY A. VASSILIADIS
DIRECTOR

POSTAL BOX 11005
LAS VEGAS, NEVADA 89111-1005
(702) 261-5211
FAX (702) 597-9553

April 1, 2021

RE: Pilot Program for Fleet Management Services (Agenda Item 79)

Dear Chairwoman and Members of the Commission,

The Clark County Department of Aviation (DOA) is taking a neutral position on Kaptyn Nevada LLC's (Kaptyn) petition to conduct a pilot program for fleet management services with Uber Technologies (Uber) a/k/a Uber Premier Electric. **However, at this time, the DOA is unable to authorize this program at McCarran International Airport (Airport).**

As you know, NRS 706A.310 requires Transportation Networking Companies (TNC) to adhere to permit, fee, and other requirements at airports. These requirements are essential to ensuring safe and seamless TNC operations at airports and preserving airport adherence to federal, state, and local law. The following is a summary of operational impacts that **preclude** the DOA from authorizing the proposed pilot program.

Commercial ground transportation vehicles are managed by an Automated Vehicle Identification System (AVI) at Airport. AVI tracks, monitors, and applies fees to commercial ground transportation vehicles that utilize Airport's roadway system. TNCs operate through a virtual geo-fence application that requires diligent monitoring and management by DOA enforcement personnel at Airport. The two systems, i.e. AVI and the geo-fence, do not operate in tandem. Allowing vehicles to alternate between these two systems would create exceptional operational issues, as well as safety concerns.

After considering the pilot program, the DOA has identified that the program would present system integration conflicts, significant revenue loss, infrastructure issues, traffic congestion that would interfere with airport use and access, as well as, safety and customer experience issues. The program would conflict with Clark County ordinance requirements, as outlined in Title 20 (20.04.010) and would present insurance challenges, as TNCs are obligated to hold a higher coverage at Airport.

In summary, this program as proposed violates the existing permits issued by the DOA to the TNCs and further is a violation of Clark County ordinance Title 20 (20.04.010).

The DOA kindly requests that these comments/concerns be noted for the record and requests to speak on Agenda #79.

Sincerely,

A handwritten signature in black ink, appearing to read "Ralph LePore", is written over a circular stamp.

Ralph LePore
Deputy Director of Aviation



Clark County Board of Commissioners

Marilyn Kirkpatrick, Chair • James B. Gibson, Vice Chair
Justin C. Jones • William McCurdy II • Ross Miller • Michael Naft • Tick Segerblom

Agenda Item#

80

Items #80, 81 and 82 to
be considered together

Dockets

21-03016

21-03017

21-03018

1 **SIMONS HALL JOHNSTON PC**
2 Mark G. Simons, Esq. (SBN 5132)
3 6490 S. McCarran Blvd., #F-46
4 Reno, Nevada 89509
5 Telephone: (775) 785-0088
6 Facsimile: (775) 785-0087
7 Email: MSimons@SHJNevada.com

8 *Attorneys for Reno Cab Company, Inc.*
9 *dba Reno Sparks Cab Co.*

10
11 **BEFORE THE NEVADA TRANSPORTATION AUTHORITY**

12 **IN THE MATTER of the Petition of Reno Cab**
13 **Company, Inc. dba Reno Sparks Cab Co.**

DOCKET NO.

14
15
16 **PETITION TO DEVIATE**

17 Reno Cab Company, Inc. dba Reno Sparks Cab Co. ("Reno Sparks Cab"), by and
18 through its counsel, Mark G. Simons of SIMONS HALL JOHNSTON PC, is hereby
19 requesting approval to deviate from the taxi cab lease template (the "Template Lease")
20 issued by the Nevada Transportation Authority ("NTA"),

21
22 **I. NRS 706.473's and NRS 706.475's PROVISIONS.**

23 The NTA is charged with ensuring compliance and oversight of the lease
24 agreements by and between a motor carrier and an independent taxi cab driver. For
25 ease of reference NRS 706.473's and NRS 706.475's provisions are included below:

26 ///

27 ///

NRS 706.473.

1. In a county whose population is less than 700,000, a person who holds a certificate of public convenience and necessity which was issued for the operation of a taxicab business may, upon approval from the Authority, lease a taxicab to an independent contractor who does not hold a certificate of public convenience and necessity. A person may lease only one taxicab to each independent contractor with whom the person enters into a lease agreement. The taxicab may be used only in a manner authorized by the lessor's certificate of public convenience and necessity.

2. A person who enters into a lease agreement with an independent contractor pursuant to this section shall submit a copy of the agreement to the Authority for its approval. The agreement is not effective until approved by the Authority. (Emphasis added)

3. A person who leases a taxicab to an independent contractor is jointly and severally liable with the independent contractor for any violation of the provisions of this chapter or the regulations adopted pursuant thereto, and shall ensure that the independent contractor complies with such provisions and regulations.

4. The Authority or any of its employees may intervene in a civil action involving a lease agreement entered into pursuant to this section.¹

¹ NAC 706.3753 Leasing of taxicab to independent contractor: Requirements for lease agreement; enforcement. (NRS 706.171, 706.475)

1. Each lease agreement entered into by a certificate holder and an independent contractor pursuant to NRS 706.473 must:

- (a) Be maintained by the certificate holder.
- (b) Be in writing and in a form approved by the Authority.
- (c) Identify the use to be made of the taxicab by the independent contractor and the consideration to be received by the certificate holder. The use to be made of the taxicab must conform to the authority granted by the certificate to operate the taxicab.
- (d) Be signed by each party, or his or her representative, to the agreement.
- (e) Specifically state that the independent contractor is subject to all laws and regulations relating to the operation of a taxicab which have been established by the Authority and other regulatory agencies and that a violation of those laws and regulations will breach the agreement.
- (f) Specifically state that the certificate holder is responsible for maintaining:
 - (1) All required insurance associated with the taxicab and the service which is the subject of the agreement in accordance with NAC 706.191;
 - (2) A file which contains the qualifications of the independent contractor to drive the taxicab; and
 - (3) A file for records concerning the maintenance of the taxicab.

NRS 706.475

1. The Authority shall adopt such regulations as are necessary to:
 - (a) Carry out the provisions of NRS 706.473; and
 - (b) Ensure that the taxicab business remains safe, adequate and reliable.
2. Such regulations must include, without limitation:
 - (a) The minimum qualifications for an independent contractor;
 - (b) Requirements related to liability insurance;
 - (c) Minimum safety standards; and
 - (d) **The procedure for approving a lease agreement and the provisions that must be included in a lease agreement concerning the grounds for the revocation of such approval. (Emphasis added).**

Of note, nothing contained in NRS 706.473(b) or in NAC 706.3753 requires a new lease be executed every time the number of the taxicab is changed. Only the master lease is required to be approved. The statute and the code both allow for taxicabs to be switched out as long as the master independent contract lease agreement with the driver is approved by the NTA.

(g) Specifically state that the lease agreement does not relieve the certificate holder from any of his or her duties or responsibilities set forth in this chapter and chapter 706 of NRS.

(h) Specifically state that the taxicab provided pursuant to the lease agreement:

- (1) Will be painted with the name, insignia and certificate number of the certificate holder; and
- (2) Is in a good mechanical condition that will meet the requirements for operating taxicabs set forth by this State or the county or municipality in which the taxicab will be operated.

(i) Specifically state that the independent contractor shall not transfer, assign, sublease or otherwise enter into an agreement to lease the taxicab to another person.

(j) Specifically state that the independent contractor:

- (1) Shall not operate the taxicab for more than 12 hours in any 24-hour period; and
- (2) Shall return the taxicab to the certificate holder at the end of each shift to enable the certificate holder to comply with the provisions of NAC 706.380.

(k) Contain any other provision which the Authority may determine to be necessary for the protection of the health and safety of members of the public.

1 **B. THE BASIS OF THIS PETITION.**

2 In 2013, the NTA previously approved the lease form ("Form Lease") that
3 Petitioner has currently been using. Prior to 2013, the NTA approved other iterations of
4 the Form Lease. Petitioner has structured its entire business operations around the
5 NTA's prior approval of the Form Lease and the method employed by Petitioner to comply
6 with NRS Chapter 706's and NAC Chapter 706's requirements.
7

8 Petitioner has been having each independent contractor execute the Form Lease.
9 Each taxicab subject to the Form Lease is currently documented by use of a "Log" or by
10 the mandatory daily "Trip Sheets". In this fashion, the Form Lease governs the
11 relationship, and the Log or Trip Sheets document the specific cab being used by the
12 independent contractor for each shift.
13

14 On September 3, 2020, the NTA issued its letter seeking to implement the
15 Template Lease and an entirely new protocol for execution and approval of all leases
16 even if there was a taxicab change. **Exhibit 1.** Specifically, the September 3, 2020, letter
17 states: "Any changes in drivers or vehicles that alter the lease agreement will require a
18 resubmission of the lease agreement for approval." Id., p. 2, ¶6. Petitioner was also
19 subsequently informed that it must commence using the Template Lease immediately
20 and, if not, Petitioner will suffer citations, monetary fines and will be required to
21 immediately remove taxicab from service for 24 hours. In addition, the independent
22 contractor will suffer a citation and monetary fines as well. For the reasons stated herein,
23 this petition should be granted.
24

25 Of concern, the NTA did not consult with Petitioner and appears to have neglected
26 to consult with any carriers prior to forcing implementation of the Template Lease on
27 Petitioner and other affected carriers. Also, there is no basis for requiring a new lease to
28

1 be executed any time the taxicab is changed as long as the independent contractor
2 relationship remains the same.

3 **C. PETITIONER'S OPERATIONAL CONCERNS.**

4 Initially, Petitioner, along with Roy L. Street dba Capitol Cab Company and Yellow
5 Cab of Reno, Inc., are the largest taxicab operators in Northern Nevada. Petitioner has
6 operated in this market for decades using the Form Lease and employing the protocols
7 described above. The NTA inspects and approves each taxicab before the taxicab can
8 be placed into operations. The NTA documents each driver before a taxicab driver is
9 eligible to operate an NTA approved taxicab under an independent contract lease.
10

11 Petitioner issued daily Trip Sheets documenting each taxicab issued to a taxicab
12 driver under the Form Lease and/or document the taxicab number on a Log. The Trip
13 Sheets are maintained by the drivers in the leased taxicabs.
14

15 Petitioner has some drivers who are regularly assigned a specific taxicab and have
16 other standby drivers who will take any available taxicab. Petitioner will also on occasion
17 switch taxicabs due to mechanical issues or will issue a new taxicab in the event of an
18 accident or other event that makes the initial taxicab inoperable for some reason.
19

20 The NTA has never previously required Petitioner to have a new lease approved
21 by the NTA before a new taxicab can be issued to a driver under the Form Lease. The
22 NTA approved Form Lease governed the independent contractor relationship and allowed
23 for the documentation of each specific cab via the Log function and/or the Trip Sheet
24 function.

25 Petitioner commences shift changes at 3:00 a.m. and rotates shift changes every
26 30 minutes until 7:30 a.m. and again at 3:00 p.m. through 7:30 p.m. Petitioner has to
27 conduct its shift changes in this fashion to ensure sufficient taxicabs remain on the roads
28

1 to service the community. Any time a taxicab is issued a Trip Sheet is generated with the
2 driver's name, date, time and taxicab number. A copy of a Trip Sheet showing the details
3 contained therein is attached hereto as **Exhibit 2**. A new Trip Sheet is generated if a
4 taxicab is replaced or switched out for any reason. The Trip Sheet contains the
5 affirmation and execution of the agreement of the driver to remain fully liable and in
6 compliance with the master Form Lease. Accordingly, the Trip Sheet contains all data
7 and information relating to a taxicab leased under the Template Lease.
8

9 Petitioner has been advised that they cannot lease any taxicabs, replace any
10 taxicabs that breakdown, are replaced or involved in an accident without the NTA
11 approving a new Template Lease with a new cab number inserted. This protocol will
12 seriously impact Petitioner's business since a breakdown, accident or other event
13 routinely occurs during non-business hours. While the NTA could approve new leases in
14 this fashion if the NTA had a dedicated 24 hour around the clock employee tasked with
15 such responsibility, it is believed such an employee does not exist. Accordingly, the
16 NTA's new protocol is unworkable for Petitioner's operations—operations that have been
17 implemented and established over the decades based upon the NTA's prior approved
18 Lease Forms and leasing activities employed by Petitioner.
19

20 **D. PETITIONER'S REQUEST FOR DEVIATION.**

21 Petitioner has attempted to resolve this issue administratively without success
22 necessitating this petition. Petitioner, in conjunction with NTA's counsel Gary Mathews
23 worked through a number of details (such as reference to Policies and Procedures-Exhibit
24 A) but have been unable to resolve the operational issues faced by Petitioner and the
25 NTA's desire to implement an entirely new administrative protocol.
26
27
28

1 Attached hereto as **Exhibit 3** is a copy of the most recent, red-lined version of the
2 Template Lease discussed by and between the undersigned and Gary Mathews (the
3 "Redline"). The Redline includes a number of minor corrections to the Template Lease
4 and also seeks to include Exhibit B and Exhibit C for the purpose of designating the
5 specific leased cab under the Template Lease and to allow for such taxicabs to be
6 substituted and/or changed without triggering an entirely new lease review submission
7 and approval. Also separately attached as **Exhibit 4** and **Exhibit 5** respectively are the
8 form Exhibit B and Exhibit C referenced in the Redline.
9

10 Approving the Redline and allowing inclusions of taxicab changes, if and when
11 necessary, achieves the goals and objectives of the NTA and the statutory enactment.
12 The NTA inspects and approves each vehicle used as a taxicab. The NTA approves the
13 Template Lease. The NTA approves each driver. There is nothing in NRS 706.473(b) or
14 in NAC 706.3753 that requires a new lease be executed every time the number of the
15 taxicab is changed. The lease does not regulate the taxicab, the lease regulates the
16 "relationship" between the carrier and the independent contractor. The NTA has separate
17 regulations that apply to the safety and performance of each taxicab. Therefore,
18 implementing a process where each taxicab has to again be "approved" is duplicative and
19 inefficient both for the Petitioner as well as the NTA. The NTA's new approach appears
20 to simply be adding more layers of administrative expense on Petitioner and the NTA with
21 no discernable value or objective.
22
23

24 ///

25 ///

26 ///

27 ///

1 II. CONCLUSION.

2 Based upon the foregoing, Petitioner requests the following:

- 3 1. Approve the Template Form as modified in the Redline version to
4 allow implementation of Exhibits B and C.
5
6 2. Alternatively, approve the use of Trip Sheets to document the specific
7 cab issued under each Template Lease.

8 Dated this 11th day of March, 2021.

9 SIMONS HALL JOHNSTON PC
10 6490 S. McCarran Blvd., Ste. F-46
11 Reno, NV 89509

12 By: 

13 MARK G. SIMONS, ESQ.
14 Attorneys for Reno Cab Company, Inc.
15 dba Reno Sparks Cab Co.
16
17
18
19
20
21
22
23
24
25
26
27
28

EXHIBIT 1

EXHIBIT 1



DEPARTMENT OF BUSINESS AND INDUSTRY
NEVADA TRANSPORTATION AUTHORITY

September 3, 2020

To All Certificated Taxicab Operators:

Pursuant to NRS 706.473(2) and NAC 706.3753, any carrier who enters into a lease agreement with an independent contractor must submit a copy of that lease agreement to the Nevada Transportation Authority ("NTA") for approval. **The lease agreement must be submitted on a pre-approved template and does not become effective until approved by the NTA.**

Please note the following procedures concerning the NTA's approval of lease templates and lease agreements:

Step 1 - Lease Templates:

1. A copy of the NTA's model template is attached. The model template can also be found on the NTA's website. *Please notify our office if you intend on using the model template.*
2. If a Carrier chooses to draft their own template, proposed lease templates must be submitted to the NTA via email at nta@nta.nv.gov or by mail.
3. The submission deadline for template's is **September 18, 2020** by 5:00 p.m.
4. The following information is required:
 - Certificate holder's name;
 - CPCN;
 - Contact person;
 - Telephone number;
 - Email address.
5. The NTA will approve, deny, or reject a template. If rejected, you must correct the template and re-submit it for approval. If denied, the carrier must start over and re-submit for approval. A re-submission will be processed as a new request and the review process will start over.

Step 2 - Lease Agreements:

1. Carriers have 30 days to submit all current leases on their approved lease template for the Authority to approve those currently working. Submittal via email at nta@nta.nv.gov.
2. The carrier will submit all future lease agreements to the NTA via email at nta@nta.nv.gov for approval.
3. The following information is required:
 - Certificate holder's name;
 - CPCN;
 - Contact person;
 - Telephone number;
 - Email address.
4. The NTA will, within 5 working days, approve, deny, or reject the lease agreements. If rejected, you must correct the lease agreement and re-submit it for approval. If denied, the carrier must start over and re-submit for approval. A re-submission will be processed as a new request and the review process will start over.
5. Once the NTA approves your lease agreement, you will receive the stamped copy via email.
6. Drivers must always maintain a copy of the approved lease agreement during operation. Any changes in drivers or vehicles that alter the lease agreement will require a re-submission of the lease agreement for approval. Any termination or expiration of a lease agreement will also require re-submission.

Be advised, pursuant to Nevada Administrative Code 706.3753(1)(i), an independent contractor shall not transfer, assign, sublease or otherwise enter into an agreement to lease the taxicab to another person.

***The lease agreement must be submitted on a pre-approved template and does not become effective until approved by the NTA.**

Please contact our office if you have any questions concerning this matter.

Sincerely,

Rene' Revens
Chief Compliance Audit Investigator

EXHIBIT 2

EXHIBIT 2

Reno Sparks Cab Driver Trip-Sheet - Cab 0717 March 9, 2021

ID: 414623 - Driver: 6510 - Day Shift

I acknowledge that this period shall be governed by the Taxi Cab Master Lease Agreement by and between myself and the leasing company. I agree to be bound by all the terms, conditions, and obligations of the Taxi Cab Master Lease Agreement. I also hereby acknowledge that I am not under the influence, nor will I operate the vehicle under the influence of any drug (prescribed or not), alcohol, or other substance that would affect my ability to safely operate the vehicle in accordance with the terms of the lease.

Signature:

Cab Due In Time: 04:45
 Previous Cab: 0717 03/08/21 04:52 pm
 Previous Driver: 6510 03/08/21 04:52 pm
 Check-Out Cashier: 03/09/21 04:53 am
 Check-In Cashier: 03/09/21 04:34 pm

CLOCK	Date	Shift	Time		
IN	03/09/21	Night Shift	04:34		
OUT	03/09/21	Day Shift	04:53		
Elapsed 11:41	Personal - 02:00	Down - 00:00	Worked = 09:41		
Hard Meter	Units	Odometer	Total Miles	Paid Miles	Trips
INCOMING			0	0	0
OUTGOING			0	0	0
DIFF		0	0	0	0
Not On Meter + \$0.00		Ded From Meter - \$0.00		Adjusted Meter = \$261.06	

NOTES TO DRIVER:

Winter Driving Class has not been established
 Drug & Alcohol Awareness has not been established
 Safety Class DDCB has not been established

PAYMENT

Total Book:	
(3) Taxable Book:	
CC's 0 x \$7.5:	
CC's 4 x \$3.0:	
Taxable Amount:	
Excise Tax 3% ()	
50% of Book:	
Cab Lease Fee:	
Payment Due:	
Gas Gals: 0.00 - Cost:	
Credit Cards (\$7.5):	
Credit Cards (\$3.0):	
Customer Charges:	
Employee Charges:	
Comps:	
Misc ():	
Sub Total:	
Sirf Payment:	
Bill Payment:	
Damage Payment:	
Amount Due:	
Incoming Refund:	
Balance:	

CHECKLIST

Cleanliness Outside:	Wheels, Rims, and Tires:	Chester Lights:
Cleanliness Inside:	Rear Vision Mirrors:	Horn:
Cleanliness Trunk:	Headlights:	Windshield Wipers:
Brakes:	Tail Lights:	Emergency Equip:
Parking Brake:	Turn Signals:	Steering:

EXHIBIT 3

EXHIBIT 3

RENO CAB COMPANY, INC.
DBA RENO-SPARKS CAB COMPANY

CPCN 1025

TAXICAB LEASE AGREEMENT

THIS TAXICAB LEASE AGREEMENT ("Lease") made this _____ day of _____, 202__, between Reno Cab Company, Inc., dba Reno-Sparks Cab Company, a Nevada Corporation, with its principal place of business at 475 Gentry Way, Reno, Nevada (hereinafter referred to as "LEASING COMPANY/CARRIER"), and _____, an independent contractor, with his/her principal residence located at _____, hereinafter referred to as "LESSEE/DRIVER".

WHEREAS, LEASING COMPANY/CARRIER is an intrastate for hire common motor carrier operating under a Certificate of Public Convenience and Necessity CPCN 1025) issued by the ~~Transportation Authority of Nevada~~ Transportation Authority;

WHEREAS, LEASING COMPANY/CARRIER is the owner of taxicabs and other vehicles;

WHEREAS, LESSEE/DRIVER desires to lease from LEASING COMPANY/CARRIER a vehicle and other services under the term and conditions herein set forth;

WHEREAS, this Taxicab Lease Agreement is subject to and incorporates the LEASING COMPANY/CARRIER's Policies and Procedures, attached hereto as Exhibit A, which Policies and Procedures are implemented to insure the LESSEE/DRIVER'S compliance with the requirements of NRS Chapter 706 and NAC Chapter 706.

Formatted: Highlight

and

WHEREAS, the parties desire to confirm their understanding in writing.

NOW THEREFORE, in consideration of the mutual promises and covenants herein contained and other good and valuable consideration, the parties agree as follows:

1. LEASE. LESSEE/DRIVER agrees to lease from LEASING COMPANY/CARRIER a taxicab with the name, insignia, certificate number, and painted in the approved color scheme of LEASING COMPANY/CARRIER (the "Leased Taxicab"). At the commencement of this lease, LEASING COMPANY/CARRIER shall deliver the Leased Taxicab in good working order, properly licensed, and with a full tank of fuel. LEASINGCOMPANY/CARRIER shall equip the Leased Taxicab with a ~~radio~~ computer, taximeter, identifying decals, seals and

Formatted: Line spacing: single

LESSEE/DRIVER: _____

LEASING COMPANY/CARRIER: _____

other equipment required by applicable federal, state, and local laws and ordinances (collectively the "Regulatory Authorities").

2. **TAXICAB FEES, LICENSING.** LEASING COMPANY/CARRIER shall maintain and pay for all operating licenses, taxes, and fees on the Leased Taxicab. At times other than Lease Periods (as defined below), LEASING COMPANY/CARRIER may either use the Leased Taxicab itself or lease the Leased Taxicab to other lessees.
3. **OWNERSHIP, MAINTENANCE, AND REPAIR.** LEASING COMPANY/CARRIER is the owner of the Leased Taxicab, which is in a good mechanical condition and meets the requirements for operating taxicabs in the location where the taxicab will be operated. All vehicle maintenance, including regularly scheduled service, shall be LEASING COMPANY/CARRIER'S responsibility.
4. **INSURANCE.** Insurance will be provided by LEASING COMPANY/CARRIER in an amount sufficient to meet regulatory requirements pursuant to NAC 706.191.
5. **LEASE PERIOD AND LEASED TAXICAB DESIGNATION.** Each period LESSEE/DRIVER uses the Leased Taxicab shall be deemed a separate Lease Period ("Lease Period"). Each Lease Period will be determined by LESSEE/DRIVER and LEASING COMPANY/CARRIER and will be indicated on Exhibit "B". LESSEE/DRIVER shall not, however, operate the taxicab for more than 12 hours in any 24-hour period. This Lease shall serve as a master lease agreement, which will govern each and every Lease Period. Pursuant to this Lease Agreement LEASING COMPANY/CARRIER will maintain a record of each Leased Taxicab leased to LESSEE/DRIVER pursuant to this master lease on a form substantially in compliance with the attached Exhibit "C".
6. **ASSIGNMENT AND SUBLEASING.** LESSEE/DRIVER shall not transfer, assign, sublease or otherwise enter into an agreement to lease the taxicab to another person, nor shall LESSEE/DRIVER'S rights be subject to encumbrance or subject to the claims of his or her creditors.
7. **OPERATING AUTHORITY.** LEASING COMPANY/CARRIER is a certificated carrier and services provided by LESSEE/DRIVER are regulated by appropriate regulatory authorities. LESSEE/DRIVER'S use of the Leased Taxicab shall be in a manner authorized by LEASING COMPANY/CARRIER'S certificate to operate AND the LEASING COMPANY/CARRIER'S Tariff.
8. **RENTAL FEE.** In consideration of the use of the Leased Taxicab, LESSEE/DRIVER agrees to pay a Rental Fee to LEASING COMPANY/CARRIER in the amount set forth on Exhibit A attached hereto and incorporated herein by reference.
9. **SECURITY DEPOSIT.** In addition to the rental payment, LESSEE/DRIVER will pay to LEASING COMPANY/CARRIER, at or before commencement of the initial Lease Period, a security deposit in the amount set forth on Exhibit B. of \$_____ LEASING

LESSEE/DRIVER: _____

LEASING COMPANY/CARRIER: _____

Formatted: No underline

Formatted: No underline

Formatted: No underline

Formatted: Highlight

Formatted: Highlight

Formatted: No underline

Formatted: No underline

Formatted: No underline

Formatted: Space After: 6 pt

Formatted: No underline

Formatted: Line spacing: single

COMPANY/CARRIER shall have the right, prior to or upon termination of this Lease, to deduct from said security deposit any amount due to LEASING COMPANY/CARRIER necessary repairs to the vehicles. Said security deposit must be maintained by the LEASING COMPANY/CARRIER in an account separate from the carrier's operating account. Said security deposit, less proper deductions, shall be returned to LESSEE/DRIVER not later than ~~thirty~~ (30) days after the termination of this Lease. Pursuant to NAC 706.3752, any deductions must be itemized and in writing, and supported by receipts that evidences the repairs to the taxicab in an amount equal to amount deducted, and provided to the LESSEE/DRIVER upon return of the remaining security deposit.

10. RELATIONSHIP. Neither party is the partner, joint venturer, agent or representative of the other party. LEASING COMPANY/CARRIER and LESSEE/DRIVER acknowledge and agree that between them exists the relationship of mutual contractual benefit.

11. TRIP SHEETS. At the end of each daily shift LESSEE/DRIVER must provide the LEASING COMPANY/CARRIER with the completed trip sheets for that shift.

~~12.~~ DAILY VEHICLE INSPECTION. In order to keep the Leased Taxicab in good mechanical condition, LESSEE/DRIVER shall inspect the Leased Taxicab at the beginning and end of each shift and document on a daily inspection sheet to be submitted daily and report any condition requiring repair or maintenance to LEASING COMPANY/CARRIER.

13. NO PERSONAL USE. The Leased Taxicab is for commercial use only and may not be utilized for the personal use of the LESSEE/DRIVER. said taxi for an extended period of time at any location so that the LESSEE/DRIVER may sleep.

14. REPLACEMENT VEHICLE. In the event that any repair or maintenance takes more than eight ~~consecutive~~ (8) hours in any week, LEASING COMPANY/CARRIER shall attempt to provide a replacement Leased Taxicab, if available. If a replacement Leased Taxicab is not available, then LESSEE/DRIVER shall be entitled to a pro-rata refund of the Rental Fee, if applicable. No LESSEE/DRIVER shall be entitled to a pro-rata refund of the Rental Fee if the damage to the Leased Taxicab was caused or contributed to by the LESSEE/DRIVER. Repairs and maintenance on Leased Taxicabs must be performed at LEASING COMPANY/CARRIER'S facilities, unless prior written authorization is obtained from ~~LEASING COMPANY/CARRIER~~ Leasing Company to have the repairs and maintenance done elsewhere. LESSEE/DRIVER shall be responsible for the cost ~~of~~ unauthorized repairs and/or maintenance, and for all damages caused thereby.

15. REGULATORY AUTHORITIES. This Lease does not relieve LEASING COMPANY/CARRIER from its duties and responsibilities under NRS Chapter 706 or NAC Chapter 706. LESSEE/DRIVER and LEASING COMPANY/CARRIER are subject to the jurisdiction of the Nevada Transportation Authority ~~of Nevada~~ and shall comply with all federal rules, regulations, ordinances, administrative codes, health and safety provisions and statutes in the operation of the Leased Taxicab. In the event of a violation of such laws, rules, regulations,

LESSEE/DRIVER: _____

LEASING COMPANY/CARRIER: _____

Formatted: Line spacing: single

ordinances, administrative codes, health and safety provisions and statutes, the Nevada Transportation Authority ~~of Nevada~~ may take enforcement action against LESSEE/DRIVER and LEASING COMPANY/CARRIER. Both the LESSEE/DRIVER and LEASING COMPANY/CARRIER are subject to all laws and regulations relating to the operation of a taxicab which have been established by the Nevada Transportation Authority (as set forth in Nevada Revised Statutes and Nevada Administrative Code Chapters 706) and other regulatory agencies and that a violation of those laws and regulations will breach the agreement.

16. **MEDICAL AND DRIVING HISTORY.** To ensure compliance with the provisions of NAC 706.3751, before this LEASE AGREEMENT can be deemed approved, the LESSEE/DRIVER must provide to the LEASING COMPANY/CARRIER:

Formatted: No underline

a. A certificate from a licensed physician which is dated not more than 90 days before the date on which the LESSEE/DRIVER begins to lease a taxicab from the certificate holder pursuant to NRS 706.473, which demonstrates that the employee or independent contractor is physically qualified to operate a commercial motor vehicle in accordance with 49 C.F.R. § 391.43; and

Formatted: Indent Left: 0", Space After: 0 pt

b. A copy of the driving record of the LESSEE/DRIVER obtained from the Department which demonstrates that the LESSEE/DRIVER has not, within past the 3 years:

Formatted: Indent Left: 0"

- i. Been convicted of driving under the influence of an intoxicating liquor or a controlled substance;
- ii. Been convicted of reckless driving;
- iii. Been convicted of failing to stop and remain at the scene of an accident; or
- iv. Failed to keep a written promise to appear in court for any offense.

Formatted: Indent Left: 0.81"

Formatted: Indent Left: 1", First line: 0", Line spacing: At least 13.8 pt

Formatted: Indent Left: 0.81", Line spacing: At least 13.8 pt, No page break before

17. **MAINTENANCE OF RECORDS.** The LEASING COMPANY/CARRIER must maintain driver qualification files (for the LESSEE/DRIVER), trip sheets (for the LESSEE/DRIVER), and vehicle maintenance files (for the Leased Taxicab) as required pursuant to the NRS and NAC Chapters 706.

Formatted: No underline

18. **WARRANTY.** LESSEE/DRIVER warrants that he or she possesses, and at all times during the term of this Lease, and any renewals or extensions hereof, shall possess, the proper driver's license to lawfully operate a taxicab as required by the appropriate regulatory authorities. LESSEE/DRIVER agrees to comply with all local, state, and federal laws and ordinances of Regulatory Authorities relating to the operation of motor vehicles and taxicabs. LESSEE/DRIVER warrants that only he or she shall drive the Leased taxicab during the Leased Period:

Formatted: No underline

19. **REPORT OF ACCIDENTS/CRIMES.** LESSEE/DRIVER must give LEASING COMPANY/CARRIER, through LEASING COMPANY/CARRIER'S authorized agents and/or employees, immediate radio notice of violent crime (in which the LESSEE/DRIVER LESSEE/DRIVER: _____

Formatted: No underline

Formatted: Line spacing: single

LEASING COMPANY/CARRIER: _____

is the victim) or any accident, loss or claim in which LESSEE/DRIVER is involved, or as soon thereafter as is reasonably possible.

20. HOURS OF OPERATION. The LESSEE/DRIVER shall not operate the taxicab for more than 12 hours in any 24-hour period.

Formatted: No underline

21. RETURN OF TAXICAB. The LESSEE/DRIVER must return the taxicab to the LEASING COMPANY/CARRIER at the end of each shift to allow the LEASING COMPANY/CARRIER to comply with the requirements of NAC 706.380.

Formatted: No underline

22. TERMINATION. LEASING COMPANY/CARRIER shall have the right, but not the obligation, to immediately terminate this Lease at any time in the event that LESSEE/DRIVER:

Formatted: No underline

- a. Fails to pay the Rental Fee or any fines, penalties, towing, booting, or impounded fees or charges;
- b. Fails to maintain a proper drivers license;
- c. Fails to timely report any accident;
- d. Encumbers, assigns, subleases, or otherwise enters into an agreement to lease the Leased Taxicab to another person;
- e. Fails to return the Leased taxicab in good condition with a full tank of gas;
- f. Violates any rule or regulation of the Nevada Transportation Authority;
- g. Violates any rule or regulation of the Airport Authority of Washoe County;
- h. Drives the Leased Taxicab under the influence of drugs and/or alcohol;
- i. Fails to submit to a breath or urine test upon objective facts, that LESSEE/DRIVER is under the influence of drugs and/or alcohol;
- j. Fails to sign the ACKNOWLEDGEMENT at the beginning of each Lease Period;

Formatted: Indent Left: 0.5", First line: 0"

Formatted: Indent Left: 0.5"

LESSEE/DRIVER: _____

Formatted: Line spacing: single

LEASING COMPANY/CARRIER: _____

- k. Is convicted of any felony or misdemeanor for driving under the influence of drugs and/or alcohol;
- l. Gives one (1) day's notice of intention not to enter into an additional Lease Period; or
- m. Allows an unauthorized person to drive the Leased Taxicab during the Lease Period.

Notwithstanding any of the above causes for termination, LEASING COMPANY/CARRIER shall have the right to terminate, at will, the Lease upon giving one (1) day's written notice to LESSEE/DRIVER of LEASING COMPANY/CARRIER'S intention to terminate, the Lease. Termination hereunder shall be effective one (1) day after giving written notice.

A failure by LEASING COMPANY/CARRIER to terminate this Lease shall not constitute a waiver of LEASING COMPANY/CARRIER'S right to terminate this Lease for any subsequent violations on the same or other grounds by LESSEE/DRIVER.

Formatted: Indent: Left: 0.25"

13.23. NEVADA TRANSPORTATION AUTHORITY APPROVAL. A LEASING COMPANY/CARRIER'S lease agreement is not deemed effective until approved by the Nevada Transportation Authority. This Lease shall be deemed to be modified by the Authority, as necessary, to conform to said statutes and regulations and changes thereto.

Formatted: No underline

Formatted: Numbered + Level: 1 + Numbering Sty 2, 3, ... + Start at: 23 + Alignment: Left + Aligned at + Indent at: 0"

14.24. RETENTION OF LEASE AGREEMENT. The LEASING COMPANY/CARRIER must retain copies of each lease agreement for a minimum of three (3) years.

Formatted: No underline

15.25. ATTORNEY'S FEES. In the event of any dispute between the LESSEE/DRIVER and LEASING COMPANY/CARRIER relating to this Lease, the prevailing party shall be entitled to recover from the other party all reasonable attorney's fees and other reasonable costs incurred by the prevailing Party in connection therewith and in pursuing and collecting remedies, relief and damages.

Formatted: No underline

16.26. GOVERNING LAW. This agreement shall be interpreted in accordance with and through application of the laws of the State of Nevada.

Formatted: No underline

17.27. RELEASE AND INDEMNITY OF ALL CLAIMS. The LEASING COMPANY/CARRIER and the LESSEE/DRIVER does for itself, its heirs, executors, administrators, successors and assigns, hereby release, remise, and forever discharge the State of Nevada, the Nevada Transportation Authority, the Nevada Attorney General, and each of their members, agents, and employees in their individual and representative capacities, from any and all manner of actions, causes of action, suits, debts, judgments, executions, claims and demands whatsoever, known or unknown, in law or equity, which LEASING COMPANY/CARRIER and the LESSEE/DRIVER ever had, now has, may have, or claim to have against any or all of said entities or individuals arising out of or by reason of the processing or investigation of or other action relating to this agreement.

Formatted: Underline

Furthermore, LEASING COMPANY/CARRIER and the LESSEE/DRIVER hereby agrees

Formatted: Line spacing: single

LESSEE/DRIVER: _____

LEASING COMPANY/CARRIER: _____

to indemnify, hold harmless and defend, not excluding the State's right to participate, the State of Nevada, the Nevada Transportation Authority, the Nevada Attorney General, and each of their members, agents, and employees in their individual and representative capacities from any and all claims, suits, and actions, brought by LEASING COMPANY/CARRIER and the LESSEE/DRIVER anyone associated with this application, or by any third party, against the agencies or persons named in this paragraph, arising out of the submission, investigation and deliberation concerning the approval of this Agreement, and against any and all liabilities, expenses, damages, charges and costs, including court costs and attorneys' fees, which may be sustained by the persons and agencies named in this paragraph as a result of said claims, suits and actions.

28. **COMPLETE AGREEMENT.** This Lease constitutes the entire lease, agreement, and understanding between the parties as to the subject matter hereto, and merges all prior discussions between them. None of the parties shall be bound by any conditions, definitions, warranties, understandings or representations other than expressly provided herein.

Formatted: No underline

Executed in duplicate this ____ day of _____, 202__.

LEASING COMPANY/CARRIER: RENO CAB COMPANY, INC. dba RENO-SPARKS CAB COMPANY

Formatted: Indent: Left: 0", Hanging: 2.5", Tab stop: 1", Left

By: _____

Its: _____

LESSEE/DRIVER: _____

Formatted: Indent: Left: 0", Hanging: 2.5", Tab stop: 1", Left

LESSEE/DRIVER: _____

Formatted: Line spacing: single

LEASING COMPANY/CARRIER: _____

EXHIBIT 4

EXHIBIT 4

EXHIBIT "B"

**RENO CAB COMPANY, INC.
DBA RENO-SPARKS CAB COMPANY**

RENTAL FEE, SECURITY DEPOSIT AND LATE FEES

RENTAL FEES/Security Deposit

12-HOUR LEASE PERIOD

1. Rental Fee: Five (5) dollars lease fee, plus 50% of Total Book. Lessee pays fuel.
2. Security Deposit. A security deposit of two hundred dollars. (\$200.00).

LATE FEES

12-HOUR PERIOD

Late fees are \$ _____ per hour or fraction thereof.

MILEAGE LIMITS

12-HOUR PERIOD

_____ miles in 12 hrs.

An additional fee of \$ _____ will be charged for all miles traveled in excess of such limits.

Signature

Date

EXHIBIT 5

EXHIBIT 5

EXHIBIT "C"

RSCC DRIVER LEASE HISTORY OF "LEASED TAXICAB"

[illegible]

STEVE SISOLAK
Governor

STATE OF NEVADA



TERRY REYNOLDS
Director B&I

DAWN GIBBONS
Chairman

GEORGE ASSAD
Commissioner

DAVID NEWTON
Commissioner

DEPARTMENT OF BUSINESS AND INDUSTRY
NEVADA TRANSPORTATION AUTHORITY

PETITION TO DEVIATE



To: Deputy Commissioner, Nevada Transportation Authority

Company Name: Reno Cab Company, Inc. dba Reno Sparks Cab Co.

Telephone: 775-785-0088

Mailing Address: 6490 S. McCarran Blvd., Ste. F-46, Reno, NV 89509

Reason for request: See Attached.

Signature: [Signature]

Date: 3/11/2021

☐

\$50 Filing Fee

☐

\$50 Interim Authority Fee

For NTA Office Use Only

Docket # _____

Assigned Hearing Officer: _____

Las Vegas: 3300 W. Sahara Ave, Suite 200, Las Vegas, Nevada 89102 (702) 486-3303 • Fax (702) 486-2590
Reno: 1755 East Plumb Lane, Suite 229, Reno, Nevada 89502 (775) 688-2800 • Fax (775) 688-2802
Website: www.nta.nv.gov



DEPARTMENT OF BUSINESS AND INDUSTRY
NEVADA TRANSPORTATION AUTHORITY

MEMORANDUM

Date: March 19, 2021

To: Liz Babcock, Applications Manager

From: David Gravel, Supervisory Investigator

Subject: Petition to deviate

You recently asked for staff input regarding the petition to deviate filed on behalf of Reno Cab Company, Roy L Street dba Capitol Cab Co, and Yellow Cab of Reno Inc. The primary part of their request is to NOT be required to write in the specific cab number on the lease agreement, which would also get updated each time they change out cabs.

Speaking for the Reno Enforcement team, we do not support this request to deviate, and would like to see the cab numbers listed on each lease agreement for tracking and investigative purposes.

When the new lease process started last year, one of the local cab companies immediately complied. Those leases are listed on a spreadsheet in our agency computer system and one can quickly cross reference which cab driver belongs to which cab number.

This gave our investigators the new ability to quickly cross reference and look up a driver by cab number, or a cab number by driver name.

While I'm sure that the cab companies may argue that all we would have to do for this same information is to call them, I don't think that is practical in every instance.

To the best of my knowledge, the three companies who have applied for this deviation are all under the same ownership, and collectively only have one HR director managing the driver files (which includes managing the lease agreements for their drivers) across all 3 of the companies.

From our experience, the staff they have is small relative to the size of their companies, and getting an immediate answer is not always practical, nor would it be to wait on a return call for an undetermined amount of time when they are busy.

Additionally, being able to obtain the information internally helps protect the integrity of an investigation when it is unknown to the carrier if we may be looking into a specific cab, or at a specific driver for something.

In some instances the carrier may also be exposed to a violation and an appropriate investigation is to not let them know we are investigating something until we are ready to let them know.

As an example, one of our investigators saw a Whittlesea cab downtown recently and felt the driver might be flat-rating (transporting a passenger for fixed rate instead of running the meter). The investigator was unable to follow the cab due to downtown traffic but did record the cab number.

The investigator went to the office was able to look up who drives that specific cab # for that company. We were able to immediately look it up on our taxi lease assignment log and get the drivers name, because this carrier complied with the agency's direction, and is submitting leases with specific cab numbers listed on them.

When we looked up the driver's name, we found that he had an expired NTA driver permit. The investigation then allowed the investigator to go down to the domicile of the carrier and asked for trip sheets for that driver over the past few weeks. Recent trip sheets provided proved that the driver had been driving for quite some time on an expired permit, and both the driver and the company were subsequently cited.

Had the investigator called to ask the company who drives cab # XXX, that would have tipped off the fact that we were doing an investigation. Whereas, when we just show up and ask for something specifically (because we already know the name of the driver and the status of his driver's permit) we are able to immediately prove or disprove an allegation, and it completely protects the carrier from any allegations of any unethical behavior, which *could be* tempting if the carrier felt that they could protect themselves from exposure to a citation by being less than forthcoming with the specific records once they know we are conducting an investigation.

Additionally, sometimes there may be word that a cab driver may be doing something wrong (cab drivers tend to tell on one-another) such as flat rating, soliciting fares, etc. If we are only given a driver name but the cab number is not known, we could look it up immediately and investigate as appropriate if we have the cab numbers listed on the leases.

Sometimes we find out they really are doing nothing wrong. Having to call the carrier for the inquiry as to who may be driving a certain cab, could unfairly lead the carrier to believing that a driver is doing something wrong. Unless our investigation involves a carrier violation, it may not be their business to know we are doing investigative work, or why we are asking.

Also, investigators routinely work prior to, and sometimes after normal business hours. When the cab drivers are assigned to specific cabs and that is listed in our database through the lease process, we can get the info about the cab or the driver assigned to it anytime 24/7 and are not (nor should we be) at the mercy of the carrier to wait to obtain this information.



DEPARTMENT OF BUSINESS AND INDUSTRY
NEVADA TRANSPORTATION AUTHORITY

Finally, the language in NAC 706.3754 (carrying a copy of the lease agreement requirement), as well as NAC 706.3747 (trip sheet violations), which result in the removal of the CAB from service for 24 hours, would be easy to track if a driver is assigned to a specific cab. If a driver is not assigned to a specific cab #, then (arguably) the driver of the cab in violation could go right back to the office and take out a different cab, even though the intent is to get the driver off of the road to ensure hours of service and lease regulations are complied with.

NAC 706.3754 Leasing of taxicab to independent contractor: Requirements for copy of lease agreement; enforcement. ([NRS 706.171](#), [706.475](#))

1. A certificate holder who enters into an agreement to lease a taxicab to an independent contractor shall provide a copy of the agreement to the independent contractor after the agreement has been approved by the Authority pursuant to subsection 2 of [NRS 706.473](#).

2. The independent contractor shall keep a copy of the lease agreement in the taxicab that the independent contractor is leasing from the certificate holder at all times during the duration of the lease.

3. If the Authority determines that a taxicab is being operated without a copy of the lease agreement in the taxicab in violation of this section, the Authority will cause the taxicab to be withdrawn from service for a minimum of 24 hours. A taxicab withdrawn from service pursuant to this subsection must not be placed back in service until the Authority verifies that the certificate holder has furnished **a lease agreement for that taxicab** to the independent contractor.

(Added to NAC by Transportation Serv. Auth. by R078-98, eff. 1-28-99) ***Note that section specifically requires a lease be furnished for a specific cab for it to be placed back into service.**

NAC 706.3747 Trip sheets; enforcement. ([NRS 706.171](#))

1. Except as otherwise provided in this subsection, a certificate holder shall require the driver of each taxicab that the certificate holder is authorized to operate to keep a daily trip sheet in a form prescribed by the Authority. The daily trip sheet may be kept in a different form if the certificate holder submits the alternative form to the Authority and the Authority approves that form.

2. A driver shall record on the trip sheet:

(a) At the beginning of each shift:

(1) The driver's name;

(2) The unit number of his or her taxicab;

(3) The time stamp required by subsection 5 of [NAC 706.3761](#) to indicate the time at which the shift began; and

(4) The odometer reading of the taxicab.

(b) During each shift:

(1) The time, place of origin, requested destination and actual destination, if different from the requested destination, of each trip; and

(2) The number of passengers and amount of fare for each trip.

(c) At the end of each shift:

(1) The time stamp required by subsection 5 of [NAC 706.3761](#) to indicate the time at which the driver's shift ended; and

(2) The odometer reading of the taxicab.

3. A certificate holder shall furnish a trip sheet form for each shift during which a taxicab is operated by a driver.

4. A driver who works for the certificate holder on commission or as an employee shall submit to the certificate holder a completed trip sheet at the end of each shift of that driver.

5. A driver who is an independent contractor shall submit to the certificate holder at the end of each week in which he or she worked at least one shift a completed trip sheet for each shift worked by that driver during that week.

6. A certificate holder shall retain each completed trip sheet until the end of the calendar year of the year immediately succeeding the year in which the trip sheet was completed. The certificate holder shall make such trip sheets available for inspection by the Authority upon request.

7. If the Authority determines that a taxicab is being operated without a trip sheet in violation of this section, the Authority **will cause the taxicab** in regard to which the violation occurred to be withdrawn from service for a minimum of 24 hours. A taxicab withdrawn from service pursuant to this subsection must not be placed back in service until the Authority verifies that the certificate holder has furnished a trip sheet for that taxicab.

(Added to NAC by Transportation Serv. Auth. by R078-98, eff. 1-28-99; A by Nev. Transportation Auth. by R111-10, 12-16-2010)



DEPARTMENT OF BUSINESS AND INDUSTRY
NEVADA TRANSPORTATION AUTHORITY

With regard to some of the language in the petition – on page 3 in lines 12-14 it states the statute and the code both **allow** the taxicab to be switched out as long as the “master independent contract agreement” with the driver is approved by the NTA. I cannot find language that refers to any master independent contract agreement, nor specific language that allows for taxicabs to be switched out as is claimed by the petitioner.

Page 4 of the petition makes statements that imply that this “entirely new protocol” and seeking to use a “template lease” was all sprung on them with no warning, and stating that the NTA did not consult with the petitioner.

The petition acknowledges that the letter from the NTA was sent to the petitioner on September 3, 2020 seeking to implement the template lease. This was not new news to the carrier.

On, or shortly before November 1 2019, I scheduled a meeting and personally met with Roy Street, the owner of the three cab companies, Mercy Media – the HR director for the companies, and Robin Street who was the General Manager. At that time I explained to them what the NTA was getting ready to do with regard to leases for the drivers of taxi cabs. I explained to them that statute requires lease agreements between carriers and independent contractors require the carrier to submit a copy of the agreement to the Authority for its approval, adding that we did not currently have ANY copies of approved leases for our local taxi companies on file and were acting to fix that process. I told them that we were still working on how that process would work, and that they would be receiving a letter regarding this; however, my intent was to have a discussion with them well in advance of the change being implemented so that they could prepare for that internally. (The letter wasn’t sent until 10 months later after all the logistics were worked on by staff internally as to the processing, approving, and tracking of all of the taxi leases).

In the same paragraph that the petition says that the NTA issued its letter in September 2020, it states that petitioner was also subsequently informed that it must commence using the template lease immediately and if not would suffer citations, monetary fines and be required to remove cabs from service for 24 hours.

It does not say WHO informed them, and it is unknown how loosely the author is using the term subsequently; however, to my knowledge enforcement action was never mentioned until very recently, some 5 months later. Any comments of enforcement action was only mentioned (to my knowledge) after MANY MANY meetings between Chief Compliance Audit Investigator Rene Revens, staff attorney Gary Matthews, the carriers and their legal representation had come to a stalemate, with the carrier still refusing to comply with NTA direction.

The lease agreements to be approved each needs to be “in a form approved by the authority”. The Authority asked for the carriers to submit a lease template (the form to be approved by the authority). They were given the option to either use the NTA pre-approved template, or to submit one of their own for review and approval. Once the template was approved, the carrier would then submit a lease agreement for each driver to whom they were leasing a taxicab on that pre-approved template. The sticking point seems to be the carrier’s reluctance to include a specific cab number on each lease.

SIMONS HALL JOHNSTON PC
6490 S. McCarran Blvd., Ste. F-46
Reno, NV 89509
Phone: (775) 785-0088



1 **SIMONS HALL JOHNSTON PC**
Mark G. Simons, Esq. (SBN 5132)
2 6490 S. McCarran Blvd., #F-46
Reno, Nevada 89509
3 Telephone: (775) 785-0088
Facsimile: (775) 785-0087
4 Email: MSimons@SHJNevada.com

5 *Attorneys for Reno Cab Company, Inc.*
6 *dba Reno Sparks Cab Co.*

7
8
9 **BEFORE THE NEVADA TRANSPORTATION AUTHORITY**

10
11 **IN THE MATTER of the Petition of Reno Cab**
12 **Company, Inc. dba Reno Sparks Cab Co.**

DOCKET NO. 21-03016

13
14
15
16 **SUPPLEMENT TO**
17 **PETITION TO DEVIATE**

18 Reno Cab Company, Inc. dba Reno Sparks Cab Co. ("Reno Sparks Cab"), by and
19 through its counsel, Mark G. Simons of SIMONS HALL JOHNSTON PC, is hereby
20 **SUPPLEMENTS** its request to deviate from the taxi cab lease template (the "Template
21 Lease") issued by the Nevada Transportation Authority ("NTA"),
22

23 **I. SUPPLEMENTATION.**

24 Reno Sparks Cab is requesting to incorporate a Log and/or Trip Sheet into the
25 Template Lease to document the specific cab number being leased by an independent
26 cab driver on a give day. The Trip Sheet is an NTA approved document.
27
28


SIMONS HALL JOHNSTON PC
6490 S. McCarran Blvd., Ste. F-46
Reno, NV 89509
Phone: (775) 785-0088

1 Under the law, the Template Lease may "annex", "incorporate" or
2 "reference" separate writings such as the Log and/or Trip Sheets and such action is legal
3 and valid and the annexed, referenced and/or incorporated writings become part of the
4 contract. Living Ecology, Inc. v. Bosch Packaging Tech., Inc., 831 F. App'x 866, 867 (9th
5 Cir. 2020) ("Under Nevada law, '[w]here reference in a contract ... indicates an intention to
6 incorporate [a document] generally, such reference becomes a part of the contract for all
7 purposes.'"); MMAWC, LLC v. Zion Wood Obi Wan Tr., 135 Nev. 275, 279, 448 P.3d
8 568, 572 (2019) ("writings which are made a part of the contract by annexation or
9 reference will be so construed"); Lincoln Welding Works, Inc. v. Ramirez, 98 Nev.
10 342, 345, 647 P.2d 381, 383 (1982) ("Where reference in a contract to 'plans and
11 specifications' indicates an intention to incorporate them generally, such reference
12 becomes a part of the contract for all purposes.").

13
14 Dated this 22nd day of March, 2021.

15
16
17 SIMONS HALL JOHNSTON PC
18 6490 S. McCarran Blvd., Ste. F-46
19 Reno, NV 89509

20 By:


21 MARK G. SIMONS, ESQ.
22 Attorneys for Reno Cab Company, Inc.
23 dba Reho Sparks Cab Co.
24
25
26
27
28

Agenda Item#

81



DEPARTMENT OF BUSINESS AND INDUSTRY
NEVADA TRANSPORTATION AUTHORITY

MEMORANDUM

Date: March 19, 2021

To: Liz Babcock, Applications Manager

From: David Gravel, Supervisory Investigator

Subject: Petition to deviate

You recently asked for staff input regarding the petition to deviate filed on behalf of Reno Cab Company, Roy L Street dba Capitol Cab Co, and Yellow Cab of Reno Inc. The primary part of their request is to NOT be required to write in the specific cab number on the lease agreement, which would also get updated each time they change out cabs.

Speaking for the Reno Enforcement team, we do not support this request to deviate, and would like to see the cab numbers listed on each lease agreement for tracking and investigative purposes.

When the new lease process started last year, one of the local cab companies immediately complied. Those leases are listed on a spreadsheet in our agency computer system and one can quickly cross reference which cab driver belongs to which cab number.

This gave our investigators the new ability to quickly cross reference and look up a driver by cab number, or a cab number by driver name.

While I'm sure that the cab companies may argue that all we would have to do for this same information is to call them, I don't think that is practical in every instance.

To the best of my knowledge, the three companies who have applied for this deviation are all under the same ownership, and collectively only have one HR director managing the driver files (which includes managing the lease agreements for their drivers) across all 3 of the companies.

From our experience, the staff they have is small relative to the size of their companies, and getting an immediate answer is not always practical, nor would it be to wait on a return call for an undetermined amount of time when they are busy.

Additionally, being able to obtain the information internally helps protect the integrity of an investigation when it is unknown to the carrier if we may be looking into a specific cab, or at a specific driver for something.

In some instances the carrier may also be exposed to a violation and an appropriate investigation is to not let them know we are investigating something until we are ready to let them know.

As an example, one of our investigators saw a Whittlesea cab downtown recently and felt the driver might be flat-rating (transporting a passenger for fixed rate instead of running the meter). The investigator was unable to follow the cab due to downtown traffic but did record the cab number.

The investigator went to the office was able to look up who drives that specific cab # for that company. We were able to immediately look it up on our taxi lease assignment log and get the drivers name, because this carrier complied with the agency's direction, and is submitting leases with specific cab numbers listed on them.

When we looked up the driver's name, we found that he had an expired NTA driver permit. The investigation then allowed the investigator to go down to the domicile of the carrier and asked for trip sheets for that driver over the past few weeks. Recent trip sheets provided proved that the driver had been driving for quite some time on an expired permit, and both the driver and the company were subsequently cited.

Had the investigator called to ask the company who drives cab # XXX, that would have tipped off the fact that we were doing an investigation. Whereas, when we just show up and ask for something specifically (because we already know the name of the driver and the status of his driver's permit) we are able to immediately prove or disprove an allegation, and it completely protects the carrier from any allegations of any unethical behavior, which *could be* tempting if the carrier felt that they could protect themselves from exposure to a citation by being less than forthcoming with the specific records once they know we are conducting an investigation.

Additionally, sometimes there may be word that a cab driver may be doing something wrong (cab drivers tend to tell on one-another) such as flat rating, soliciting fares, etc. If we are only given a driver name but the cab number is not known, we could look it up immediately and investigate as appropriate if we have the cab numbers listed on the leases.

Sometimes we find out they really are doing nothing wrong. Having to call the carrier for the inquiry as to who may be driving a certain cab, could unfairly lead the carrier to believing that a driver is doing something wrong. Unless our investigation involves a carrier violation, it may not be their business to know we are doing investigative work, or why we are asking.

Also, investigators routinely work prior to, and sometimes after normal business hours. When the cab drivers are assigned to specific cabs and that is listed in our database through the lease process, we can get the info about the cab or the driver assigned to it anytime 24/7 and are not (nor should we be) at the mercy of the carrier to wait to obtain this information.



DEPARTMENT OF BUSINESS AND INDUSTRY
NEVADA TRANSPORTATION AUTHORITY

Finally, the language in NAC 706.3754 (carrying a copy of the lease agreement requirement), as well as NAC 706.3747 (trip sheet violations), which result in the removal of the CAB from service for 24 hours, would be easy to track if a driver is assigned to a specific cab. If a driver is not assigned to a specific cab #, then (arguably) the driver of the cab in violation could go right back to the office and take out a different cab, even though the intent is to get the driver off of the road to ensure hours of service and lease regulations are complied with.

NAC 706.3754 Leasing of taxicab to independent contractor: Requirements for copy of lease agreement; enforcement. ([NRS 706.171](#), [706.475](#))

1. A certificate holder who enters into an agreement to lease a taxicab to an independent contractor shall provide a copy of the agreement to the independent contractor after the agreement has been approved by the Authority pursuant to subsection 2 of [NRS 706.473](#).

2. The independent contractor shall keep a copy of the lease agreement in the taxicab that the independent contractor is leasing from the certificate holder at all times during the duration of the lease.

3. If the Authority determines that a taxicab is being operated without a copy of the lease agreement in the taxicab in violation of this section, the Authority will cause the taxicab to be withdrawn from service for a minimum of 24 hours. A taxicab withdrawn from service pursuant to this subsection must not be placed back in service until the Authority verifies that the certificate holder has furnished **a lease agreement for that taxicab** to the independent contractor.

(Added to NAC by Transportation Serv. Auth. by R078-98, eff. 1-28-99) ***Note that section specifically requires a lease be furnished for a specific cab for it to be placed back into service.**

NAC 706.3747 Trip sheets; enforcement. ([NRS 706.171](#))

1. Except as otherwise provided in this subsection, a certificate holder shall require the driver of each taxicab that the certificate holder is authorized to operate to keep a daily trip sheet in a form prescribed by the Authority. The daily trip sheet may be kept in a different form if the certificate holder submits the alternative form to the Authority and the Authority approves that form.

2. A driver shall record on the trip sheet:

(a) At the beginning of each shift:

(1) The driver's name;

(2) The unit number of his or her taxicab;

(3) The time stamp required by subsection 5 of [NAC 706.3761](#) to indicate the time at which the shift began; and

(4) The odometer reading of the taxicab.

(b) During each shift:

(1) The time, place of origin, requested destination and actual destination, if different from the requested destination, of each trip; and

(2) The number of passengers and amount of fare for each trip.

(c) At the end of each shift:

(1) The time stamp required by subsection 5 of [NAC 706.3761](#) to indicate the time at which the driver's shift ended; and

(2) The odometer reading of the taxicab.

3. A certificate holder shall furnish a trip sheet form for each shift during which a taxicab is operated by a driver.

4. A driver who works for the certificate holder on commission or as an employee shall submit to the certificate holder a completed trip sheet at the end of each shift of that driver.

5. A driver who is an independent contractor shall submit to the certificate holder at the end of each week in which he or she worked at least one shift a completed trip sheet for each shift worked by that driver during that week.

6. A certificate holder shall retain each completed trip sheet until the end of the calendar year of the year immediately succeeding the year in which the trip sheet was completed. The certificate holder shall make such trip sheets available for inspection by the Authority upon request.

7. If the Authority determines that a taxicab is being operated without a trip sheet in violation of this section, the Authority **will cause the taxicab** in regard to which the violation occurred to be withdrawn from service for a minimum of 24 hours. A taxicab withdrawn from service pursuant to this subsection must not be placed back in service until the Authority verifies that the certificate holder has furnished a trip sheet for that taxicab.

(Added to NAC by Transportation Serv. Auth. by R078-98, eff. 1-28-99; A by Nev. Transportation Auth. by R111-10, 12-16-2010)



DEPARTMENT OF BUSINESS AND INDUSTRY
NEVADA TRANSPORTATION AUTHORITY

With regard to some of the language in the petition – on page 3 in lines 12-14 it states the statute and the code both **allow** the taxicab to be switched out as long as the “master independent contract agreement” with the driver is approved by the NTA. I cannot find language that refers to any master independent contract agreement, nor specific language that allows for taxicabs to be switched out as is claimed by the petitioner.

Page 4 of the petition makes statements that imply that this “entirely new protocol” and seeking to use a “template lease” was all sprung on them with no warning, and stating that the NTA did not consult with the petitioner.

The petition acknowledges that the letter from the NTA was sent to the petitioner on September 3, 2020 seeking to implement the template lease. This was not new news to the carrier.

On, or shortly before November 1 2019, I scheduled a meeting and personally met with Roy Street, the owner of the three cab companies, Mercy Media – the HR director for the companies, and Robin Street who was the General Manager. At that time I explained to them what the NTA was getting ready to do with regard to leases for the drivers of taxi cabs. I explained to them that statute requires lease agreements between carriers and independent contractors require the carrier to submit a copy of the agreement to the Authority for its approval, adding that we did not currently have ANY copies of approved leases for our local taxi companies on file and were acting to fix that process. I told them that we were still working on how that process would work, and that they would be receiving a letter regarding this; however, my intent was to have a discussion with them well in advance of the change being implemented so that they could prepare for that internally. (The letter wasn’t sent until 10 months later after all the logistics were worked on by staff internally as to the processing, approving, and tracking of all of the taxi leases).

In the same paragraph that the petition says that the NTA issued its letter in September 2020, it states that petitioner was also subsequently informed that it must commence using the template lease immediately and if not would suffer citations, monetary fines and be required to remove cabs from service for 24 hours.

It does not say WHO informed them, and it is unknown how loosely the author is using the term subsequently; however, to my knowledge enforcement action was never mentioned until very recently, some 5 months later. Any comments of enforcement action was only mentioned (to my knowledge) after MANY MANY meetings between Chief Compliance Audit Investigator Rene Revens, staff attorney Gary Matthews, the carriers and their legal representation had come to a stalemate, with the carrier still refusing to comply with NTA direction.

The lease agreements to be approved each needs to be “in a form approved by the authority”. The Authority asked for the carriers to submit a lease template (the form to be approved by the authority). They were given the option to either use the NTA pre-approved template, or to submit one of their own for review and approval. Once the template was approved, the carrier would then submit a lease agreement for each driver to whom they were leasing a taxicab on that pre-approved template. The sticking point seems to be the carrier’s reluctance to include a specific cab number on each lease.

Items #80, 81 and 82 to
be considered together

Dockets

21-03016

21-03017

21-03018

STEVE SISOLAK
Governor

STATE OF NEVADA



TERRY REYNOLDS
Director B&I

DAWN GIBBONS
Chairman

GEORGE ASSAD
Commissioner

DAVID NEWTON
Commissioner

DEPARTMENT OF BUSINESS AND INDUSTRY
NEVADA TRANSPORTATION AUTHORITY

PETITION TO DEVIATE



To: Deputy Commissioner, Nevada Transportation Authority

Company Name: Yellow Cab of Reno, Inc.

Telephone: 775-785-0088

Mailing Address: 6490 S. McCarran Blvd., Ste. F-46, Reno, NV 89509

Reason for request: See Attached.

Signature: 

Date: 3/11/2021

☐

\$50 Filing Fee

☐

\$50 Interim Authority Fee

For NTA Office Use Only

Docket # _____

Assigned Hearing Officer: _____

SIMONS HALL JOHNSTON PC
6490 S. McCarran Blvd., Ste. F-46
Reno, NV 89509
Phone: (775) 785-0088

1 **SIMONS HALL JOHNSTON PC**
Mark G. Simons, Esq. (SBN 5132)
2 6490 S. McCarran Blvd., #F-46
Reno, Nevada 89509
3 Telephone: (775) 785-0088
Facsimile: (775) 785-0087
4 Email: MSimons@SHJNevada.com
5 *Attorneys for Reno Cab Company, Inc.*
6 *Yellow Cab of Reno, Inc.*

7
8 **BEFORE THE NEVADA TRANSPORTATION AUTHORITY**

9
10
11 **IN THE MATTER of the Petition of Yellow Cab**
of Reno, Inc.

DOCKET NO.

12
13
14
15
16 **PETITION TO DEVIATE**

17 Yellow Cab of Reno, Inc. ("Yellow Cab"), by and through its counsel, Mark G.
18 Simons of SIMONS HALL JOHNSTON PC, is hereby requesting approval to deviate from
19 the taxi cab lease template (the "Template Lease") issued by the Nevada Transportation
20 Authority ("NTA"),

21
22 **I. NRS 706.473's and NRS 706.475's PROVISIONS.**

23 The NTA is charged with ensuring compliance and oversight of the lease
24 agreements by and between a motor carrier and an independent taxi cab driver. For
25 ease of reference NRS 706.473's and NRS 706.475's provisions are included below:

26 ///

27 ///

NRS 706.473.

1. In a county whose population is less than 700,000, a person who holds a certificate of public convenience and necessity which was issued for the operation of a taxicab business may, upon approval from the Authority, lease a taxicab to an independent contractor who does not hold a certificate of public convenience and necessity. A person may lease only one taxicab to each independent contractor with whom the person enters into a lease agreement. The taxicab may be used only in a manner authorized by the lessor's certificate of public convenience and necessity.

2. A person who enters into a lease agreement with an independent contractor pursuant to this section shall submit a copy of the agreement to the Authority for its approval. The agreement is not effective until approved by the Authority. (Emphasis added)

3. A person who leases a taxicab to an independent contractor is jointly and severally liable with the independent contractor for any violation of the provisions of this chapter or the regulations adopted pursuant thereto, and shall ensure that the independent contractor complies with such provisions and regulations.

4. The Authority or any of its employees may intervene in a civil action involving a lease agreement entered into pursuant to this section.¹

¹ **NAC 706.3753 Leasing of taxicab to independent contractor: Requirements for lease agreement; enforcement. (NRS 706.171, 706.475)**

1. Each lease agreement entered into by a certificate holder and an independent contractor pursuant to NRS 706.473 must:

- (a) Be maintained by the certificate holder.
- (b) Be in writing and in a form approved by the Authority.
- (c) Identify the use to be made of the taxicab by the independent contractor and the consideration to be received by the certificate holder. The use to be made of the taxicab must conform to the authority granted by the certificate to operate the taxicab.
- (d) Be signed by each party, or his or her representative, to the agreement.
- (e) Specifically state that the independent contractor is subject to all laws and regulations relating to the operation of a taxicab which have been established by the Authority and other regulatory agencies and that a violation of those laws and regulations will breach the agreement.
- (f) Specifically state that the certificate holder is responsible for maintaining:
 - (1) All required insurance associated with the taxicab and the service which is the subject of the agreement in accordance with NAC 706.191;
 - (2) A file which contains the qualifications of the independent contractor to drive the taxicab; and
 - (3) A file for records concerning the maintenance of the taxicab.

NRS 706.475

1. The Authority shall adopt such regulations as are necessary to:
 - (a) Carry out the provisions of NRS 706.473; and
 - (b) Ensure that the taxicab business remains safe, adequate and reliable.
2. Such regulations must include, without limitation:
 - (a) The minimum qualifications for an independent contractor;
 - (b) Requirements related to liability insurance;
 - (c) Minimum safety standards; and
 - (d) **The procedure for approving a lease agreement and the provisions that must be included in a lease agreement concerning the grounds for the revocation of such approval. (Emphasis added).**

Of note, nothing contained in NRS 706.473(b) or in NAC 706.3753 requires a new lease be executed every time the number of the taxicab is changed. Only the master lease is required to be approved. The statute and the code both allow for taxicabs to be switched out as long as the master independent contract lease agreement with the driver is approved by the NTA.

(g) Specifically state that the lease agreement does not relieve the certificate holder from any of his or her duties or responsibilities set forth in this chapter and chapter 706 of NRS.

(h) Specifically state that the taxicab provided pursuant to the lease agreement:

- (1) Will be painted with the name, insignia and certificate number of the certificate holder; and

- (2) Is in a good mechanical condition that will meet the requirements for operating taxicabs set forth by this State or the county or municipality in which the taxicab will be operated.

(i) Specifically state that the independent contractor shall not transfer, assign, sublease or otherwise enter into an agreement to lease the taxicab to another person.

(j) Specifically state that the independent contractor:

- (1) Shall not operate the taxicab for more than 12 hours in any 24-hour period; and
- (2) Shall return the taxicab to the certificate holder at the end of each shift to enable the certificate holder to comply with the provisions of NAC 706.380.

(k) Contain any other provision which the Authority may determine to be necessary for the protection of the health and safety of members of the public.

1 **B. THE BASIS OF THIS PETITION.**

2 In 2013, the NTA previously approved the lease form ("Form Lease") that
3 Petitioner has currently been using. Prior to 2013, the NTA approved other iterations of
4 the Form Lease. Petitioner has structured its entire business operations around the
5 NTA's prior approval of the Form Lease and the method employed by Petitioner to comply
6 with NRS Chapter 706's and NAC Chapter 706's requirements.
7

8 Petitioner has been having each independent contractor execute the Form Lease.
9 Each taxicab subject to the Form Lease is currently documented by use of a "Log" or by
10 the mandatory daily "Trip Sheets". In this fashion, the Form Lease governs the
11 relationship, and the Log or Trip Sheets document the specific cab being used by the
12 independent contractor for each shift.
13

14 On September 3, 2020, the NTA issued its letter seeking to implement the
15 Template Lease and an entirely new protocol for execution and approval of all leases
16 even if there was a taxicab change. Exhibit 1. Specifically, the September 3, 2020, letter
17 states: "Any changes in drivers or vehicles that alter the lease agreement will require a
18 resubmission of the lease agreement for approval." Id., p. 2, ¶6. Petitioner was also
19 subsequently informed that it must commence using the Template Lease immediately
20 and, if not, Petitioner will suffer citations, monetary fines and will be required to
21 immediately remove taxicab from service for 24 hours. In addition, the independent
22 contractor will suffer a citation and monetary fines as well. For the reasons stated herein,
23 this petition should be granted.
24

25 Of concern, the NTA did not consult with Petitioner and appears to have neglected
26 to consult with any carriers prior to forcing implementation of the Template Lease on
27 Petitioner and other affected carriers. Also, there is no basis for requiring a new lease to
28

1 be executed any time the taxicab is changed as long as the independent contractor
2 relationship remains the same.

3 **C. PETITIONER'S OPERATIONAL CONCERNS.**

4 Initially, Petitioner, along with Roy L. Street dba Capitol Cab Company and Yellow
5 Cab of Reno, Inc., are the largest taxicab operators in Northern Nevada. Petitioner has
6 operated in this market for decades using the Form Lease and employing the protocols
7 described above. The NTA inspects and approves each taxicab before the taxicab can
8 be placed into operations. The NTA documents each driver before a taxicab driver is
9 eligible to operate an NTA approved taxicab under an independent contract lease.
10

11 Petitioner issued daily Trip Sheets documenting each taxicab issued to a taxicab
12 driver under the Form Lease and/or document the taxicab number on a Log. The Trip
13 Sheets are maintained by the drivers in the leased taxicabs.
14

15 Petitioner has some drivers who are regularly assigned a specific taxicab and have
16 other standby drivers who will take any available taxicab. Petitioner will also on occasion
17 switch taxicabs due to mechanical issues or will issue a new taxicab in the event of an
18 accident or other event that makes the initial taxicab inoperable for some reason.

19 The NTA has never previously required Petitioner to have a new lease approved
20 by the NTA before a new taxicab can be issued to a driver under the Form Lease. The
21 NTA approved Form Lease governed the independent contractor relationship and allowed
22 for the documentation of each specific cab via the Log function and/or the Trip Sheet
23 function.
24

25 Petitioner commences shift changes at 3:00 a.m. and rotates shift changes every
26 30 minutes until 7:30 a.m. and again at 3:00 p.m. through 7:30 p.m. Petitioner has to
27 conduct its shift changes in this fashion to ensure sufficient taxicabs remain on the roads
28

1 to service the community. Any time a taxicab is issued a Trip Sheet is generated with the
2 driver's name, date, time and taxicab number. A copy of a Trip Sheet showing the details
3 contained therein is attached hereto as Exhibit 2. A new Trip Sheet is generated if a
4 taxicab is replaced or switched out for any reason. The Trip Sheet contains the
5 affirmation and execution of the agreement of the driver to remain fully liable and in
6 compliance with the master Form Lease. Accordingly, the Trip Sheet contains all data
7 and information relating to a taxicab leased under the Template Lease.
8

9 Petitioner has been advised that they cannot lease any taxicabs, replace any
10 taxicabs that breakdown, are replaced or involved in an accident without the NTA
11 approving a new Template Lease with a new cab number inserted. This protocol will
12 seriously impact Petitioner's business since a breakdown, accident or other event
13 routinely occurs during non-business hours. While the NTA could approve new leases in
14 this fashion if the NTA had a dedicated 24 hour around the clock employee tasked with
15 such responsibility, it is believed such an employee does not exist. Accordingly, the
16 NTA's new protocol is unworkable for Petitioner's operations—operations that have been
17 implemented and established over the decades based upon the NTA's prior approved
18 Lease Forms and leasing activities employed by Petitioner.
19

20 **D. PETITIONER'S REQUEST FOR DEVIATION.**

21 Petitioner has attempted to resolve this issue administratively without success
22 necessitating this petition. Petitioner, in conjunction with NTA's counsel Gary Mathews
23 worked through a number of details (such as reference to Policies and Procedures-Exhibit
24 A) but have been unable to resolve the operational issues faced by Petitioner and the
25 NTA's desire to implement an entirely new administrative protocol.
26
27
28

1 Attached hereto as **Exhibit 3** is a copy of the most recent, red-lined version of the
2 Template Lease discussed by and between the undersigned and Gary Mathews (the
3 "Redline"). The Redline includes a number of minor corrections to the Template Lease
4 and also seeks to include Exhibit B and Exhibit C for the purpose of designating the
5 specific leased cab under the Template Lease and to allow for such taxicabs to be
6 substituted and/or changed without triggering an entirely new lease review submission
7 and approval. Also separately attached as **Exhibit 4** and **Exhibit 5** respectively are the
8 form Exhibit B and Exhibit C referenced in the Redline.
9

10 Approving the Redline and allowing inclusions of taxicab changes, if and when
11 necessary, achieves the goals and objectives of the NTA and the statutory enactment.
12 The NTA inspects and approves each vehicle used as a taxicab. The NTA approves the
13 Template Lease. The NTA approves each driver. There is nothing in NRS 706.473(b) or
14 in NAC 706.3753 that requires a new lease be executed every time the number of the
15 taxicab is changed. The lease does not regulate the taxicab, the lease regulates the
16 "relationship" between the carrier and the independent contractor. The NTA has separate
17 regulations that apply to the safety and performance of each taxicab. Therefore,
18 implementing a process where each taxicab has to again be "approved" is duplicative and
19 inefficient both for the Petitioner as well as the NTA. The NTA's new approach appears
20 to simply be adding more layers of administrative expense on Petitioner and the NTA with
21 no discernable value or objective.
22
23

24 ///

25 ///

26 ///

27 ///

1 II. CONCLUSION.

2 Based upon the foregoing, Petitioner requests the following:

- 3 1. Approve the Template Form as modified in the Redline version to
4 allow implementation of Exhibits B and C.
5
6 2. Alternatively, approve the use of Trip Sheets to document the specific
7 cab issued under each Template Lease.

8 Dated this 11 day of March, 2021.

9 SIMONS HALL JOHNSTON PC
10 6490 S. McCarran Blvd., Ste. F-46
11 Reno, NV 89509

12 By: 

13 MARK G. SIMONS, ESQ.
14 Attorneys for Yellow Cab of Reno, Inc.
15
16
17
18
19
20
21
22
23
24
25
26
27
28

EXHIBIT 1

EXHIBIT 1



DEPARTMENT OF BUSINESS AND INDUSTRY
NEVADA TRANSPORTATION AUTHORITY

September 3, 2020

To All Certificated Taxicab Operators:

Pursuant to NRS 706.473(2) and NAC 706.3753, any carrier who enters into a lease agreement with an independent contractor must submit a copy of that lease agreement to the Nevada Transportation Authority ("NTA") for approval. **The lease agreement must be submitted on a pre-approved template and does not become effective until approved by the NTA.**

Please note the following procedures concerning the NTA's approval of lease templates and lease agreements:

Step 1 - Lease Templates:

1. A copy of the NTA's model template is attached. The model template can also be found on the NTA's website. *Please notify our office if you intend on using the model template.*
2. If a Carrier chooses to draft their own template, proposed lease templates must be submitted to the NTA via email at nta@nta.nv.gov or by mail.
3. The submission deadline for template's is **September 18, 2020 by 5:00 p.m.**
4. The following information is required:
 - Certificate holder's name;
 - CPCN;
 - Contact person;
 - Telephone number;
 - Email address.
5. The NTA will approve, deny, or reject a template. If rejected, you must correct the template and re-submit it for approval. If denied, the carrier must start over and re-submit for approval. A re-submission will be processed as a new request and the review process will start over.

Step 2 - Lease Agreements:

1. Carriers have 30 days to submit all current leases on their approved lease template for the Authority to approve those currently working. Submittal via email at nta@nta.nv.gov.
2. The carrier will submit all future lease agreements to the NTA via email at nta@nta.nv.gov for approval.
3. The following information is required:
 - Certificate holder's name;
 - CPCN;
 - Contact person;
 - Telephone number;
 - Email address.
4. The NTA will, within 5 working days, approve, deny, or reject the lease agreements. If rejected, you must correct the lease agreement and re-submit it for approval. If denied, the carrier must start over and re-submit for approval. A re-submission will be processed as a new request and the review process will start over.
5. Once the NTA approves your lease agreement, you will receive the stamped copy via email.
6. Drivers must always maintain a copy of the approved lease agreement during operation. Any changes in drivers or vehicles that alter the lease agreement will require a re-submission of the lease agreement for approval. Any termination or expiration of a lease agreement will also require re-submission.

Be advised, pursuant to Nevada Administrative Code 706.3753(1)(i), an independent contractor shall not transfer, assign, sublease or otherwise enter into an agreement to lease the taxicab to another person.

***The lease agreement must be submitted on a pre-approved template and does not become effective until approved by the NTA.**

Please contact our office if you have any questions concerning this matter.

Sincerely,

Rene` Revens
Chief Compliance Audit Investigator

EXHIBIT 2

EXHIBIT 2

Reno Sparks Cab Driver Trip-Sheet - Cab 0717 March 9, 2021

ID: 414623 - Driver: 6510 - Day Shift

I acknowledge that this period shall be governed by the Taxi Cab Master Lease Agreement by and between myself and the leasing company. I agree to be bound by all the terms, conditions, and obligations of the Taxi Cab Master Lease Agreement. I also hereby acknowledge that I am not under the influence, nor will I operate the vehicle under the influence of any drug (prescribed or not), alcohol, or other substance that would affect my ability to safely operate the vehicle in accordance with the terms of the lease.

Signature:

Cab Due In Time: 04:45
 Previous Cab: 0717 03/08/21 04:52 pm
 Previous Driver: 6510 03/08/21 04:52 pm
 Check-Out Cashier: 03/09/21 04:53 am
 Check-In Cashier: 03/09/21 04:34 pm

CLOCK	Date	Shift	Time		
IN	03/09/21	Night Shift	04:34		
OUT	03/09/21	Day Shift	04:53		
Elapsed 11:41	Personal - 02:00	Down - 00:00	Worked = 09:41		
Hard Meter	Units	Odometer	Total Miles	Paid Miles	Trips
INCOMING			0	0	0
OUTGOING			0	0	0
DIFF		0	0	0	0
Not On Meter + \$0.00		Ded From Meter - \$0.00		Adjusted Meter = \$261.06	

NOTES TO DRIVER I

Winter Driving Class has not been established
 Drug & Alcohol Awareness has not been established
 Safety Class DDCB has not been established

PAYMENT

Total Book:	
(3) Taxable Book:	
CC's 0 x \$1.75:	
CC's 4 x \$3.00:	
Taxable Amount:	
Excise Tax 3% ()	
50% of Book:	
Cab Lease Fee:	
Payment Due:	
Gas Gal: 0.00 - Cost:	
Credit Cards (\$1.75):	
Credit Cards (\$3.00):	
Customer Charges:	
Employee Charges:	
Comps:	
Misc ():	
Sub Total:	
Sirf Payment:	
Bill Payment:	
Damage Payment:	
Amount Due:	
Incoming Refund:	
Balance:	

CHECKLIST

Cleanliness Outside:	Wheels, Rims, and Tires:	Cheater Lights:
Cleanliness Inside:	Rear Vision Mirrors:	Horn:
Cleanliness Trunk:	Headlights:	Windshield Wipers:
Brakes:	Tail Lights:	Emergency Equip:
Parking Brake:	Turn Signals:	Steering:

EXHIBIT 3

EXHIBIT 3

RENO CAB COMPANY, INC.
DBA RENO-SPARKS CAB COMPANY

CPCN 1025

TAXICAB LEASE AGREEMENT

THIS TAXICAB LEASE AGREEMENT ("Lease") made this ____ day of _____, 202__, between Reno Cab Company, Inc., dba Reno-Sparks Cab Company, a Nevada Corporation, with its principal place of business at 475 Gentry Way, Reno, Nevada (hereinafter referred to as "LEASING COMPANY/CARRIER"), and _____, an independent contractor, with his/her principal residence located at _____, hereinafter referred to as "LESSEE/DRIVER".

WHEREAS, LEASING COMPANY/CARRIER is an intrastate for hire common motor carrier operating under a Certificate of Public Convenience and Necessity CPCN 1025) issued by the Transportation Authority of Nevada Transportation Authority;

WHEREAS, LEASING COMPANY/CARRIER is the owner of taxicabs and other vehicles;

WHEREAS, LESSEE/DRIVER desires to lease from LEASING COMPANY/CARRIER a vehicle and other services under the term and conditions herein set forth;

WHEREAS, this Taxicab Lease Agreement is subject to and incorporates the LEASING COMPANY/CARRIER's Policies and Procedures, attached hereto as Exhibit A, which Policies and Procedures are implemented to insure the LESSEE/DRIVER'S compliance with the requirements of NRS Chapter 706 and NAC Chapter 706.

Formatted: Highlight

and

WHEREAS, the parties desire to confirm their understanding in writing.

NOW THEREFORE, in consideration of the mutual promises and covenants herein contained and other good and valuable consideration, the parties agree as follows:

1. LEASE. LESSEE/DRIVER agrees to lease from LEASING COMPANY/CARRIER a taxicab with the name, insignia, certificate number, and painted in the approved color scheme of LEASING COMPANY/CARRIER (the "Leased Taxicab"). At the commencement of this lease, LEASING COMPANY/CARRIER shall deliver the Leased Taxicab in good working order, properly licensed, and with a full tank of fuel. LEASING COMPANY/CARRIER shall equip the Leased Taxicab with a radio computer, taximeter, identifying decals, seals and

Formatted: Line spacing: single

LESSEE/DRIVER: _____

LEASING COMPANY/CARRIER: _____

other equipment required by applicable federal, state, and local laws and ordinances (collectively the "Regulatory Authorities").

2. **TAXICAB FEES, LICENSING.** LEASING COMPANY/CARRIER shall maintain and pay for all operating licenses, taxes, and fees on the Leased Taxicab. At times other than Lease Periods (as defined below), LEASING COMPANY/CARRIER may either use the Leased Taxicab itself or lease the Leased Taxicab to other lessees.
3. **OWNERSHIP, MAINTENANCE, AND REPAIR.** LEASING COMPANY/CARRIER is the owner of the Leased Taxicab, which is in a good mechanical condition and meets the requirements for operating taxicabs in the location where the taxicab will be operated. All vehicle maintenance, including regularly scheduled service, shall be LEASING COMPANY/CARRIER'S responsibility.
4. **INSURANCE.** Insurance will be provided by LEASING COMPANY/CARRIER in an amount sufficient to meet regulatory requirements pursuant to NAC 706.191.
5. **LEASE PERIOD AND LEASED TAXICAB DESIGNATION.** Each period LESSEE/DRIVER uses the Leased Taxicab shall be deemed a separate Lease Period ("Lease Period"). Each Lease Period will be determined by LESSEE/DRIVER and LEASING COMPANY/CARRIER and will be indicated on **Exhibit "B"**. LESSEE/DRIVER shall not, however, operate the taxicab for more than 12 hours in any 24-hour period. This Lease shall serve as a master lease agreement, which will govern each and every Lease Period. Pursuant to this Lease Agreement LEASING COMPANY/CARRIER will maintain a record of each Leased Taxicab leased to LESSEE/DRIVER pursuant to this master lease on a form substantially in compliance with the attached **Exhibit "C"**.
6. **ASSIGNMENT AND SUBLEASING.** LESSEE/DRIVER shall not transfer, assign, sublease or otherwise enter into an agreement to lease the taxicab to another person, nor shall LESSEE/DRIVER'S rights be subject to encumbrance or subject to the claims of his or her creditors.
7. **OPERATING AUTHORITY.** LEASING COMPANY/CARRIER is a certificated carrier and services provided by LESSEE/DRIVER are regulated by appropriate regulatory authorities. LESSEE/DRIVER'S use of the Leased Taxicab shall be in a manner authorized by LEASING COMPANY/CARRIER'S certificate to operate AND the LEASING COMPANY/CARRIER'S Tariff.
8. **RENTAL FEE.** In consideration of the use of the Leased Taxicab, LESSEE/DRIVER agrees to pay a Rental Fee to LEASING COMPANY/CARRIER in the amount set forth on Exhibit A attached hereto and incorporated herein by reference.
9. **SECURITY DEPOSIT.** In addition to the rental payment, LESSEE/DRIVER will pay to LEASING COMPANY/CARRIER, at or before commencement of the initial Lease Period, a security deposit in the amount set forth on Exhibit B. of \$ _____ LEASING

LESSEE/DRIVER: _____

LEASING COMPANY/CARRIER: _____

Formatted: No underline

Formatted: No underline

Formatted: No underline

Formatted: Highlight

Formatted: Highlight

Formatted: No underline

Formatted: No underline

Formatted: No underline

Formatted: Space After: 6 pt

Formatted: No underline

Formatted: Line spacing: single

COMPANY/CARRIER shall have the right, prior to or upon termination of this Lease, to deduct from said security deposit any amount due to LEASING COMPANY/CARRIER necessary repairs to the vehicles. Said security deposit must be maintained by the LEASING COMPANY/CARRIER in an account separate from the carrier's operating account. Said security deposit, less proper deductions, shall be returned to LESSEE/DRIVER not later than ~~thirty~~ (30) days after the termination of this Lease. Pursuant to NAC 706.3752, any deductions must be itemized and in writing, and supported by receipts that evidences the repairs to the taxicab in an amount equal to amount deducted, and provided to the LESSEE/DRIVER upon return of the remaining security deposit.

10. **RELATIONSHIP.** Neither party is the partner, joint venturer, agent or representative of the other party. LEASING COMPANY/CARRIER and LESSEE/DRIVER acknowledge and agree that between them exists the relationship of mutual contractual benefit.

11. **TRIP SHEETS.** At the end of each daily shift LESSEE/DRIVER must provide the LEASING COMPANY/CARRIER with the completed trip sheets for that shift.

~~12.~~ **DAILY VEHICLE INSPECTION.** In order to keep the Leased Taxicab in good mechanical condition, LESSEE/DRIVER shall inspect the Leased Taxicab at the beginning and end of each shift and document on a daily inspection sheet to be submitted daily and report any condition requiring repair or maintenance to LEASING COMPANY/CARRIER.

13. **NO PERSONAL USE.** The Leased Taxicab is for commercial use only and may not be utilized for the personal use of the LESSEE/DRIVER. said taxi for an extended period of time at any location so that the LESSEE/DRIVER may sleep.

14. **REPLACEMENT VEHICLE.** In the event that any repair or maintenance takes more than eight ~~consecutive~~ (8) hours in any week, LEASING COMPANY/CARRIER shall attempt to provide a replacement Leased Taxicab, if available. If a replacement Leased Taxicab is not available, then LESSEE/DRIVER shall be entitled to a pro-rata refund of the Rental Fee, if applicable. No LESSEE/DRIVER shall be entitled to a pro-rata refund of the Rental Fee if the damage to the Leased Taxicab was caused or contributed to by the LESSEE/DRIVER. Repairs and maintenance on Leased Taxicabs must be performed at LEASING COMPANY/CARRIER'S facilities, unless prior written authorization is obtained from LEASING COMPANY/CARRIER ~~Leasing Company~~ to have the repairs and maintenance done elsewhere. LESSEE/DRIVER shall be responsible for the cost ~~to~~ of unauthorized repair and/or maintenance, and for all damages caused thereby.

15. **REGULATORY AUTHORITIES.** This Lease does not relieve LEASING COMPANY/CARRIER from its duties and responsibilities under NRS Chapter 706 or NAC Chapter 706. LESSEE/DRIVER and LEASING COMPANY/CARRIER are subject to the jurisdiction of the Nevada Transportation Authority ~~of Nevada~~ and shall comply with all federal rules, regulations, ordinances, administrative codes, health and safety provisions and statutes in the operation of the Leased Taxicab. In the event of a violation of such laws, rules, regulations,

LESSEE/DRIVER: _____

LEASING COMPANY/CARRIER: _____

Formatted: Line spacing: single

ordinances, administrative codes, health and safety provisions and statutes, the Nevada Transportation Authority of Nevada may take enforcement action against LESSEE/DRIVER and LEASING COMPANY/CARRIER. Both the LESSEE/DRIVER and LEASING COMPANY/CARRIER are subject to all laws and regulations relating to the operation of a taxicab which have been established by the Nevada Transportation Authority (as set forth in Nevada Revised Statutes and Nevada Administrative Code Chapters 706) and other regulatory agencies and that a violation of those laws and regulations will breach the agreement.

16. **MEDICAL AND DRIVING HISTORY.** To ensure compliance with the provisions of NAC 706.3751, before this LEASE AGREEMENT can be deemed approved, the LESSEE/DRIVER must provide to the LEASING COMPANY/CARRIER:

Formatted: No underline

a. A certificate from a licensed physician which is dated not more than 90 days before the date on which the LESSEE/DRIVER begins to lease a taxicab from the certificate holder pursuant to NRS 706.473, which demonstrates that the employee or independent contractor is physically qualified to operate a commercial motor vehicle in accordance with 49 C.F.R. § 391.43; and

Formatted: Indent Left: 0", Space After: 0 pt

b. A copy of the driving record of the LESSEE/DRIVER obtained from the Department which demonstrates that the LESSEE/DRIVER has not, within past the 3 years:

Formatted: Indent Left: 0"

- i. Been convicted of driving under the influence of an intoxicating liquor or a controlled substance;
- ii. Been convicted of reckless driving;
- iii. Been convicted of failing to stop and remain at the scene of an accident; or
- iv. Failed to keep a written promise to appear in court for any offense.

Formatted: Indent Left: 0.81"

Formatted: Indent Left: 1", First line: 0", Line spacing: At least 13.8 pt

Formatted: Indent Left: 0.81", Line spacing: At least 13.8 pt, No page break before

17. **MAINTENANCE OF RECORDS.** The LEASING COMPANY/CARRIER must maintain driver qualification files (for the LESSEE/DRIVER), trip sheets (for the LESSEE/DRIVER), and vehicle maintenance files (for the Leased Taxicab) as required pursuant to the NRS and NAC Chapters 706.

Formatted: No underline

18. **WARRANTY.** LESSEE/DRIVER warrants that he or she possesses, and at all times during the term of this Lease, and any renewals or extensions hereof, shall possess, the proper driver's license to lawfully operate a taxicab as required by the appropriate regulatory authorities. LESSEE/DRIVER agrees to comply with all local, state, and federal laws and ordinances of Regulatory Authorities relating to the operation of motor vehicles and taxicabs. LESSEE/DRIVER warrants that only he or she shall drive the Leased taxicab during the Leased Period.

Formatted: No underline

19. **REPORT OF ACCIDENTS/CRIMES.** LESSEE/DRIVER must give LEASING COMPANY/CARRIER, through LEASING COMPANY/CARRIER'S authorized agents and/or employees, immediate radio notice of violent crime (in which the LESSEE/DRIVER LESSEE/DRIVER: _____

Formatted: No underline

Formatted: Line spacing: single

LEASING COMPANY/CARRIER: _____

is the victim) or any accident, loss or claim in which LESSEE/DRIVER is involved, or as soon thereafter as is reasonably possible.

20. HOURS OF OPERATION. The LESSEE/DRIVER shall not operate the taxicab for more than 12 hours in any 24-hour period.

Formatted: No underline

21. RETURN OF TAXICAB. The LESSEE/DRIVER must return the taxicab to the LEASING COMPANY/CARRIER at the end of each shift to allow the LEASING COMPANY/CARRIER to comply with the requirements of NAC 706.380.

Formatted: No underline

22. TERMINATION. LEASING COMPANY/CARRIER shall have the right, but not the obligation, to immediately terminate this Lease at any time in the event that LESSEE/DRIVER:

Formatted: No underline

- a. Fails to pay the Rental Fee or any fines, penalties, towing, booting, or impounded fees or charges;
- b. Fails to maintain a proper drivers license;
- c. Fails to timely report any accident;
- d. Encumbers, assigns, subleases, or otherwise enters into an agreement to lease the Leased Taxicab to another person;
- e. Fails to return the Leased taxicab in good condition with a full tank of gas;
- f. Violates any rule or regulation of the Nevada Transportation Authority;
- g. Violates any rule or regulation of the Airport Authority of Washoe County;
- h. Drives the Leased Taxicab under the influence of drugs and/or alcohol;
- i. Fails to submit to a breath or urine test upon objective facts, that LESSEE/DRIVER is under the influence of drugs and/or alcohol;
- j. Fails to sign the ACKNOWLEDGEMENT at the beginning of each Lease Period;

Formatted: Indent: Left: 0.5", First line: 0"

Formatted: Indent: Left: 0.5"

LESSEE/DRIVER: _____

Formatted: Line spacing: single

LEASING COMPANY/CARRIER: _____

- k. Is convicted of any felony or misdemeanor for driving under the influence of drugs and/or alcohol;
- l. Gives one (1) day's notice of intention not to enter into an additional Lease Period; or
- m. Allows an unauthorized person to drive the Leased Taxicab during the Lease Period.

Notwithstanding any of the above causes for termination, LEASING COMPANY/CARRIER shall have the right to terminate, at will, the Lease upon giving one (1) day's written notice to LESSEE/DRIVER of LEASING COMPANY/CARRIER'S intention to terminate, the Lease. Termination hereunder shall be effective one (1) day after giving written notice.

A failure by LEASING COMPANY/CARRIER to terminate this Lease shall not constitute a waiver of LEASING COMPANY/CARRIER'S right to terminate this Lease for any subsequent violations on the same or other grounds by LESSEE/DRIVER.

Formatted: Indent: Left: 0.25"

13-23. NEVADA TRANSPORTATION AUTHORITY APPROVAL. A LEASING COMPANY/CARRIER'S lease agreement is not deemed effective until approved by the Nevada Transportation Authority. This Lease shall be deemed to be modified by the Authority, as necessary, to conform to said statutes and regulations and changes thereto.

Formatted: No underline

Formatted: Numbered + Level: 1 + Numbering Style: 2, 3, ... + Start at: 23 + Alignment: Left + Aligned at: + Indent at: 0"

14-24. RETENTION OF LEASE AGREEMENT. The LEASING COMPANY/CARRIER must retain copies of each lease agreement for a minimum of three (3) years.

Formatted: No underline

15-25. ATTORNEY'S FEES. In the event of any dispute between the LESSEE/DRIVER and LEASING COMPANY/CARRIER relating to this Lease, the prevailing party shall be entitled to recover from the other party all reasonable attorney's fees and other reasonable costs incurred by the prevailing Party in connection therewith and in pursuing and collecting remedies, relief and damages.

Formatted: No underline

16-26. GOVERNING LAW. This agreement shall be interpreted in accordance with and through application of the laws of the State of Nevada.

Formatted: No underline

17-27. RELEASE AND INDEMNITY OF ALL CLAIMS. The LEASING COMPANY/CARRIER and the LESSEE/DRIVER does for itself, its heirs, executors, administrators, successors and assigns, hereby release, remise, and forever discharge the State of Nevada, the Nevada Transportation Authority, the Nevada Attorney General, and each of their members, agents, and employees in their individual and representative capacities, from any and all manner of actions, causes of action, suits, debts, judgments, executions, claims and demands whatsoever, known or unknown, in law or equity, which LEASING COMPANY/CARRIER and the LESSEE/DRIVER ever had, now has, may have, or claim to have against any or all of said entities or individuals arising out of or by reason of the processing or investigation of or other action relating to this agreement.

Formatted: Underline

Furthermore, LEASING COMPANY/CARRIER and the LESSEE/DRIVER hereby agrees

Formatted: Line spacing: single

LESSEE/DRIVER: _____

LEASING COMPANY/CARRIER: _____

to indemnify, hold harmless and defend, not excluding the State's right to participate, the State of Nevada, the Nevada Transportation Authority, the Nevada Attorney General, and each of their members, agents, and employees in their individual and representative capacities from any and all claims, suits, and actions, brought by LEASING COMPANY/CARRIER and the LESSEE/DRIVER anyone associated with this application, or by any third party, against the agencies or persons named in this paragraph, arising out of the submission, investigation and deliberation concerning the approval of this Agreement, and against any and all liabilities, expenses, damages, charges and costs, including court costs and attorneys' fees, which may be sustained by the persons and agencies named in this paragraph as a result of said claims, suits and actions.

28. COMPLETE AGREEMENT. This Lease constitutes the entire lease, agreement, and understanding between the parties as to the subject matter hereto, and merges all prior discussions between them. None of the parties shall be bound by any conditions, definitions, warranties, understandings or representations other than expressly provided herein.

Formatted: No underline

Executed in duplicate this _____ day of _____, 202__.

LEASING COMPANY/CARRIER: RENO CAB COMPANY, INC. dba RENO-SPARKS CAB COMPANY

Formatted: Indent: Left: 0", Hanging: 2.5", Tab stop: 1", Left

By: _____

Its: _____

LESSEE/DRIVER: _____

Formatted: Indent: Left: 0", Hanging: 2.5", Tab stop: 1", Left

LESSEE/DRIVER: _____

Formatted: Line spacing: single

LEASING COMPANY/CARRIER: _____

EXHIBIT 4

EXHIBIT 4

EXHIBIT "B"

**RENO CAB COMPANY, INC.
DBA RENO-SPARKS CAB COMPANY**

RENTAL FEE, SECURITY DEPOSIT AND LATE FEES

RENTAL FEES/Security Deposit

12-HOUR LEASE PERIOD

- 1. Rental Fee:** Five (5) dollars lease fee, plus 50% of Total Book. Lessee pays fuel.
- 2. Security Deposit.** A security deposit of two hundred dollars. (\$200.00).

LATE FEES

12-HOUR PERIOD

Late fees are \$ _____ per hour or fraction thereof.

MILEAGE LIMITS

12-HOUR PERIOD

_____ miles in 12 hrs.

An additional fee of \$ _____ will be charged for all miles traveled in excess of such limits.

Signature

Date

EXHIBIT 5

EXHIBIT 5

EXHIBIT "C"

RSCC DRIVER LEASE HISTORY OF "LEASED TAXICAB"

[illegible]



1 **SIMONS HALL JOHNSTON PC**
2 Mark G. Simons, Esq. (SBN 5132)
3 6490 S. McCarran Blvd., #F-46
4 Reno, Nevada 89509
5 Telephone: (775) 785-0088
6 Facsimile: (775) 785-0087
7 Email: MSimons@SHJNevada.com

8 *Attorneys for Yellow Cab of Reno, Inc.*

9
10
11 **BEFORE THE NEVADA TRANSPORTATION AUTHORITY**

12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
IN THE MATTER of the Petition of Yellow Cab
of Reno, Inc.

DOCKET NO. 21-03017

SUPPLEMENT TO PETITION TO DEVIATE

Reno Cab Company, Inc. dba Reno Sparks Cab Co. ("Reno Sparks Cab"), by and through its counsel, Mark G. Simons of SIMONS HALL JOHNSTON PC, hereby SUPPLEMENTS its request to deviate from the taxi cab lease template (the "Template Lease") issued by the Nevada Transportation Authority ("NTA"),

I. SUPPLEMENTATION.

Reno Sparks Cab is requesting to incorporate a Log and/or Trip Sheet into the Template Lease to document the specific cab number being leased by an independent cab driver on a given day. The Trip Sheet is an NTA approved document.

Under the law, the Template Lease may "annex", "incorporate" or "reference" separate writings such as the Log and/or Trip Sheets and such action is legal and valid and the annexed, referenced and/or incorporated writings become part of the contract.

SIMONS HALL JOHNSTON PC
6490 S. McCarran Blvd., Ste. F-46
Reno, NV 89509
Phone: (775) 785-0088

1 Living Ecology, Inc. v. Bosch Packaging Tech., Inc., 831 F. App'x 866, 867 (9th Cir. 2020)
2 ("Under Nevada law, '[w]here reference in a contract ... indicates an intention to
3 incorporate [a document] generally, such reference becomes a part of the contract for all
4 purposes.'"); MMAWC, LLC v. Zion Wood Obi Wan Tr., 135 Nev. 275, 279, 448 P.3d
5 568, 572 (2019) ("writings which are made a part of the contract by annexation or
6 reference will be so construed"); Lincoln Welding Works, Inc. v. Ramirez, 98 Nev.
7 342, 345, 647 P.2d 381, 383 (1982) ("Where reference in a contract to 'plans and
8 specifications' indicates an intention to incorporate them generally, such reference
9 becomes a part of the contract for all purposes.").

11
12 Dated this 22nd day of March, 2021.

13
14 SIMONS HALL JOHNSTON PC
15 6490 S. McCarran Blvd., Ste. F-46
16 Reno, NV 89509

17 By: 

18 MARK G. SIMONS, ESQ.
19 Attorneys for Yellow Cab of Reno, Inc.
20
21
22
23
24
25
26
27
28

Agenda Item#

82

STEVE SISOLAK
Governor

STATE OF NEVADA



3/17/21 rmb
DT/NTA

TERRY REYNOLDS
Director B&I

DAWN GIBBONS
Chairman

GEORGE ASSAD
Commissioner

DAVID NEWTON
Commissioner

DEPARTMENT OF BUSINESS AND INDUSTRY
NEVADA TRANSPORTATION AUTHORITY

PETITION TO DEVIATE



To: Deputy Commissioner, Nevada Transportation Authority

Company Name: Roy L. Street dba Capitol Cab Company

Telephone: 775-785-0088

Mailing Address: 6490 S. McCarran Blvd., Ste. F-46, Reno, NV 89509

Reason for request: See Attached.

Signature: 

Date: 3/11/2021

☐ \$50 Filing Fee

☐ \$50 Interim Authority Fee

For NTA Office Use Only

Docket # _____

Assigned Hearing Officer: _____

SIMONS HALL JOHNSTON PC
Mark G. Simons, Esq. (SBN 5132)
6490 S. McCarran Blvd., #F-46
Reno, Nevada 89509
Telephone: (775) 785-0088
Facsimile: (775) 785-0087
Email: MSimons@SHJNevada.com

*Attorneys for Reno Cab Company, Inc.
Roy L. Street dba Capitol Cab Co.*

BEFORE THE NEVADA TRANSPORTATION AUTHORITY

IN THE MATTER of the Petition of Roy L.
Street dba Capitol Cab Company.

DOCKET NO.

PETITION TO DEVIATE

Roy L. Street dba Capitol Cab Co. ("Capitol Cab"), by and through its counsel,
Mark G. Simons of SIMONS HALL JOHNSTON PC, is hereby requesting approval to
deviate from the taxi cab lease template (the "Template Lease") issued by the Nevada
Transportation Authority ("NTA"),

I. NRS 706.473's and NRS 706.475's PROVISIONS.

The NTA is charged with ensuring compliance and oversight of the lease
agreements by and between a motor carrier and an independent taxi cab driver. For
ease of reference NRS 706.473's and NRS 706.475's provisions are included below:

///

///

NRS 706.473.

1. In a county whose population is less than 700,000, a person who holds a certificate of public convenience and necessity which was issued for the operation of a taxicab business may, upon approval from the Authority, lease a taxicab to an independent contractor who does not hold a certificate of public convenience and necessity. A person may lease only one taxicab to each independent contractor with whom the person enters into a lease agreement. The taxicab may be used only in a manner authorized by the lessor's certificate of public convenience and necessity.

2. A person who enters into a lease agreement with an independent contractor pursuant to this section shall submit a copy of the agreement to the Authority for its approval. The agreement is not effective until approved by the Authority. (Emphasis added)

3. A person who leases a taxicab to an independent contractor is jointly and severally liable with the independent contractor for any violation of the provisions of this chapter or the regulations adopted pursuant thereto, and shall ensure that the independent contractor complies with such provisions and regulations.

4. The Authority or any of its employees may intervene in a civil action involving a lease agreement entered into pursuant to this section.¹

¹ **NAC 706.3753 Leasing of taxicab to independent contractor: Requirements for lease agreement; enforcement. (NRS 706.171, 706.475)**

1. Each lease agreement entered into by a certificate holder and an independent contractor pursuant to NRS 706.473 must:

- (a) Be maintained by the certificate holder.
- (b) Be in writing and in a form approved by the Authority.
- (c) Identify the use to be made of the taxicab by the independent contractor and the consideration to be received by the certificate holder. The use to be made of the taxicab must conform to the authority granted by the certificate to operate the taxicab.
- (d) Be signed by each party, or his or her representative, to the agreement.
- (e) Specifically state that the independent contractor is subject to all laws and regulations relating to the operation of a taxicab which have been established by the Authority and other regulatory agencies and that a violation of those laws and regulations will breach the agreement.
- (f) Specifically state that the certificate holder is responsible for maintaining:
 - (1) All required insurance associated with the taxicab and the service which is the subject of the agreement in accordance with NAC 706.191;
 - (2) A file which contains the qualifications of the independent contractor to drive the taxicab; and
 - (3) A file for records concerning the maintenance of the taxicab.

NRS 706.475

1. The Authority shall adopt such regulations as are necessary to:
 - (a) Carry out the provisions of NRS 706.473; and
 - (b) Ensure that the taxicab business remains safe, adequate and reliable.
2. Such regulations must include, without limitation:
 - (a) The minimum qualifications for an independent contractor;
 - (b) Requirements related to liability insurance;
 - (c) Minimum safety standards; and
 - (d) **The procedure for approving a lease agreement and the provisions that must be included in a lease agreement concerning the grounds for the revocation of such approval. (Emphasis added).**

Of note, nothing contained in NRS 706.473(b) or in NAC 706.3753 requires a new lease be executed every time the number of the taxicab is changed. Only the master lease is required to be approved. The statute and the code both allow for taxicabs to be switched out as long as the master independent contract lease agreement with the driver is approved by the NTA.

(g) Specifically state that the lease agreement does not relieve the certificate holder from any of his or her duties or responsibilities set forth in this chapter and chapter 706 of NRS.

(h) Specifically state that the taxicab provided pursuant to the lease agreement:

- (1) Will be painted with the name, insignia and certificate number of the certificate holder; and

- (2) Is in a good mechanical condition that will meet the requirements for operating taxicabs set forth by this State or the county or municipality in which the taxicab will be operated.

(i) Specifically state that the independent contractor shall not transfer, assign, sublease or otherwise enter into an agreement to lease the taxicab to another person.

(j) Specifically state that the independent contractor:

- (1) Shall not operate the taxicab for more than 12 hours in any 24-hour period; and
- (2) Shall return the taxicab to the certificate holder at the end of each shift to enable the certificate holder to comply with the provisions of NAC 706.380.

(k) Contain any other provision which the Authority may determine to be necessary for the protection of the health and safety of members of the public.

1 **B. THE BASIS OF THIS PETITION.**

2 In 2013, the NTA previously approved the lease form ("Form Lease") that
3 Petitioner has currently been using. Prior to 2013, the NTA approved other iterations of
4 the Form Lease. Petitioner has structured its entire business operations around the
5 NTA's prior approval of the Form Lease and the method employed by Petitioner to comply
6 with NRS Chapter 706's and NAC Chapter 706's requirements.
7

8 Petitioner has been having each independent contractor execute the Form Lease.
9 Each taxicab subject to the Form Lease is currently documented by use of a "Log" or by
10 the mandatory daily "Trip Sheets". In this fashion, the Form Lease governs the
11 relationship, and the Log or Trip Sheets document the specific cab being used by the
12 independent contractor for each shift.
13

14 On September 3, 2020, the NTA issued its letter seeking to implement the
15 Template Lease and an entirely new protocol for execution and approval of all leases
16 even if there was a taxicab change. **Exhibit 1.** Specifically, the September 3, 2020, letter
17 states: "Any changes in drivers or vehicles that alter the lease agreement will require a
18 resubmission of the lease agreement for approval." Id., p. 2, ¶6. Petitioner was also
19 subsequently informed that it must commence using the Template Lease immediately
20 and, if not, Petitioner will suffer citations, monetary fines and will be required to
21 immediately remove taxicab from service for 24 hours. In addition, the independent
22 contractor will suffer a citation and monetary fines as well. For the reasons stated herein,
23 this petition should be granted.
24

25 Of concern, the NTA did not consult with Petitioner and appears to have neglected
26 to consult with any carriers prior to forcing implementation of the Template Lease on
27 Petitioner and other affected carriers. Also, there is no basis for requiring a new lease to
28

1 be executed any time the taxicab is changed as long as the independent contractor
2 relationship remains the same.

3 **C. PETITIONER'S OPERATIONAL CONCERNS.**

4 Initially, Petitioner, along with Roy L. Street dba Capitol Cab Company and Yellow
5 Cab of Reno, Inc., are the largest taxicab operators in Northern Nevada. Petitioner has
6 operated in this market for decades using the Form Lease and employing the protocols
7 described above. The NTA inspects and approves each taxicab before the taxicab can
8 be placed into operations. The NTA documents each driver before a taxicab driver is
9 eligible to operate an NTA approved taxicab under an independent contract lease.
10

11 Petitioner issued daily Trip Sheets documenting each taxicab issued to a taxicab
12 driver under the Form Lease and/or document the taxicab number on a Log. The Trip
13 Sheets are maintained by the drivers in the leased taxicabs.
14

15 Petitioner has some drivers who are regularly assigned a specific taxicab and have
16 other standby drivers who will take any available taxicab. Petitioner will also on occasion
17 switch taxicabs due to mechanical issues or will issue a new taxicab in the event of an
18 accident or other event that makes the initial taxicab inoperable for some reason.

19 The NTA has never previously required Petitioner to have a new lease approved
20 by the NTA before a new taxicab can be issued to a driver under the Form Lease. The
21 NTA approved Form Lease governed the independent contractor relationship and allowed
22 for the documentation of each specific cab via the Log function and/or the Trip Sheet
23 function.
24

25 Petitioner commences shift changes at 3:00 a.m. and rotates shift changes every
26 30 minutes until 7:30 a.m. and again at 3:00 p.m. through 7:30 p.m. Petitioner has to
27 conduct its shift changes in this fashion to ensure sufficient taxicabs remain on the roads
28

1 to service the community. Any time a taxicab is issued a Trip Sheet is generated with the
2 driver's name, date, time and taxicab number. A copy of a Trip Sheet showing the details
3 contained therein is attached hereto as **Exhibit 2**. A new Trip Sheet is generated if a
4 taxicab is replaced or switched out for any reason. The Trip Sheet contains the
5 affirmation and execution of the agreement of the driver to remain fully liable and in
6 compliance with the master Form Lease. Accordingly, the Trip Sheet contains all data
7 and information relating to a taxicab leased under the Template Lease.
8

9 Petitioner has been advised that they cannot lease any taxicabs, replace any
10 taxicabs that breakdown, are replaced or involved in an accident without the NTA
11 approving a new Template Lease with a new cab number inserted. This protocol will
12 seriously impact Petitioner's business since a breakdown, accident or other event
13 routinely occurs during non-business hours. While the NTA could approve new leases in
14 this fashion if the NTA had a dedicated 24 hour around the clock employee tasked with
15 such responsibility, it is believed such an employee does not exist. Accordingly, the
16 NTA's new protocol is unworkable for Petitioner's operations—operations that have been
17 implemented and established over the decades based upon the NTA's prior approved
18 Lease Forms and leasing activities employed by Petitioner.
19

20
21 **D. PETITIONER'S REQUEST FOR DEVIATION.**

22 Petitioner has attempted to resolve this issue administratively without success
23 necessitating this petition. Petitioner, in conjunction with NTA's counsel Gary Mathews
24 worked through a number of details (such as reference to Policies and Procedures-Exhibit
25 A) but have been unable to resolve the operational issues faced by Petitioner and the
26 NTA's desire to implement an entirely new administrative protocol.
27
28

1 Attached hereto as **Exhibit 3** is a copy of the most recent, red-lined version of the
2 Template Lease discussed by and between the undersigned and Gary Mathews (the
3 "Redline"). The Redline includes a number of minor corrections to the Template Lease
4 and also seeks to include Exhibit B and Exhibit C for the purpose of designating the
5 specific leased cab under the Template Lease and to allow for such taxicabs to be
6 substituted and/or changed without triggering an entirely new lease review submission
7 and approval. Also separately attached as **Exhibit 4** and **Exhibit 5** respectively are the
8 form Exhibit B and Exhibit C referenced in the Redline.
9

10 Approving the Redline and allowing inclusions of taxicab changes, if and when
11 necessary, achieves the goals and objectives of the NTA and the statutory enactment.
12 The NTA inspects and approves each vehicle used as a taxicab. The NTA approves the
13 Template Lease. The NTA approves each driver. There is nothing in NRS 706.473(b) or
14 in NAC 706.3753 that requires a new lease be executed every time the number of the
15 taxicab is changed. The lease does not regulate the taxicab, the lease regulates the
16 "relationship" between the carrier and the independent contractor. The NTA has separate
17 regulations that apply to the safety and performance of each taxicab. Therefore,
18 implementing a process where each taxicab has to again be "approved" is duplicative and
19 inefficient both for the Petitioner as well as the NTA. The NTA's new approach appears
20 to simply be adding more layers of administrative expense on Petitioner and the NTA with
21 no discernable value or objective.
22
23

24 ///

25 ///

26 ///

27 ///

1 **II. CONCLUSION.**

2 Based upon the foregoing, Petitioner requests the following:

- 3 1. Approve the Template Form as modified in the Redline version to
4 allow implementation of Exhibits B and C.
5
6 2. Alternatively, approve the use of Trip Sheets to document the specific
7 cab issued under each Template Lease.

8 Dated this 11th day of March, 2021.

9 SIMONS HALL JOHNSTON PC
10 6490 S. McCarran Blvd., Ste. F-46
11 Reno, NV 89509

12 By: _____

13 
14 MARK G. SIMONS, ESQ.
15 Attorneys for Roy L. Street dba Capitol Cab Co.
16
17
18
19
20
21
22
23
24
25
26
27
28

EXHIBIT 1

EXHIBIT 1



DEPARTMENT OF BUSINESS AND INDUSTRY
NEVADA TRANSPORTATION AUTHORITY

September 3, 2020

To All Certificated Taxicab Operators:

Pursuant to NRS 706.473(2) and NAC 706.3753, any carrier who enters into a lease agreement with an independent contractor must submit a copy of that lease agreement to the Nevada Transportation Authority ("NTA") for approval. **The lease agreement must be submitted on a pre-approved template and does not become effective until approved by the NTA.**

Please note the following procedures concerning the NTA's approval of lease templates and lease agreements:

Step 1 - Lease Templates:

1. A copy of the NTA's model template is attached. The model template can also be found on the NTA's website. *Please notify our office if you intend on using the model template.*
2. If a Carrier chooses to draft their own template, proposed lease templates must be submitted to the NTA via email at nta@nta.nv.gov or by mail.
3. The submission deadline for template's is September 18, 2020 by 5:00 p.m.
4. The following information is required:
 - Certificate holder's name;
 - CPCN;
 - Contact person;
 - Telephone number;
 - Email address.
5. The NTA will approve, deny, or reject a template. If rejected, you must correct the template and re-submit it for approval. If denied, the carrier must start over and re-submit for approval. A re-submission will be processed as a new request and the review process will start over.

Step 2 - Lease Agreements:

1. Carriers have **30 days** to submit all current leases on their approved lease template for the Authority to approve those currently working. Submittal via email at nta@nta.nv.gov.
2. The carrier will submit all future lease agreements to the NTA via email at nta@nta.nv.gov for approval.
3. The following information is required:
 - Certificate holder's name;
 - CPCN;
 - Contact person;
 - Telephone number;
 - Email address.
4. The NTA will, within 5 working days, approve, deny, or reject the lease agreements. If rejected, you must correct the lease agreement and re-submit it for approval. If denied, the carrier must start over and re-submit for approval. A re-submission will be processed as a new request and the review process will start over.
5. Once the NTA approves your lease agreement, you will receive the stamped copy via email.
6. Drivers must always maintain a copy of the approved lease agreement during operation. Any changes in drivers or vehicles that alter the lease agreement will require a re-submission of the lease agreement for approval. Any termination or expiration of a lease agreement will also require re-submission.

Be advised, pursuant to Nevada Administrative Code 706.3753(1)(i), an independent contractor **shall not** transfer, assign, sublease or otherwise enter into an agreement to lease the taxicab to another person.

***The lease agreement must be submitted on a pre-approved template and does not become effective until approved by the NTA.**

Please contact our office if you have any questions concerning this matter.

Sincerely,

Rene' Revens
Chief Compliance Audit Investigator

EXHIBIT 2

EXHIBIT 2

Reno-Sparks Cab Driver Trip-Sheet - Cab 0717 March 9, 2021

ID: 414623 - Driver: 6510 - Day Shift

I acknowledge that this period shall be governed by the Taxi Cab Master Lease Agreement by and between myself and the leasing company. I agree to be bound by all the terms, conditions, and obligations of the Taxi Cab Master Lease Agreement. I also hereby acknowledge that I am not under the influence, nor will I operate the vehicle under the influence of any drug (prescribed or not), alcohol, or other substance that would affect my ability to safely operate the vehicle in accordance with the terms of the lease.

Signature:

Cab Due In Time: 04:45
 Previous Cab: 0717 03/08/21 04:52 pm
 Previous Driver: 6510 03/08/21 04:52 pm
 Check-Out Cashier: 03/09/21 04:53 am
 Check-In Cashier: 03/09/21 04:34 pm

CLOCK	Date	Shift	Time		
IN	03/09/21	Night Shift	04:34		
OUT	03/09/21	Day Shift	04:53		
Elapsed 11:41	Personal - 02:00	Down - 00:00	Worked = 09:41		
Hard Meter	Units	Odometer	Total Miles	Paid Miles	Trips
INCOMING			0	0	0
OUTGOING			0	0	0
DIFF		0	0	0	0
Not On Meter + \$0.00		Ded From Meter - \$0.00		Adjusted Meter = \$261.06	

NOTES TO DRIVER I

Winter Driving Class has not been established
 Drug & Alcohol Awareness has not been established
 Safety Class DDCB has not been established

PAYMENT

Total Book:	
(3) Taxable Book:	
CC's 0 x \$75:	
CC's 4 x \$3.0:	
Taxable Amount:	
Excise Tax 3% ()	
50% of Book:	
Cab Lease Fee:	
Payment Due:	
Gas Gals: 0.00 - Cost:	
Credit Cards (\$75):	
Credit Cards (\$3.0):	
Customer Charges:	
Employee Charges:	
Comps:	
Misc ():	
Sub Total:	
Sir Payment:	
Bill Payment:	
Damage Payment:	
Amount Due:	
Incoming Refund:	
Balance:	

CHECKLIST

Cleanliness Outside:	Wheels, Rims, and Tires:	Chatter Lights:
Cleanliness Inside:	Rear Vision Mirrors:	Horn:
Cleanliness Trunk:	Headlights:	Windshield Wipers:
Brakes:	Tail Lights:	Emergency Equip:
Parking Brake:	Turn Signals:	Steering:

EXHIBIT 3

EXHIBIT 3

RENO CAB COMPANY, INC.
DBA RENO-SPARKS CAB COMPANY

CPCN 1025

TAXICAB LEASE AGREEMENT

THIS TAXICAB LEASE AGREEMENT ("Lease") made this _____ day of _____, 202__, between Reno Cab Company, Inc., dba Reno-Sparks Cab Company, a Nevada Corporation, with its principal place of business at 475 Gentry Way, Reno, Nevada (hereinafter referred to as "LEASING COMPANY/CARRIER"), and _____, an independent contractor, with his/her principal residence located at _____, hereinafter referred to as "LESSEE/DRIVER".

WHEREAS, LEASING COMPANY/CARRIER is an intrastate for hire common motor carrier operating under a Certificate of Public Convenience and Necessity CPCN 1025) issued by the ~~Transportation Authority of Nevada~~ Transportation Authority;

WHEREAS, LEASING COMPANY/CARRIER is the owner of taxicabs and other vehicles;

WHEREAS, LESSEE/DRIVER desires to lease from LEASING COMPANY/CARRIER a vehicle and other services under the term and conditions herein set forth;

WHEREAS, this Taxicab Lease Agreement is subject to and incorporates the LEASING COMPANY/CARRIER's Policies and Procedures, attached hereto as Exhibit A, which Policies and Procedures are implemented to insure the LESSEE/DRIVER'S compliance with the requirements of NRS Chapter 706 and NAC Chapter 706.

Formatted: Highlight

and

WHEREAS, the parties desire to confirm their understanding in writing.

NOW THEREFORE, in consideration of the mutual promises and covenants herein contained and other good and valuable consideration, the parties agree as follows:

1. LEASE. LESSEE/DRIVER agrees to lease from LEASING COMPANY/CARRIER a taxicab with the name, insignia, certificate number, and painted in the approved color scheme of LEASING COMPANY/CARRIER (the "Leased Taxicab"). At the commencement of this lease, LEASING COMPANY/CARRIER shall deliver the Leased Taxicab in good working order, properly licensed, and with a full tank of fuel. LEASINGCOMPANY/CARRIER shall equip the Leased Taxicab with a ~~radio computer~~, taximeter, identifying decals, seals and

Formatted: Line spacing: single

LESSEE/DRIVER: _____

LEASING COMPANY/CARRIER: _____

other equipment required by applicable federal, state, and local laws and ordinances (collectively the "Regulatory Authorities").

2. **TAXICAB FEES, LICENSING.** LEASING COMPANY/CARRIER shall maintain and pay for all operating licenses, taxes, and fees on the Leased Taxicab. At times other than Lease Periods (as defined below), LEASING COMPANY/CARRIER may either use the Leased Taxicab itself or lease the Leased Taxicab to other lessees.
3. **OWNERSHIP, MAINTENANCE, AND REPAIR.** LEASING COMPANY/CARRIER is the owner of the Leased Taxicab, which is in a good mechanical condition and meets the requirements for operating taxicabs in the location where the taxicab will be operated. All vehicle maintenance, including regularly scheduled service, shall be LEASING COMPANY/CARRIER'S responsibility.
4. **INSURANCE.** Insurance will be provided by LEASING COMPANY/CARRIER in an amount sufficient to meet regulatory requirements pursuant to NAC 706.191.
5. **LEASE PERIOD AND LEASED TAXICAB DESIGNATION.** Each period LESSEE/DRIVER uses the Leased Taxicab shall be deemed a separate Lease Period ("Lease Period"). Each Lease Period will be determined by LESSEE/DRIVER and LEASING COMPANY/CARRIER and will be indicated on **Exhibit "B"**. LESSEE/DRIVER shall not, however, operate the taxicab for more than 12 hours in any 24-hour period. This Lease shall serve as a master lease agreement, which will govern each and every Lease Period. Pursuant to this Lease Agreement LEASING COMPANY/CARRIER will maintain a record of each Leased Taxicab leased to LESSEE/DRIVER pursuant to this master lease on a form substantially in compliance with the attached **Exhibit "C"**.
6. **ASSIGNMENT AND SUBLEASING.** LESSEE/DRIVER shall not transfer, assign, sublease or otherwise enter into an agreement to lease the taxicab to another person, nor shall LESSEE/DRIVER'S rights be subject to encumbrance or subject to the claims of his or her creditors.
7. **OPERATING AUTHORITY.** LEASING COMPANY/CARRIER is a certificated carrier and services provided by LESSEE/DRIVER are regulated by appropriate regulatory authorities. LESSEE/DRIVER'S use of the Leased Taxicab shall be in a manner authorized by LEASING COMPANY/CARRIER'S certificate to operate AND the LEASING COMPANY/CARRIER'S Tariff.
8. **RENTAL FEE.** In consideration of the use of the Leased Taxicab, LESSEE/DRIVER agrees to pay a Rental Fee to LEASING COMPANY/CARRIER in the amount set forth on Exhibit A attached hereto and incorporated herein by reference.
9. **SECURITY DEPOSIT.** In addition to the rental payment, LESSEE/DRIVER will pay to LEASING COMPANY/CARRIER, at or before commencement of the initial Lease Period, a security deposit in the amount set forth on Exhibit B. of \$ _____ LEASING

LESSEE/DRIVER: _____

LEASING COMPANY/CARRIER: _____

Formatted: No underline

Formatted: No underline

Formatted: No underline

Formatted: Highlight

Formatted: Highlight

Formatted: No underline

Formatted: No underline

Formatted: No underline

Formatted: Space After: 6 pt

Formatted: No underline

Formatted: Line spacing: single

COMPANY/CARRIER shall have the right, prior to or upon termination of this Lease, to deduct from said security deposit any amount due to LEASING COMPANY/CARRIER necessary repairs to the vehicles. Said security deposit must be maintained by the LEASING COMPANY/CARRIER in an account separate from the carrier's operating account. Said security deposit, less proper deductions, shall be returned to LESSEE/DRIVER not later than ~~thirty~~ (30) days after the termination of this Lease. Pursuant to NAC 706.3752, any deductions must be itemized and in writing, and supported by receipts that evidences the repairs to the taxicab in an amount equal to amount deducted, and provided to the LESSEE/DRIVER upon return of the remaining security deposit.

10. **RELATIONSHIP.** Neither party is the partner, joint venturer, agent or representative of the other party. LEASING COMPANY/CARRIER and LESSEE/DRIVER acknowledge and agree that between them exists the relationship of mutual contractual benefit.

11. **TRIP SHEETS.** At the end of each daily shift LESSEE/DRIVER must provide the LEASING COMPANY/CARRIER with the completed trip sheets for that shift.

~~12.~~ **DAILY VEHICLE INSPECTION.** In order to keep the Leased Taxicab in good mechanical condition, LESSEE/DRIVER shall inspect the Leased Taxicab at the beginning and end of each shift and document on a daily inspection sheet to be submitted daily and report any condition requiring repair or maintenance to LEASING COMPANY/CARRIER.

13. **NO PERSONAL USE.** The Leased Taxicab is for commercial use only and may not be utilized for the personal use of the LESSEE/DRIVER. said taxi for an extended period of time at any location so that the LESSEE/DRIVER may sleep.

14. **REPLACEMENT VEHICLE.** In the event that any repair or maintenance takes more than eight ~~consecutive~~ (8) hours in any week, LEASING COMPANY/CARRIER shall attempt to provide a replacement Leased Taxicab, if available. If a replacement Leased Taxicab is not available, then LESSEE/DRIVER shall be entitled to a pro-rata refund of the Rental Fee, if applicable. No LESSEE/DRIVER shall be entitled to a pro-rata refund of the Rental Fee if the damage to the Leased Taxicab was caused or contributed to by the LESSEE/DRIVER. Repairs and maintenance on Leased Taxicabs must be performed at LEASING COMPANY/CARRIER'S facilities, unless prior written authorization is obtained from LEASING COMPANY/CARRIER ~~Leasing Company~~ to have the repairs and maintenance done elsewhere. LESSEE/DRIVER shall be responsible for the cost ~~of~~ unauthorized repairs and/or maintenance, and for all damages caused thereby.

15. **REGULATORY AUTHORITIES.** This Lease does not relieve LEASING COMPANY/CARRIER from its duties and responsibilities under NRS Chapter 706 or NAC Chapter 706. LESSEE/DRIVER and LEASING COMPANY/CARRIER are subject to the jurisdiction of the Nevada Transportation Authority ~~of Nevada~~ and shall comply with all federal rules, regulations, ordinances, administrative codes, health and safety provisions and statutes in the operation of the Leased Taxicab. In the event of a violation of such laws, rules, regulations,

LESSEE/DRIVER: _____

LEASING COMPANY/CARRIER: _____

Formatted: Line spacing: single

ordinances, administrative codes, health and safety provisions and statutes, the Nevada Transportation Authority of Nevada may take enforcement action against LESSEE/DRIVER and LEASING COMPANY/CARRIER. Both the LESSEE/DRIVER and LEASING COMPANY/CARRIER are subject to all laws and regulations relating to the operation of a taxicab which have been established by the Nevada Transportation Authority (as set forth in Nevada Revised Statutes and Nevada Administrative Code Chapters 706) and other regulatory agencies and that a violation of those laws and regulations will breach the agreement.

16. MEDICAL AND DRIVING HISTORY. To ensure compliance with the provisions of NAC 706.3751, before this LEASE AGREEMENT can be deemed approved, the LESSEE/DRIVER must provide to the LEASING COMPANY/CARRIER:

Formatted: No underline

a. A certificate from a licensed physician which is dated not more than 90 days before the date on which the LESSEE/DRIVER begins to lease a taxicab from the certificate holder pursuant to NRS 706.473, which demonstrates that the employee or independent contractor is physically qualified to operate a commercial motor vehicle in accordance with 49 C.F.R. § 391.43; and

Formatted: Indent: Left: 0", Space After: 0 pt

b. A copy of the driving record of the LESSEE/DRIVER obtained from the Department which demonstrates that the LESSEE/DRIVER has not, within past the 3 years:

Formatted: Indent: Left: 0"

- i. Been convicted of driving under the influence of an intoxicating liquor or a controlled substance;
- ii. Been convicted of reckless driving;
- iii. Been convicted of failing to stop and remain at the scene of an accident; or
- iv. Failed to keep a written promise to appear in court for any offense.

Formatted: Indent: Left: 0.81"

Formatted: Indent: Left: 1", First line: 0", Line spacing: At least 13.8 pt

Formatted: Indent: Left: 0.81", Line spacing: At least 13.8 pt, No page break before

17. MAINTENANCE OF RECORDS. The LEASING COMPANY/CARRIER must maintain driver qualification files (for the LESSEE/DRIVER), trip sheets (for the LESSEE/DRIVER), and vehicle maintenance files (for the Leased Taxicab) as required pursuant to the NRS and NAC Chapters 706.

Formatted: No underline

18. WARRANTY. LESSEE/DRIVER warrants that he or she possesses, and at all times during the term of this Lease, and any renewals or extensions hereof, shall possess, the proper driver's license to lawfully operate a taxicab as required by the appropriate regulatory authorities. LESSEE/DRIVER agrees to comply with all local, state, and federal laws and ordinances of Regulatory Authorities relating to the operation of motor vehicles and taxicabs. LESSEE/DRIVER warrants that only he or she shall drive the Leased taxicab during the Leased Period.

Formatted: No underline

19. REPORT OF ACCIDENTS/CRIMES. LESSEE/DRIVER must give LEASING COMPANY/CARRIER, through LEASING COMPANY/CARRIER'S authorized agents and/or employees, immediate radio notice of violent crime (in which the LESSEE/DRIVER LESSEE/DRIVER:

Formatted: No underline

Formatted: Line spacing: single

LEASING COMPANY/CARRIER: _____

is the victim) or any accident, loss or claim in which LESSEE/DRIVER is involved, or as soon thereafter as is reasonably possible.

20. HOURS OF OPERATION. The LESSEE/DRIVER shall not operate the taxicab for more than 12 hours in any 24-hour period.

Formatted: No underline

21. RETURN OF TAXICAB. The LESSEE/DRIVER must return the taxicab to the LEASING COMPANY/CARRIER at the end of each shift to allow the LEASING COMPANY/CARRIER to comply with the requirements of NAC 706.380.

Formatted: No underline

22. TERMINATION. LEASING COMPANY/CARRIER shall have the right, but not the obligation, to immediately terminate this Lease at any time in the event that LESSEE/DRIVER:

Formatted: No underline

- a. Fails to pay the Rental Fee or any fines, penalties, towing, booting, or impounded fees or charges;
- b. Fails to maintain a proper drivers license;
- c. Fails to timely report any accident;
- d. Encumbers, assigns, subleases, or otherwise enters into an agreement to lease the Leased Taxicab to another person;
- e. Fails to return the Leased taxicab in good condition with a full tank of gas;
- f. Violates any rule or regulation of the Nevada Transportation Authority;
- g. Violates any rule or regulation of the Airport Authority of Washoe County;
- h. Drives the Leased Taxicab under the influence of drugs and/or alcohol;
- i. Fails to submit to a breath or urine test upon objective facts, that LESSEE/DRIVER is under the influence of drugs and/or alcohol;
- j. Fails to sign the ACKNOWLEDGEMENT at the beginning of each Lease Period;

Formatted: Indent: Left: 0.5", First line: 0"

Formatted: Indent: Left: 0.5"

LESSEE/DRIVER: _____

LEASING COMPANY/CARRIER: _____

Formatted: Line spacing: single

- k. Is convicted of any felony or misdemeanor for driving under the influence of drugs and/or alcohol;
- l. Gives one (1) day's notice of intention not to enter into an additional Lease Period; or
- m. Allows an unauthorized person to drive the Leased Taxicab during the Lease Period.

Notwithstanding any of the above causes for termination, LEASING COMPANY/CARRIER shall have the right to terminate, at will, the Lease upon giving one (1) day's written notice to LESSEE/DRIVER of LEASING COMPANY/CARRIER'S intention to terminate, the Lease. Termination hereunder shall be effective one (1) day after giving written notice.

A failure by LEASING COMPANY/CARRIER to terminate this Lease shall not constitute a waiver of LEASING COMPANY/CARRIER'S right to terminate this Lease for any subsequent violations on the same or other grounds by LESSEE/DRIVER.

Formatted: Indent: Left: 0.25"

14-23. NEVADA TRANSPORTATION AUTHORITY APPROVAL. A LEASING COMPANY/CARRIER'S lease agreement is not deemed effective until approved by the Nevada Transportation Authority. This Lease shall be deemed to be modified by the Authority, as necessary, to conform to said statutes and regulations and changes thereto.

Formatted: No underline

Formatted: Numbered + Level: 1 + Numbering Style: 2, 3, ... + Start at: 23 + Alignment: Left + Aligned at: (+ Indent at: 0"

14-24. RETENTION OF LEASE AGREEMENT. The LEASING COMPANY/CARRIER must retain copies of each lease agreement for a minimum of three (3) years.

Formatted: No underline

14-25. ATTORNEY'S FEES. In the event of any dispute between the LESSEE/DRIVER and LEASING COMPANY/CARRIER relating to this Lease, the prevailing party shall be entitled to recover from the other party all reasonable attorney's fees and other reasonable costs incurred by the prevailing Party in connection therewith and in pursuing and collecting remedies, relief and damages.

Formatted: No underline

14-26. GOVERNING LAW. This agreement shall be interpreted in accordance with and through application of the laws of the State of Nevada.

Formatted: No underline

14-27. RELEASE AND INDEMNITY OF ALL CLAIMS. The LEASING COMPANY/CARRIER and the LESSEE/DRIVER does for itself, its heirs, executors, administrators, successors and assigns, hereby release, remise, and forever discharge the State of Nevada, the Nevada Transportation Authority, the Nevada Attorney General, and each of their members, agents, and employees in their individual and representative capacities, from any and all manner of actions, causes of action, suits, debts, judgments, executions, claims and demands whatsoever, known or unknown, in law or equity, which LEASING COMPANY/CARRIER and the LESSEE/DRIVER ever had, now has, may have, or claim to have against any or all of said entities or individuals arising out of or by reason of the processing or investigation of or other action relating to this agreement.

Formatted: Underline

Furthermore, LEASING COMPANY/CARRIER and the LESSEE/DRIVER hereby agrees

Formatted: Line spacing: single

LESSEE/DRIVER: _____

LEASING COMPANY/CARRIER: _____

to indemnify, hold harmless and defend, not excluding the State's right to participate, the State of Nevada, the Nevada Transportation Authority, the Nevada Attorney General, and each of their members, agents, and employees in their individual and representative capacities from any and all claims, suits, and actions, brought by LEASING COMPANY/CARRIER and the LESSEE/DRIVER anyone associated with this application, or by any third party, against the agencies or persons named in this paragraph, arising out of the submission, investigation and deliberation concerning the approval of this Agreement, and against any and all liabilities, expenses, damages, charges and costs, including court costs and attorneys' fees, which may be sustained by the persons and agencies named in this paragraph as a result of said claims, suits and actions.

28. COMPLETE AGREEMENT. This Lease constitutes the entire lease, agreement, and understanding between the parties as to the subject matter hereto, and merges all prior discussions between them. None of the parties shall be bound by any conditions, definitions, warranties, understandings or representations other than expressly provided herein.

Formatted: No underline

Executed in duplicate this ____ day of _____, 202__.

LEASING COMPANY/CARRIER: RENO CAB COMPANY, INC. dba RENO-SPARKS CAB COMPANY

Formatted: Indent Left: 0", Hanging: 2.5", Tab stop -1", Left

By: _____

Its: _____

LESSEE/DRIVER: _____

Formatted: Indent Left: 0", Hanging: 2.5", Tab stop -1", Left

LESSEE/DRIVER: _____

Formatted: Line spacing: single

LEASING COMPANY/CARRIER: _____

EXHIBIT 4

EXHIBIT 4

EXHIBIT "B"

**RENO CAB COMPANY, INC.
DBA RENO-SPARKS CAB COMPANY**

RENTAL FEE, SECURITY DEPOSIT AND LATE FEES

RENTAL FEES/Security Deposit

12-HOUR LEASE PERIOD

- 1. Rental Fee:** Five (5) dollars lease fee, plus 50% of Total Book. Lessee pays fuel.
- 2. Security Deposit.** A security deposit of two hundred dollars. (\$200.00).

LATE FEES

12-HOUR PERIOD

Late fees are \$ _____ per hour or fraction thereof.

MILEAGE LIMITS

12-HOUR PERIOD

_____ miles in 12 hrs.

An additional fee of \$ _____ will be charged for all miles traveled in excess of such limits.

Signature

Date

EXHIBIT 5

EXHIBIT 5

EXHIBIT "C"

RSCC DRIVER LEASE HISTORY OF "LEASED TAXICAB"

[illegible]



1 **SIMONS HALL JOHNSTON PC**
Mark G. Simons, Esq. (SBN 5132)
2 6490 S. McCarran Blvd., #F-46
Reno, Nevada 89509
3 Telephone: (775) 785-0088
Facsimile: (775) 785-0087
4 Email: MSimons@SHJNevada.com

5 *Attorneys for Roy L. Street dba Capitol Cab Co.*

6
7
8 **BEFORE THE NEVADA TRANSPORTATION AUTHORITY**
9

10 IN THE MATTER of the Petition of Roy L.
11 Street dba Capitol Cab Company.

DOCKET NO. 21-03018

12
13
14
15 **SUPPLEMENT TO PETITION TO DEVIATE**
16

17 Reno Cab Company, Inc. dba Reno Sparks Cab Co. ("Reno Sparks Cab"), by and
18 through its counsel, Mark G. Simons of SIMONS HALL JOHNSTON PC, hereby
19 SUPPLEMENTS its request to deviate from the taxi cab lease template (the "Template
20 Lease") issued by the Nevada Transportation Authority ("NTA"),

21 **I. SUPPLEMENTATION.**

22 Reno Sparks Cab is requesting to incorporate a Log and/or Trip Sheet into the
23 Template Lease to document the specific cab number being leased by an independent
24 cab driver on a given day. The Trip Sheet is an NTA approved document.

25
26 Under the law, the Template Lease may "annex", "incorporate" or "reference"
27 separate writings such as the Log and/or Trip Sheets and such action is legal and valid
28 and the annexed, referenced and/or incorporated writings become part of the contract.

SIMONS HALL JOHNSTON PC
6490 S. McCarran Blvd., Ste. F-46
Reno, NV 89509
Phone: (775) 785-0088

1 Living Ecology, Inc. v. Bosch Packaging Tech., Inc., 831 F. App'x 866, 867 (9th Cir. 2020)
2 ("Under Nevada law, '[w]here reference in a contract ... indicates an intention to
3 incorporate [a document] generally, such reference becomes a part of the contract for all
4 purposes.'"); MMAWC, LLC v. Zion Wood Obi Wan Tr., 135 Nev. 275, 279, 448 P.3d
5 568, 572 (2019) ("writings which are made a part of the contract by annexation or
6 reference will be so construed"); Lincoln Welding Works, Inc. v. Ramirez, 98 Nev.
7 342, 345, 647 P.2d 381, 383 (1982) ("Where reference in a contract to 'plans and
8 specifications' indicates an intention to incorporate them generally, such reference
9 becomes a part of the contract for all purposes.").

11
12 Dated this 22nd day of March, 2021.

13
14 SIMONS HALL JOHNSTON PC
15 6490 S. McCarran Blvd., Ste. F-46
16 Reno, NV 89509

17 By: 

18 MARK G. SIMONS, ESQ.
19 Attorneys for Roy L. Street dba Capitol Cab
20 Company
21
22
23
24
25
26
27
28

Items #80, 81 and 82 to
be considered together

Dockets

21-03016

21-03017

21-03018



DEPARTMENT OF BUSINESS AND INDUSTRY
NEVADA TRANSPORTATION AUTHORITY

MEMORANDUM

Date: March 19, 2021

To: Liz Babcock, Applications Manager

From: David Gravel, Supervisory Investigator

Subject: Petition to deviate

You recently asked for staff input regarding the petition to deviate filed on behalf of Reno Cab Company, Roy L Street dba Capitol Cab Co, and Yellow Cab of Reno Inc. The primary part of their request is to NOT be required to write in the specific cab number on the lease agreement, which would also get updated each time they change out cabs.

Speaking for the Reno Enforcement team, we do not support this request to deviate, and would like to see the cab numbers listed on each lease agreement for tracking and investigative purposes.

When the new lease process started last year, one of the local cab companies immediately complied. Those leases are listed on a spreadsheet in our agency computer system and one can quickly cross reference which cab driver belongs to which cab number.

This gave our investigators the new ability to quickly cross reference and look up a driver by cab number, or a cab number by driver name.

While I'm sure that the cab companies may argue that all we would have to do for this same information is to call them, I don't think that is practical in every instance.

To the best of my knowledge, the three companies who have applied for this deviation are all under the same ownership, and collectively only have one HR director managing the driver files (which includes managing the lease agreements for their drivers) across all 3 of the companies.

From our experience, the staff they have is small relative to the size of their companies, and getting an immediate answer is not always practical, nor would it be to wait on a return call for an undetermined amount of time when they are busy.

Additionally, being able to obtain the information internally helps protect the integrity of an investigation when it is unknown to the carrier if we may be looking into a specific cab, or at a specific driver for something.

In some instances the carrier may also be exposed to a violation and an appropriate investigation is to not let them know we are investigating something until we are ready to let them know.

As an example, one of our investigators saw a Whittlesea cab downtown recently and felt the driver might be flat-rating (transporting a passenger for fixed rate instead of running the meter). The investigator was unable to follow the cab due to downtown traffic but did record the cab number.

The investigator went to the office was able to look up who drives that specific cab # for that company. We were able to immediately look it up on our taxi lease assignment log and get the drivers name, because this carrier complied with the agency's direction, and is submitting leases with specific cab numbers listed on them.

When we looked up the driver's name, we found that he had an expired NTA driver permit. The investigation then allowed the investigator to go down to the domicile of the carrier and asked for trip sheets for that driver over the past few weeks. Recent trip sheets provided proved that the driver had been driving for quite some time on an expired permit, and both the driver and the company were subsequently cited.

Had the investigator called to ask the company who drives cab # XXX, that would have tipped off the fact that we were doing an investigation. Whereas, when we just show up and ask for something specifically (because we already know the name of the driver and the status of his driver's permit) we are able to immediately prove or disprove an allegation, and it completely protects the carrier from any allegations of any unethical behavior, which *could be* tempting if the carrier felt that they could protect themselves from exposure to a citation by being less than forthcoming with the specific records once they know we are conducting an investigation.

Additionally, sometimes there may be word that a cab driver may be doing something wrong (cab drivers tend to tell on one-another) such as flat rating, soliciting fares, etc. If we are only given a driver name but the cab number is not known, we could look it up immediately and investigate as appropriate if we have the cab numbers listed on the leases.

Sometimes we find out they really are doing nothing wrong. Having to call the carrier for the inquiry as to who may be driving a certain cab, could unfairly lead the carrier to believing that a driver is doing something wrong. Unless our investigation involves a carrier violation, it may not be their business to know we are doing investigative work, or why we are asking.

Also, investigators routinely work prior to, and sometimes after normal business hours. When the cab drivers are assigned to specific cabs and that is listed in our database through the lease process, we can get the info about the cab or the driver assigned to it anytime 24/7 and are not (nor should we be) at the mercy of the carrier to wait to obtain this information.



DEPARTMENT OF BUSINESS AND INDUSTRY
NEVADA TRANSPORTATION AUTHORITY

Finally, the language in NAC 706.3754 (carrying a copy of the lease agreement requirement), as well as NAC 706.3747 (trip sheet violations), which result in the removal of the CAB from service for 24 hours, would be easy to track if a driver is assigned to a specific cab. If a driver is not assigned to a specific cab #, then (arguably) the driver of the cab in violation could go right back to the office and take out a different cab, even though the intent is to get the driver off of the road to ensure hours of service and lease regulations are complied with.

NAC 706.3754 Leasing of taxicab to independent contractor: Requirements for copy of lease agreement; enforcement. ([NRS 706.171](#), [706.475](#))

1. A certificate holder who enters into an agreement to lease a taxicab to an independent contractor shall provide a copy of the agreement to the independent contractor after the agreement has been approved by the Authority pursuant to subsection 2 of [NRS 706.473](#).

2. The independent contractor shall keep a copy of the lease agreement in the taxicab that the independent contractor is leasing from the certificate holder at all times during the duration of the lease.

3. If the Authority determines that a taxicab is being operated without a copy of the lease agreement in the taxicab in violation of this section, the Authority will cause the taxicab to be withdrawn from service for a minimum of 24 hours. A taxicab withdrawn from service pursuant to this subsection must not be placed back in service until the Authority verifies that the certificate holder has furnished **a lease agreement for that taxicab** to the independent contractor.

(Added to NAC by Transportation Serv. Auth. by R078-98, eff. 1-28-99) ***Note that section specifically requires a lease be furnished for a specific cab for it to be placed back into service.**

NAC 706.3747 Trip sheets; enforcement. ([NRS 706.171](#))

1. Except as otherwise provided in this subsection, a certificate holder shall require the driver of each taxicab that the certificate holder is authorized to operate to keep a daily trip sheet in a form prescribed by the Authority. The daily trip sheet may be kept in a different form if the certificate holder submits the alternative form to the Authority and the Authority approves that form.

2. A driver shall record on the trip sheet:

(a) At the beginning of each shift:

(1) The driver's name;

(2) The unit number of his or her taxicab;

(3) The time stamp required by subsection 5 of [NAC 706.3761](#) to indicate the time at which the shift began; and

(4) The odometer reading of the taxicab.

(b) During each shift:

(1) The time, place of origin, requested destination and actual destination, if different from the requested destination, of each trip; and

(2) The number of passengers and amount of fare for each trip.

(c) At the end of each shift:

(1) The time stamp required by subsection 5 of [NAC 706.3761](#) to indicate the time at which the driver's shift ended; and

(2) The odometer reading of the taxicab.

3. A certificate holder shall furnish a trip sheet form for each shift during which a taxicab is operated by a driver.

4. A driver who works for the certificate holder on commission or as an employee shall submit to the certificate holder a completed trip sheet at the end of each shift of that driver.

5. A driver who is an independent contractor shall submit to the certificate holder at the end of each week in which he or she worked at least one shift a completed trip sheet for each shift worked by that driver during that week.

6. A certificate holder shall retain each completed trip sheet until the end of the calendar year of the year immediately succeeding the year in which the trip sheet was completed. The certificate holder shall make such trip sheets available for inspection by the Authority upon request.

7. If the Authority determines that a taxicab is being operated without a trip sheet in violation of this section, the Authority **will cause the taxicab** in regard to which the violation occurred to be withdrawn from service for a minimum of 24 hours. A taxicab withdrawn from service pursuant to this subsection must not be placed back in service until the Authority verifies that the certificate holder has furnished a trip sheet for that taxicab.

(Added to NAC by Transportation Serv. Auth. by R078-98, eff. 1-28-99; A by Nev. Transportation Auth. by R111-10, 12-16-2010)



DEPARTMENT OF BUSINESS AND INDUSTRY
NEVADA TRANSPORTATION AUTHORITY

With regard to some of the language in the petition – on page 3 in lines 12-14 it states the statute and the code both **allow** the taxicab to be switched out as long as the “master independent contract agreement” with the driver is approved by the NTA. I cannot find language that refers to any master independent contract agreement, nor specific language that allows for taxicabs to be switched out as is claimed by the petitioner.

Page 4 of the petition makes statements that imply that this “entirely new protocol” and seeking to use a “template lease” was all sprung on them with no warning, and stating that the NTA did not consult with the petitioner.

The petition acknowledges that the letter from the NTA was sent to the petitioner on September 3, 2020 seeking to implement the template lease. This was not new news to the carrier.

On, or shortly before November 1 2019, I scheduled a meeting and personally met with Roy Street, the owner of the three cab companies, Mercy Media – the HR director for the companies, and Robin Street who was the General Manager. At that time I explained to them what the NTA was getting ready to do with regard to leases for the drivers of taxi cabs. I explained to them that statute requires lease agreements between carriers and independent contractors require the carrier to submit a copy of the agreement to the Authority for its approval, adding that we did not currently have ANY copies of approved leases for our local taxi companies on file and were acting to fix that process. I told them that we were still working on how that process would work, and that they would be receiving a letter regarding this; however, my intent was to have a discussion with them well in advance of the change being implemented so that they could prepare for that internally. (The letter wasn’t sent until 10 months later after all the logistics were worked on by staff internally as to the processing, approving, and tracking of all of the taxi leases).

In the same paragraph that the petition says that the NTA issued its letter in September 2020, it states that petitioner was also subsequently informed that it must commence using the template lease immediately and if not would suffer citations, monetary fines and be required to remove cabs from service for 24 hours.

It does not say WHO informed them, and it is unknown how loosely the author is using the term subsequently; however, to my knowledge enforcement action was never mentioned until very recently, some 5 months later. Any comments of enforcement action was only mentioned (to my knowledge) after MANY MANY meetings between Chief Compliance Audit Investigator Rene Revens, staff attorney Gary Matthews, the carriers and their legal representation had come to a stalemate, with the carrier still refusing to comply with NTA direction.

The lease agreements to be approved each needs to be “in a form approved by the authority”. The Authority asked for the carriers to submit a lease template (the form to be approved by the authority). They were given the option to either use the NTA pre-approved template, or to submit one of their own for review and approval. Once the template was approved, the carrier would then submit a lease agreement for each driver to whom they were leasing a taxicab on that pre-approved template. The sticking point seems to be the carrier’s reluctance to include a specific cab number on each lease.

Agenda Item#

83

CPCN 1112

MEDICAL TRANSPORT COMPANY, LLC dba MTC
Operated by MEDICAL TRANSPORT LV, a Series of MEDICAL TRANSPORT USA, LLC

COVID-19
SAFETY PROTOCOL

At all times commercial transportation carriers are required to ensure the safety of their passengers. In response to COVID-19, MTC has taken extra steps to ensure the protection and safety of our drives and passengers. These steps are based on CDC guidelines for commercial motor carriers, in conjunction with Nevada OSHA guidance and recommendations for best practices published by the Nevada Transportation Authority. In order to provide these extra safety measures a COVID-19 Safety Fee will be imposed ONLY ON COVID-19 POSITIVE trips.

(1) \$35.00 per trip for all zones



ISSUED:

EFFECTIVE:

ISSUED BY:

MEDICAL TRANSPORT COMPANY, LLC dba MTC
Operated by MEDICAL TRANSPORT LV, a Series of Medical Transport USA, LLC
187 N. Gibson Road
Henderson, NV 89014

BEFORE THE NEVADA TRANSPORTATION AUTHORITY

In Re: The Application of Medical Transport)	
Company, LLC d/b/a MTC Operated by Medical	)	Docket 21-02006
Transport LV, a Series of medical Transport USA,)	
LLC for authority to modify tariff rates pursuant to)	
NAC 706.1384.)	
_____)	

At a general session of the Nevada Transportation Authority held on April 8, 2021.

PRESENT: Chairman Dawn Gibbons
Commissioner George Assad
Commissioner David Newton
Deputy Commissioner Jennifer De Rose

ORDER

Based on the evidence of record, the Nevada Transportation Authority ("Authority") makes the following findings:

1. That an Application was filed with the Authority by Medical Transport Company, LLC d/b/a MTC Operated by Medical Transport LV, a Series of medical Transport USA, LLC, a carrier certificated to provide non-emergency medical transportation service as described in Certificate of Public Convenience and Necessity ("CPCN") 1112, Sub 4, for authority to modify tariff rates pursuant to NAC 706.1384.
2. That the carrier simultaneously filed a Petition for Interim Authority.
3. That the Application was properly noticed to the public and there were no Petitions for Leave to Intervene or Protests filed.
4. That on February 26, 2021, Commissioner George Assad, acting as Presiding Officer in this matter, granted the Petition for Interim Authority.
5. That the Applicant seeks to add a fee of \$35.00 per trip, to cover the costs associated with providing COVID-19 related supplies and the costs of cleaning their vehicles in complying with the CDC Guidelines as required by the State of Nevada

6. That the proposed tariff rate is considerably higher than the range of rates currently requested by the industry for similar services since the rates are COVID-19 related.
7. That these rates are actually unique since they are for the transportation of a passenger who is confirmed or presumptive positive for COVID-19 and are intended to cover the cost of the PPE (personal protective equipment) for crews, surgical masks for patients, and the fogging of the units.
8. That Medical Transport Company, LLC has not requested a rate increase under CPCN 1112 since December 2019.
9. That based upon all the records relating to the Application and after investigation:
 - a. The Application on file herein comes within the purview of the statutes of the State of Nevada and within the regulatory jurisdiction of the Authority.
 - b. The proposed tariff modification will be consistent with the public interest and will not operate to defeat the legislative policy set forth in NRS 706.151.

Therefore, based upon the foregoing findings, it is ORDERED that:

1. The tariff modification proposed by Medical Transport Company, LLC d/b/a MTC Operated by Medical Transport LV, a Series of medical Transport USA, LLC is hereby GRANTED.

///

///

///

///

///

///

///

///

///

2. The Authority retains jurisdiction for the purpose of correcting any errors that may have occurred in the drafting or issuance of this Order.

By the Authority,

Dawn Gibbons, Chairman

George Assad, Commissioner

David Newton, Commissioner

Attest: _____
Jennifer De Rose, Deputy Commissioner

Dated: _____
Las Vegas, Nevada

Agenda Item#

84

BEFORE THE NEVADA TRANSPORTATION AUTHORITY

In Re: the Application of Baumbach Enterprises,)
LLC d/b/a Milne Towing Services for authority to) Docket 21-02009
modify tariff rates pursuant to NAC 706.1384.)
_____)

At a general session of the Nevada Transportation
Authority held on April 8, 2021.

PRESENT: Chairman Dawn Gibbons
Commissioner George Assad
Commissioner David Newton
Deputy Commissioner Jennifer De Rose

ORDER

Based on the evidence of record, the Nevada Transportation Authority ("Authority") makes the following findings:

1. That an Application was filed with the Authority by Baumbach Enterprises, LLC d/b/a Milne Towing Services, a carrier certificated to provide tow car service within the State of Nevada as described in Certificate of Public Convenience and Necessity ("CPCN") 8003, Sub 6, for authority to modify their tariff rates pursuant to NAC 706.1384.
2. That the Application was properly noticed to the public and there were no petitions for leave to intervene or protests filed.
3. That the Applicant seeks to add a Vehicle Relocation Rate of \$65.00 for under 15,000 pounds vehicle and \$95.00 for 15,000 pounds and over.
4. That the proposed rate is within the range of rates currently charged by the industry, specifically in the Northern Nevada metro area, for similar services.
5. That the carrier's last tariff modification was in March 2019.

6. That based upon all the records relating to the Application and after investigation:
 - a. The Application on file herein comes within the purview of the statutes of the State of Nevada and within the regulatory jurisdiction of the Authority.
 - b. The proposed tariff modification will be consistent with the public interest and will not operate to defeat the legislative policy set forth in NRS 706.151.

Therefore, based upon the foregoing findings, it is ORDERED that:

1. Upon the Applicant reimbursing the Authority for the costs of noticing related to the Application, the tariff modification proposed by Baumbach Enterprises, LLC d/b/a Milne Towing Services is hereby GRANTED.
2. The Authority retains jurisdiction for the purpose of correcting any errors that may have occurred in the drafting or issuance of this Order.

By the Authority,

Dawn Gibbons, Chairman

George Assad, Commissioner

David Newton, Commissioner

Attest: _____
Jennifer De Rose, Deputy Commissioner

Dated: _____
Las Vegas, Nevada

**BAUMBACH ENTERPRISES, LLC
DBA MILNE TOWING SERVICES
CPCN #8003.6**

**PRIVATE PROPERTY
VEHICLE RELOCATIONS**

UNDER 15,000 POUND TOW RATE

Non-Consent Tow Service

		DAY RATE	NIGHT RATE
Vehicle Relocation	Per Vehicle Flat Rate	\$ 65.00	\$ 65.00

15,000 POUNDS AND OVER TOW RATE

Non-Consent Tow Service

		DAY RATE	NIGHT RATE
Vehicle Relocation	Per Vehicle Flat Rate	\$ 95.00	\$ 95.00

Non-consent tow service provided at the request of the private property owner/agent serving in a fiduciary capacity for the real property and members of the community to allow for improvements, maintenance, emergencies, and for efforts to accommodate tenants and customers. Vehicles will be relocated from an area of the property to an adjacent area having the same boundary of that property. Vehicles will not be returned to the area from which they were located prior to relocation. The cost of the service will be the responsibility of the property owner/agent requesting the service.

ISSUED:

TOW CAR OPERATOR:

CPCN: 8003.6

MICHAEL J BAUMBACH, MANAGER

BAUMBACH ENTERPRISES, LLC

DBA MILNE TOWING SERVICES

1700 MARIETTA WAY

SPARKS, NV 89431

EFFECTIVE:

Agenda Item#

85

RED CARPET MOVING, INC. dba RED CARPET MOVING

Household Goods Tariff Number 1

RATES AND CHARGES

295. Estimate of Charges Estimate of Charges

Carrier shall, if requested by shipper after a visual inspection of the goods, give to the shipper a written good faith estimate of charges. The original estimate shall be delivered to the shipper and a copy maintained by Carrier in Carrier's record of shipment.

The estimate shall be based upon the Carrier's tariff filed with the Nevada Transportation Authority. The final charge for transporting shipper's goods may not exceed the estimate unless the customer requests services that are not included in the written estimate and agrees to pay for the additional services so requested. If the final charge is less than the estimate, the Carrier shall only collect the actual charge for the service.

300. Application of Rates

Applying to shipments having a point of origin and/or destinations with Clark County:

1 man and 1 truck	\$99.00 per hour
2 men and 1 truck	\$149 per hour
3 men and 1 truck	\$199 per hour
4 men and 2 trucks	\$298 per hour

Original tariff issued: 2/22/2006

Last amended: 11/10/2017

Issued by:
Jon Powell, President
1650 Helm Drive, Ste 700
Las Vegas, Nevada. 89119



RED CARPET MOVING, INC. dba RED CARPET MOVING
Household Goods Tariff Number 1

RATES AND CHARGES

300 Cont.

All Shipments are subject to a three-hour minimum charge Monday through Saturday. Sunday shipments are subject to a four-hour minimum charge. This would apply to all moves, local and long distance.

- A. If a shipment has a point of origin and a point of destination within the greater Las Vegas area (including North Las Vegas and Green Valley), the hourly charges apply from the point of origin and the point of destination – meaning charges start when we arrive at the shipper's load address and end upon completion of the move at the shipper's offload address.**
- B. If the Shipment has a point of origin outside of the greater Las Vegas area (including North Las Vegas and Green Valley) and a point of destination within the greater Las Vegas area, the hourly charges begin at the carrier's dock as the point of origin and continue thereafter to the shipment pick-up point: charges end at the point of completion of the move at shipper's final destination address.**
- C. If the shipment has a point of origin within the greater Las Vegas area (including North Las Vegas and Green Valley) and a point of destination outside the Greater Las Vegas area, the hourly charges begin at the shipper's pickup point as the point of origin and continue thereafter to the carrier's dock as the point of destination.**
- D. Long Distance rates as they apply to two (2) points within the state of Nevada with a destination or origin over 50 miles from Clark County will be charged a discounted hourly moving rate of \$129 per hour for two men and a truck and \$174 per hour for three men and a truck. The charges would begin at the carrier's dock as the point of origin and end at the point of destination at carrier's dock.**

Issued: February 22, 2006

Effective **ACCEPTED**

Issued by:
Jon Powell
5435 S. Procyon Street, Suite 200
Las Vegas, Nevada 89118

NOV 10 2017
Nevada Transportation Authority
Las Vegas, Nevada

RED CARPET MOVING, INC. dba RED CARPET MOVING
Household Goods Tariff Number 1

RATES AND CHARGES

295. Estimate of Charges

Carrier shall, if requested by the shipper after a visual inspection of the goods, give to the shipper a written estimate of the charges. The original estimate shall be delivered to the shipper and a copy maintained by Carrier in Carrier's record of shipment.

The estimate shall be based upon the Carrier's tariff filed with the Nevada Transportation authority. The final charge for transporting shipper's goods may not exceed the estimate unless the customer requests services that are not included in the written estimate and agrees to pay for the additional services so requested. If the final charge is less than the estimate, the Carrier shall only collect actual charge for the service.

300. Application of Rates

Applying to shipments having a point of origin and/or destinations within Clark County

1 man and 1 truck	\$109.00 per hour
2 men and 1 truck	\$159.00 per hour
3 men and 1 truck	\$209.00 per hour
4 men and 2 trucks	\$318.00 per hour

Original tariff issued: 02/22/2006

Last amended: 10/23/2019

Issued by:
Jon Powell, President
5435 S. Procyon St.
Suite 200
Las Vegas, NV 89118

RED CARPET MOVING, INC. dba RED CARPET MOVING
Household Goods Tariff Number 1

RATES AND CHARGES

300 Cont.

All Shipments are subject to a three-hour minimum charge Monday through Saturday. Sunday shipments are subject to a four-hour minimum charge. This would apply to all moves, local and long distance.

- A. If a shipment has a point of origin and a point of destination within the greater Las Vegas area (including North Las Vegas and Green Valley), the hourly charges apply from the point of origin and the point of destination – meaning charges start when we arrive at the shipper's load address and end upon completion of the move at the shipper's offload address.
- B. If the Shipment has a point of origin outside of the greater Las Vegas area (including North Las Vegas and Green Valley) and a point of destination within the greater Las Vegas area, the hourly charges begin at the carrier's dock as the point of origin and continue thereafter to the shipment pick-up point: charges end at the point of completion of the move at shipper's final destination address.
- C. If the shipment has a point of origin within the greater Las Vegas area (including North Las Vegas and Green Valley) and a point of destination outside the Greater Las Vegas area, the hourly charges begin at the shipper's pickup point as the point of origin and continue thereafter to the carrier's dock as the point of destination.
- D. Long Distance rates as they apply to two (2) points within the state of Nevada with a destination or origin over 50 miles from Clark County will be charged the same as the local standard moving rate. The charges would begin at the carrier's dock as the point of origin and end at the point of destination at carrier's dock.

Issued: February 22, 2006

Effective:

Issued by:
Jon Powell
5435 C. Procyon Street, Suite 200
Las Vegas, Nevada 89118

BEFORE THE NEVADA TRANSPORTATION AUTHORITY

In Re: The Application of Red Carpet Moving, Inc.)
d/b/a Red Carpet Moving for authority to modify) Docket 21-02015
tariff rates pursuant to NAC 706.1384.)
_____)

At a general session of the Nevada Transportation
Authority held on April 8, 2021.

PRESENT: Chairman Dawn Gibbons
Commissioner George Assad
Commissioner David Newton
Deputy Commissioner Jennifer De Rose

ORDER

Based on the evidence of record, the Nevada Transportation Authority ("Authority") makes the following findings:

1. That on February 12, 2021, an Application was filed with the Authority by Red Carpet Moving, Inc. d/b/a Red Carpet Moving, ("Applicant"), a carrier certificated to provide transportation of household goods as described in Certificate of Public Convenience and Necessity ("CPCN") 3339, for authority to modify tariff rates pursuant to NAC 706.1384. Said Application was designated as docket 21-02015.
2. That the Application was properly noticed to the public and there were no Petitions for Leave to Intervene or Protests filed.
3. That the Applicant seeks to:
 - a. Increase their hourly rates as follows:

Service	Old Rate	New Rate
1 Man/1 Truck	\$99.00	\$109.00
2 Men/1 Truck	\$149.00	\$159.00
3 Men/1 Truck	\$199.00	\$209.00
4 Men/2 Trucks	\$298.00	\$318.00

- b. Change the over 50-miles travel charge from charging discounted hourly rates of \$129.00 and

\$174.00 to charging the proposed hourly moving rates.

4. That the proposed rates are within the current range of rates charged by the industry for similar services.
5. That the Applicant has not requested a rate increase since October 2019.
6. That based upon all the records relating to the Application and after investigation:
 - a. The Application on file herein comes within the purview of the statutes of the State of Nevada and within the regulatory jurisdiction of the Authority.
 - b. The proposed tariff modifications will be consistent with the public interest and will not operate to defeat the legislative policy set forth in NRS 706.151.

Therefore, based upon the foregoing findings, it is ORDERED that:

1. Upon the Applicant reimbursing the Authority for the costs of noticing related to the Application, the tariff modifications proposed by Red Carpet Moving, Inc. d/b/a Red Carpet Moving is hereby GRANTED.
2. The Authority retains jurisdiction for the purpose of correcting any errors that may have occurred in the drafting or issuance of this Order.

By the Authority,

Dawn Gibbons, Chairman

George Assad, Commissioner

David Newton, Commissioner

Attest: _____
Jennifer De Rose, Deputy Commissioner

Dated: _____
Las Vegas, Nevada

Agenda Item#

86

Sam Gibbons
RTA Chair
approved temporary approval
of tariff changes. March 25, 2021

Bell Trans, A Nevada Corporation d/b/a Bell Trans, Bell Limousine.

1. That the Applicant seeks to make the following changes:

a. Tariff 1-A

- i. Add a lift equipped bus with a maximum passenger capacity of twenty-five, excluding the driver, with a rate of \$80.00 per hour and \$40.00 for each subsequent one-half hour.
- ii. Increase the following rates:

Vehicle	Old Rate	New Rate
With a maximum passenger capacity of ten (10) excluding driver	60.00 / Hr. 30.00 Each subsequent one-half hour or less	65.00 / Hr. 32.50 Each subsequent one-half hour or less

b. Tariff 2

- i. Increase tariff rates as outlined in the attachment.

c. Tariff 2-A

1. Add an SUV with a passenger capacity of six (6) passengers, including the driver, with a rate of \$60.00 per hour and \$15.00 for each subsequent one-quarter hour or less.
 - ii. Add a stretch SUV with a capacity of seven (7) passengers, including the driver, with a rate of \$70.00 per hour and \$17.50 for each subsequent one-quarter hour or less.
 - iii. Add a stretch SUV with a capacity of nine (9) passengers, including the driver, with a rate of \$90.00 per hour and \$22.50 for each subsequent one-quarter hour or less.
 - iv. Add a stretch SUV with a capacity of eleven (11) passengers, including the driver, with a rate of \$100.00 per hour and \$25.00 for each subsequent one-quarter hour or less.
 - v. Remove the reference to E-Hail rates for the airport passenger arrival fee.
2. That the proposed rates are within the rates that are currently used by the industry, except for the airport transfer rates on tariff 2 which are higher.
3. Staff is not concerned with the rates being higher as there are other certificated carriers offering a wide range of rates that the public can chose from.

BEFORE THE NEVADA TRANSPORTATION AUTHORITY

In Re: The Application Bell Trans, A Nevada Corporation d/b/a Bell Trans, Bell Limousine for authority to modify tariff rates pursuant to NAC 706.1384.

)
)
)
)
)

Docket 21-03005

At a general session of the Nevada Transportation Authority held on April 8, 2021.

PRESENT: Chairman Dawn Gibbons
Commissioner George Assad
Commissioner David Newton
Deputy Commissioner Jennifer De Rose

ORDER

Based on the evidence of record, the Nevada Transportation Authority ("Authority") makes the following findings:

1. That an Application was filed with the Authority by Bell Trans, A Nevada Corporation d/b/a Bell Trans, Bell Limousine ("Applicant"), a carrier certificated to provide airport transfer, special service, charter limousine, and charter bus services as described in Certificate of Public Convenience and Necessity ("CPCN") 1023, Sub 2 for authority to modify tariff rates pursuant to NAC 706.1384.
2. That the carrier simultaneously filed a Petition for Interim Authority requesting to have the new rates effective on April 1, 2021.
3. That the request was granted on March 25, 2021, by Chairman Dawn Gibbons, acting as Presiding Officer in this matter
4. That the Application was properly noticed to the public and there were no Petitions for Leave to Intervene or Protests filed.

5. That the Applicant seeks to make the following changes:

a. Tariff 1-A

- i. Add a lift equipped bus with a maximum passenger capacity of twenty-five, excluding the driver, with a rate of \$80.00 per hour and \$40.00 for each subsequent one-half hour.
- ii. Increase the following rates:

Vehicle	Old Rate	New Rate
With a maximum passenger capacity of ten (10) excluding driver	60.00 / Hr. 30.00 Each subsequent one-half hour or less	65.00 / Hr. 32.50 Each subsequent one-half hour or less

b. Tariff 2

- i. Increase tariff rates as outlined in the attachment.

c. Tariff 2-A

- i. Add an SUV with a passenger capacity of six (6) passengers, including the driver, with a rate of \$60.00 per hour and \$15.00 for each subsequent one-quarter hour or less.
 - ii. Add a stretch SUV with a capacity of seven (7) passengers, including the driver, with a rate of \$70.00 per hour and \$17.50 for each subsequent one-quarter hour or less.
 - iii. Add a stretch SUV with a capacity of nine (9) passengers, including the driver, with a rate of \$90.00 per hour and \$22.50 for each subsequent one-quarter hour or less.
 - iv. Add a stretch SUV with a capacity of eleven (11) passengers, including the driver, with a rate of \$100.00 per hour and \$25.00 for each subsequent one-quarter hour or less.
 - v. Remove the reference to E-Hail rates for the airport passenger arrival fee.
6. That the proposed rates are within the rates that are currently used by the industry, except for the airport transfer rates on tariff 2 which are higher.
7. Staff is not concerned with the rates being higher as there are other certificated carriers

offering a wide range of rates that the public can chose from.

8. That the carrier's last tariff modification was in July 2020.
9. That based upon all the records relating to the Application and after investigation:
 - a. The Application on file herein comes within the purview of the statutes of the State of Nevada and within the regulatory jurisdiction of the Authority.
 - b. The proposed tariff modification will be consistent with the public interest and will not operate to defeat the legislative policy set forth in NRS 706.151.

Therefore, based upon the foregoing findings, it is ORDERED that:

1. Upon the Applicant reimbursing the Authority for the costs of noticing related to the Application, the tariff modification proposed by Bell Trans, A Nevada Corporation d/b/a Bell Trans, Bell Limousine is hereby GRANTED.

///

///

///

///

///

///

///

///

///

///

///

///

///

2. The Authority retains jurisdiction for the purpose of correcting any errors that may have occurred in the drafting or issuance of this Order.

By the Authority,

Dawn Gibbons, Chairman

George Assad, Commissioner

David Newton, Commissioner

Attest: _____
Jennifer De Rose, Deputy Commissioner

Dated: _____
Las Vegas, Nevada

Bell Trans Airport Limousine Tariff No. 2 Page 5 (page 1 of 2) Docket 21-03005

Fares are for One Way and Round Trip Service in Either Direction Between the Points Indicated, Per Passenger Utilizing Livery Limousines as Defined by NAC 706.080	Signature Terminal Current Rate		Signature Terminal Proposed Rate		McCarran Field Current Rate		McCarran Field Proposed Rate		N. Las Vegas Terminal Current Rate		N. Las Vegas Terminal Proposed Rate	
	One Way	Round Trip	One Way	Round Trip	One Way	Round Trip	One Way	Round Trip	One Way	Round Trip	One Way	Round Trip
Hotels and motels in the City of Las Vegas, north of Sahara Avenue, east of Paradise Road and West of Interstate 15**	\$ 9.00	\$ 17.00	\$ 15.00	\$ 28.00	\$ 9.00	\$ 17.00	\$ 15.00	\$ 28.00	\$ 11.00	\$ 21.00	\$ 17.00	\$ 30.00
Hotels and motels in the City of Las Vegas, north of Sahara Avenue, east of Paradise Road and West of Interstate 15 (Requires customer to have an average minimum usage of 9,000 passenger trips in any calendar month (in determining eligibility for this tariff, the initial month of this service shall be calculated on a prorated number of trips)).	\$ 6.38	\$ 12.76	\$ 11.25	\$ 22.50	\$ 6.38	\$ 12.76	\$ 11.25	\$ 22.50	\$ 9.00	\$ 15.75	\$ 15.00	\$ 28.00
Hotels and motels on or within the boundaries of Sahara Avenue, Paradise Road, Interstate 15 and north of Sunset Road**	\$ 9.00	\$ 17.00	\$ 15.00	\$ 28.00	\$ 9.00	\$ 17.00	\$ 15.00	\$ 28.00	\$ 11.00	\$ 21.00	\$ 17.00	\$ 30.00
Hotels and motels on or within the boundaries of Sahara Avenue, Paradise Road, Interstate 15 and north of Sunset Road (Requires customer to have an average minimum usage of 9,000 passenger trips in any calendar month (in determining eligibility for this tariff, the initial month of this service shall be calculated on a prorated number of trips)).	\$ 6.38	\$ 12.76	\$ 11.25	\$ 22.50	\$ 6.38	\$ 12.76	\$ 11.25	\$ 22.50	\$ 9.00	\$ 15.75	\$ 15.00	\$ 28.00
Hotels and motels in the City of North Las Vegas**	\$ 15.00	\$ 29.00	\$ 20.00	\$ 38.00	\$ 15.00	\$ 29.00	\$ 20.00	\$ 38.00				
Executive Terminal**	\$ 9.00	\$ 17.00	\$ 15.00	\$ 28.00								
Hotels and motels south of Sunset Road, west of the Boulder Highway and north of the Sloan exit on Interstate 15**	\$ 15.00	\$ 29.00	\$ 20.00	\$ 38.00	\$ 15.00	\$ 29.00	\$ 20.00	\$ 38.00				

[illegible][illegible]

BELL TRANS

Cancels

CHARTER AND SPECIAL SERVICES TARIFF 1-A

Twenty-fifth Revised Page 6

RATES AND CHARGES

CHARTER SERVICES

(1)	<p>For vehicles with a maximum passenger capacity of ten, excluding the driver (except as provided below):</p> <p>Minimum charge, one hour ** \$ 60.00</p> <p>Each subsequent one-half hour or less ** 30.00</p>
(2)	<p>For vehicles with a maximum passenger capacity of ten, excluding the driver, servicing McCarran Airport only. Requested service shall be to or from McCarran Airport, and must be purchased at McCarran Airport or on the company website.</p> <p>Minimum charge, one hour \$ 55.00</p> <p>Each subsequent one-half hour or less 27.50</p>
(3)	<p>For vehicles that are original manufacture as vans with a maximum passenger capacity of 15, excluding the driver ("Livery Limousines")</p> <p>Minimum charge, one hour \$ 65.00</p> <p>Each subsequent one-half hour or less 32.50</p>
(4)	<p>For vehicles with a maximum passenger capacity of 25, excluding the driver (except as provided below):</p> <p>♦ Minimum charge, one hour ** \$ 70.00</p> <p>♦ Each subsequent one-half hour or less ** 35.00</p>

** A discounted rate is available for customers using 200 hours or more in any calendar month, subject to the conditions in Tariff 1-A, Page 6(B)

Issued: 06/09/17

Effective:

Issued by:
Brent Bell, President
1900 Industrial Road
Las Vegas, Nevada 89102

ACCEPTED**AUG 31 2017**

Nevada Transportation Authority
Las Vegas, Nevada

Charter
LimoCharter
LimoCharter
LimoCharter
Bus

BELL TRANS

CHARTER AND SPECIAL SERVICES TARIFF 1-A

RATES AND CHARGES

CHARTER SERVICES

- | | |
|---|---------|
| (1) For vehicles with a maximum passenger capacity of ten (10), excluding the driver (except as provided below): | |
| Minimum charge, one hour** | \$65.00 |
| Each subsequent one-half hour or less** | \$32.50 |
| | |
| (2) For vehicles with a maximum passenger capacity of ten (10), excluding the driver, servicing McCarran Airport only. Request service shall be to or from McCarran Airport, and must be purchased at McCarran Airport or on the company website: | |
| Minimum charge, one hour | \$55.00 |
| Each subsequent one-half hour or less | 27.50 |
| | |
| (3) For vehicles that are original manufacture as vans with a maximum passenger Capacity of fifteen (15), excluding the driver ("Livery Limousines"): | |
| Minimum charge, one hour | \$65.00 |
| Each subsequent one-half hour or less | 32.50 |
| | |
| (4) For vehicles with a maximum passenger capacity of twenty-five (25), excluding the driver (except as provided below): | |
| Minimum charge, one hour | \$70.00 |
| Each subsequent one-half hour or less | 35.00 |
| | |
| (5) For lift equipped bus with a maximum passenger capacity of twenty-five (25), excluding the driver: | |
| Minimum charge, one hour | \$80.00 |
| Each subsequent one-half hour or less | 40.00 |

** Discounted Rates: The following rates require usage by customer of 200 hours or more in any calendar month, only if the previous three (3) months of customer usage averages 200 hours or more per month. Rates shown are for transportation in vehicles of American manufacture.

Issued:	Issued by:	Effective:
6/9/2017	Brent Bell, President 1900 Industrial Road Las Vegas, Nevada 89102	

BELL TRANS

AIRPORT LIMOUSINE TARIFF No. 2

RATES AND CHARGES

	Fares are for One Way and Round Trip Service in Either Direction Between the Points Indicated, Per Passenger Utilizing Livery Limousines as Defined by NAC 706.080	Signature Terminal		McCarran Field		North Las Vegas Terminal	
		One Way	Round Trip	One Way	Round Trip	One Way	Round Trip
♦	Hotels and motels in the City of Las Vegas, north of Sahara Avenue, east of Paradise Road and West of Interstate 15**	\$9.00	\$17.00	\$9.00	\$17.00	\$11.00	\$21.00
♦	Hotels and motels in the City of Las Vegas, north of Sahara Avenue, east of Paradise Road and West of Interstate 15 (Requires customer to have an average minimum usage of 9,000 passenger trips in any calendar month (in determining eligibility for this tariff, the initial month of this service shall be calculated on a prorated number of trips)).	\$6.38	\$12.76	\$6.38	\$12.76	\$9.00	\$15.75
♦	Hotels and motels on or within the boundaries of Sahara Avenue, Paradise Road, Interstate 15 and north of Sunset Road**	\$9.00	\$17.00	\$9.00	\$17.00	\$11.00	\$21.00
♦	Hotels and motels on or within the boundaries of Sahara Avenue, Paradise Road, Interstate 15 and north of Sunset Road (Requires customer to have an average minimum usage of 9,000 passenger trips in any calendar month (in determining eligibility for this tariff, the initial month of this service shall be calculated on a prorated number of trips)).	\$6.38	\$12.76	\$6.38	\$12.76	\$9.00	\$15.75
♦	Hotels and motels in the City of North Las Vegas**	\$15.00	\$29.00	\$15.00	\$29.00		
♦	Executive Terminal**	\$9.00	\$17.00				
♦	Hotels and motels south of Sunset Road, west of the Boulder Highway and north of the Sloan exit on Interstate 15**	\$15.00	\$29.00	\$15.00	\$29.00		

Issued: 07/01/2019	Issued by: Brent Bell, President 1900 Industrial Road Las Vegas, Nevada 89102	Effective: JUL 18 2019	<div> ACCEPTED INTERIM JUL 01 2019 DOCKET 19-06006 Nevada Transportation Authority Las Vegas, Nevada </div>
---------------------------	--	-------------------------------	---

BELL TRANS

AIRPORT LIMOUSINE TARIFF No. 2

RATES AND CHARGES (Continued)

Fares are for One Way and Round Trip Service in Either Direction Between the Points Indicated, Per Passenger Utilizing Livery Limousines as Defined by NAC 706.080	Signature Terminal		McCarran Field		North Las Vegas Terminal	
	One Way	Round Trip	One Way	Round Trip	One Way	Round Trip
Hotels and motels south of Sunset Road, west of the Boulder Highway and north of the Sloan exit on Interstate 15 ♦ (Requires customer to have an average minimum usage of 9,000 passenger trips in any calendar month (in determining eligibility for this tariff, the initial month of this service shall be calculated on a prorated number of trips)).	\$13.00	\$21.75	\$13.00	\$21.75		
** Airport Passenger Fee to be paid by passengers on trips originating from airports, as indicated, in addition to the tariff charged.	\$0.50	\$0.50	\$0.50	\$0.50	\$0.50	\$0.50

Issued:

07/01/2019

Issued by:

Brent Bell, President
1900 Industrial Road
Las Vegas, Nevada 89102

Effective:

ACCEPTED

JUL 8 2019

Nevada Transportation Authority
Las Vegas, Nevada

ACCEPTED

INTERIM

JUL 01 2019

DUCKET 19-06006
Nevada Transportation Authority
Las Vegas, Nevada

BELL TRANS

AIRPORT LIMOUSINE TARIFF No. 2

RATES AND CHARGES

	Fares are for One Way and Round Trip Service in Either Direction Between the Points Indicated, Per Passenger Utilizing Livery Limousines as Defined by NAC 706.080	Signature Terminal		McCarran Field		North Las Vegas Terminal	
		One Way	Round Trip	One Way	Round Trip	One Way	Round Trip
♦	Hotels and motels in the City of Las Vegas, north of Sahara Avenue, east of Paradise Road and West of Interstate 15**	\$ 15.00	\$28.00	15.00	\$ 28.00	\$ 17.00	\$ 30.00
♦	Hotels and motels in the City of Las Vegas, north of Sahara Avenue, east of Paradise Road and West of Interstate 15 (Requires customer to have an average minimum usage of 9,000 passenger trips in any calendar month (in determining eligibility for this tariff, the initial month of this service shall be calculated on a prorated number of trips)).	\$ 11.25	\$22.50	\$ 11.25	\$ 22.50	\$ 15.00	\$ 28.00
♦	Hotels and motels on or within the boundaries of Sahara Avenue, Paradise Road, Interstate 15 and north of Sunset Road**	\$ 15.00	\$28.00	\$ 15.00	\$ 28.00	\$ 17.00	\$ 30.00
♦	Hotels and motels on or within the boundaries of Sahara Avenue, Paradise Road, Interstate 15 and north of Sunset Road (Requires customer to have an average minimum usage of 9,000 passenger trips in any calendar month (in determining eligibility for this tariff, the initial month of this service shall be calculated on a prorated number of trips)).	\$ 11.25	\$22.50	\$ 11.25	\$ 22.50	\$ 15.00	\$ 28.00
♦	Hotels and motels in the City of North Las Vegas**	\$ 20.00	\$38.00	\$ 20.00	\$ 38.00		
♦	Executive Terminal**	\$ 15.00	\$28.00				
♦	Hotels and motels south of Sunset Road, west of the Boulder Highway and north of the Sloan exit on Interstate 15**	\$ 20.00	\$38.00	\$ 20.00	\$ 38.00		

Issued: February 22, 2021	Issued by: Brent Bell, President 1900 Industrial Road Las Vegas, Nevada 89102	Effective:
----------------------------------	--	------------

BELL TRANS

AIRPORT LIMOUSINE TARIFF No. 2

RATES AND CHARGES (Continued)

	Fares are for One Way and Round Trip Service in Either Direction Between the Points Indicated, Per Passenger Utilizing Livery Limousines as Defined by NAC 706.080	Signature Terminal		McCarran Field		North Las Vegas Terminal	
		One Way	Round Trip	One Way	Round Trip	One Way	Round Trip
	Hotels and motels south of Sunset Road, west of the Boulder Highway and north of the Sloan exit on Interstate 15						
♦	(Requires customer to have an average minimum usage of 9,000 passenger trips in any calendar month (in determining eligibility for this tariff, the initial month of this service shall be calculated on a prorated number of trips)).	\$ 17.00	\$34.00	\$ 17.00	\$ 34.00		

Issued: February 22, 2021	Issued by: Brent Bell, President 1900 Industrial Road Las Vegas, Nevada 89102	Effective:
----------------------------------	--	------------

BELL TRANS dba BELL LIMOUSINE

CHARTER LIMOUSINE TARIFF 2-A

RATES AND CHARGES

Fares shown are for transportation in vehicles of American manufacture, except as noted:

- | | |
|--|----------|
| (1) Vehicles with passenger capacity of six, including driver | |
| Minimum charges, one hour** | \$45.00 |
| ◆ Each subsequent one-quarter hour or less** | \$11.25 |
| (2) Vehicles with passenger capacity of six, including driver (of foreign manufacture) "Import Sedan" | |
| Minimum charge, one hour** | \$150.00 |
| ◆ Each subsequent one-half hour or less** | \$ 75.00 |
| (3) Vehicles with passenger capacity of five, including driver (of foreign Manufacture, non-modified SUV) "Import SUV" | |
| Minimum charge, one hour** | \$ 70.00 |
| ◆ Each subsequent one-quarter hour or less** | \$ 17.50 |
| (4) Vehicles with passenger capacity of eight, including driver | |
| Minimum charge, one hour ** | \$ 55.00 |
| ◆ Each subsequent one-quarter hour or less** | \$ 13.75 |
| (5) Vehicles with passenger capacity of fifteen, including driver | |
| Minimum charge, one hour ** | \$ 88.00 |
| ◆ Each subsequent one-quarter hour or less** | \$ 44.00 |
| (6) Airport Fee (per Charter Order) | \$ 6.00 |
| (7) Airport Fee for vehicles with passenger capacity of 16-30, including driver | \$ 10.00 |
| (8) Airport Fee for vehicles with passenger capacity of 31 or more, including driver | \$ 25.00 |

Cancellation charge, in accordance with Rule 50

** A discounted rate is available for customers using 200 hours or more in any calendar month, subject to the conditions in Tariff 2-A, Page 5(b)

Issued:

Issued by:

Effective:

Brent Bell, President
1900 Industrial Road
Las Vegas, Nevada 89102

ACCEPTED

JAN 31 2020

Nevada Transportation Authority
Las Vegas, Nevada

Now
5A

BELL TRANS dba BELL LIMOUSINE

CHARTER LIMOUSINE TARIFF 2-A

RATES AND CHARGES (Continued)

+(6) Airport Passenger Arrival Fee (Excludes E-Hail passengers and account holders)	\$10.00
+(7) Airport Passenger Gate Meet Fee	\$30.00

INTENTIONALLY LEFT BLANK

Issued: 11/02/15

Effective:

Issued by:

Brent Bell, President
1900 Industrial Rd.
Las Vegas, Nevada 89102

ACCEPTED

DEC 03 2015

Nevada Transportation Authority
Las Vegas, Nevada

BELL TRANS dba BELL LIMOUSINE

CHARTER LIMOUSINE TARIFF 2-A

RATES AND CHARGES

Luxury Sprinter Van with a seating capacity of 8 passengers, not including the driver (n)

Minimum charge, one hour	\$ 99.00
Each subsequent one-half hour or less	49.50
Minimum charge, one hour **	61.50
Each subsequent one-half hour or less**	30.50

** Requires usage by customer of 200 hours or more in any calendar month, only if the previous three (3) months of customer usage averages 200 hours or more per month.

Issued:

Effective:

Issued by:

Brent Bell, President
1900 Industrial Road
Las Vegas, Nevada



ACCEPTED

OCT 15 2020

Nevada Transportation Authority
Las Vegas, Nevada

BELL TRANS dba BELL LIMOUSINE

CHARTER LIMOUSINE TARIFF 2-A

RATES AND CHARGES

Fares shown are for transportation in vehicles of American manufacture, except as noted:

- | | |
|--|----------|
| (1) Vehicles with passenger capacity of six, including driver | |
| Minimum charges, one hour** | \$45.00 |
| ◆ Each subsequent one-quarter hour or less** | \$11.25 |
| (2) Vehicles with passenger capacity of six, including driver (of foreign manufacture) "Import Sedan" | |
| Minimum charge, one hour** | \$150.00 |
| ◆ Each subsequent one-half hour or less** | \$ 75.00 |
| (3) Vehicles with passenger capacity of five, including driver (of foreign Manufacture, non-modified SUV) "Import SUV" | |
| Minimum charge, one hour** | \$ 70.00 |
| ◆ Each subsequent one-quarter hour or less** | \$ 17.50 |
| (4) Vehicles with passenger capacity of eight, including driver | |
| Minimum charge, one hour ** | \$ 55.00 |
| ◆ Each subsequent one-quarter hour or less** | \$ 13.75 |
| (5) SUV vehicles with a passenger capacity of six including driver | |
| Minimum charge, one hour ** | \$ 60.00 |
| ◆ Each subsequent one-quarter hour or less** | \$ 15.00 |
| (6) Vehicles with passenger capacity of fifteen, including driver | |
| Minimum charge, one hour ** | \$ 88.00 |
| ◆ Each subsequent one-quarter hour or less** | \$ 44.00 |

Issued:	Issued by:	Effective:
	Brent Bell, President 1900 Industrial Road Las Vegas, Nevada 89102	

BELL TRANS dba BELL LIMOUSINE

CHARTER LIMOUSINE TARIFF 2-A

RATES AND CHARGES (Continued)

Fares shown are for transportation in vehicles of American manufacture, except as noted:

(7) Airport Fee (per Charter Order)	\$ 6.00
(8) Airport Fee for vehicles with passenger capacity of 16-30, including driver	\$ 10.00
(9) Airport Fee for vehicles with passenger capacity of 31 or more, including driver	\$ 25.00
(10) Airport Passenger Arrival Fee	\$10.00
(11) Airport Passenger Gate Meet Fee	\$30.00

Cancellation charge, in accordance with Rule 50

** A discounted rate is available for customers using 200 hours or more in any calendar month, subject to the conditions in Tariff 2-A, Page 5(b)

Issued:	Issued by: Brent Bell, President 1900 Industrial Road Las Vegas, Nevada 89102	Effective:
---------	--	------------

BELL TRANS dba BELL LIMOUSINE

CHARTER LIMOUSINE TARIFF 2-A

RATES AND CHARGES

Luxury Sprinter Van with a seating capacity of 8 passengers, not including the driver (n)

◆ Minimum charge, one hour	\$ 99.00
◆ Each subsequent one-half hour or less	49.50
◆ Minimum charge, one hour **	61.50
◆ Each subsequent one-half hour or less**	30.50

Vehicles with a capacity of seven (7) passengers, including driver, in a stretch SUV limousine

Minimum charge, one hour	\$70.00
Each subsequent one-quarter hour or less	\$17.50

Vehicles with a capacity of nine (9) passengers, including driver, in a stretch SUV limousine

Minimum charge, one hour	\$90.00
Each subsequent one-quarter hour or less	\$22.50

Vehicles with a capacity of eleven (11) passengers, including driver, in a stretch SUV limousine

Minimum charge, one hour	\$100.00
Each subsequent one-quarter hour or less	\$25.00

** Requires usage by customer of 200 hours or more in any calendar month, only if the previous three (3) months of customer usage averages 200 hours or more per month.

Issued:

Effective:

Issued by:
Brent Bell, President
1900 Industrial Road
Las Vegas, Nevada

Agenda Item#

87

BEFORE THE NEVADA TRANSPORTATION AUTHORITY

In Re: the Application of Esteban's Corporation)
d/b/a The Shop Towing for authority to modify) Docket 21-03013
tariff rates pursuant to NAC 706.1384.)
_____)

At a general session of the Nevada Transportation
Authority held on April 8, 2021.

PRESENT: Chairman Dawn Gibbons
 Commissioner George Assad
 Commissioner David Newton
 Deputy Commissioner Jennifer De Rose

ORDER

Based on the evidence of record, the Nevada Transportation Authority ("Authority") makes the following findings:

1. That an Application was filed with the Authority by Esteban's Corporation d/b/a The Shop Towing, a carrier certificated to provide consent and non-consent tow car service within the State of Nevada as described in Certificate of Public Convenience and Necessity 7107, Sub 4, for authority to modify their tariff rates pursuant to NAC 706.1384.
2. That the Application was properly noticed to the public and there were no Petitions for Leave to Intervene or Protests filed.
3. That the Applicant seeks to increase rates as outlined in the attachment.

(Note: Category C Rates with an unladen weight of 15,000 lbs. or less will be indicated as "Light" and with an unladen weight of more than 15,000 lbs. will be indicated as "Heavy")

4. That the carrier has not requested a tariff modification since July 2015.
5. That based upon all the records relating to the Application and after investigation:
 - a. The Application on file herein comes within the purview of the statutes of the State of Nevada and within the regulatory jurisdiction of the Authority.

- b. The proposed tariff modification will be consistent with the public interest and will not operate to defeat the legislative policy set forth in NRS 706.151.

Therefore, based upon the foregoing findings, it is ORDERED that:

1. Upon the Applicant reimbursing the Authority for the costs of noticing related to the Application, the tariff modification proposed by Esteban's Corporation d/b/a The Shop Towing, is hereby GRANTED.
2. The Authority retains jurisdiction for the purpose of correcting any errors that may have occurred in the drafting or issuance of this Order.

By the Authority,

Dawn Gibbons, Chairman

George Assad, Commissioner

David Newton, Commissioner

Attest: _____
Jennifer De Rose, Deputy Commissioner

Dated: _____
Las Vegas, Nevada

Tow Service		Old Rate	New Rate	% Difference
				Increase/(Decrease)
DOLLY, MILEAGE	Category A-Day	1.50	1.75	17%
	Category B-Day	1.50	1.75	17%
	Category B-Night	2.05	2.00	-2%
EXTRA LABOR, Skilled	Category A-Day	17.50	21.81	25%
	Category A-Night	20.00	21.81	9%
	Category B-Day	17.50	27.25	56%
	Category B-Night	20.00	27.25	36%
EXTRA LABOR, Unskilled	Category A-Day	14.50	21.81	50%
	Category A-Night	15.50	21.81	41%
	Category B-Day	14.50	18.15	25%
	Category B-Night	15.50	18.15	17%
HOOKUP FLAT - CATEGORY C	Category C, Light-Day	200.00	235.00	18%
SINGLE & COMBINATION	Category C, Light-Night	240.00	255.00	6%
VEHICLE	Category C, Heavy-Day	275.00	527.00	92%
	Category C, Heavy-Night	300.00	527.00	76%
LAY-OVER	Category A and B	100.00	125.00	25%
LIEN FEE	Category A, B, and C (1/2 of lien fee)	100.00	133.50	34%

Nevada Transportation Authority -- Model Tow Tariff (Flat Rate)

- Tow car operator shall itemize on a tow bill each rate used or fee charged to compute the bill. All charges shall be substantiated in writing and attached to the bill. (NAC 706.420) --
- Timed services are to be billed in full increments for each increment during which any such services are performed --
- On MULTIPLE TOWS - timed services not attributable to any particular vehicle will be shared equally between the towed vehicles --
- All rates set forth below include the services of the driver --

Definitions of these tow services are available for review from the tow car operator or at www.nta.nv.gov		Category A		Category B		Category C - Requiring tow truck with unladen weight of 15,000 lbs. or less		Category C - Requiring tow truck with unladen weight of more than 15,000 pounds	
Tow Service and Rate Method		Day	Night	Day	Night	Day	Night	Day	Night
AIR BAG SYSTEM	Per Bag	N/A	N/A	N/A	N/A	X		X	
AFTER HOURS	Flat	N/A	50.00	N/A	50.00	N/A	50.00	N/A	50.00
AUCTION PREPARATION	Cost Plus	Cost Plus 15%				Cost Plus 15%			
CLEAN UP (no charge for the first 30 minutes)	Per 30 Minutes	50.00	60.00	50.00	60.00	X		X	
CONVERTER GEAR	Flat	N/A	N/A	N/A	N/A	X		X	
CONVERTER GEAR, Mileage	Per Loaded Mile	N/A	N/A	N/A	N/A	X		X	
DOLLY	Flat	95.00	105.00	N/A	N/A	X		X	
DOLLY, MILEAGE	Per Loaded Mile	1.50 ↑	3.00	1.50 ↑	2.05 ↓	X		X	
EXCESS DEADHEAD MILEAGE	Per Excess Mile	1.50	3.00	1.50	3.00	X		X	
EXTRA LABOR, Skilled	Per 15 Minutes**	17.50 ↑	20.00 ↑	17.50 ↑	20.00 ↑	X		X	
EXTRA LABOR, Unskilled	Per 15 Minutes**	14.50 ↑	15.50 ↑	14.50 ↑	15.50 ↑	X		X	
FACILITATE	Per 15 Minutes	25.00	32.50	25.00	32.50	X		X	
ISSUED:		TOW CAR OPERATOR: CPCN # 7107, Sub 4 Jessica Rajkovicz Esteban's Corporation DBA The Shop Towing 2570 N. Nellis Blvd. #B Las Vegas, Nevada 89115				<div style="border: 1px solid black; padding: 5px; text-align: center;"> ACCEPTED JUL 10 2015 Nevada Transportation Authority Las Vegas, Nevada </div>			

** The charge commences at the time of departure to scene of tow and terminates at the time of return to tow operator's yard.

X - Rate not charged for Category C

N/A - Not applicable

Nevada Transportation Authority -- Model Tow Tariff (Flat Rate)

Definitions of these tow services are available for review from the tow car operator or at www.nta.nv.gov		Category A		Category B		Category C - Requiring tow truck with unladen weight of 15,000 lbs. or less		Category C - Requiring tow truck with unladen weight of more than 15,000 pounds	
Tow Service and Rate Method		Day	Night	Day	Night	Day	Night	Day	Night
FOUR-WHEEL DRIVE VEHICLE	One (1) hour minimum**	235.95	272.50	N/A	N/A				
(In lieu of HOOKUP rate)	Per Additional 15 Minutes**	58.98	68.12	N/A	N/A	X		X	
HAZARDOUS MATERIAL and/or WASTE DISPOSAL FEE	Cost Plus	Cost Plus 15%				X		X	
HOOKUP FLAT - CATEGORY A/B Single Vehicle	Flat	175.00	200.00	175.00	200.00	X		X	
HOOKUP FLAT - OVERSIZE VEHICLES	Flat	HOOKUP FLAT-Single Vehicle Plus 25% and HOOKUP MILEAGE Plus 25%		N/A	N/A	X		X	
HOOKUP FLAT - CATEGORY A/B COMBINATION VEHICLES	Flat	HOOKUP FLAT-Single Vehicle Plus 50% and HOOKUP MILEAGE Plus 50%		HOOKUP FLAT-Single Vehicle Plus 50% and HOOKUP MILEAGE see TABLE 1		X		X	
HOOKUP FLAT - CATEGORY C SINGLE AND COMBINATION VEHICLES	Flat	N/A	N/A	N/A	N/A	200.00	240.00	275.00	300.00
HOOKUP MILEAGE, 10.1 - 50	Per Loaded Mile	6.00	6.00	See TABLE 1 on page 5		6.00	6.00	See TABLE 1 on page 5	
HOOKUP MILEAGE, 50.1 and over	Per Loaded Mile	6.00	6.00	See TABLE 1 on page 5		6.60	6.60	See TABLE 1 on page 5	
LAY-OVER	Per Night, Per Man	100.00				X		X	
LIEN FEE (after 4 business days)	Flat, 1/2 Lien Rate	100.00				100.00			
LIEN FEE (after 336 Hours)	Flat, 1/2 Lien Rate	100.00				100.00			
LOT VISIT (no charge first visit DAY hours)	Per Visit	50.00	N/A	56.20	N/A	50.00	X	56.20	X
ISSUED	TOW CAR OPERATOR: CPCN # 7107, Sub 4 Jessica Rajkovicz Esteban's Corporation DBA The Shop Towing 2570 N. Nellis Blvd. #B Las Vegas, Nevada 89115					<div>2015-07-10 ACCEPTED JUL 10 2015 Nevada Transportation Authority Las Vegas, Nevada</div>			

** The charge commences at the time of departure to scene of tow and terminates at the time of return to tow operator's yard

X - Rate not charged for Category C

N/A - Not applicable

Nevada Transportation Authority -- Model Tow Tariff (Flat Rate)

- Tow car operator shall itemize on a tow bill each rate used or fee charged to compute the bill. All charges shall be substantiated in writing and attached to the bill. (NAC 706.420) --
- Timed services are to be billed in full increments for each increment during which any such services are performed --
- On MULTIPLE TOWS - timed services not attributable to any particular vehicle will be shared equally between the towed vehicles --
- All rates set forth below include the services of the driver --

Definitions of these tow services are available for review from the tow car operator or at www.nta.nv.gov	Category A		Category B		Category C - Requiring tow truck with unladen weight of 15,000 lbs. or less		Category C - Requiring tow truck with unladen weight of more than 15,000 pounds	
Tow Service and Rate Method	Day	Night	Day	Night	Day	Night	Day	Night
ADMINISTRATIVE FEE (law enforcement tows) Flat	N/A		N/A		X		X	
AIR BAG SYSTEM Per Bag	N/A	N/A	N/A	N/A	X		X	
AFTER HOURS Flat	N/A	50.00	N/A	50.00	N/A	50.00	N/A	50.00
AUCTION PREPARATION Cost Plus	Cost Plus 15%				Cost Plus 15%			
CLEAN UP (no charge for the first 30 minutes) Per 30 Minutes	50.00	60.00	50.00	60.00	X		X	
CONVERTER GEAR Flat	N/A	N/A	N/A	N/A	X		X	
CONVERTER GEAR, Mileage Per Loaded Mile	N/A	N/A	N/A	N/A	X		X	
DOLLY Flat	95.00	105.00	N/A	N/A	X		X	
DOLLY, MILEAGE Per Loaded Mile	1.75	3.00	1.75	2.00	X		X	
EXCESS DEADHEAD MILEAGE Per Excess Mile	1.50	3.00	1.50	3.00	X		X	
EXTRA LABOR, Skilled Per 15 Minutes**	21.81	21.81	27.25	27.25	X		X	
EXTRA LABOR, Unskilled Per 15 Minutes**	21.81	21.81	18.15	18.15	X		X	
FACILITATE Per 15 Minutes	25.00	32.50	25.00	32.50	X		X	
ISSUED: (enter date)	TOW CAR OPERATOR: CPCN # 7107.4 Jessica Rajkovacz Esteban's Corporation The Shop Towing 2570 N Nellis Blvd # B Las Vegas ,Nevada 89115				EFFECTIVE:			

** The charge commences at the time of departure to scene of tow and terminates at the time of return to tow operator's yard.

X - Rate not charged for Category C

N/A - Not applicable

Nevada Transportation Authority -- Model Tow Tariff (Flat Rate)

Definitions of these tow services are available for review from the tow car operator or at www.nta.nv.gov	Category A		Category B		Category C - Requiring tow truck with unladen weight of 15,000 lbs. or less		Category C - Requiring tow truck with unladen weight of more than 15,000 pounds	
Tow Service and Rate Method	Day	Night	Day	Night	Day	Night	Day	Night
FOUR-WHEEL DRIVE VEHICLE One (1) hour minimum**	235.95	272.50	N/A	N/A				
(In lieu of HOOKUP rate) Per Additional 15 Minutes**	58.98	68.12	N/A	N/A		X		X
HAZARDOUS MATERIAL and/or WASTE DISPOSAL FEE Cost Plus	Cost Plus 15%					X		X
HOOKUP FLAT - CATEGORY A/B Single Vehicle Flat	175.00	200.00	175.00	200.00		X		X
HOOKUP FLAT - OVERSIZE VEHICLES Flat	HOOKUP FLAT-Single Vehicle Plus 25% and HOOKUP MILEAGE Plus 25%		N/A	N/A		X		X
HOOKUP FLAT - CATEGORY A/B COMBINATION VEHICLES Flat	HOOKUP FLAT-Single Vehicle Plus 50% and HOOKUP MILEAGE Plus 50%		HOOKUP FLAT-Single Vehicle Plus 50% and HOOKUP MILEAGE see TABLE 1			X		X
HOOKUP FLAT - CATEGORY C SINGLE AND COMBINATION VEHICLES Flat	N/A	N/A	N/A	N/A	235.00	255.00	527.00	527.00
HOOKUP MILEAGE, 10.1 - 50 Per Loaded Mile	6.00	6.00	See TABLE 1 on page 5		6.00	6.00	See TABLE 1 on page 5	
HOOKUP MILEAGE, 50.1 and over Per Loaded Mile	6.00	6.00	See TABLE 1 on page 5		6.60	6.60	See TABLE 1 on page 5	
LAY-OVER Per Night, Per Man	125.00					X		X
LIEN FEE (after 4 business days) Flat, 1/2 Lien Rate	133.50				133.50			
LIEN FEE (after 336 Hours) Flat, 1/2 Lien Rate	133.50				133.50			
LOT VISIT (no charge first visit DAY hours) Per Visit	50.00	N/A	56.20	N/A	50.00	X	56.20	X
ISSUED: (enter date)	TOW CAR OPERATOR: CPCN # 7107.4 Jessica Rajkovacz Esteban's Corporation The Shop Towing 2570 N Nellis Blvd # B Las Vegas ,Nevada 89115				EFFECTIVE:			

** The charge commences at the time of departure to scene of tow and terminates at the time of return to tow operator's yard.

X - Rate not charged for Category C

N/A - Not applicable

Agenda Item#

88

Public

Comment -

No

supporting

material

Agenda Item#

89



DEPARTMENT OF BUSINESS AND INDUSTRY
NEVADA TRANSPORTATION AUTHORITY

WebEx and Teleconferencing Instructions

This meeting can be accessed via the video conference link or teleconference number below.

Please note your device must have microphone capabilities in order to participate in the web conference.

Video Conference Link Instructions for Agenda Meeting on April 8, 2021:

Open a browser on your computer and type in the following URL:

<https://businessnv2.webex.com>

At the Join A Meeting screen, enter the following in the grey area labeled Enter meeting information: **187 195 9072**

The next screen will ask for a password. Type in the following: **jD5xAhNF49F**

If your device does not have the Cisco Application (App) WebEx Meeting installed, you will be prompted to download the App at this time. If so, download the app and follow the instructions. You may be asked to provide your name and email address.

Teleconference Call Instructions:

On your cell phone or desk phone dial the following toll-free number:

1-844-621-3956

Next you will be asked for an access code or meeting number. Punch in the following: **187 195 9072**

At the next prompt push the # sign to be placed in the meeting.

Below are the instructions for use throughout the meeting.

1. Keep your phone or microphone muted until called upon by the coordinator.
2. If joining by phone, you will mute and unmute yourself by pressing star six (*6) and you will state the following information:
 - a. Your first and last name.
 - b. The name of your company, if applicable.
 - c. Your item number on the agenda.
3. For all comments, please do the following to let us know you wish to speak:
 - a. By web, raise your hand in the participant box.
 - b. By phone, press star three (*3).
 - c. Wait to be recognized by the coordinator before unmuting your phone/mic to speak.
 - d. State your name as you begin your comments for the record.

Agenda Item#

90

Public

Comment -

No

supporting

material

Agenda Item#

91



DEPARTMENT OF BUSINESS AND INDUSTRY
NEVADA TRANSPORTATION AUTHORITY

PETITION FOR RECONSIDERATION



Docket /Citation/Impound/Permit #: 21398

Driver/Company Name: Vanessa Jacobsen / Sierra Pacific Transportation Telephone: 775-450-1759

Mailing Address: 410 Parade ct, Reno, NV 89521

Reason for request: I am requesting an appeal on my citation because I showed proof that my passengers were in fact engaged in interstate commerce. In fact being pilots for fedex that were transported to the hotel. the Nevada transportation Authority commission failed to meet their burden of proof that my passengers were not pilots. The burden of proof is in fact on the state they have not met that standard, if they think they have I would like to see proof that these passengers were not pilots. I have 100% proof that they were indeed pilots. wearing a uniform has nothing to do with meeting the criteria of Interstate Commerce.

Signature: _____

Date: 12/23/2020

\$50 Filing Fee

20-12029 Petition for Reconsideration (PFR) Debt Summary Review

20-12029 Petition for Reconsideration from Vanessa Jacobsen regarding Citation 21398.

Summary:

- Citation 21398 was issued to Vanessa Jacobsen 09/11/2020 by Investigator Schilling for violations of NRS706.386 and NRS706.758. The hearing date on the citation indicated TBD and the respondent refused to sign. Due to COVID-19 the Notice of Hearing was sent 09/15/2020 for a hearing date of 10/01/2020 at 8:30am via Webex or Telephone.
- Vanessa Jacobsen was fined \$6,000 with \$5,000 suspended pursuant to the conditions set forth in the Order of the Authority approved at the 11/19/2020 General Session Meeting. The order and corresponding debt letter were sent 12/04/2020.
- On 12/22/2020 Vanessa Jacobsen reached out to the NTA regarding available Debt Remedy.
- On 12/24/2020 Vanessa Jacobsen filed a Petition for Reconsideration, Docketed as 20-12029 which was scheduled on the January 2021 GSM.
- On 1/28/2021 Commissioned voted to table this item to the March 2021 GSM

The debt currently resides with the NTA and has an outstanding balance of \$1,000.

ADMINISTRATIVE CITATION AND VERIFIED COMPLAINT

ISSUED PURSUANT TO NRS 706.771

No. 21398

STATE OF NEVADA

County of DOUGLAS City of STATELINE
 Time 642 A.M. Day of FRI Date 9 11 2020
 Location EDGEMOND RESORT STATELINE, NV
 Name JACOBSEN VANESSA M
 Last First Middle
 Residence Address 410 PARADE CT
RENO NV 89521
 City State Zip
 Operator License No. [REDACTED] State NV
 D.O.B. [REDACTED] F 5'2" 135 820 GRN
 Mo. Day Yr. Sex Ht. Wt. Hair Eyes
 Company Name MV / CPCN
 Company Address [REDACTED]
 Street

Vehicle 2016 LINCOLN NAVIGATOR BLK
 Year Make Body Color
 Vehicle License 902 K01 NV 2021
 Number State Year

Respondent VANESSA JACOBSEN

DID THEN AND THERE COMMIT THE FOLLOWING OFFENSES/INFRACTIONS:

1. Violation NO CPCN NRS / NAC 706.386 ☐ CFR ☐ Other

To wit: DID PROVIDE PASS. TRANS. INTRASTATE
W/OUT A CPCN

2. Violation UNLAWFUL ADVERTISEMENT NRS / NAC 706.758 ☐ CFR ☐ Other

To wit: DID ADVERTISE FOIL SERVICES REQUIRING
A CPCN

I certify (or declare) under penalty of perjury under the laws of the State of Nevada that I have grounds/probable cause to believe and do believe that above named respondent committed the above infraction(s) and/or violation(s) contrary to law.

Officer/Complainant's Name SCHILLING Officer/Complainant's Signature [Signature] P No. J036 Date 9/11/20

The potential fine for each of the above violations is up to \$10,000. You are hereby notified to appear before the Nevada Transportation Authority at:

☐ 3300 W. Sahara Ave., Suite 200, Las Vegas, Nevada 89102

☒ 1755 E. Plumb Lane, Suite 216, Reno, Nevada 89502

on To BE DETERMINED 22nd 2020, at [REDACTED] am / pm
 Month Day

Signature [Signature] I promise to appear at the time and place indicated.

Carefully review the explanation of rights, responsibility to appear, the consequences of failing to appear and notice of hearing set forth on the reverse side of this citation. **Signing of this citation constitutes a promise to appear in this matter and is an acknowledgement that you have been advised to carefully review the information contained on the reverse side of this citation. Signing does not constitute an admission of guilt or culpability.**

Please read back of citation carefully → →

WHITE - Complaint; GREEN - Notice to Appear

BEFORE THE NEVADA TRANSPORTATION AUTHORITY

In Re: Administrative Citation Number 21398)
issued to Vanessa Jacobsen for violations of) Citation Number 21398
NRS 706.386 and NRS 706.758.)
_____)

NOTICE OF HEARING

The above matter was not set for a specific hearing date due to the closure of public offices. Accordingly, **NOTICE IS HEREBY GIVEN** that a hearing on this matter has been scheduled as follows:

THURSDAY, October 1, 2020

8:30 a.m.

Via WebEx or via telephone (see attached instructions)

Nevada Transportation Authority
(775) 688-2800

At which time a Hearing Officer will receive testimony and evidence regarding the alleged violations and decide which testimony and evidence will be delivered to the Authority.

If Respondent fails to appear either by WebEx or by teleconference at the above time and place set for hearing, pursuant to NAC 706.4017(2), the Authority may impose a fine for the violations alleged in the complaint/citation.

By the Authority,


Jennifer Hill, Legal Secretary II

Dated: September 15, 2020
Las Vegas, Nevada

To request a copy of the investigation report prior to your hearing, please contact Rita Brownawell at (702) 486-6498 or rbrownawell@nta.nv.gov or Jennifer Hill at (702) 486-6537 or jhill@nta.nv.gov.

NEVADA TRANSPORTATION AUTHORITY

WebEx and Teleconferencing Instructions

Pursuant to Governor Sisolak's Declaration of Emergency Directive 006 (March 22, 2020), the requirement contained in NRS 241.023(1)(b) that there be a physical location designated for meetings of public bodies where members of the public are permitted to attend and participate is suspended in order to mitigate the possible exposure or transmission of COVID-19 (Coronavirus). Accordingly, this hearing/meeting can be accessed via the video conference link or teleconference number below.

Video Conference Link Instructions:

(Please note your device must have microphone capabilities in order to participate in the web conference)

1. Open a browser on your computer and type in the following URL: <https://businessnv2.webex.com>
2. At the Join A Meeting screen, enter the following in the grey area labeled Enter meeting information: **146 099 7246**
3. The next screen will ask for a password. Type in the following: **4U6YdunvaD7**
4. You may be prompted to download the Cisco Web App at this time. If so, download the app and follow the instructions. You may be asked to provide your name.

Teleconference Call Instructions:

1. On your cell phone or desk phone dial the following toll-free number:
1-844-621-3956
2. Next you will be asked for an access code or meeting number. Punch in the following: **146 099 7246**
3. At the next prompt push the # sign to be placed in the meeting.

Below are the instructions for use throughout the hearing/meeting.

1. Keep your phone or microphone muted until called upon.
2. If joining by web, please activate chat by clicking the dialogue balloon and enter the following information there for the meeting record:
 - a. Your first and last name.
 - b. The name of your company, if applicable.
 - c. Your contact information (phone, email, and mailing address)
3. If joining by phone, we will unmute you and ask you to state the same information requested in item 3 above.
4. For all comments, please do the following to let us know you wish to speak:
 - a. By web, type "X" in the chat box
 - b. By phone, press star three (*3)
 - c. Wait to be recognized before unmuting your phone/mike to speak
State your name as you begin your comments for the record.

BEFORE THE NEVADA TRANSPORTATION AUTHORITY

In re Administrative Citation 21398) **WAIVER OF FORMAL FINDINGS OF**
) **FACT AND CONCLUSIONS OF LAW**
issued to Vanessa Jacobsen) **and WAIVER OF CERTIFIED MAILING**

The parties to the above-captioned matter having agreed to dispose of the case by stipulation or agreed settlement, do hereby waive the requirement under Nevada Revised Statute ("NRS") 233B.125 that the Authority's final order include findings of fact and conclusions of law. The parties have read and understand the EXPLANATION of applicable law set forth below. Specifically allowed under NRS 233B.121, this waiver is made knowingly and voluntarily.

The parties further waive the right to be served with the Authority's final Order personally or by certified mail, and agree to service of the final Order by regular mail.

Respondent Signature

Deputy Attorney General Signature

Respondent Printed Name

Louis Csoka

Deputy Attorney General Printed Name

Dated this _____ day of _____, 2020, Reno, Nevada.

EXPLANATION

When the Nevada Transportation Authority ("Authority") decides a case in which an administrative fine or penalty may be imposed, Nevada Revised Statutes ("NRS") 233B.125 requires that a final order be issued. The final order must include findings of fact (a statement of the underlying facts) and conclusions of law, separately stated. NRS 233B.121 allows parties to waive the requirement of findings of fact and conclusions of law when they agree to informally dispose of a case by stipulation or agreed settlement.

When the parties to an Administrative Citation matter stipulate/agree that the underlying facts occurred and the Respondent admits to the violation(s) as alleged, the findings of fact section contained in the final order summarizes or restates the facts as set forth in the Investigation Report (provided to the parties) and the conclusions of law section sets forth the specific statute(s) or regulation(s) the Respondent agrees s/he violated.

There is no requirement that either party waive the right to a final order containing findings of fact and conclusions of law. However, if the parties choose to do so, a final order will issue which includes, generally: 1) The stipulations and admissions of the parties; 2) The Hearing Officer's recommendations to the Authority regarding which statute(s) or regulation(s), if any, the Respondent has violated and fine amounts, if any, to be imposed; and 3) An order from the Authority approving, modifying, or setting aside the Hearing Officer's recommendations.

BEFORE THE NEVADA TRANSPORTATION AUTHORITY

In re Citation 21398 issued to Vanessa Jacobsen for
violations of NRS 706.386 and NRS 706.758.

) Citation No. 21398
)
)

At a general session of the Nevada Transportation
Authority held on October 15, 2020.

PRESENT: Chairman Dawn Gibbons
Commissioner George Assad
Commissioner David Newton
Deputy Commissioner Jennifer De Rose

ORDER

On October 1, 2020, a hearing on the above-captioned matter was held before Commissioner Dawn Gibbons, serving in her capacity as Hearing Officer for the Nevada Transportation Authority ("Authority") or ("NTA"). The cited party, Vanessa Jacobsen ("Respondent"), was present via Webex and elected to proceed without counsel.

After hearing the allegations, the respective arguments, and having considered the evidence introduced by both parties and being fully advised, the Hearing Officer, pursuant to Nevada Revised Statute ("NRS") 706.386 and NRS 706.758, prepared a proposed decision for review by the Authority.

Based on that proposed decision, the Authority makes the following Findings of Fact and Conclusions of Law, which constitute a final order affirming the decision of the Hearing Officer. Any Finding of Fact that would be better deemed a Conclusion of Law or vice versa shall be so construed. Under NRS 706.151, the Authority has legal jurisdiction and authority over this matter.

FINDINGS OF FACT

The Authority finds that there is substantial evidence in the record delivered by the Hearing Officer, which contains the legal evidence presented at the hearing, to establish each of the facts hereinafter set forth in these Findings of Fact.

1. That for several months during the last part of 2019, Investigators Truitt and Schilling received information from certified carriers and Transportation Network Company ("TNC") drivers that Respondent was providing unlawful transportation in the state of Nevada. Respondent is known as an active driver for both Uber and Lyft.
2. The investigation began around August of 2020, when investigators observed Respondent operating out of the Reno Tahoe Airport limousine pick up area. On August 12, 2020, investigators observed Respondent pick up two male adults from the airport, then transport them to the Renaissance Hotel located in downtown Reno.
3. The NTA also received information that Respondent was regularly operating out of the Edgewood Tahoe Resort ("Edgewood"). Investigators contacted security personnel at the Edgewood who stated that Respondent regularly picks up and drops off passengers. On several occasions, Respondent presented a personal business card with her name and cell phone number. Respondent was holding herself out as an independent contractor who provides unlawful intrastate passenger transportation.
4. On September 10, 2020, Investigators requested the concierge at the Edgewood arrange a ride from Respondent to the Reno Tahoe Airport. The connection was made using the phone number of 775-450-1759 listed on Respondent's personal business card. The ride was arranged for September 11, 2010 at 6:30 am.
5. Additionally, Respondent requested the concierge call Lakeshore Pacific, Inc., d/b/a Sierra Pacific Limousine ("Lakeshore Pacific") at 775-588-4500 and request Respondent.

6. Further investigation revealed that Lakeshore Pacific was an NTA certified carrier. However, their CPCN was revoked in 2018.
7. On September 11, 2020, Investigators staged at the Edgewood waiting for their ride. Upon entering the property, Respondent contacted the Investigators. After a brief conversation, the Investigators identified themselves. Respondent was advised that she was providing unlawful intrastate transportation and Investigators requested that she exit the vehicle. Respondent refused. After a brief encounter, Respondent exited the vehicle. A further conversation occurred outside the vehicle and Respondent kicked Investigator Gravel in the chest. Respondent was placed under arrest and transported to the Douglas County Sheriff's Office where she was booked for battery on a peace officer.
8. Respondent could not provide a current CPCN to offer intrastate transportation.
9. Respondent testified that all the rides she provided were arranged through Lakeshore Pacific and that she never collected any money. Additionally, Respondent testified that she was providing interstate passenger transportation only not intrastate transportation. Therefore, her rides did not require a Nevada CPCN.
10. During the hearing, Respondent offered several emails that were admitted into evidence and were marked as Respondent's exhibit #1.
11. The Investigation Report for citation #21398 was marked into evidence (identified as State's Exhibit 1 and incorporated herein by reference).
12. The State argued that the Investigative Report, State's Exhibit 1, and the testimony provided, established clear violations of NRS 706.386 and NRS 706.758 due to the Respondent's pattern and practice of providing unlawful intrastate passenger transportation. Respondent's rides were generated by way of advertising a personal business card which displayed only the Respondent's name and personal cell phone

number. The Respondent advertised for business by presenting herself as an independent transportation service that provided unlawful rides in the state of Nevada.

CONCLUSIONS OF LAW

Based on the testimony of Officers Truitt and Schilling, the Authority concludes that there was a violation of NRS 706.386 and NRS 706.758 by the Respondent.

DISCUSSION

Authority Staff requested that a \$5,000.00 fine be assessed for the violation of NRS 706.386, with \$4,000.00 suspended for two years, and a fine of \$1,000.00 be assessed for the violation of NRS 706.758 with \$1,000.00 suspended for two years provided there are no further violations of NRS 706 or NAC 706 and timely payment of fines.

The Hearing Officer, having fully considered the above-mentioned Findings of Fact and Conclusions of Law recommended to the Authority:

1. That a finding of one violation of NRS 706.386 be entered.
2. That a finding of one violation of NRS 706.758 be entered.
3. That the fine recommendations of the Authority Staff be adopted.

ORDER

IT IS THEREFORE ORDERED, based on the foregoing Findings of Fact and Conclusions of Law:

1. That the recommendation of the Hearing Officer with regard to the violation of NRS 706.386 and NRS 706.758 as contained in Citation 21398 is hereby **AFFIRMED**;
2. That a total fine on Citation 21398 in the amount of Six Thousand Dollars and Zero Cents (\$6,000.00) be assessed, with Five Thousand Dollars and no cents (\$5,000.00) be suspended for two years provided no further violations of NRS 706 and NAC 706 and

timely payment of the outstanding amount of One Thousand Dollars (\$1,000.00) be imposed;

3. That the Authority retains jurisdiction for correcting any errors that may have occurred in the drafting or issuance of this Order.

By the Authority,

Dawn Gibbons

Dawn Gibbons, Chairman

George Assad

George Assad, Commissioner

David Newton

David Newton, Commissioner



Attest:

Jennifer De Rose

Jennifer De Rose Deputy Commissioner

Dated:

12/4/20

Las Vegas, Nevada

NOTICE: Pursuant to NRS 233B.130, any party to this matter aggrieved by the above final decision may file a petition for rehearing or reconsideration. A petition for rehearing or reconsideration must be filed with the Authority within 15 days after the date the party received this Order.



DEPARTMENT OF BUSINESS AND INDUSTRY
NEVADA TRANSPORTATION AUTHORITY

VANESSA JACOBSEN
410 PARADE COURT
RENO NV 89521
Via First Class Mail and Certified Mail #7019 2970 0001 4467 3574

SUBJECT: **ORDER OF THE AUTHORITY**

Dear VANESSA JACOBSEN:

On November 19, 2020, you were fined \$6,000 for Citation number 21398 for violation of NRS or NAC 706 with \$5,000 held in abeyance pursuant to the conditions as set forth in the attached Order.

Your payment of \$1,000 may be satisfied via the options listed below:

- **Reno Office:** Payments can be made via mail service or in-person during normal business hours, Monday through Friday.
- **Las Vegas Office:** Due to COVID-19 closures, payments must be sent to this location in the form of check, money order or cashier check via mail service.

If payment is not received in twenty (20) days from the date of this letter, your driver's license will be suspended and this matter will be turned over to a collection agency. Any amount that was held in abeyance in return for timely payment of the amount owed will become due and subject to collection. Pursuant to NRS Ch. 353C, if your debt is turned over to a collection agency, you will be required to pay a 2 percent fee to the State Controller, as well as collection costs and fees of up to 35 percent of the debt or \$50,000, whichever is less. Information concerning your debt can be placed on the Controller's website for public inspection. NRS Chapter 353C also allows that the State may suspend, cancel, or refuse to renew certain licenses and permits you and your company may hold. Furthermore, an individual may be disqualified from driving taxicabs (outside of Clark County) or charter limousines (statewide) for failure to pay a fine owed to the Authority, failure to appear for a hearing on an administrative citation, or are found in violation of NRS 706 or NAC 706 more than five times within three years. Names of disqualified drivers are placed on the NTA's website.

Questions concerning this matter should be directed to our NTA General Email at nta@nta.nv.gov or you may contact Hope DiBartolomeo at (702) 486-6533.

Sincerely,

Handwritten signature of Jennifer De Rose in cursive.

Jennifer De Rose, Deputy Commissioner

Dated: 12/4/20
Las Vegas, Nevada

Enclosure

From: [Hope Dibartolomeo](#)
To: stbrigid581295@gmail.com
Cc: [Ron Delgado](#); [nta](#)
Subject: NTA Citation 21398 Debt Remedy Options
Date: Tuesday, December 22, 2020 9:46:18 AM
Attachments: [PetitionForReconsideration-ADA.pdf](#)
Importance: High

Good morning Ms. Jacobsen,

Per our conversation this morning, you may request a payment plan on you citation debt amount due of \$1,000 with me or if you would like to seek reconsideration of the fine amount and/or order issued by the NTA, you are able to do so via filing a Petition for Reconsideration form. This affords you the ability to be heard for reconsideration before the Authority Commission. This process has an associated filing fee of \$50. If this is something you would like to consider, you may return the completed form with payment of \$50 filing fee to either of our office locations (listed below). If the filing and fee is received on or before December 31, 2020 (filing deadline), the reconsideration can be scheduled for the General Session Meeting which is tentatively scheduled for January 28, 2021. A copy of this form is attached for convenience and is also available on our website:

<http://nta.nv.gov/uploadedFiles/ntanvgov/content/Forms/PetitionForReconsideration-ADA.pdf>

Nevada Transportation Authority

Las Vegas Office

**3300 W. Sahara Ave. Ste. 200
Las Vegas, NV 89102**

Reno Office

**1755 E. Plumb Ln. Ste. 229
Reno, NV 89502**

Please let us know if you have any additional questions.

Sincerely,

Hope DiBartolomeo for NTA

Las Vegas Office Phone: (702) 486-3303 | Fax: (702) 486-2590

Reno Office Phone: (775) 688-2800 | Fax: (775) 688-2802



This communication, including any attachments, may contain confidential information and is intended only for the individual or entity to which it is addressed. Any review, dissemination or copying of this communication by anyone other than the intended recipient is strictly prohibited. If you are not the intended recipient, please contact the sender by reply e-mail and delete all copies of the original message.



DEPARTMENT OF BUSINESS AND INDUSTRY
NEVADA TRANSPORTATION AUTHORITY

PETITION FOR RECONSIDERATION



Docket /Citation/Impound/Permit #: 21398

Driver/Company Name: Vanessa Jacobsen / Sierra Pacific Transportation Telephone: 775-450-1759

Mailing Address: 410 Parade ct, Reno, NV 89521

Reason for request: I am requesting an appeal on my citation because I showed proof that my passengers were in fact engaged in interstate commerce. In fact being pilots for fedex that were transported to the hotel. the Nevada Transportation Authority Commission failed to meet their burden of proof that my passengers were not pilots. The burden of proof is in fact on the state they have not met that standard, if they think they have I would like to see proof that these passengers were not pilots. I have 100% proof that they were indeed pilots. wearing a uniform has nothing to do with meeting the criteria of Interstate Commerce.

Signature: [Signature]

Date: 12/23/2020

\$50 Filing Fee

Agenda Item#

92

STEVE SISOLAK
Governor

STATE OF NEVADA

21-01006

TERRY REYNOLDS
Director B&I



DAWN GIBBONS
Chairman
GEORGE ASSAD
Commissioner
DAVID NEWTON
Commissioner

DEPARTMENT OF BUSINESS AND INDUSTRY
NEVADA TRANSPORTATION AUTHORITY

PETITION FOR RECONSIDERATION

Docket /Citation/Impound/Permit #: 20-10031

Driver/Company Name: U.S. Party Bus LLC dba U.S. Party Bus Telephone: 702-541-3578

Mailing Address: 7337 Burnt Umber St., Las Vegas, NV 89139

Reason for request: I am seeking reconsideration of the Order to Revoke issue on December 24, 2020, and if granted, I am also seeking another six month extension of my temporary discontinuance (Sept. 2020- March 2021

I initially had requested and received a temporary discontinuance of services due to Covid-19. The temporary

discontinuance was scheduled to end in September, but I thought a prior email I had sent to the NTA was

sufficient to request a further extension of the temporary discontinuance. During last fall, my wife's parents

became infected with Covid-19, so my wife was taking care of them and I was taking care of our children and

I just forgot about and did not read all of my mail and emails. I was under the belief that the company was still

under the temporary discontinuance, and I wrongly ignored the attempted contacts by the NTA. Further,

as I did not think I had any wrongdoing, I did not review the agendas as I did not think there was

any reason for my company to be on the agenda. I have now spoken with my attorney who without any question

or doubt has made me understand that regardless of what I may be thinking, I must respond to any and all NTA

communications, and that even while on the temporary discontinuance, I am still subject to NTA jurisdiction.

Signature: 

Date: January 5, 2021

\$50 Filing Fee

State of Nevada
Department of Business and Industry
Nevada Transportation Authority



Request to Temporarily Discontinue Service

Company Name: U.S. Party Bus, LLC d/b/a U.S. Party Bus

Address: 7337 Burnt Umber St.

City, State, Zip: Las Vegas, NV 89139

CPCN: 2218

In accordance with NRS 706.341, the above named certificate holder would like to temporarily discontinue service, from September 19, 2020 to March 18, 2021. (Not to exceed 6 months)

This request is due to: loss of business due to Covid-19 and restrictions placed upon
businesses by State of Nevada

OPERATIONS CONDUCTED BY THE REQUESTING CERTIFICATE HOLDER MUST CONTINUE UNTIL THE NEVADA TRANSPORTATION AUTHORITY ISSUES AN ORDER GRANTING A TEMPORARY DISCONTINUANCE OF SERVICE.

If you wish to resume operations prior to the end date of this request, you must first notify the Nevada Transportation Authority in writing, stating the date you intend to begin service, and provide proof of current insurance, and current tariffs, if applicable.



Signature of Certificate Holder

Yohanes Tegafaw

Printed name of Certificate Holder

702-541-3578

Phone number Fax number

yohanest2000@yahoo.com

Email Address

Submit both pages of this Request to:


Nevada Transportation Authority		
3300 West Sahara Avenue	or	1755 E Plumb Lane
Suite 200		Suite 229
Las Vegas, NV 89102		Reno, NV 89502

If you have any questions, please contact us at 702-486-3303, extension 66546.

OATH

STATE OF Nevada }
COUNTY OF Clark }

I, Yohanes Tegafaw, being duly sworn, state that I file this application as (indicate relationship to applicant, i.e. owner, title as officer, etc.) sole owner of U.S. Party Bus, LLC; that, in such capacity, I am qualified and authorized to file and verify such application; that I have carefully examined all the statements and matters contained in the application; and that all such statements made and matters set forth therein are true and correct to the best of my knowledge, information, and belief. Affiant further states that the application is made in good faith and presents evidence in support of said application on every particular requested by the Nevada Transportation Authority.

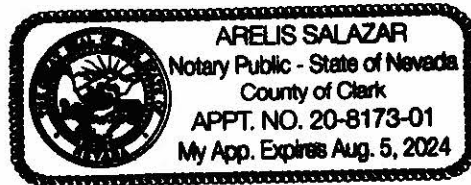



Signature of Affiant

Subscribed to and sworn before me on this
05 day of January, 20 21.



Notary Public





Signature of Attorney, if any

Mailing address of applicant:

7337 Burnt UMBER St.

Las Vegas, NV 89139

Phone: 702-541-3578

Fax: _____

Email: yohanest2000@yahoo.com

Mailing address of attorney:

9480 S. Eastern Ave., Suite 228

Las Vegas, NV 89123

Phone: 702-385-1100

Fax: _____

Email: jamie@jamiekent.org

Agenda Item#

93

Platinum Transportation
Petition for Relief
Docket 20-10039
April 8, 2021 General Session

November 19, 2020 general session minutes – item 93.

Docket 20-10039 The Petition for Extraordinary Relief of Platinum LV Transportation, LLC six series LLCs, Celebrity Coaches CPCN 2015, Bell Limo CPCN1217, Airport Mini Bus CPCN 2350, Mammoth Limousine CPCN 1105, Platinum LV Transportation CPCN 2166, Whittlesea Checker Taxi CPCN 2118, seeking prior approval of the transfer of membership interests while the Applications are pending. Staff investigation concluded. (DG)

Applications Manager Liz Babcock summarized the request and indicated staff support. Brent Carson, Esq. appeared on behalf of Platinum LV and offered a lengthy explanation. Jim Gleich appeared on behalf of the prospective Buyer. Interim Authority for a Temporary Transfer of Operating Rights with filing deadline of 60 days – Approved 3-0

January 28, 2021 general session minutes – item 96.

Docket 20-10039 The status check of the applications of Platinum LV Transportation, LLC six series LLCs, Celebrity Coaches CPCN 2015, Bell Limo CPCN 1217, Airport Mini Bus CPCN 2350, Mammoth Limousine CPCN 1105, Platinum LV Transportation CPCN 2166, Whittlesea Checker Taxi CPCN 2118, for interim authority for the temporary transfer of operating rights while the Applications are pending, and the 60 day requirement to file the applications. Staff investigation concluded. (DN)
Applications Manager Liz Babcock summarized the procedural history of the application. Brent Carson, Esq. appeared on behalf of the carriers and requested an additional 60 days to provide documentation. Additional 60 days approved 3-0

Staff update:

Staff has concern with these applications being submitted as promised as NTI-NV, Inc. (buyer) is not a current certificated carrier. As of this writing, March 23, 2021, the applications have not been filed. The 60 day filing extension will have expired by the date of this general session.

Agenda Item#

94

Item #94

Docket

20-12015

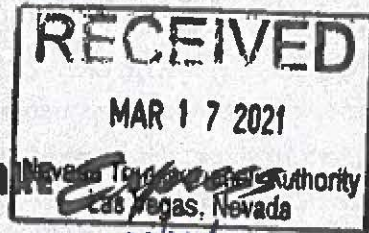
REMOVED

FROM AGENDA

Agenda Item#

95

Western Trails Charters & Tours LLC
dba St George Express
Salt Lake Express
March 16, 2021



Salt Lake Express
Jacob Price
P.O. Box 566
Rexburg, ID 83440

RE: Interim Authority Request

Nevada Transportation Authority-

Included is our application for NAC 706.015 Airport Transfer service and NAC 706.119 Special Services including NAC 706-105 Regular and Irregular Routes. We currently have NAC 706.034 Charter Bus Service under CPCN 2238.

Salt Lake Express has partnered with NDOT on a project that extends our current routes to include service between Reno, NV and Las Vegas, NV. This new expanded service began on March 15, 2021 and was slated to begin and end service in Nevada. Given the lack of NAC 706.015 Airport Transfer service and NAC 706.119 Special Services including NAC 706-105 Regular and Irregular Routes, the route was reconfigured to begin in Utah and end in Reno, NV, thus crossing state lines. As an intercity bus carrier, we provide services exactly like Greyhound and continue to build a large intercity bus network in 6 states including Wyoming, Montana, Idaho, Utah, Arizona and Nevada. These new routes that are being funded by NDOT allow better connectivity for residents of these areas to interline with Greyhound as well as reach airport services on either end. Additionally, with this new extension, people from all over the United States can now access these rural towns between Las Vegas, NV and Reno, NV.

It is our intention to start out using "livery limousines", under 15 passenger sprinter vans with ADA capability. As the route continues to grow, we expect to use a combination of these vehicles and 16-56 passenger vehicles, depending on ridership. All vehicles for this specific funded service will have ADA capabilities.

In an effort to streamline this new expansion of service while also supplying employment to Nevadians in both Reno, NV and Las Vegas, NV, we request **interim authority** to operate NAC 706.015 Airport Transfer service and NAC 706.119 Special Services including NAC 706-105 Regular and Irregular Routes.

Please advise at your earliest convenience.

Thank you-

A handwritten signature in black ink, appearing to read 'Jacob Price', written in a cursive style.

Jacob Price
Salt Lake Express
Owner
jacob.price@saltlakeexpress.com

NEVADA TRANSPORTATION AUTHORITY
ORDER
and
CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY

Western Trails Charters & Tours, LLC
d/b/a St. George Express, Salt Lake Express
Docket No. 21-03021

CPCN 1144

The Nevada Transportation Authority ("Authority") finds that the above-named carrier has complied with this Authority's Interim Temporary Compliance Order dated March 18, 2021, the findings of fact and conclusions of law which are hereby incorporated by this reference, and therefore is entitled to receive authority from this Authority to engage in transportation in intrastate commerce as a motor carrier.

IT IS ORDERED that Western Trails Charters & Tours, LLC d/b/a Salt Lake Express is hereby granted this temporary interim certificate of public convenience and necessity as evidence of the authority of the holder to engage in transportation in intrastate commerce as a common carrier by motor vehicle subject to applicable statutes, rules and regulations of the Authority, and such terms, conditions and limitations as are now or may hereafter be attached to the exercise of the privileges herein granted.

IT IS FURTHER ORDERED and made a condition of this certificate that the holder shall render reasonably continuous and adequate service to the public in pursuance of the authority herein granted, and that failure to do so shall constitute sufficient grounds for suspension, modification or revocation of this certificate.

IT IS FURTHER ORDERED that nothing contained herein shall be construed to be either a franchise or irrevocable and that failure to comply with rules, regulations and orders of the Authority and applicable statutory provisions shall constitute sufficient grounds for suspension or revocation of this certificate.

IT IS FURTHER ORDERED that this authority shall not be sold or transferred without the Authority's prior approval.

IT IS FURTHER ORDERED that the transportation service to be performed by said carrier shall be as specified below:

INTERIM TEMPORARY:

Operate as a passenger carrier to provide special services including regular and irregular routes, and airport transfer service within the State of Nevada.

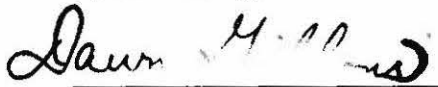
RESTRICTIONS:

The number of vehicles is limited to seven (7) livery limousines. All vehicles are to be ADA compliant.

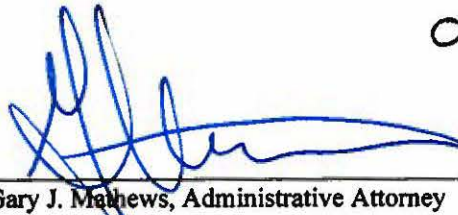
INTERIM TEMPORARY AUTHORITY IN EFFECT during the time period of the pendency of the application in Docket No.21-03021 or until the Authority orders otherwise, *whichever comes first*.

IT IS FURTHER ORDERED that the Authority retains jurisdiction for the purpose of correcting any errors which may have occurred in the drafting or issuance of this Order and Certificate of Public Convenience and Necessity.

By the Authority,


Dawn Gibbons, Chairman

Attest:


Gary J. Mathews, Administrative Attorney

Dated: March 18, 2021
Las Vegas, Nevada



BEFORE THE NEVADA TRANSPORTATION AUTHORITY

The Application of Western Trails Charters & Tours, LLC d/b/a St. George Express, Salt Lake Express for authority to provide special service, including regular routes and irregular routes, and airport transfer service within the State of Nevada.

INTERIM ORDER

The Nevada Transportation Authority of Nevada ("Authority") makes the following findings of fact and conclusions of law:

1. On March 16, 2021 Western Trails Charters & Tours, LLC d/b/a St. George Express, Salt Lake Express ("Applicant"), filed an application to provide special service, including regular and irregular routes, and airport transfer service within the State of Nevada with a fleet of ADA compliant vehicles. The application was designated as Docket No. 21-03021.
2. That simultaneously the Applicants filed a Petition for Interim Authority.
3. That the Application was properly noticed to the public and to date there have been no Petitions for Leave to Intervene or Protests filed.
4. That Chairman Dawn Gibbons, serving in her capacity as Hearing Officer for the Authority, granted the request subject to the completion of standard compliance requirements.

Based upon the foregoing findings of fact and conclusions of law, it is ORDERED that:

1. Upon full compliance with the conditions of this Order authority shall be granted to Western Trails Charters & Tours, LLC d/b/a St. George Express, Salt Lake Express to

provide transportation as follows:

INTERIM TEMPORARY:

Operate as a passenger carrier to provide special services, including regular and irregular routes, and airport transfer service within the State of Nevada.

RESTRICTIONS:

The number of vehicles is limited to seven (7) livery limousines. All vehicles are to be ADA compliant.

INTERIM TEMPORARY AUTHORITY IN EFFECT during the time period of the pendency of the application in Docket No.21-03021 or until the Authority orders otherwise, *whichever comes first*.

2. Upon full compliance with the conditions of this Compliance Order, a new Certificate of Public Convenience and Necessity identified as **CPCN 1144** shall be issued to Western Trails Charters & Tours, LLC d/b/a St. George Express, Salt Lake Express authorizing operation in intrastate commerce as is more particularly described in the first ordering paragraph above.
3. Before issuance of the permit referred to hereinabove, Applicant shall be required to:
 - a. Avoid material changes in any conditions relied upon by the Authority in its determination of operational or financial fitness and immediately report to Authority Staff any such material changes, should they occur.
 - b. File with the Authority evidence of the required insurance (Form E) in the Applicant's name.
 - c. File with the Authority the necessary insurance (Certificate of Insurance) describing the liability limits and vehicles covered.
 - d. Make vehicle available for inspection by Authority Staff to ensure that they properly display the Permit number, name of company, and other required markings in accordance with NAC 706.170 and NAC 706.412. Provide copies of insurance card, annual (USDOT) vehicle inspections, titles, and registrations.
 - e. Ensure driver qualification files are setup in accordance with CFR 391.51. Make available to Authority Staff for inspection of their business and vehicle domiciles. Ensure all drivers have pre-employment drug testing in accordance with Title 49, Parts 40 and 382. Explain and make available for inspection set-up of time tracking method put into place.

- f. Ensure vehicle maintenance files are setup in accordance with CFR 396.
 - g. Provide copies of business licenses.
 - h. Provide a copy of the charter order to include CPCN.
 - i. File for approval by Authority Staff, a tariff that includes a description of the Authority granted, CPCN number, and the name and address of the Applicant.
 - j. Provide a copy of the contract between Applicant and the laboratory that will perform and monitor the substance abuse program.
 - k. Ensure all drivers have applied for a drivers permit.
 - l. Apply for NTA decals.
 - m. Provide, for approval by the Authority, a safety plan following the Nevada governmental guidelines and protocols for operations during the COVID-19 pandemic.
 - n. Provide a signed affidavit acknowledging requirements of NTA Annual Report pursuant to NRS 706.167.
 - o. Remit to the Authority any noticing fees and/or other outstanding debt due to the Authority.
4. The Deputy Commissioner of the Authority shall be authorized to issue the above-referenced Certificates of Public Convenience and Necessity upon the Applicant meeting all requirements set forth herein.

///

///

///

///

///

///

///

5. The Authority retains jurisdiction for the purpose of correcting any errors that may have occurred in the drafting or issuance of this Order.

By the Authority,


Dawn Gibbons, Chairman

Dated: Mar 18, 2021
Las Vegas, Nevada

Agenda Item#s

96 to 109

Driver Permit Items 96-109

Driver permits are based entirely upon each Applicant's confidential criminal background report. Therefore, there are no publicly available supporting materials for these items in print form.