



DEPARTMENT OF BUSINESS AND INDUSTRY
NEVADA TRANSPORTATION AUTHORITY

**MINUTES OF THE July 23, 2024 HEARING AND
MEETING FOR THE ADOPTION OF REGULATIONS**

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

DIAL IN NUMBER: 1-844-621-3956

MEETING ACCESS CODE: 2499 031 7595

MEETING PASSWORD: FJrii3qbm55

The following information is provided pursuant to the requirements of NRS 233B.0603:

1. The proposed amendment of certain regulations in Nevada Administrative Code Chapter 706 are to conform with the Governor's Executive Order 2023-003 to streamline, clarify, reduce, or improve the existing regulations.
2. The estimated impact of the regulations:
 - a) The proposed regulations will not have a significant adverse or beneficial economic impact upon the regulated industry, either immediately or long-term.
 - b) The proposed regulations will not have a significant adverse or beneficial economic impact upon the public, either immediately or long-term.The Authority notes that these assessments of impact are limited to the impacts of the proposed amended regulations themselves.
3. The Authority determined the impact on small business as required pursuant to NRS 233B.0608 by taking and analyzing verbal comments from the public and from businesses to be affected by the proposed regulations in public in a workshop held on April 21, 2023.
4. The Authority does not anticipate incurring additional costs for the implementation and enforcement of the proposed regulations.
5. The Authority is not aware of any overlap or duplication of the proposed regulations with any regulations of other state or local governmental agencies.
6. The proposed regulations are not required pursuant to federal law.
7. The proposed regulations are not more stringent than any federal regulation that regulates the same activity.
8. The proposed regulations do not establish a new fee or increase an existing fee. However, one of the proposed new regulations found in LCB File No. R040-23 proposes to impose an administrative fine if a fully regulated carrier fails to comply with the minimum equity capital requirement for two consecutive years.

AGENDA

1. Call to Order

Chairman Vaughn Hartung called the meeting to order at 1:30 p.m.

2. Roll Call

Present: Chairman Vaughn Hartung, Commissioner Dawn Gibbons, Commissioner R. David Groover, Deputy Commissioner David Pasternak, Administrative Attorney Yoneet Wilburn, Applications Manager Liz Babcock

3. Pledge of Allegiance

Kimberly Maxson-Rushton, Esq. led a recital of the pledge.

4. Public Comment

none

5. Approval of Agenda

Motion by Groover Second by Gibbons Approved 3-0

DISCUSSION ITEM / RULEMAKING ADOPTION

- 6.** The Nevada Transportation Authority will consider the adoption and amendment of regulations that pertain to NAC 706. Copies of the proposed regulations are available from the NTA. *Commissioner Groover offered a brief procedural history of the docket. Chairman Hartung read the regulations to be changed into the record.*

Kimberly Maxson-Rushton, Esq. offered several comments for clarification.

Page 6 -she states NAC 706.3983 refers to continuances and recommends to strike the language in sub g. Applications Manager Liz Babcock requested the language regarding number of originals and copies remain. Chairman Hartung asked Administrative Attorney Wilburn to research the correct NAC reference.

Page 8, Sect 5 – references the annual report requirements and offered the opinion the changes could be dangerous. Applications Manager Liz Babcock explained the current procedure. After the explanation, Ms. Rushton understood the reasoning behind the current wording.

Page 8, Sect 6, sub 3 –she suggests modification of the wording to 30 days before the new agreement starts. A brief discussion ensued.

Page 8, Sect. 5 sub 4 – suggested changing the language to “hold a hearing to consider suspension, revocation or other appropriate disciplinary action”

Page 12, Sect 9 – deals with Protests and Protestant status. She offered that removal of the language does not prevent an individual from filing an untimely PLTI.

Michael Baumbach, Nevada State Tow Association, thanked the Authority for the work done on the updates to the regulations.

Motion by Groover to adopt regulations with comments from Ms. Rushton

Second by Gibbons Approved 3-0

7. Public Comment

Brian Howard, The Tow Truck Company, questioned NAC 706.4477, cannot tow for expired registration only and indicated his question was in reference to temporary move permits and dealer tags. He stated NRS 482.396 says the date of expiration for temporary and dealer placards is that they expire at 5pm on the date given. He asked, if that is considered expired registration and can they still tag and tow the vehicle. Chairman Hartung indicated staff would reach out.

8. Adjournment

Hearing adjourned at 2:00 p.m.

A copy of this Notice of Intent to Act Upon a Regulation and Notice of Hearing for the Adoption and Amendment of Regulations has been sent to all persons on the Authority's mailing list for administrative

regulations, to all common motor carriers of passengers licensed by the Authority, and has been posted at the following locations:

NV State Library & Archives 100 N Stewart Street Carson City NV 89701
Department of Business and Industry, 3300 W. Sahara Ave., Suite #425, Las Vegas, NV 89102
Nevada Transportation Authority, 3300 W. Sahara, Suite #200, Las Vegas, NV 89102
Nevada Transportation Authority, 1755 East Plumb Lane, Suite #229, Reno, NV 89502
Nevada Transportation Authority website: www.nta.nv.gov
Nevada State Legislature Website: www.leg.state.nv.us
State of Nevada Website: <https://notice.nv.gov>

Pursuant to NRS 2338.064: Upon adoption of any regulation, the agency, if requested to do so by an interested person, either prior to adoption or within 30 days thereafter, shall issue a concise statement of the principal reasons for and against its adoption, and incorporate therein its reason for overruling the consideration urged against its adoption.

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 Authority 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 Authority in Las Vegas at (702) 486-3303 or in Reno at (775) 687-9790 as far in advance of the hearing as possible.
