

STATE OF NEVADA



DAWN GIBBONS
Chair

VACANT
Commissioner

R. DAVID GROOVER
Commissioner

DEPARTMENT OF BUSINESS AND INDUSTRY
NEVADA TRANSPORTATION AUTHORITY

MINUTES OF THE February 9, 2023 GENERAL SESSION

AGENDA

1. Call to Order

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

2. Roll Call

Present: Chairman Dawn Gibbons, Commissioner R. David Groover, Administrative Attorney Patricia Erickson, Financial Analyst Yvonne Shelton, Financial Analyst Paul Servello, Deputy Attorney General Matthew Feeley

3. Pledge of Allegiance

Deputy Attorney General Matthew Feeley led a recital of the pledge.

4. Public Comment

none

5. Approval of Agenda

Items 11, 13, 35 and 36 have been removed from consideration, Item 12 should be the Impound only, and Items 65 & 66 are to be taken together. Approved as modified 2-0

6. Approval of the Minutes of the January 12, 2023 Agenda Meeting

Approved 2-0

7. Approval of the Minutes of the January 12, 2023 TNC Assessment Workshop, Docket 22-11007

Approved 2-0

8. Briefings from the Commissioners

Commissioner Groover thanked Commissioner Assad for his 11 years of service with the Authority and wished him luck in his new appointment with the Gaming Control Board.

9. Briefing from the Deputy Commissioner

Deputy Commissioner De Rose echoed the comments made by Commissioner Groover. In addition, she thanked Authority staff for working additional hours to continually accomplish the work that needs to be done.

10. Report of Legal Counsel

Deputy Attorney General Matthew Feeley reported that in the Sierra West matter, the responding brief was filed on December 30, 2022, in the Marji matter, a responding brief is due on February 15, 2023 and in the High Roller matter, a responding brief is due March 2, 2023.

ADMINISTRATIVE CITATIONS AND IMPOUNDMENTS

Items 14 through 34, were considered collectively. Approved 2-0

- 11. Citation 19747 and Impound I-3845** The impoundment pursuant to NRS 706.476 of a vehicle registered to and Citation 19747 issued to Tafara Girma Tesama for violation of NRS 706.386 (GA)

Item removed from Agenda prior to consideration.

- 12. ~~Citation 22708 and Impound I-4209~~** The impoundment pursuant to NRS 706.476 of a vehicle registered to ~~and Citation 22708 issued to Robert Triner for violation of NRS 706.386~~ (GA)

Approved 2-0

- 13. Citations 23151, 22331, 22939, 23857 and 23858** issued to Western Trails Charters & Tours LLC d/b/a St. George Express, Salt Lake Express for the violations of NAC 706.360 (4 counts), NAC 706.379; NAC 706.381; NAC 706.203; NAC 706.311 (14 counts); and NAC 706.354 (14 counts); and NRS 706.285 (17 counts) (GA)

Item removed from Agenda prior to consideration.

- 14. Citations 23214 and 23215** issued to Bosch Motors Towing for violations of NAC 706.191, NAC 706.194, NAC 706.206 and NRS 706.398 (GA)

- 15. Citation 23293** issued to Reno Medical Transport for violation of NRS 706.398 (GA)

- 16. Citation 23298** issued to Roger Wilson for violation of NRS 706.386 (GA)

- 17. Citation 23571** issued to GMT CARE, LLC for violation of NRS 706.398 (GA)

- 18. Citation 23920** issued to Western Trails Charters & Tours LLC d/b/a St. George Express, Salt Lake Express for the violation of NRS 706.398 (GA)

- 19. Citation 23922** issued to Medical Transport Company, LLC d/b/a MTC for violation of NRS 706.398 (GA)

- 20. Citation 24547** issued to Infinity Towing, LLC for a violation of NAC 706.203(4) (GA)

- 21. Citation 23903** issued to Nevada's Finest Towing, LLC for violation of NAC 706.203(4) (RDG)

- 22. Citation 23984** issued to JoFam, LLC d/b/a All In Towing for violation of NAC 706.4273 and NAC 706.4275 (RDG)

- 23. Citation 24593 and Impound I-4530** The impoundment pursuant to NRS 706.476 of a vehicle registered to and Citation 24593 issued to Payam Ataie for violation of NRS 706.386 and NRS 706.758 (RDG)

- 24. Citation 23990** issued to Highroller Transportation, LLC for a violation of NAC 706.203(1)

- 25. Citation 24543** issued to Jacob Transportation Services, LLC d/b/a Executive Las Vegas for violation of NAC 706.2473 Ref. 49 CFR 396.17 (2 counts)
- 26. Citation 24604** issued to Garabet Maknissian d/b/a Express Towing & Roadside Service for violation of NAC 706.2473 ref. 49 CFR 396.17
- 27. Citation 24605** issued to Adventure Towing, Co. Inc. for violation of NAC 706.203(4)
- 28. Citation 24606** issued to Yuriel Villegas-Gonzalez for a violation of NAC 706A.240
- 29. Citation 24607** issued to Streets Transportation, LLC d/b/a Las Vegas Party Bus for violation of NAC 706.203(4)
- 30. Citation 24608** issued to FC Transport, LLC for violation of NAC 706.203(4)
- 31. Citation 24609** issued to Busco Inc. d/b/a Arrow Stage Lines for violation of NAC 706.203(4) (2 counts)
- 32. Citation 24610** issued to Triple J Tours, Inc. for violation of NAC 706.203(4)
- 33. Citation 24612** issued to All Star Towing, LLC d/b/a All Star Towing d/b/a Superior Towing for violation of NAC 706.203(4)
- 34. Citation 24613** issued to A to Z Towing, LLC d/b/a A to Z Towing LV for violation of NAC 706.203(4)

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

- 35. Docket 22-09028** The Joint Application of Baumbach Enterprises, LLC d/b/a Milne Towing for authority to sell and transfer and Milne Road Services, LLC d/b/a Milne Towing Services to purchase and acquire the authority to provide consent and non-consent tow car service within the State of Nevada granted under CPCN 8003, Sub 6. Staff investigation concluded. (RDG)
Item removed from Agenda prior to consideration.
- 36. Docket 22-09029** The Joint Application of Cal-Nevada Towing & Transport, Inc. for authority to sell and transfer and Cal-Nevada Road Services, LLC d/b/a Cal-Nevada Road Services to purchase and acquire the authority to provide consent and non-consent tow car service within the State of Nevada granted under CPCN 7129, Sub 1. Staff investigation concluded. (RDG)
Item removed from Agenda prior to consideration.

EXEMPTION REQUEST

- 37. Docket 23-01018** El Masters Ent South, LLC seeks a declaration of exemption pursuant to NAC 706.147 from the requirement to obtain a CPCN to provide intrastate commercial passenger transportation in Nevada. Staff investigation concluded.
Financial Analyst Paul Servello summarized the request and indicated staff does not support the request. Thomas Watsonel, El Masters, appeared and gave a detailed statement in support of his request. Request denied 2-0

MOTION TO EXTEND COMPLIANCE PERIOD

- 38. Docket 21-09010** The motion to extend the compliance period for 120 days for the application of True Transportation, LLC d/b/a True Transportation. Staff investigation concluded.
James Kent, Esq. appeared on behalf of the Applicant. Financial Analyst Paul Servello summarized the request and indicated staff support. Approved 2-0
- 39. Docket 21-12019** The motion to extend the compliance period for 120 days for the application of TY Transportation, LLC d/b/a Marathon Party Bus. Staff investigation concluded.
James Kent, Esq. appeared on behalf of the Applicant. Financial Analyst Paul Servello summarized the request and indicated staff support. Extension to May 15, 2023 Approved 2-0
- 40. Docket 22-01012** The motion to extend the compliance period for 120 days for the application of VS Western Ventures, LLC d/b/a Wild, Weird & Wonderful Vegas Tours. Staff investigation concluded.
Financial Analyst Paul Servello summarized the request and indicated staff support. Extension to May 5, 2023 Approved 2-0
- 41. Docket 22-01017** The motion to extend the compliance period for 120 days for the application of Jannet Fleet, LLC d/b/a Dubai Limousine. Staff investigation concluded.
Financial Analyst Paul Servello summarized the request and indicated staff support. Extension to May 15, 2023 Approved 2-0
- 42. Docket 22-02011** The motion to extend the compliance period for 120 days for the application of Eagle Ridge Towing, LLC. Staff investigation concluded.
Lucy Elias, Corporate Services, appeared on behalf of the Applicant. Financial Analyst Paul Servello summarized the request and indicated staff support. Extension to May 15, 2023 Approved 2-0
- 43. Docket 22-02012** The motion to extend the compliance period for 120 days for the application of Alessandra's Towing, LLC. Staff investigation concluded.
Lucy Elias, Corporate Services, appeared on behalf of the Applicant. Financial Analyst Paul Servello summarized the request and indicated staff support. Extension to May 15, 2023 Approved 2-0
- 44. Docket 22-02018** The motion to extend the compliance period for 120 days for the application of Black Lion Transportation, LLC d/b/a All Day Transportation. Staff investigation concluded.
James Kent, Esq. appeared on behalf of the Applicant. Financial Analyst Paul Servello summarized the request and indicated staff support. Extension to May 15, 2023 Approved 2-0

REQUEST FOR TEMPORARY DISCONTINUANCE

- 45. Docket 22-12021** The temporary discontinuance from December 21, 2022, through March 22, 2023 of service provided by Las Vegas Wedding Services, LLC under contract carrier Permit MV 6141. Staff investigation concluded.
Financial Analyst Paul Servello summarized the request and indicated staff support. Approved 2-0
- 46. Docket 23-01006** The temporary discontinuance from January 9, 2023, through ~~February~~ **June 9,** 2023 of service provided by Reggies Towing, LLC under CPCN 7450. Staff investigation concluded.
Financial Analyst Paul Servello summarized the request, stated the carrier has filed a request for an extension to June 9, 2023 and indicated staff support. Approved as modified 2-0
- 47. Docket 23-01011** The temporary discontinuance from January 9, 2023, through July 9, 2023 of service provided by Total Home Experience, LLC under CPCN 3385. This requires retroactive approval. Staff investigation concluded.
Financial Analyst Paul Servello summarized the request and indicated staff support. Approved 2-0
- 48. Docket 23-01013** The temporary discontinuance from January 11, 2023, through July 11, 2023 of service provided by Barreras Towing Company, LLC under CPCN 7521. Staff investigation concluded.
Financial Analyst Paul Servello summarized the request and indicated staff support. Approved 2-0

REQUEST TO EXTEND TEMPORARY DISCONTINUANCE

- 49. Docket 20-08015** The Request to extend temporary discontinuance from January 16, 2023 through April 15, 2023 of service provided by DCT Express, Inc. d/b/a DCT Express under contract carrier permit MV 6156, and if denied, Staff's recommendation to issue an Order To Show Cause as to why the CPCNs should not be revoked. Staff investigation concluded.
Kazue Yoda appeared on behalf of DCT Express, Mie Tarama served as translator. Financial Analyst Paul Servello summarized the procedural history (fifth request) and indicated staff support through July 1, 2023. Approved as modified 2-0
- 50. Docket 21-01007** The Request to extend temporary discontinuance from January 1, 2023 through ~~June~~ **August 1,** 2023 of service provided by Desert Cab, Inc. d/b/a Odyssey Limousine under CPCN 1075, Sub 1, and if denied, Staff's recommendation to issue an Order To Show Cause as to why the CPCNs should not be revoked. Staff investigation concluded.
Kimberly Maxson-Rushton, Esq. appeared on behalf of Odyssey Limousine and detailed the reasoning for the fifth request. Financial Analyst Paul Servello summarized the procedural history and indicated staff support. Approved as modified 2-0

- 51. Docket 22-07011** The Request to extend temporary discontinuance from December 29, 2022 through June 29, 2023 of service provided by We Move Las Vegas, LLC d/b/a We Move Las Vegas under CPCN 3369, and if denied, Staff's recommendation to issue an Order To Show Cause as to why the CPCNs should not be revoked. This requires retroactive approval. Staff investigation concluded.

James Kent, Esq. appeared on behalf of We Move Las Vegas, and detailed the reasoning behind the request. Financial Analyst Paul Servello summarized the procedural history and indicated staff support. Approved 2-0

- 52. Docket 22-09005** The Request to extend temporary discontinuance from January 16, 2023 through July 16, 2023 of service provided by Nevada Busing, LLC under CPCN 2233, and if denied, Staff's recommendation to issue an Order To Show Cause as to why the CPCNs should not be revoked. Staff investigation concluded.

Financial Analyst Paul Servello summarized the procedural history and indicated staff support that this be the final extension. Approved 2-0

EXPIRED TEMPORARY DISCONTINUANCE

- 53. Docket 20-04017** The expired temporary discontinuance from July 15, 2022, through December 15, 2022 of service provided by National Transportation Services, Inc. d/b/a National Transportation Services, d/b/a NTS under CPCN 2092 and Staff's recommendation to issue an Order to Show Cause as to why this CPCN should not be revoked. Staff investigation concluded.

Financial Analyst Paul Servello summarized the procedural history and indicated staff support that an Order to Show Cause be issued. Order to Show Cause approved 2-0

VOLUNTARY CANCELLATIONS

- 54. Docket 22-09036** The voluntary cancellation of charter bus services of Columbian Enterprises, LLC d/b/a LV Bus Express, CPCN 2180. Staff investigation concluded.

Financial Analyst Paul Servello summarized the request and indicated staff support. Approved 2-0

- 55. Docket 22-12009** The voluntary cancellation of household goods moving services of Moving Up Enterprises, LLC d/b/a College Hunks Hauling Junk and Moving, CPCN 3386. Staff investigation concluded.

Financial Analyst Paul Servello summarized the request and indicated staff support. Approved 2-0

PETITIONS FOR RECONSIDERATION

- 56. Docket 22-12028** Petition for Reconsideration of Driver Permit #009539 for Matthew Barbieri

Matthew Barbieri appeared in Reno and detailed his request. Approved 2-0

- 57. Docket 23-01002** Petition for Reconsideration of Driver Permit #002411 for Sam Mehadi

Sam Mehadi appeared and detailed his request. Approved 2-0

FINANCIAL RATES AND TARIFFS

- 58. Docket 22-07026** The status check of Bell Trans, A Nevada Corporation d/b/a Bell Trans, Bell Limousine of tariff rate modification for services conducted under CPCN 1023, Sub 2. Staff investigation concluded.
Kimberly Maxson-Rushton, Esq. appeared on behalf of Bell Trans. Financial Analyst Yvonne Shelton summarized the procedural history and indicated staff's request to clean it up and modernize the tariff. Item tabled to the May 25, 2023 General Session. Approved 2-0
- 59. Docket 22-12025** The Application of AWG Ambassador, LLC d/b/a Ambassador Limousine, AWG Ambassador, AWG Charter Services for approval of a tariff rate modification for services conducted under CPCN 1041, Sub 7. Staff investigation concluded.
Financial Analyst Yvonne Shelton summarized the request and indicated staff support. Approved 2-0
- 60. Docket 22-12026** The Application of AWG Ambassador, LLC d/b/a AWG Charter Services, AWG Ambassador for approval of a tariff rate modification for services conducted under CPCN 2030, Sub 3. Staff investigation concluded.
Financial Analyst Yvonne Shelton summarized the request and indicated staff support. Approved 2-0
- 61. Public Comment**
Thomas Watsonel stated his disagreement with the denial of his exemption request.

1:15 PM AFTERNOON SESSION

- 62. Public Comment**
Matt Tunstall, Perfect Dream Modular Housing Co based in China, stated his car was impounded and that the cost of retrieval is extremely high. He stated the opinion the Authority should research the costs.

APPLICATIONS FOR FULLY REGULATED CARRIERS

- 63. Docket 21-03021** For status check of the Application of Western Trails Charters & Tours, LLC d/b/a St. George Express, Salt Lake Express for final authority to special services including regular and irregular routes, and airport transfer service within the State of Nevada. Staff investigation concluded. (DG)
Financial Analyst Yvonne Shelton summarized the application and indicated staff is still waiting for submission of fingerprints. A discussion ensued with regard to issuing an Order to Show Cause. Order to Show Cause approved 2-0
- 64. Docket 22-03028** The Application of Legacy Transportation Services Corporation for a certificate of public convenience and necessity to provide non-emergency medical transportation within the State of Nevada. Staff investigation concluded. (DG)
Ashtyn Creamer appeared telephonically. Financial Analyst Yvonne Shelton summarized the application and indicated staff support with certain modifications. Steven LaTulippe, with Carevans, appeared, questioning the operating area that is being applied for. James Kent, Esq. stated the ability for a request for Protestant status. A brief discussion ensued. Approved 2-0

- 65. Docket 22-08029** The Ex Post Facto Joint Application of BLS Limousine Service of Las Vegas, Inc. (“BLS”) for the internal sale and transfer of 50% of the stock. BLS is authorized to provide charter limousine service within Clark and Nye Counties, Nevada granted under CPCN 1070, Sub 2. Staff investigation concluded. (DG)

Items 65 and 66 were considered collectively.

William Schork appeared in Las Vegas, Lucas Folletta, Esq. appeared in Reno. Financial Analyst Paul Servello summarized the application and indicated staff support. Approved 2-0

- 66. Docket 22-08030** The Ex Post Facto Joint Application of Phyllis Okon to sell and transfer 90% and the Michael Okon Family Trust and Eric Okon Family Trust to each purchase and acquire 45% of the stock of BLS Limousine Service of Las Vegas, Inc. a carrier authorized to provide charter limousine service within Clark and Nye Counties, Nevada granted under CPCN 1070, Sub 2. Staff investigation concluded. (DG)

Items 65 and 66 were considered collectively.

William Schork appeared in Las Vegas, Lucas Folletta, Esq. appeared in Reno. Financial Analyst Paul Servello summarized the application and indicated staff support. Approved 2-0

ORDERS TO SHOW CAUSE

- 67. Docket 22-05014** Order to Show Cause issued to Desert Sky Transportation, Inc. as to why Contract Carrier Permit MV 6138, Sub 2, should not be revoked.

Financial Analyst Paul Servello summarized the procedural history of the docket.

CPCN revoked 2-0

- 68. Docket 23-01005** Order to Show Cause issued to In-Cahoots Events, LLC d/b/a Lil Pink Party Bus as to why Certificate of Public Convenience and Necessity 2161 should not be revoked.

Financial Analyst Paul Servello summarized the procedural history of the docket.

CPCN revoked 2-0

STORAGE LOT CANCELLATION REQUEST

- 69. Docket 22-12024** The Authority will consider the request from E&E Vehicle Solution, LLC to close the vehicle storage lot located at 350 W. Warm Springs Road, Henderson, Nevada, 89011 which has operated as a designated storage lot.

Financial Analyst Paul Servello summarized the request and indicated staff support.

Approved 2-0

MODEL TOW TARIFF CORRECTION

- 70. Docket 22-04007** Model Tow Tariff revision regarding storage fees for compliance with NAC 706.406 and NRS 706.4477 section 6. Staff investigation concluded.

Financial Analyst Yvonne Shelton summarized the changes and indicated staff support. Lucas Folletta, Esq. appeared on behalf of the Nevada Tow Association. Approved 2-0

APPLICATIONS FOR DRIVER PERMITS

(Closed session may be held for item 71 to consider character, alleged misconduct, professional competence, and physical or mental health pursuant to NRS 241.030.)

- 71. Permit 13270** The Authority will determine whether to grant the application of David Valenzuela for issuance of a driver's permit pursuant to NRS 706.462. Staff investigation concluded.

Continued to the April General session.

72. Public Comment

Carlo Maguerian offered a statement, complementing staff on the approval of Item #64, NEMT, as there is a great need for this service in the rural areas of the state.

73. Adjournment

Meeting adjourned at 2:00 p.m.