

Agenda Item# 23

**Additional material provided
after initial posting of
supporting material but prior to
meeting.**

BEFORE THE NEVADA TRANSPORTATION AUTHORITY

In Re: Citations 22574, 22575, 22876 and 22877)
issued to Mesquite Towing Company, LLC d/b/a) Citations 22574, 22575, 22876
Mesquite Towing Company for violations of NAC) and 22877
706.311, NAC 706.420, NAC 706.410, NRS)
706.4479, NAC 706.203, NAC 706.194, NRS)
706.4468 and NRS 706.44793.)
_____)

At a general session of the Nevada Transportation
Authority held on December 9, 2021.

PRESENT: Chair Dawn Gibbons
Commissioner George Assad
Commissioner R. David Groover
Deputy Commissioner Jennifer De Rose

ORDER

On October 6, 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, Mesquite Towing Company, LLC d/b/a Mesquite Towing Company was present through their legal counsel, Daniel Price 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 Citation 22876.
2. To withdraw NAC 706.311 violation.
3. To withdraw NRS 706.44793 violation.

4. To admit into evidence the Citations 22574, 22575 and 22877 and the related Investigation Reports (marked as State's Exhibit 1 and incorporated herein by reference) and that the facts as set forth therein were true and accurate;
5. That the Respondent's actions constituted one violation of NAC 706.420 related to preparing the bill incorrectly;
6. That the Respondent's actions constituted one violation of NAC 706.410 related to charging for the storage of a vehicle for more than 15 days without complying with NRS 706.4479;
7. That the Respondent's actions constituted one violation of NRS 706.4479 related to failure to notify the registered and legal owner of a vehicle not later than 15 days placing vehicle in storage;
8. That the Respondent's actions constituted one violation of NRS 706.4468 related to failure to prepare or satisfy the operator lien;
9. To a fine in the amount of \$200.00 for the NAC 706.420 violation for a total of \$100.00 of said fine amount suspended pending no further violations of NRS 706 or NAC 706 within one year;
10. To a fine in the amount of \$200.00 for the NAC 706.410 violation with \$100.00 of said fine amount suspended pending no further violations of NRS 706 or NAC 706 within one year;
11. To a fine in the amount of \$200.00 for the NRS 706.4479 violation with \$100.00 of said fine amount suspended pending no further violations of NRS 706 or NAC 706 within one year;

12. To a fine in the amount of \$200.00 for the NRS 706.4468 violation with \$100.00 of said fine amount suspended pending no further violations of NRS 706 or NAC 706 within one year;
13. That Respondent is to provide the Authority a refund check for \$733.90 payable to Rana Aghdasi; and
14. 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 706.420, NAC 706.410, NRS 706.4479 and NRS 706.4468.

ORDER

IT IS THEREFORE ORDERED, based on the foregoing:

1. That the recommendation of the Hearing Officer for Administrative Citations and Verified Complaints 22574, 22575 and 22877, issued to Mesquite Towing Company, LLC d/b/a Mesquite Towing Company for violations of NAC 706.420, NAC 706.410, NRS 706.4479 and NRS 706.4468 is hereby AFFIRMED;
2. That the *total* fine for Citations 22574, 22575 and 22877 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 violations of NRS 706 or NAC 706 within one year;

3. That Respondent is to provide the Authority a refund check for \$733.90 payable to Rana Aghdasi; 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, Chair

George Assad, Commissioner

R. David Groover, 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.