



DEPARTMENT OF BUSINESS AND INDUSTRY
NEVADA TRANSPORTATION AUTHORITY

MINUTES OF DECEMBER 12, 2024 GENERAL SESSION

TO JOIN THE MEETING ON A VIDEO CONFERENCING DEVICE

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TO JOIN THE MEETING BY PHONE

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AGENDA

1. Call to Order

Chairman Vaughn Hartung called the meeting to order at 9:31 am PST.

2. Roll Call

Chairman Vaughn Hartung, Commissioner Dawn Gibbons, Commissioner R. David Groover, Deputy Commissioner David Pasternak, Administrative Attorney Yoneet Wilburn, Applications Manager Liz Babcock, Financial Analyst Yvonne Shelton, Financial Analyst Garrett Hammack, Deputy Attorney General Radhika Kunnel, Chief Transportation Inspector John Foster.

3. Pledge of Allegiance

David Pasternak led the recital of the pledge.

4. Public Comment –

Public Comment provided by Ms. Donielle Fawcett – Personal Sedan Services.

Ms. Fawcett commented that we have made progress in terms of illegal transportation work with the Commissioners and the Chief. She commented that the problem is out of control and is asking for a workshop to create a task force to get illegals off the street. A few are receiving citations today that operate companies – we ask that the NTA strengthen the fines. As legal companies, have large insurance premiums to pay. We had shared a video – an illegal driver ran over a flagger at convention center. An UBER driver approached a car and was shot yesterday. There is an obligation to provide safe transportation – not seeing that happen. Ms. Fawcett stated that she will not let her children out there. At Cowboy Christmas she saw the NTA but there are so many illegal drivers out there. We need more control and a larger group.

She is requesting a task force – the money received from citations - use that money for the task force. There are hundreds of people someone is going to get hurt. Need fines to be stricter.

5. Approval of Agenda

Applications Manager Liz Babcock requested Items 47, 62, 74, 85, 86, 87 and 90 be removed from consideration.

Citation 32 is being pulled for reconsideration due to not having correct mailing address per Chairman Vaughn Hartung.

Item 90 pulled for consideration due to it being too broad based on recommendation from Deputy Attorney General Radhika Kunnel.

Motion made by Commissioner Gibbons

Seconded by Commissioner Groover

Approved 3-0.

6. Approval of the Minutes of November 7, 2024, Agenda Meeting

Motion made by Commissioner Gibbons

Seconded by Commissioner Groover

Approved 3-0.

7. Briefings from the Commissioners

Comment provided by Commissioner Dawn Gibbons:

No comment provided.

Comment provided by Commissioner R. David Groover:

Just want to thank the staff for all they are doing right now – working overtime – had key employees retire – has stressed the boundaries in the office a bit. Want to thank Enforcement, Compliance and all staff for everything they do.

Comment provided by Chairman Vaughn Hartung:

I would like to echo Commissioner Groovers comments. I will say to the last speaker – we have strengthened our fines. For those on the agenda, most are first time offenders. A few were repeat offenders, and they were hit hard. Thanking the DAG for their efforts in trying to get attention on this through fines. We have strengthened the fines – it has been uncomfortable for quite a number of people. I would like to wish everyone a Merry Christmas and Happy Hanukkah – want everyone to have a joyous uneventful holiday.

8. Briefing from the Deputy Commissioner

Comment provided by Deputy Commissioner David Pasternak:

He thanked Rita Brownawell for her service to the Nevada Transportation Authority. He also commented that the NTA passed the Department of Public Safety's audit for both criminal and civil matters. He thanked Chief Transportation Inspector John Foster for the criminal and Chief Compliance Audit Investigator Desiree Main for the completion of the civil portion. During FI, the Deputy Commissioner informed the audience that he participated with the Enforcement Team on Friday evening. In closing, he commented that this is the season of giving thanks and took the opportunity to thank the Commissioners as well as the staff for their hard work throughout the year and wished everyone a great holiday season.

9. Report of Legal Counsel

Comment provided by Deputy Attorney General Radhika Kunnel:

Deputy Attorney General Kunnel, stated that there is one update since last meeting. Titan Towing is a PJR – hearing for this will occur on January 16th.

ADMINISTRATIVE CITATIONS AND IMPOUNDMENTS

Vote taken:

Items 10 through 41 were considered collectively. Item 32 was removed for consideration.

Motion made by Commissioner Groover

Seconded by Commissioner Gibbons

Approved 3-0

- 10. Citation 21512 and Impound I-4651** The impoundment pursuant to NRS 706.476 of a vehicle registered to and Citation 21512 issued to Terra Hurst for violation of NRS 706.386 and NRS 706.758 (DG)
- 11. Citation 21513 and Impound I-4652** The impoundment pursuant to NRS 706.476 of a vehicle registered to and Citation 21513 issued to Valentina Monserrat for violation of NRS 706.386 and NRS 706.758 (DG)
- 12. Citation 23334 and Impound I-4568** The impoundment pursuant to NRS 706.476 of a vehicle registered to and Citation 23334 issued to Christy Rudolf for violation of NRS 706.386 (DG)
- 13. Citation 23943 23944 and Impound I-5129** The impoundment pursuant to NRS 706.476 of a vehicle registered to and Citation 23943 23944 issued to Huu Hai Nguyen for violation of NRS 706.386 and NRS 706A.280 (DG)

- 14. Citation 24247** issued to Mbaye Thiam/Konvict Transportation for a violation of NRS 706.386 (DG)
- 15. Citation 24323 and 24324** issued to Ronald Mehu for violation of NRS 706.386, and NRS 706A.280 (DG)
- 16. Citation 24565 and Impound I-5112** The impoundment pursuant to NRS 706.476 of a vehicle registered to and Citation 24565 issued to Sandip Singh for violation of NRS 706.386 and NRS 706.758 (DG)
- 17. Citation 25105** issued to Yonathan Tibebe for a violation of NRS 706.386 (DG)
- 18. Citation 25115 and Impound I-5110** The impoundment pursuant to NRS 706.476 of a vehicle registered to Carol Tapia and Citation 25115 issued to Frederico Hermosillo for violation of NRS 706.386 and NRS 706.758 (DG)
- 19. Citation 25116 and Impound I-5111** The impoundment pursuant to NRS 706.476 of a vehicle registered to and Citation 25116 issued to Danny Richardson for violation of NRS 706.386 and NRS 706.758 (DG)
- 20. Citation 25119 25120 and Impound I-5131** The impoundment pursuant to NRS 706.476 of a vehicle registered to and Citation 25119 25120 issued to Kiros Areaya for violation of NRS 706.386 and NRS 706A.280 (DG)
- 21. Citation 25131** issued to Bradley Ostrander for a violation of NRS 706.758 (DG)
- 22. Citation 22374** issued to Las Vegas Huddle Shuttle LLC for a violation of NAC 706.191 (RDG)
- 23. Citation 23332** issued to Stephanie Martinez for a violation of NRS 706.386 and NRS 706.758 (RDG)
- 24. Citation 23335 and Impound I-4569 and I-4570** The impoundment pursuant to NRS 706.476 of a vehicle registered to and Citation 23335 issued to Justin Estes for violation of NRS 706.386 and NRS 706.758 (RDG)
- 25. Citation 24098** issued to Vegas VIP Transportation for a violation of NAC 706.381 (RDG)
- 26. Citation 24167 24168 and 24169** issued to Carey Limousine for a violation of NAC 706.2473 Incorporating CFR 49 391.65(a)(2) and NRS 706.4622, NAC 706.2473 incorporating CFR 49 391.51(b)(6)(1) and NRS 706.462(2)(b)(1) NAC 706.2473 incorporating CFR 49 383.23(a)(2) and NAC 706.2473 incorporating CFR 49 382.30 (RDG)
- 27. Citation 24295** issued to Antoine Graves for a violation of NRS 706.386 (RDG)
- 28. Citation 24434 24440 and I-5077** The impoundment pursuant to NRS 706.476 of a vehicle registered to and Citations 24434 and 24440 issued to Abdul Katawazai for violations of NRS 706.386 and NRS 706A.280 (RDG)
- 29. Citation 24564 and Impound I-5108** The impoundment pursuant to NRS 706.476 of a vehicle registered to and Citation 24564 issued to Daniel Yohannes for violation of NRS 706.386 (RDG)

- 30. **Citation 25112 25113 and I-5109** The impoundment pursuant to NRS 706.476 of a vehicle registered to and Citations 25112 and 25113 issued to Tesfalem Afewerki for violations of NRS 706.386 and NRS 706A.280 (RDG)
- 31. **Citation 23322** issued to Brandon Garcia for a violation of NAC 706.2473 Referencing CFR 382.201 and NAC 706.1378 (VH)
- 32. **Citation 24379** issued to Laura Demerit for a violation of NAC 706.2473 Referencing 49 CFR 382.211 and NAC 706.1378 issued to Laura Demerit (VH)
- 33. **Citation 25041** issued to American Transportation System, Inc for violation of NRS 706.465 (VH)
- 34. **Citation 23948** issued to Luis Rodriguez-Fuentes for a violation of NRS 706.386.
- 35. **Citation 24089 and 24090** issued to Alex Park for violations of NRS 706.386 and NRS 706.758.
- 36. **Citations 24207 and 24563** issued to Yuan Tian for violation of NRS 706.386 and NRS 706A.280.
- 37. **Citation 24505** issued to Mathias Camacho De Los Santos for a violation of NRS 706.758
- 38. **Citation 24509 and 24510** issued to Xclusive Livery Transportation, LLC for violation of NRS 706.285, NRS 706.463(4) and NAC 706.354(H)
- 39. **Citation 25243 and 25244** issued to Darrin Beckett for violations of NRS 706.386 and NRS 706.758
- 40. **Citation 25283** issued to Dave Peterson / Jay Bonner for violations of NRS 706.386 and NRS 706.758
- 41. **Citations 25426 and 25427** issued to Dawit Haile for violation of NRS 706.386 and NRS 706A.280

DISCUSSION ITEM

- 42. **Docket 24-10028** Discussion of report from certificated carrier regarding illegal passenger transportation. Continued from prior general session.

Comments:

Comment by Chairman Vaughn Hartung: Chairman Hartung stated that this is an ongoing item requested from Commissioner Groover.

Comment from Commissioner R. David Groover: I would like to hear from the industry associates as well as Chief Foster. I believe Deputy Commissioner Pasternak has been taking a more active role and I am not sure if he is ready to speak on this.

Public Comment provided by Ms. Donielle Fawcett – Personal Sedan Services.

Ms. Fawcett commented that this month had a busy month in the City of Las Vegas with Formula 1, the rodeo as well as Cowboy Christmas. She mentioned that there have been some kinks, too many out there – maybe thinking about doing a task force with temporary help to come down to do in a large scale. It is hard as a business owner to do the right thing – we have made mistakes along the way. There are physical companies that run companies illegally – not one car but 10 to 15 cars under one person. There is one person on the agenda who is on the agenda today and was given a deal who is an illegal operator running his business on Facebook, etc. There are multiple companies out there. I didn't realize impounding a car takes as long as it does or if there is a way to simplify that process. There has to be other options. For limo operators, forming an association to work through challenges we have with the Sphere, the Convention Center, Allegiant. I encourage all of you and am grateful other people are going out there and seeing the illegals out there with the investigation team. There are hundreds of illegals. They are evading taxes – payroll taxes, insurance, etc. I spend \$500,000 a year for car insurance, our payroll taxes, our 3% interest passenger carrier tax etc. Uber drivers at Cowboy Christmas go around on the backside and they don't even do Uber. Uber needs to be held accountable. They are handing out business cards. We need to educate the public, educating the properties, develop a long-term solution, a task force, etc. The Chief and I are working to get in front of Allegiant, the Sphere, etc. that have major issues that as operators and regulatory agencies, we are reviewing this and someone is going to get hurt. The traffic control people are charging \$50 to pull into the Convention Center and into the Sphere. I am telling my drivers to tell them no and tell them to tow the car. The Chief helped at the Convention Center and had a recording of the associate at the Convention Center requiring \$50. We are making strides in the right direction – working together as a group – we need to do a task force to make an impact. You will see on CES or at the Rodeo – there is another influx with California companies coming in. They are stealing state money when we have California companies coming into the State. Getting together outside of the Agenda and put together an open forum. I know it is not in the budget to hire more investigators – if we can get a sting where it is confidential and no one knows except the NTA and the task force where we can have 50 impounds in one day – need fresh faces all at once to get 50-60 and hold them accountable. Companies should not be able to operate in Nevada without a license.

Public Comment provided by Mr. Taju Seman – Silver State Limo

Mr. Seman commented that things are getting worse every day. He commented that there are illegals that own 4-5 vehicles without a license. We have individuals that worked for limo companies and now they have 2-3 cars to rent for other people. If there is anything we can do to help as an owner. This is very serious.

Comment provided by Commissioner R. David Groover:

I agree with her on getting a group together. A group or task force or a group of regulators, agencies. We have some assets – Taxicab is suffering the same issues with illegal drivers. The new board member at Taxi is a past member of the Stadium Authority Board and the Las Vegas

Convention Board, a former County Commissioner – Chief meet with Administrator Park and Taxicab Authority Member Dr. Lawrence Weekly he can open up doors for you.

There are a lot of people who can help us with this group. The contact at the at the Taxicab Authority can open doors for us.

Comment provided by Deputy Commissioner David Pasternak:

Both Chief Foster and I have been meeting with the Director's office and are creating a plan of action. We can put in the task force as one of them.

Comment provided by Chairman Vaughn Hartung:

Chairman Hartung provided a question to Ms. Kunnel. As long as we do not appoint the task force, they would not be subject to the Open Meeting Law?

Comment provided by Deputy Attorney General Radhika Kunnel:

It depends your Honor, we have to figure how it works. It all depends on the composition of the Task Force, if Commissioners are involved. Need to determine how it would work offline, how the operations would work, etc.

Comment provided by Commissioner R. David Groover:

I don't believe the Commissioners need to be on the task force. The Deputy Commissioner should be the beacon to lead the task force.

Comment provided by Chairman Vaughn Hartung:

I agree with that 100%. I don't believe we should be the ones to guide it. My recollection Ms. Kunnel – as long as Mr. Pasternak is allowed to put together an informal group they are not subject to open meeting law. My concern is that when this task force is put together, I do not want illegals as part of the task force. I was pleased with how Enforcement did during F1 – 13 total impounds – one was a rental car and he failed to appear at the hearing. We have \$20,000 in fines for impoundments; \$15,250 in fines to be adjudicate. We hear you loud and clear – in cases where they are repeat offenders, fines were substantial as well as the impounds. I do like the idea of the task force and getting other folks involved.

Need to look at legality of picking up passengers on private property. Not sure if under aiding and abetting. I am unsure, it is unclear to me.

Comment provided by Chief John Foster:

I would like to thank Danielle and Taju for spending time at the Agenda meeting to voice their

concerns. Danielle, the one flagger at the Sands, we sent Investigator Kim there and that individual was fired. Thank you for reaching out to us, we took care of that. At the Convention Center, there was an individual that road over someone's foot, we did take Enforcement action on him and impounded. The person's foot that was road over has not filed a police report at this time. Once that is filed, we will work in conjunction with LVMPD. Have that individual fully trespassed at the Convention Center- the individual that did this is a repeat offender. Our next contact with this individual is that he will be going to CCDC. As far as FI, it was an outstanding collaboration with all of the staff members. Thank you DC for getting us some overtime. We did team up with the Taxicab Authority and used a force multiplier to regulate illegal transportation.

As far as the resorts, I am in constant communication with the resorts and they know this is a crisis. I am in communication with the TNC's constantly as the drivers are handing out business cards. We have between 36,000-38,000 drivers. If we have a large group like that handing out business cards, we have a major issue.

We are running investigations on a lot of individuals. The Big Surge the NTA worked with SAS – we recovered 8 exploited children and arrested one individual. As we speak of task force, we do interact with other law enforcement agencies to help us with items such as facial recognition, etc. We are in the process of trying to get tools to pay for rides – right now it is all cash which has limited us in our scope.

Brokers are a problem. We are cracking down on brokering rides that they are not permitted to provide using NRS 706.756 to the best of our ability. Casinos state that they have trained their doormen. The casinos have put them on notice but they are still doing it.

Strip Clubs are a problem with kickbacks. It is a large animal to wrap your hands around.

It is a constantly changing business. We are working with B&I as the Deputy Commissioner stated. They are willing to allow us to get overtime for special events. Las Vegas Valley is doing a great job with having individuals coming here – can have three major events in the same day.

We are having Danielle set up a meeting with the Sphere, we are going to work that out with them. I stay up at night on ways to improve our efforts. We are hiring 5 new investigators from in state and out of state. I know it's not enough, but we are going to do the best we can with those 5 investigators.

We have a collaboration with the resorts – we are getting dispatched by Nevada State Police to the various resort locations. Security Staff at the resorts are dispatching to those locations. Word is out – we are hitting them – we are working to get better.

Comment provided by Commissioner R. David Groover:

Looks like we are making some progress which is the reason we are here.

Comment provided by Chairman Vaughn Hartung:

It is one bite at a time – it is too big to enumerate at any one time. This will be an ongoing item and will be on future agendas and work backwards on the task force.

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

Vote taken:

Items 43 through 52 were considered collectively excluding item 47.

Motion made by Commissioner Groover

Seconded by Commissioner Gibbons

Approved 3-0

- 43. Docket 24-07018** The Application of ECT Towing Services, 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)
- 44. Docket 24-07029** The Application of A & V 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)
- 45. Docket 24-08003** The joint Application of Shavria Lorraine May Hardsion to sell and transfer and Eric Jerome Snyder to purchase 87% of Snyder Enterprises, LLC d/b/a Exotic Towing a carrier authorized to provide consent-only tow car services within the State of Nevada under CPCN 7552. Staff investigation concluded. (DG)
- 46. Docket 24-08008** The Application of Lather 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. (VH)
- 47. Docket 24-08021** The Application of All America Transportation, 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. (RDG)
- 48. Docket 24-08030** The Application of Santana 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. (RDG)
- 49. Docket 24-08032** The Application of Valley Towing Co 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. (DG)
- 50. Docket 24-08033** The Application of Metro City 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. (RDG)

- 51. Docket 24-09005** The Joint Application of Rodolfo Montes d/b/a G & R Towing Services for authority to sell and transfer and G & R Towing Services, LLC d/b/a G & R Towing Services to purchase and acquire the authority to provide consent-only tow car services within the State of Nevada, granted under Certificate of Public Convenience and Necessity (“CPCN”) 7485. Staff investigation concluded. (VH)
- 52. Docket 24-09006** The Application of Donchev, LLC d/b/a 24-7 Las Vegas 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)

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

Vote taken:

Items 53 through 56 were considered collectively.

Motion made by Commissioner Gibbons

Seconded by Commissioner Groover

Approved 3-0

Comment provided by Elizabeth Babcock, Applications Manager:

On item 53, I have been playing phone tag with Attorney Dan Winder as he was concerned, he could not make this time slot but his timing is perfect as he just came in the door.

Comment provided by Attorney Dan Winder:

I have no comments, just notified that I was running late.

- 53. Docket 24-06024** The Application of Quality Limo Services, LLC, a Nevada Domestic Limited Liability Company for a certificate of public convenience and necessity to provide charter bus service within the State of Nevada. Staff investigation concluded. (DG)
- 54. Docket 24-08025** The Application of Lux24 Limousine, LLC d/b/a Lux24 for a certificate of public convenience and necessity to provide charter bus service within the State of Nevada. Staff investigation concluded. (VH)
- 55. Docket 24-11021** The adoption of the United States Surface Transportation Board’s approval of the Sale and Transfer of CPCN 2113 from All West Coachlines, Inc. to Avalon Transportation, LLC. Staff investigation concluded.
- 56. Docket 24-11022** The adoption of the United States Surface Transportation Board’s approval of the Sale and Transfer of CPCN 2121, Sub 2, from Elko, Inc. to Elko Bus Lines, LLC. Staff investigation concluded.

FINANCIAL RATES AND TARIFFS

Vote taken:

Items 57:

Motion made by Commissioner Gibbons

Seconded by Commissioner Groover

Approved 3-0

- 57. Docket 24-11006** The Application of Las Vegas VIP Limousines, LLC d/b/a VIP Limousines of Nevada for final approval of a tariff rate modification for services conducted under CPCN 1103, Sub1. Staff investigation concluded.

APPLICATIONS FOR FULLY REGULATED CARRIERS

Comment provided by Deputy Commissioner, David Pasternak:

Items 58 & 59 should be reviewed separately – they are status checks. Item 62 was pulled from the Agenda.

Vote taken:

Items 60, 61, 63 and 64 considered collectively.

Motion made by Commissioner

Seconded by Commissioner

Approved 3-0

- 58. 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 for special services including regular and irregular routes, and airport transfer service within the State of Nevada. Staff investigation concluded. (DG)

Motion to hold an application hearing the afternoon of January 30, 2025 – 1pm – 3pm.

Items 58:

Motion made by Commissioner Gibbons

Seconded by Commissioner Groover

Approved 3-0

Comments below made prior to the vote taken on the application hearing for item 58:

Comment provided by Applications Manager, Elizabeth Babcock:

Ms. Babcock commented that the carrier has been operating for several years and is owned by Jacob Price. Mr. Price is the recipient of government funds and all of their vehicles need to be ADA compliant. He contacted me for an RFP to continue these funds. He stated that they are not considering him as they felt they needed someone with TNC authority. The last time I spoke with Mr. Price, he stated that he had an appointment with them the next day. He has no operations going on yet, no drivers driving vehicles at this time. The transportation he does is through the rural areas of the state. If not operating – he could file a temporary discontinuance. Purpose of this is to get an update of where we stand – did they get the grant, are they operating, do they have vehicles, etc.

Comments provided by Commissioner Dawn Gibbons:

Commissioner Gibbons mentioned that there are a lot of things that are a problem. We are not sure of 7 livery vehicles – are they ADA compliant? This is my case – there are a lot of problems.

Comment provided by Chairman Vaughn Hartung:

A question for Ms. Babcock, given that this is a status check – do we recognize individually and then bring it back for action?

Comment provided by Ms. Elizabeth Babcock, Applications Manager:

Not sure if anyone is online. The certificate they are operating on is an interim authority. From my point, I would suggest we have a hearing. This was issued in 2022. This company has chartered bus authority which they had at the time that they received the grant. They received temporary interim as it was determined the best thing to do at the time.

Comment provided by Commissioner Dawn Gibbons:

You did state that we are requesting a specific due date of 30 days or an order to show cause.

Comment provided by Ms. Elizabeth Babcock, Applications Manager:

An order to show cause would result in a hearing unless Mr. Price can answer the questions now.

Comment provided by Commissioner Dawn Gibbons:

We need to know where the fleet of 7 vehicles are – there is so much we need to know. You have not kept up with us. We need to discuss the grant with us. Not sure what you are doing.

Comment provided by Jacob Price, owner of Western Trails Charters & Tours, LLC:

I have been in communication with Marta and Liz. We do have 7 vehicles inspected and up to date. This is a funded route through NDOT which did put it out to RFP. They asked for more an uber type of authority. We are asking NDOT if this is the type of authority that you would need – otherwise we would not need interim authority for rural inner city bus service. We are looking at State of Nevada, NDOT, to determine if this authority is good, and then obtain the RFP. If we don't then we would cancel the authority, if we do, then we will close it out. Marta had reached out for a few documents for final authority.

Comment provided by Commissioner Dawn Gibbons:

Commissioner Gibbons commented that Marta had a phone conversation on September 10, 2024 asking if compliance items are still needed. Mr. Price, we need more information – such as are the 7 vehicles ADA compliant.

Comment provided by Jacob Price:

Yes they are. They have all been inspected and we have paid for permits.

Comments provided by Commissioner Dawn Gibbons:

When do you think this will happen as I do understand that it will help the rural communities?

Comments provided by Chairman Vaughn Hartung:

Mr. Price, what we are asking is for a specific due date. Then the additional question for Ms. Kunnel – what are we styled to do today? It is for possible action – could we issue an Order to Show Cause?

Comment provided by Deputy Attorney General Radhika Kunnel:

Ms. Kunnel stated this is for possible action today. Can provide an Order to Show Cause.

Comments provided by Commissioner R. David Groover:

This has dragged on for years and far exceeded what interim authority it was supposed to be. I understand the recent stance with NDOT – if they want him to become an TNC – why does he want to finish this process. Think we need to bring them back for further discussion with NDOT to see what they are doing with that contract.

Comments by Chairman Vaughn Hartung:

As Mr. Price has already acknowledged that they do not comport as a TNC company as they do not have an APP. The driver has to own the vehicle. I do not see that it comports with those requirements.

Comment provided by Jacob Price, owner of Western Trails Charters & Tours, LLC:

Mr. Price provided additional information. NDOT has awarded the RFP to Greyhound Lines. Greyhound is negotiating the contract and is not authorized by the NTA. We were not awarded it. In limbo right now – not sure where it will land as Greyhound is not authorized by the NTA. I would ask for 30-60 days to provide the additional documents and/or make the determination on where we should go.

Comment provided by Ms. Elizabeth Babcock, Applications Manager:

Ms. Babcock inquired if they are currently operating the 7 vehicles.

Comment provided by Jacob Price, owner of Western Trails Charters & Tours, LLC:

Mr. Price stated that we are not operating those vehicles under this authority. We have no customers on the line from Reno to Las Vegas.

Comment provided by Chairman Vaughn Hartung:

This whole thing started in March 2021 – just shy of 4 years – what is the appetite?

Comment provided by Commissioner R. David Groover:

It is a mess but need NDOT in these conversations – not sure this could be completed in 30 day time frame. I would recommend we push it out to 60 days and then bring it back.

Comment provided by Administrative Attorney Yoneet Wilburn:

Commissioners, may I ask a question. Why are we just not going to an application hearing on this and let them present? We are in the business where we want people to operate but we are going on 4 years. Just set the application hearing, bring in evidence, show us what they need to show us. That is just my suggestion.

Comment provided by Commissioner R. David Groover:

Also at the point he may be falling out of the contract. We can set an application hearing but this may resolve itself once we speak with NDOT but I'm amenable to either.

Comment provided by Chairman Vaughn Hartung:

Good suggestion.

Comment provided by Administrative Attorney Yoneet Wilburn:

Ms. Wilburn suggested setting it 45 days out for application hearing. This gives enough time to put all pieces in place.

Comment provided by Chairman Vaughn Hartung:

So sometime at the end of January. Does that work for you Mr. Price?

Comment provided by Jacob Price, owner of Western Trails Charters & Tours, LLC:

You bet.

Comment provided by Ms. Elizabeth Babcock, Applications Manager:

If you are not operating on the seven vehicles, you will need to file a temporary discontinuance and the form is on the website.

Comment provided by Chairman Vaughn Hartung:

What is the timing of that? Would it be prior to application hearing?

Comment provided by Ms. Elizabeth Babcock, Applications Manager:

That would be like today.

Comment provided by Jacob Price, owner of Western Trails Charters & Tours, LLC:

Mr. Price commented that we did speak with Ms. Babcock. We can run tomorrow but we have no passengers.

Comment provided by Ms. Elizabeth Babcock, Applications Manager:

Ms. Babcock commented that if still available with drivers – then you would not need to file.

- 59. Docket 22-04038** For status check of the Joint Application of Bour Enterprises, LLC d/b/a Las Vegas Limousines Service, Vegas Royalty Limos, Stardust Transportation operated by LVL, LLC d/b/a Las Vegas Limousines, Stardust Transportation for final approval of the temporary transfer of operating rights of CPCN 2149, Sub 8, for charter bus, airport transfer, and special services within Clark County, Nevada. Staff investigation concluded. (DG)

Vote taken to table until the January 2025 General session:

Item 59

Motion made by Commissioner Gibbons

Seconded by Commissioner Groover

Approved 3-0

Comments made prior to the vote:

Comment provided by Mr. Brent Carson on behalf of LVL, and Bour Enterprises:

On this CPCN, we started out with temporary transfer with no intention of keeping this certificate due to the insurance company. If you own a bus and a limousine company, they will no longer separate the \$1.5 million from the \$5 million for a bus carrier. So they are requiring your entire fleet to have \$5 million insurance. We filed a separate docket under Landmark Transportation which was a charter bus CPCN. It was granted and approved by the NTA. Based upon that we would cancel this CPCN and run the buses through separate company. They still want to make everyone \$5

million USD because of the same address, etc. We went with Landmark for awhile getting that through the compliance items. The insurance company sent quotes of \$51,000 per year per bus. This meant we would stick with the LVL and keep it with the overall \$5 million as less expensive. I did file a sale and transfer – it has been late – 100% my fault that it is lingering. Request to extend the temporary interim authority pending the new sale and transfer.

Along with the illegal activities bring back discussion on insurance. Need to have a discussion on the insurance industry.

Comment provided by Ms. Elizabeth Babcock, Applications Manager:

Ms. Babcock commented that she would appreciate if he withdrew the charter bus application and the temporary transfer of operating rights be extended during the process of the sale and transfer. I would just hope this moves quickly.

Comment by Commissioner R. David Groover:

Is this for final approval or for continuing temporary transfer?

Comment provided by Ms. Elizabeth Babcock, Applications Manager:

Ms. Babcock stated that interim temporary for Bour Enterprises. Can we table to next agenda to ensure things get done.

60. Docket 23-02005 The Application of Sabet Transportation, LLC for a certificate of public convenience and necessity to provide charter limousine and airport transfer services within Clark, Nye, and Lincoln Counties, Nevada on the one hand and points and places in the State of Nevada on the other. Staff investigation concluded. (RDG)

61. Docket 23-09008 The joint Application of American Investment Enterprises Inc. d/b/a AMR Operated by GMT CARE to sell and transfer and GMT CARE, LLC to purchase and acquire the authority to provide non-emergency medical transport service within Clark County, Nevada on one hand and points and places within the State of Nevada on the other under CPCN 1034, Sub 4. Staff investigation concluded. (DG)

Motion for item 61, Docket 23-09008 The joint Application of American Investment Enterprises Inc. d/b/a AMR Operated by GMT CARE to sell and transfer and GMT CARE, LLC to purchase and acquire the authority to provide non-emergency medical transport service within Clark County, Nevada on one hand and points and places within the State of Nevada

*Motion by Commissioner Gibbons
Seconded by Commissioner Groover
Approved 3-0*

Comments made prior to the vote:

Comment provided by Mr. Jamie Kent, of James Kent Law:

Mr. Kent commented that he did represent a company that was an intervener in this matter. We were unilaterally removed a couple of months ago. But there are concerns related to the financials that we had that would have been up to date as we didn't receive anything different until a couple of months ago. My concern is that the NTA did look at this as they are certainly alarming to me. On their profit/loss of January 1, 2023- July 31, 2023, average income \$1.4 million but in July it dropped down to \$800,000. Why was there such a large drop? Their insurance dropped from \$39,000 to eventually \$2,000 in June and July. Why such a large drop when they state that their taxes are \$58,000 a month? Did anyone inquire if they are behind on their taxes. For balance sheets, these are large discrepancies and movements.

Comments were provided by differences in various categories were provided by Mr. Kent during a 6 month period. Did the NTA question why these operational numbers changed?

Comment provided by Ms. Elizabeth Babcock, Applications Manager:

Ms. Babcock stated that we are not prepared to respond to particular line items without being informed in advance. One item that I do recall is that corrections were made in office furniture as they had gurney's in that account. Financial Analyst Garrett Hammack may be able to answer to those line items. We do look at backup.

Comment provided by Garrett Hammack, Financial Analyst:

I wouldn't speak to the exact numbers without seeing them on paper. We did an in depth analysis on the Pro Forms and the P&L to a level that I have not done on any other company. I am very confident in the financials.

Comment provided by Chairman Vaughn Hartung:

Mr. Hammack – There were some substantial differences with what Mr. Kent brought up. Are you ok with sale and transfer or should we table it?

Comment provided by Garrett Hammack, Financial Analyst:

Mr. Hammack stated that he is comfortable moving forward but if we wish to address some of those I could get some answers as well.

Comment provided by Commissioner R. David Groover:

If he says he is comfortable with it – I'm comfortable with it.

Comment provided by Commissioner Dawn Gibbons:

I'm fine with it.

Comment provided by Chairman Vaughn Hartung:

I'm taking your word that you looked at this. I have not delved deeply into the financials.

Comment provided by Commissioner R. David Groover:

And Chair, we all know the cost of fuel, maintenance has been erratic the past few years. It is impossible to predict.

Comment provided by Chairman Vaughn Hartung:

I'm comfortable moving forward as well.

Comment provided by Ms. Elizabeth Babcock, Applications Manager:

Ms. Babcock stated if Mr. Kent would give me the information, I can look at it. If there are any issues that come up from this, we can bring it back.

Comment provided by Mr. Brent Carson, Brent Carson LLC:

Mr. Carson stated that he objects to this. He had the opportunity during the application to be an intervener. He failed to present any evidence or any discovery. Now on the date of the hearing, he wants to introduce evidence after the staff has done a deep dive into the financials, not pro forma. We met every requirement as stated in paragraph number 4. Have 56% equity ratio – this is not time to bring new evidence now. He had this opportunity to do this previously. Staff supports application as is. A protest cannot come in here and introduce new evidence. They had their chance.

Comment provided by Commissioner R. David Groover:

Commissioner Groover commented that a PLTI was filed, absolutely nothing was done, it delayed the process, and it was dismissed.

Comment provided by Administrative Attorney Yoneet Wilburn:

Administrative Attorney Wilburn stated that the PLTI was granted in March 2023 or 2024 – I am not quite sure but there was a 6-month period where the PLTI was active. There was no discovery done, no discovery was requested and that is why and felt it was not appropriate as a PLTI as nothing was being done. It is Ms. Gibbons application, and she can make a motion to approve it and put it up for a vote.

Comment provided by Mr. Jamie Kent, of James Kent Law:

Mr. Kent commented that it was mentioned that the intervenor did nothing and the hearing was delayed. He stated that an intervenor it is not required to do any discovery. The intervenor was granted authority and based upon the application was made and to have standing. There was a hearing to remove the intervenor because he did not do any discovery and that was denied. There was no discussion to have the discovery by a deadline, no discussion – unilaterally removed. The delay was not us. We did not thing to delay this. We spoke with Ms. Babcock previously and this was not going forward because GMT Care had so many other applications pending, they wanted those to be resolved before they resolved this one. Further, there is to be a scheduling to be provided as an intervenor, that was never done. As to bringing in new evidence, I'm not bringing in anything. This was all part of the application. I'm not bringing in any additional evidence. I took the numbers from the application directly itself. We have the ability to go to a hearing and ask these questions and were denied that ability, so that is why I am asking them today.

Comments by Commissioner R. David Groover:

Commissioner Groover stated that it was dismissed because they did nothing.

- 62. Docket 23-12006** The joint Application of 24/7 Entertainment, LLC d/b/a 24/7 Entertainment Limousine, M Executive Car LV Operated by M Executive Car LV, LLC to sell and transfer and M Executive Car LV, LLC to purchase and acquire the authority to provide charter limousine service within Clark and Nye Counties, Nevada on the one hand and points and places within the state of Nevada on the other under CPCN 1102. Staff investigation concluded. (DG)
- 63. Docket 24-03032** The Application of Hello Vegas Tour, LLC d/b/a Hello Vegas Tour for a certificate of public convenience and necessity to provide scenic tour service within Clark County, Nevada. Staff investigation concluded. (DG)
- 64. Docket 24-05041** The joint Application of 24/7 Limousines LTD d/b/a 24/7 Limousines to sell and transfer and Silver State Limousine Service, LLC d/b/a Silver State Limo to purchase and acquire the authority to provide charter limousine service within Clark and Nye Counties, Nevada under CPCN 1065, Sub 5. Staff investigation concluded. (RDG)

Items 60, 63, and 64 voted in block.

Motion made by Commissioner Groover

Second made by Commissioner Gibbons

Approved 3-0.

REQUEST FOR TEMPORARY DISCONTINUANCE

Vote taken:

Items 65 through 68 were considered collectively.

Motion made by Commissioner Groover

Seconded by Commissioner Gibbons

Approved 3-0

- 65. Docket 24-10022** The temporary discontinuance from October 18, 2024, through April 18, 2025, of service provided ARB Las Vegas, A Nevada Corporation d/b/a Las Vegas Towing under CPCN 7289, and if denied, Staff's recommendation to issue an Order to Show Cause as to why the CPCN should not be revoked. Staff investigation concluded.
- 66. Docket 24-10026** The temporary discontinuance from October 21, 2024, through April 21, 2025, of service provided Alex Towing, Inc. under CPCN 7265, and if denied, Staff's recommendation to issue an Order to Show Cause as to why the CPCN should not be revoked. Staff investigation concluded.
- 67. Docket 24-10031** The temporary discontinuance from November 1, 2024, through April 30, 2025, of service provided Lostra Brothers Towing and Wreck Recovery Service, LLC d/b/a Lostra Bros Towing under CPCN 7146, Sub 1, and if denied, Staff's recommendation to issue an Order to Show Cause as to why the CPCN should not be revoked. Staff investigation concluded.
- 68. Docket 24-10037** The temporary discontinuance from November 1, 2024, through May 1, 2025, of service provided Astillita Productions, Inc. d/b/a Acme Moving Co. under CPCN 3362, and if denied, Staff's recommendation to issue an Order to Show Cause as to why the CPCN should not be revoked. Staff investigation concluded.

REQUEST TO EXTEND TEMPORARY DISCONTINUANCE

- 69. Docket 24-05047** The request to extend temporary discontinuance from November 1, 2024, through May 1, 2025, of tow car services provided by Las Vegas Event Planners, LLC d/b/a A List Trans under CPCN 2186, Sub 2, and if denied, Staff's recommendation to issue an Order to Show Cause as to why the CPCN should not be revoked. Staff investigation concluded.

Vote taken to approve item 69:

Motion made by Commissioner Groover

Seconded by Commissioner Gibbons

Approved 3-0

Comments provided prior to the vote:

Comment provided by Chris Balestrere , Las Vegas Event Planners:

Initially, was due to the insurance carrier and going through National Indemnity. Filing for an extension as we now have the down time. It is a good to rehab the buses. Doing a complete overhaul. We are hoping to be done by February but requested the full extension of 6 months – hoping to have done in less time than that.

Comment by Ms. Elizabeth Babcock, Applications Manager:

If we grant 6 months, it would be 1 year. We ask for extensions of 6 months at our suggestion. Staff supports this.

- 70. Docket 24-06006** The request to extend temporary discontinuance from November 3, 2024, through March 31, 2025, of services provided by Knock Out Transport, LLC d/b/a Knock Out Transport under CPCN 7602. 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.

Comment by Ms. Elizabeth Babcock, Applications Manager:

Ms. Babcock commented that this is an extension. Staff is in support of this extension.

Comment by Steven Young, Knock Out Transport, LLC:

Requesting a continuance for 2 reasons:

1.) I was a caretaker for my mom and not working. 2.) Getting new insurance due to having a break – having an issue. Need a bit of time to get things in order.

Vote taken to approve Item 70:

Motion made by Commissioner Groover

Seconded by Commissioner Gibbons

Approved 3-0

- 71. Docket 24-08017** The request to extend temporary discontinuance from November 13, 2024, through February 13, 2025, of tow car services provided by Highroller Transportation, LLC d/b/a Highroller Transportation under CPCN 2192, and if denied, Staff's recommendation to issue an Order to Show Cause as to why the CPCN should not be revoked. Staff investigation concluded. This requires retroactive approval.

Comment provided by Mr. Jamie Kent, of James Kent Law:

Mr. Kent commented that he had represented them throughout the years but was not involved in this directly.

Comment by Ms. Elizabeth Babcock, Applications Manager:

Ms. Babcock commented that staff is not concerned and the owner is out of the country.

Vote taken to approve item 71:

Motion made by Chairman Hartung

Seconded by Commissioner Groover

Approved 3-0

EXPIRED TEMPORARY DISCONTINUANCE

Please note that items 72 through 75 below may be voted on in a block unless a party to the matter requests an item number be pulled for consideration.

Comment by David Pasternak, Deputy Commissioner:

Each item under Expired Temporary Discontinuance will be viewed separately. Item 74 has been pulled from consideration.

- 72. Docket 22-11023** The expired temporary discontinuance granted from November 14, 2022, through November 14, 2023, of services provided by 24/7 Towing, Inc. under 7119, and Staff's recommendation to issue an Order to Show Cause as to why the CPCN should not be revoked. Staff investigation concluded.

Comment by Ms. Elizabeth Babcock, Applications Manager:

Ms. Babcock stated that there is already an order to show cause. They came to the hearing received an extension which was granted. He appeared at the general session and is ready to return to business. This was tabled for 60 days to allow him to get back in business and he did not. He filed a petition for reconsideration and an order to show cause was rescinded. He has not gone back into business.

Motion for an order to show cause to know why the CPCN should not be revoked.

Motion made by Commissioner Groover

Seconded by Commissioner Gibbons

Approved 3-0

- 73. Docket 24-05048** The expired temporary discontinuance granted from May 17, 2024, through November 17, 2024, of services provided by Desert Run, LLC, under 2278, and Staff's recommendation to issue an Order to Show Cause as to why the CPCN should not be revoked. Staff investigation concluded.

Comment by Ms. Elizabeth Babcock, Applications Manager:

Ms. Babcock stated that it was determined there is no way to find reasonable insurance and will sell vehicle.

Motion to have an order to show cause as to why CPCN should not be revoked:

Motion made by Commissioner Groover

Seconded by Commissioner Gibbons

Approved 3-0

- 74. Docket 24-06005** The expired temporary discontinuance granted from June 6, 2024, through July 6, 2024, of services provided by Knox Transportation, LLC d/b/a Royal Crown Transportation, under 2285, and Staff's recommendation to issue an Order to Show Cause as to why the CPCN should not be revoked. Staff investigation concluded.

Item 74 pulled from consideration.

- 75. Docket 24-07011** The expired temporary discontinuance granted from July 12, 2024, through October 12, 2024, of services provided by Supersonic Movers, LLC d/b/a SuperSonic Movers, under 3391, and Staff's recommendation to issue an Order to Show Cause as to why the CPCN should not be revoked. Staff investigation concluded.

Comment by Ms. Elizabeth Babcock, Applications Manager:

Ms. Babcock commented that the carrier has been out since July. No one from the carrier is here today. They have stated that they are unable to obtain insurance coverage for the vehicle. Staff is requesting order to show cause.

Motion for approval of item 75 to have an order to show cause as to why CPCN should not be revoked:

Motion made by Commissioner Groover

Seconded by Commissioner Gibbons

Approved 3-0

PETITIONS FOR RECONSIDERATION

76. Docket 24-11009 Petition for Reconsideration of denial of driver permit #4713 for Teferi Gebremichael.

Comment provided by Chairman Vaughn Hartung:

Did not receive notice due to moving to a new address?

Comment by Commissioner R. David Groover:

He is going to be occupied for awhile – his address just changed.

Motion to deny the petition for reconsideration of driver permit 4713.

Motion made by Commissioner Groover

Seconded by Commissioner Gibbons

Approved 3-0

77. Docket 24-11015 Petition for Reconsideration of denial of driver permit #12203 for Dean Funell

Comment provided by Dean Funell:

He stated that the notice was addressed incorrectly. It was not sent to his P.O. Box.

Comment provided by Deputy Attorney General Radhika Kunnel:

Ms. Kunnel stated that it would be appropriate to set for another meeting.

Comment by Commissioner R. David Groover:

Commissioner Groover commented that Mr. Funell met with Chief Park in 2021 and turned over documents to him. I believe he has complied. I believe he has been in compliance with everything else.

Comment by Chairman Vaughn Hartung:

Can we grant reconsideration and then grant drivers permit Ms. Kunnel?

Comment provided by Deputy Attorney General Radhika Kunnel:

Ms. Kunnel stated that if he waives his right to notice and Commissioners can approve the driver permit in a separate motion.

Motion to grant permission for reconsideration on Docket 24-11015:

Motion made by Commissioner Hartung

Seconded by Commissioner Gibbons

Approved 3-0

Comment by Commissioner R. David Groover:

Commissioner Groover stated that to have Chief Foster have another chance to look at this. May not have a need for a hearing.

Comment provided by Deputy Attorney General Radhika Kunnel:

Ms. Kunnel stated that there was no need to have another motion unless after his review may need to have a hearing.

Comment by Commissioner R. David Groover:

Commissioner Groover stated I believe his situation was resolved.

Comment provided by Dean Funell:

Mr. Funell stated he was last spoken to in 2021. He had a problem with drugs. He mentioned that I am clean now. I run wheelchair vans for Reno Sparks.

Comment by Commissioner R. David Groover:

Commissioner Groover stated he pleaded no contest to a Class C. I think Chief Foster did not have documents from Chief Park. I believe we are safe in granting the permit.

Comment by John Foster, Chief Transportation Inspector:

Chief Foster stated that on August 19, 2024, I spoke with him regarding the charges. I asked for court documents showing the guilty plea.

Comment provided by Deputy Attorney General Radhika Kunnel:

This will need to be placed on next agenda as this was not noticed.

Comment by Chairman Vaughn Hartung:

Can we give him interim authority to drive?

Comment provided by Yoneet Wilburn, Administrative Attorney:

We granted petition for reconsideration as the denial is not there anymore. He has interim authority to drive.

Motion taken to grant permission for reconsideration:

Motion made by Commissioner Hartung

Seconded by Commissioner Gibbons

Approved 3-0

78. Docket 24-11030 Petition for Reconsideration to be removed from ineligible drivers list, Permit #5763 for Muluneh Tsegaye.

Comment provided by Ms. Hope DiBartolomeo, Management Analyst 3:

Mr. Tsegaye has filed a PFR. He had a citation he failed to appear to. He did pay his fines, but failed to appear. During last driver permit application – he is on ineligible drivers list due to his failure.

Comment by Chairman Vaughn Hartung:

Question, he paid but failed to appear due to him working?

Comment provided by Ms. Hope DiBartolomeo, Management Analyst 3:

Correct, there is not a failure to pay issue, just a failure to appear before the court.

Comment by Commissioner R. David Groover:

If he paid his fines, I am fine with him going onto the eligible drivers list.

Comment by Commissioner Vaughn Hartung:

Can we place him on Eligible Drivers list?

Comment provided by Deputy Attorney General Radhika Kunnel:

Ms. Kunnel commented it a petition for reconsideration to be removed from eligible drivers list. If you approve it, he will be an eligible driver.

Comment provided by Desiree Main, Chief Compliance Audit Investigator

I have nothing further. I agree with Deputy Attorney General Kunnel. I support him being removed from ineligible list.

Motion to grant petition for reconsideration to be removed from ineligible list.

Motion made by Commissioner Groover

Seconded by Commissioner Gibbons

Approved 3-0

79. Docket 24-11026 Petition for Reconsideration for the dismissed application 22-08001 of Felecia Cherry The Cherry Project d/b/a The Book Club-Party Bus.

Comment provided by Ms. Felecia Cherry, The Cherry Project

Ms. Cherry thanked Ms. Babcock for the support she has provided over the past 2 years. She mentioned that when she first applied, she was going through the grieving process of her father passing. The bus was sent to repair shop during Covid as during that time it was not booming for party buses. She had advanced \$7,000 for a new engine. Ms. Cherry stated that she found out the engine was fine and that they did not make new engines. Thus, she had to tow the bus to a new shop to fix another's mistake. The bus is now at a local shop – had to put in another \$8,000 – spoke with General Manager and was informed it should be done in 2 weeks. She mentioned that she is filing a lawsuit with the first repair shop. Ms. Cherry is asking for an extension.

Comment provided by Ms. Elizabeth Babcock, Applications Manager:

Ms. Babcock stated that she understands the delays of now 2 years and 4 months. If an extension is granted, she may need to submit fingerprints again. I will defer to Chief Main.

Comment provided by Ms. Desiree Main, Chief Compliance Audit Investigator:

Ms. Main commented that the general timeframe for applicants is 1 year. If it is beyond 1 year – will request a second set of prints. Since the operations have not started, new prints would be the requirement.

Comment provided by Commissioner Dawn Gibbons:

How long does it take to get fingerprint background check? That could be a problem.

Comment provided by Chairman Vaughn Hartung:

She couldn't call in before – petition for reconsideration of dismissed application – with or without prejudice?

Comment provided by Ms. Yoneet Wilburn, Administrative Attorney:

Ms. Wilburn commented that it should be without prejudice.

Comment by Chairman Vaughn Hartung:

Is it better to start over again?

Comment provided by Ms. Elizabeth Babcock, Applications Manager:

Ms. Babcock commented that there is no need to start over again. Fingerprints will take about 3 months. We would want her to obtain prints as soon as possible.

Comment provided by Ms. Yoneet Wilburn, Administrative Attorney:

Ms. Wilburn commented to consider granting the petition for reconsideration and remove the dismissal.

Comment provided by Chairman Vaughn Hartung:

Can we put a shelf life on this or is it expeditious to start over again?

Comment provided by Ms. Elizabeth Babcock, Applications Manager:

Ms. Babcock commented if we grant the petition for reconsideration then it would not be dismissed and the motion to dismiss would be void. If starts over, pays the filing fees.

Comment provided by Commissioner David Groover:

How much time do you need to go into business?

Comment provided by Ms. Felecia Cherry, The Cherry Project

Ms. Cherry commented that the bus will be ready by the end of the year. I just need to find reasonable insurance and have to hire 2 people and get fingerprints. The Hartford allows you to provide a downpayment on the insurance.

Motion to grant petition for reconsideration and grant 6 months to get all documents to staff.

Motion made by Chair Hartung

Seconded by Commissioner Gibbons

Approved 3-0

80. Docket 24-11032 Petition for Reconsideration of for the dismissed application 22-03028, Ashtyn Creamer Legacy Transport Services Corporation.

Comment provided by Yoneet Wilburn, Administrative Assistant:

Ms. Wilburn commented that she was on the last General Session but could not get through.

Motion made to have this item tabled for one month to the next general session in January 2025:

Motion made by Commissioner Groover

Seconded by Commissioner Gibbons

Approved 3-0

EXEMPTION REQUESTS

81. Docket 24-11019 Las Vegas Skydiving Adventures, LLC d/b/a Skydive Fyrosity 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.

Comment provided by Ms. Elizabeth Babcock, Applications Manager:

Ms. Babcock commented that the reason for a vote as the exemption is to/from applicants' place of business. This is different as he is picking up from a separate location one of three and taking them to go skydiving. Staff is in support.

A representative from Las Vegas Skydiving Adventures was present for any questions.

Motion taken to approve Docket 24-11019 Las Vegas Skydiving Adventures, LLC d/b/a Skydive Fyrosity seeks a declaration of exemption pursuant to NAC 706.147 from the requirement to obtain a CPCN.

Motion made by Commissioner Gibbons

Seconded by Commissioner Groover

Approved 3-0

VOLUNTARY CANCELLATIONS

82. Docket 24-10003 The voluntary cancellation of Ghost Transportation Towing Services Corp CPCN 7553. Staff investigation concluded.

Comment provided by Ms. Elizabeth Babcock, Applications Manager:

Ms. Babcock commented to accept the voluntary cancellation.

Motion was made to accept voluntary cancellation of Ghost Transportation:

Motion made by Commissioner Groover

Seconded by Commissioner Gibbons

Approved 3-0

ORDERS TO SHOW CAUSE

83. Docket 24-07023 Order to Show Cause issued to R & R Transportation, LLC d/b/a R & R Transportation, LLC as to why Certificate of Public Convenience and Necessity 2264, should not be revoked. Tabled from August 22, 2024, general session.

Comment provided by Ms. Elizabeth Babcock, Applications Manager:

Ms. Babcock commented that this item was tabled for 60 days in order for applicant to resume operations which he has not done.

Motion was made to revoke the CPCN 2264:

Motion made by Commissioner Groover

Seconded by Commissioner Gibbons

Approved 3-0

- 84. Docket 24-10014** Order to Show Cause issued to Richard Davidson d/b/a Rick's Mr. Tow. Results of hearing and the Hearing Officer's recommendation for the revocation of CPCN 7168.

Comment provided by Chairman Vaughn Hartung:

Chairman Hartung suggested a question for the NTA Enforcement Team. We will need to follow up – since in Elko, we need to send our staff to ensure that they complied with the Order. Can we make that as part of the Order.

Comment provided by Yoneet Wilburn, Administrative Attorney:

Ms. Wilburn stated that we do not need to do that. This would not need to be placed with the Order as Enforcement will know what to do.

Motion to issue order to show cause to revoke CPCN 7168.

Motion made by Chairman Hartung

Seconded by Commissioner Gibbons

Approved 3-0

APPLICATIONS TO DISMISS

Items 85 through 87 were pulled for consideration.

- 85. Docket 20-09009** The Application of Passion Transportation, LLC for a CPCN to provide charter bus service within the State of Nevada. Deputy Commissioner's Motion to Dismiss Application. Tabled from the July 11, 2024, general session.
- 86. Docket 21-12007** The Application of Matt's Limo Company, LLC for a CPCN to provide charter bus service within the State of Nevada. Deputy Commissioner's Motion to Dismiss Application. Tabled from the July 11, 2024, general session.
- 87. Docket 22-05027** The Application of Kiara Limousine Service, LLC d/b/a KLS for a CPCN to provide charter bus service within the State of Nevada. Deputy Commissioner's Motion to Dismiss Application. Tabled from the July 11, 2024, general session.

APPLICATIONS FOR DRIVER PERMITS

(Closed sessions may be held for items 88 through 89 to consider character, alleged misconduct, professional competence, and physical or mental health pursuant to NRS 241.030.)

- 88. Permit 15031** The Authority will determine whether to grant the application of Yodit F Belete for issuance of a driver's permit pursuant to NRS 706.462. Staff investigation concluded.

Motion taken to deny driver's permit:

Motion made by Commissioner Groover

Seconded by Commissioner Gibbons

Approved 3-0

- 89. Permit 15752** The Authority will determine whether to grant the application of John Gardner for issuance of a driver's permit pursuant to NRS 706.462. Staff investigation concluded.

Comment provided by Mr. Gardner:

No need to close session.

Comment provided by Chairman Vaughn Hartung:

Chair Hartung commented that Commissioner Groover has asked that this be continued.

Comment by Hope DiBartolomeo, Management Analyst 3:

Ms. DiBartolomeo commented that Mr. Gardner has not made a payment since the last general session. This was based off of speaking with the State Controller's Office on 12-12-24.

Comment provided by Mr. Gardner:

Mr. Gardner advised that he attempted to make the November installment of his payment plan at the State Controllers' office located at 555 East Washington, and that building is condemned. He then went to One State Nevada Way. He was advised that you cannot make payments and need to make payments in Carson City/Reno.

Comment by David Pasternak, Deputy Commissioner:

Mr. Pasternak reviewed the amounts owed by account.

Account 1001779-11793: \$2,454.31

Account 1012197-13050: \$11,789.27

Account 1012198-14751: \$10,717.52

Account 1012263-15292: \$21,435.03

Comment by Hope DiBartolomeo, Management Analyst 3:

Ms. DiBartolomeo commented she is not aware of a physical location on where to pay. Not understanding the disconnect as to why there are no further payments. They can facilitate an over-the-phone payment and have the ability to send individual via mail to send payments.

Comment provided by Mr. Gardner:

Mr. Gardner commented all of the other citations are 15-20 years ago. The recent ones have been taken care of.

Comment by Commissioner R. David Groover:

Commissioner Groover stated you need to look this up. We have one option left and we suspend or revoke your permit until the payment plan is set up. You were shown the phone number to call.

Motion to revoke Driver Permit with caveat if Mr. Gardner does set up an account and make regular payments can provide a request for reconsideration.

Motion made by Commissioner Groover

Seconded by Chair Hartung

Against: Commissioner Gibbons

Approved 2-1 with Commissioner Groover and Chair Hartung in favor.

DISCUSSION ITEMS

90. Docket 24-11029 Discussion on NTA Staff policy and procedures approval by Deputy Commissioner.

Item 90 pulled for consideration.

Public Comment – Public comment is welcomed at this time and is limited to 3 minutes per person. Unused time may not be allocated to other speakers. A speaker's viewpoint will not be restricted; however, reasonable restrictions may be imposed upon the time, place, and manner of speech. Irrelevant statements, unduly repetitious statements, and personal attacks that would objectively antagonize or incite others are examples of speech that may be reasonably limited. All comments are to be directed to the Commission as a whole. During this period of public comment, speakers may address any matter either on or off the agenda.

Comment provided by Mr. Jamie Kent, of James Kent Law:

Mr. Kent wanted to reiterate about PLTI's. Under legislation, if you keep them, you need to put in timelines. If was stated in order, should have ability to discovery. Need clarification on this.

Motion to Adjourn by Chairman Hartung.

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 per person. Comment may not be restricted based on viewpoint.

The presiding officer may order the removal of any person whose statement or other conduct disrupts the orderly, efficient or safe conduct of the meeting. Warnings against disruptive comments or behavior may or may not be given prior to removal. The viewpoint of a speaker will not be restricted, but reasonable restrictions may be imposed upon the time, place and manner of speech. Irrelevant and unduly repetitious statements and personal attacks which antagonize or incite others are examples of speech that may be reasonably limited.

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) 687- 9790 as far in advance of the meeting or hearing as possible.