

Agenda Item#

60

**Draft Order revised after initial
posting of supporting material
but prior to meeting.**

BEFORE THE NEVADA TRANSPORTATION AUTHORITY

In re: Citation 23234 issued to Xpress Car, Inc.)	
d/b/a Reno Tow & Transport for violation of NRS)	Citation 23234
706.451 (4 counts).)	
_____)	

At a general session of the Nevada Transportation Authority held on July 7, 2022.

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

ORDER

On March 9, 2022, a hearing on the above-captioned matter was held before Commissioner R. David Groover, serving in his capacity as Hearing Officer for the Nevada Transportation Authority (“Authority”). The Respondent, Xpress Car, Inc. d/b/a Reno Tow & Transport was present through their Office Manager, Telena Townsend. Ms. Townsend 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 23234 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 car fee;
3. To a fine in the amount of \$200.00 for each of the NRS 706.451 violations (4 counts), for a total fine of \$800.00 with \$600.00 of said fine amount suspended pending no further NRS 706 or NAC 706 violations within two years 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 (4 counts).

ORDER

IT IS THEREFORE ORDERED, based on the foregoing:

1. That the recommendation of the Hearing Officer for Administrative Citation and Verified Complaint 23234, issued to Xpress Car, Inc. d/b/a Reno Tow & Transport for violation of NRS 706.451 (4 counts), is hereby AFFIRMED;
2. That the *total* fine for Citation 23234 shall be in the amount of Eight Hundred Dollars and Zero Cents (\$800.00), with Six Hundred Dollars and Zero Cents (\$600.00) of said fine amount to be suspended pending no further violations of NRS 706 or NAC 706 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

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 NRS 706.451 (4) 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.