

STATE OF NEVADA

JOE LOMBARDO  
Governor



DR. KRISTOPHER SANCHEZ  
Director

VAUGHN HARTUNG  
Chairman

DAWN GIBBONS  
Commissioner

R. DAVID GROOVER  
Commissioner

DEPARTMENT OF BUSINESS AND INDUSTRY  
NEVADA TRANSPORTATION AUTHORITY

MINUTES OF MARCH 13, 2025, GENERAL SESSION

1. Call to Order

*Chairman Vaughn Hartung called the meeting to order at 9:39 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, Deputy Attorney General Radhika Kunnel.*

3. Pledge of Allegiance

*Dawn Gibbons led the Pledge of Allegiance*

4. Public Comment –

***Public comment provided by Mr. Keaton Luther:***

*I'm here to see what the reasons were for the termination of Chief John Foster.*

***Public comment provided by Chairman Vaughn Hartung:***

*Sir, during public comment, this is not a back-and-forth. We're not agendized to talk about any specific item under general public comment. If you'd like to make a comment, we're happy to hear that comment. This is your time to speak.*

***Public comment provided by Mr. Keaton Luther:***

*I feel the NTA officers are short-staffed as it is and he is one of the good officers, as far as I know, and I think that maybe his termination should be reconsidered. That's all I really have.*

5. Approval of Agenda –

***Liz Babcock, Applications Manager, commented:***

*Requested items 110, 183, and 187 to be removed from consideration.*

*Typographical errors, one on a notice and one on the blurbs for item number 68. It has a reference to NRS 706-3761. It should be NAC 706-3761. Also, in the order on 48, it refers to Lisa Stewart as Lisa Smith several times. That will be corrected before the final order goes out. And we're pulling some citations for discussion.*

**Chairman Vaughn Hartung commented:**

*We'll get to that when we get to those citations, and we can pull them out for a discussion. Ms. Kunnel. Due to the typographical errors in item number 68 will we have to pull that and correct it?*

**Deputy Attorney General Radhika Kunnel commented:**

*For the record, given that there is no conflicting NRS with the same numbers, I do not see an issue.*

**Chairman Vaughn Hartung commented:**

*How about item number 48 with the incorrect name? Is that an issue, being that the name will be corrected in the final order?*

**Deputy Attorney General Radhika Kunnel commented:**

*Yeah, it is not material enough. If Miss Stewart does not have an issue with that, I believe we are OK.*

**Vote taken to approve agenda:**

*Motion made by Commissioner Gibbons*

*Seconded by Commissioner Groover*

*Approved 3-0.*

## **6. Approval of the Minutes of the January 2025 Agenda Meeting –**

**Deputy Attorney General Radhika Kunnel commented:**

*I just wanted to bring up a tiny matter that the Deputy Commissioner brought to my attention. Item 6, the approval of minutes for the February 2025 Agenda meeting, should read January. Given that we did not have a February meeting.*

**Chairman Vaughn Hartung commented:**

*You're right. We did not have a February meeting because of a snow day, at least in Northern Nevada. Is that materially different? Can we move forward with the approval of the Minutes from January, noting it?*

**Deputy Attorney General Radhika Kunnel commented:**

*With that correction, the intent is to approve the previous meeting's minutes, which, in this case, was the January meeting.*

**Approval of minutes of the January 2025 Agenda:**

*Motion made by Commissioner Gibbons*

*Seconded by Commissioner Groover*

*Approved 3-0.*

**7. Briefings from the Commissioners**

**Chairman Vaughn Hartung commented:**

*I want to thank John Foster for his service to the NTA. I also want to apologize for last month's meeting not being held. It's one of those calls that the Governor had to make fairly early. It was a relatively snowy day. We thought we might even have another one today. We woke up in, especially in the foothills, they got quite a bit of snow. They're supposed to get a lot of snow up in the mountains, but it's relatively dry down here, so go figure. It's just impossible to figure that stuff out in Northern Nevada.*

*Like to have two agenda items in the future, Mr. Pasternak. Maybe one doesn't have to be an agenda item, but maybe you can just get information. First of all, I'm going to refer to it as a do not rent list. We're having an inordinate amount of illegal moving and storage and other usages where they're renting trucks from U-Haul, Ryder, or Enterprise. I'd like to create a formal list that we send out regularly with these names. Stating these individuals had rental trucks impounded. They keep going from one agency to another to rent vehicles. As everyone is aware, NRS 706.745 allows them to get their vehicles, but they still have to pay those impound and tow fees to the tow company. I'd like to try to curtail that in some way. The do-not-rent list would be one way. Maybe we can contact the rental company prior to it being towed. If they can show us a lease agreement, they can pick up the vehicle prior to it being impounded. I would like a legal explanation and assessment of this issue.*

*The second item is block across topics. What I'd like to know is, as long as we list everything, whether it's a compliance period, a name change, or a petition for logo approval. What I'd like to know is why we cannot block across topics in a former life, we used to have a consent agenda, and it had numerous topics in it and block votes that had numerous topics. I'm trying to understand why, for expediting our meetings, we can't block across topics. Is there a statutory requirement that I'm not aware of because we've done this in other agencies.*

**Commissioner Dawn Gibbons commented:**

*I won't do any briefings as a Commissioner, considering we have 196 cases. We have a lot of people here, so I'm not going to say anything today.*

**Commissioner R. David Groover commented:**

*I'll be very, very brief. I'm in agreement with the Commissioner, given the length of this agenda, do want to thank John Foster for his years of service to the NTA, I also want to*

*thank all the staff, everybody who has pulled together to help try to fill that void and move things forward.*

## **8. Briefing from the Deputy Commissioner**

### ***Deputy Commissioner David Pasternak commented:***

*I'd like to thank the Director's office as we were fortunate to gain overtime for our enforcement team to participate in conventions that occurred concurrently in January. We had two conventions that occurred concurrently. Our enforcement team was able to obtain 12 impounds totaling \$26,000 in impound fees and \$69,000 in citations that were due and payable with \$54,500 suspended for two years. I echo the Commissioner's comments. I'd like to thank John Foster for his service to the NTA. During the meeting in January, it was requested to provide a cut-off date for the agendas. We have instituted that and have listed the cut-off date for March and April agendas on the website under meetings and workshops. In closing, I would like to once again thank Lisa Stewart for doing a great job and putting the agendas together.*

## **9. Report of Legal Counsel**

### ***Deputy Attorney General Radhika Kunnel commented:***

*I have a report. I report on three different matters. One is Titan on August 12, 2024. The petitioner filed a timely PJR asking the Clark County District Court to review the decision of NTA under case number 824899557-J following the District Court's order, which had larger effects than limiting it to NTA. The parties entered into a stipulation to limit the position to the specific facts of the PJR without any ambiguities intruding into other areas of law that could affect DMV and other parties. With that, that case is closed. On January 29, 2025, Mr. Jenkins filed case number 815911195-J. He had major errors in the filing process. As of yesterday, this has been administratively closed by the clerk's office. The only live case at this time is a PJR filed by LifeTrans. On March 5th, 2025, LifeTrans filed at PJR in Clark County District Court and the case #825914016 against the final decision of the approval of the application of Medical Transport USA LLC at its January 16, 2024, General Session docket 21-07010 and the NTA's earlier dismissal of LifeTrans as an intervenor. NTA, through their council, is in the process of preparing responsive motions as we speak.*

### ***Chairman Vaughn Hartung commented:***

*The item that you mentioned about Titan is on our agenda today, I think it's important to note that it is item number 112.*

## **ADMINISTRATIVE CITATIONS AND IMPOUNDMENTS**

### ***Deputy Commissioner David Pasternak commented:***

*Items 12, 48, 67, 68, and 87 will be pulled for discussion.*

### ***Vote taken to approve Citations and Impounds:***

*Items 10 through 109 were considered collectively, excluding 12, 48, 67, 68, and 87  
Motion made by Commissioner Gibbons*

- 10. Citation 23249 and Impound I-4858** The impoundment pursuant to NRS 706.476 of a vehicle registered to and Citation 24249 issued to Orlando Perez-Organes for violations of NRS 706.386 and NRS 706A.758 (DG)
- 11. Citations 24174, 24175, 25201 AND 25202** for a violation of NAC 706.381(1); NAC 706.2473 per 49 CFR 396.21; NAC 706.2473 per 49 CFR 396.3(b)(4); NAC 706.203(5); NAC 706.203(5); NAC 706.2473 per 49 CFR 391.11(b)(5) and NAC 706.2473 per 49 CFR 391.65 issued to T1 Transportation (DG)
- 12. Citation 24304** for a violation of NRS 706.386 issued to William Toh (DG)

***Attorney Dean Leavitt, on behalf of William Toh commented:***

*We entered into a stipulated agreement. We have no issue with that. I just wanted to indicate that from last year, Mr. Toh on citation, I think 20424304 Mr. Toh has been paying a \$400.00 monthly fine. We're simply asking that this fine be paid at the conclusion of his payment on that other citation, that's our request. Thank you.*

***Chairman Vaughn Hartung commented:***

*What will happen today is an order will be issued. If this is approved, and once that order is issued. He'll have 10 days to respond to that and then he can get on a payment plan. So, it's going to take some time for this to go out. I don't know whether that's answered your questions. But we can probably have someone from legal also answer that either Ms. Kunnel or Ms. Wilburn.*

***Attorney Dean Leavitt, on behalf of William Toh commented:***

*I'm asking if this fine is approved today, can the payments start after he completes his other fine? He can't afford to be paying both at the same time.*

***Administrative Attorney Yoneet Wilburn commented:***

*What happens is once this order is approved, there does need to be a debt letter that's attached, and the order does need to go out he doesn't even need to start paying until he gets the order in the mail. Which should be about 10 to 15 days after approval today. And then once he does that, he can call the NTA for a payment plan. I'm not sure how it works with regard to waiting on another citation. I'm not the best person to speak to that as I don't handle the payments. I don't know that it should be an issue, but I can't say that it won't. I don't know when the payments need to start or at what time they need to start.*

***Attorney Dean Leavitt, on behalf of William Toh commented:***

*That's great. We'll figure it out. I appreciate it.*

***Hope DiBartolomeo, Management Analyst III, commented:***

*Typically speaking, when a debt is approved, the debtor has 20 days from the date of the debt letter to initiate a payment plan and or secure final payment. I'm not prepared to speak on how many more payments this individual has on the previous debt. I can look that up and request approval or if it's something that the authority would like to take into consideration as a revised statement within the order. That is something that could also assist in approving that request, but I'm not sure which would be the more appropriate method.*

***Chairman Vaughn Hartung commented:***

*What I don't want to do is get everything crossed up because I know that there were some other fines that had been adjudicated. This one was adjudicated somewhat early. Mr. Levitt, I don't know whether we've answered your questions, but from today's date, it's going to take some time for the order to go out in the mail, and then he'll have 20 days to get himself onto a payment plan. There'll be a number with which he can call and set up a payment plan and wait for the additional citations to move through the system. I think if I'm hearing your question correctly.*

***Attorney Dean Leavitt, on behalf of William Toh commented:***

*Yeah. No, you've been great. We'll have him do that. Thank you.*

***Commissioner R. David Groover commented:***

*We do have one person with a comment on this.*

***Public Comment Provided by Donielle Fawcett of Personal Sedan Service, LLC***

*I'm speaking regarding #12 for public comment. This particular individual has been cited multiple times by the authority and we appreciate the investigator's due diligence, but I'd like to bring it to the Commissioner's attention again after this gentleman receives a citation. The chauffeurs on the street have sent the investigators emails with photos of him going out and doing the same things over and over again. We personally believe he's a danger to the public. We have videos that have been sent to the Transportation Authority of him leaving his vehicle on Paradise in the middle of the street with his four ways on and going and soliciting at the Convention Center. He is very aggressive to the chauffeurs on the street. Threatening, assaulting, and starting fights with other chauffeurs on the street. I encourage the Authority if this does continue, that we take different measures because he is a danger to the traveling public, and we have a responsibility to ensure their safety, and also to our fellow associates and chauffeurs who are being verbally threatened by this particular individual. I know the fine was \$7500. He's constantly put into the abatement and with payment plans, but with somebody with this much of an issue. If you look at the citations where you see him and how consistent they are, he's renting cars on Turo. He's in different vehicles every day. I can assure you that you will see him again. We will send more videos to the investigative team of him being out there. He is a danger to the traveling public and to my personal associates that I employ. They see them, and I have to instruct them to leave the area. I have one associate who has tried to press charges against him because he has been threatening them with physical harm. Thank you.*

***Chairman Vaughn Hartung commented:***

*Thank you, Ms. Fawcett. Before we close this, I will tell you I adjudicated these. These were public hearings. All I can say, Miss Fawcett, is more to come. Substantially more to come. OK.*

***Vote taken to approve:***

*Item 12*

*Motion made by Commissioner Gibbons*

*Seconded by Commissioner Groover*

*Approved 3-0*

- 13. Citation 24309 and Impound I-5116** The impoundment pursuant to NRS 706.476 of a vehicle registered to and Citation 24309 issued to Mohamed Thiam for violations of NRS 706.386 (DG)
- 14. Citation 24310 and Impound I-5117** The impoundment pursuant to NRS 706.476 of a vehicle registered to and Citation 24310 issued to Emmanuel Ezem for violation of NRS 706.386 (DG)
- 15. Citation 24311 and Impound I-5118** The impoundment pursuant to NRS 706.476 of a vehicle registered to and Citation 24311 issued to Paul Eriobuna for violation of NRS 706.386 (DG)
- 16. Citation 24312 and 24313 and Impound I-5119** The impoundment pursuant to NRS 706.476 of a vehicle registered to and Citation 24312 and 24313 issued to Thu Thi Minh Lew for violation of NRS 706.386 and NRS 706A.280 (DG)
- 17. Citation 24314 and 24315 and Impound I-5120** The impoundment pursuant to NRS 706.476 of a vehicle registered to and Citation 24314 and 24315 issued to Rehmet Ayelgne for violation of NRS 706.386 and NRS 706A.280 (DG)
- 18. Citation 24318 and 24319 and Impound I-5190** The impoundment pursuant to NRS 706.476 of a vehicle registered to and Citation 24318 and 24319 issued to Wahidullah Safi for violation of NRS 706.386 and NRS 706.758 (DG)
- 19. Citation 24383** for a violation of NRS 706.386 and NRS 706.758 issued to Justin Carillo (DG)
- 20. Citation 24393 and Impound I-4983 and I-4984** The impoundment pursuant to NRS 706.476 of a vehicle registered to and Citation 24393 issued to Rory Sullivan for violation of NRS 706.386 and NRS 706.758 (DG)
- 21. Citation 24715 and Impound I-3639** The impoundment pursuant to NRS 706.476 of a vehicle registered to and Citation 24715 issued to Robert Arakelyan for violation of NRS 706.386 (DG)
- 22. Citation 24968 and 24969** for a violation of NRS 706.386 and NRS 706A.280 issued to Yohannes Belai (DG)

- 23. Citation 25096** for a violation of NRS 706.398 and NAC 706.191 issued to MNM, LLC d/b/a Fabulous Transportation (DG)
- 24. Citation 25251** for a violation of NAC 706.191 issued to National Transportation Services (DG)
- 25. Citation 25302 and Impound I-4952** The impoundment pursuant to NRS 706.476 of a vehicle registered to and Citation 25302 issued to Christopher McCabe for violation of NRS 706.386 (DG)
- 26. Citation 23242 and Impound I-4935** The impoundment pursuant to NRS 706.476 of a vehicle registered to and Citation 23242 issued to Michael O'Brien for violation of NRS 706.386 and NRS 706.758 (RDG)
- 27. Citation 23244 and Impound I-4577 AND I-4578** The impoundment pursuant to NRS 706.476 of a vehicle registered to and Citation 23244 issued to Daniel Gonzalez for violation of NRS 706.386 AND NRS 706.758 (RDG)
- 28. Citation 23245 and Impound I-4579 and Impound I-4580** The impoundment pursuant to NRS 706.476 of a vehicle registered to and Citation 23245 issued to Andrij Jowa for violations of NRS 706.386 and NRS 706.758 (RDG)
- 29. Citation 23246 and 23247** for a violation of NAC 703.13775.1, NAC 706.376.13 and NAC 706.3754.2 issued to Tiffanie Willison (RDG)
- 30. Citation 23343 and Impound I-4575** The impoundment pursuant to NRS 706.476 of a vehicle registered to and Citation 23343 issued to Mackey Kernan for violations of NRS 706.386 and NRS 706.758 (RDG)
- 31. Citation 23356 and Impound I-4936 and I-4937** The impoundment pursuant to NRS 706.476 of a vehicle registered to and Citation 23356 issued to Dominic Magnotta for violation of NRS 706.386 and NRS 706.758 (RDG)
- 32. Citation 23414, 23415, 23416, 23417, 23418 and 23419** for a violation of NAC 706.194, NAC 706.203, NAC 706.311, NAC 706.420, NAC 706.4275, NAC 706.4477, NAC 706.2473 49 CFR 391.51, NRS 706.398, NAC 706.2473 49 CFR 396.3(b)(3) issued to Metropolitan Towing Company, LLC d/b/a Western States Towing (RDG)
- 33. Citation 23946 and 23947 and Impound I-3935** The impoundment pursuant to NRS 706.476 of a vehicle registered to and Citation 23946 and 23947 issued to Mehari Fitsumberhan for violation of NRS 706.386 and NRS 706A.280 (RDG)
- 34. Citation 24119** for a violation of NRS 706.386 issued to Carlos Ochoa-Avila (RDG)
- 35. Citation 24302 and 24303 and Impound I-5188** The impoundment pursuant to NRS 706.476 of a vehicle registered to and Citation 24302 and 24303 issued to Amir Beikabadi for violation of NRS 706.386 and NRS 706A.280 (RDG)
- 36. Citation 24305 and 24306 and Impound I-5123** The impoundment pursuant to NRS 706.476 of a vehicle registered to and Citation 24305 and 24306 issued to Solomon Mala for violation of NRS 706.386 and NRS 706A.280 (RDG)

- 37. Citation 24307 and 24308 and Impound I-5178** The impoundment pursuant to NRS 706.476 of a vehicle registered to and Citation 24307 and 24308 issued to Fredy Portilla-Yanes for violation of NRS 706.386 and NRS 706A.280 (RDG)
- 38. Citation 24321 and 24322 and Impound I-5174** The impoundment pursuant to NRS 706.476 of a vehicle registered to and Citation 24321 and 24322 issued to Jeffrey Abrams for violation of NRS 706.386 and NRS 706.758 (RDG)
- 39. Citation 24325 and Impound I-5172** The impoundment pursuant to NRS 706.476 of a vehicle registered to and Citation 24325 issued to Gregory Masilungan for violation of NRS 706.386 and NRS 706.758 (RDG)
- 40. Citation 24353** for a violation of NRS 706.386 and NRS 706.758 issued to Kimo Cables (RDG)
- 41. Citation 24356** for a violation of NRS 706.386 and NRS 706.758 issued to Clark Dennison (RDG)
- 42. Citation 24377 and 24378** for a violation of NRS 706.386 and NRS 706.758 issued to Stephen Barnes (RDG)
- 43. Citation 24388 and Impound I-4988** The impoundment pursuant to NRS 706.476 of a vehicle registered to and Citation 24388 issued to Susan Holland for violation of NRS 706.386 and NRS 706.758 (RDG)
- 44. Citation 24507 and 24508 and Impound I-5052** The impoundment pursuant to NRS 706.476 of a vehicle registered to and Citation 24507 and 24508 issued to Oluwaseun Adewuyi for violation of NRS 706.386 and NRS 706A.280 (RDG)
- 45. Citation 24570 and 24571 and Impound I-5114** The impoundment pursuant to NRS 706.476 of a vehicle registered to and Citation 24570 and 24571 issued to James Garry for violation of NRS 706.386 and NRS 706A.280 (RDG)
- 46. Citation 24623** for a violation of NRS 706.386 issued to Battleborn Response (RDG)
- 47. Citation 24911 and Impound I-4873** The impoundment pursuant to NRS 706.476 of a vehicle registered to and Citation 24911 issued to GRG Towing, Inc. / Debonte Boles for violation of NRS 706.386 and NRS 706.758 (RDG)
- 48. Citation 25039** for a violation of NRS 706.465 issued to 27/7 Entertainment (RDG)

***Chairman Vaughn Hartung commented:***

*Commissioner Groover, do you want to open up? I know that you also wanted to pull item 87, which is also for 706.465. Do you want to open those two simultaneously so that we can discuss them, or would you like to discuss them individually?*

**Commissioner R. David Groover commented:**

*I think they can go together. I see Mr. Tomlinson is here, so there's no need to do this twice.*

**Chairman Vaughn Hartung commented:**

*Here's what I'm going to do so that we have everything straight on the record: I am opening item number 48, which is citation number 25039, for the violation of NRS 706.465. I'm also opening item number 87, citation number 27414, for the violation. Also, for the violation of NRS 706.465 issued to two separate companies. Commissioner Groover, I'm going to let you have the floor and talk to us about some issues that you've uncovered.*

**Commissioner R. David Groover commented:**

*I'm going to start with 87, which is the LifeTrans citation. These were citations that came in front of me initially and it was a failure to appear. I believe LifeTrans failed to appear two or three times. At the last hearing, I had a discussion with Ms. Wilburn and asked her what was up with Lifetrans because they're a fairly big company. She called Mr. Tomlinson, and he was unaware of these citations. From that point forward, they moved to take care of everything. The problem comes with these citations under this particular statute were all over the map and how we issue fines. The LifeTrans ones. Mr. Csoka said that initially he would ask for \$100 per count, but because it was an FTA, he wanted to go \$200.00 per count. There were a lot of counts, and it was a substantial fine. Eventually, these were placed in front of you as they should have been, and it was reduced to \$500, which is probably the more appropriate range for those to be in. My issue comes in reading 706.465. Where it requests a fee to be paid. If it's late, it will be 10% of the amount of the fee. The fee would be the decal the limo permit of \$100.00. 10% of that plus 1% a month; if it goes over that, it goes into a fractional. That's why I'm saying that we're probably close to what they should be. However, it appears that we're charging an FTA fee as well. I didn't find anything specifically for an FTA fee, but I believe Ms. Wilburn will speak to that, or possibly the Deputy Attorney General will speak to that. I just want all of these to be consistent. If we go to the next case involving 24/7 limousine, I didn't see the number of violations in the order, but I believe it was 4...Mr. Carson, you represent them, how many was it?*

**Attorney Brent Carson commented:**

*Four*

**Commissioner R. David Groover commented:**

*They had four counts, and their fine is \$4000. Requested by the DAG on the FTA. They're in a sale and transfer, so I don't know where the paperwork went. I just want to get all of these consistent where we're doing pretty much the same thing for everybody.*

***Administrative Attorney Yoneet Wilburn commented:***

*I do understand what Commissioner Grover is saying, and he is correct about the 10%, in addition to the fee that comes into that, however, there are catch-all phrases in 706, as everybody knows kind of with criminal penalties as well as administrative penalties and civil fines. For example, 706.771 sub 1 allows for a fine on top of anything else written into any of the sections. That's essentially a penalty, and that is to be not more than \$10,000 for any violation. It is in addition as well as 706.775. If you read those, those are catch-all phrases and they allow for the DAG to request a penalty for violation of any of the sections in this statute. I do believe that the DAG is asking. Based on what they see in the file and an FTA, I do believe is different than someone who does show up. They are asking for an additional penalty for someone who does not show themselves in front of the authority to deal with their citations. What is being asked for and levied is not out of the realm of possibility, and not every case is the same as every other case. That's why the penalties are different. The fines and the fees, the 10%, should be the same for every case. And I do believe they are. But what you're seeing in the number and discrepancies is based on those catch-all phrase statutes that allow for penalties on top of fines and fees, and Ms. Kunnel can speak to that as well because she is there.*

***Chairman Vaughn Hartung commented:***

*I both agree and disagree. NAC 706.4017 Sub 2, if the respondent fails to appear at the time and place set for an administrative proceeding, the authority may impose a fine for the violations alleged in the complaint. However, if you look at sub 1, it says the Authority will review the decision of the hearing officer. So that means that it should go to the hearing Officer first and then the authority can amend any of those fines. I believe if I'm reading this correctly. Ms. Kunnel, go ahead.*

***Deputy Attorney General Radhika Kunnel commented:***

*I don't have anything further to add to either of your arguments. Yes, as much as we have the then we review as DAG, I can say that when we prosecute a case, we actually look into the facts of the case, and sometimes the fines are variable and those go to the underlying facts. If they see there is a pattern fines are generally higher. To Ms. Wilburn's point NRS 706.775 allows us to add on additional fines or penalties.*

***Chairman Vaughn Hartung commented:***

*While we're on these two, let me bring up one other issue, and I'm the one who adjudicated item number 87, citation number 24714, for the violation of NRS 706.465. There were 40 counts listed in that original citation, yet that's not in the order. Is that substantively a problem, Ms. Kunnel or Ms. Wilburn? Do we need to go back and correct that order before we approve it today?*

***Deputy Attorney General Radhika Kunnel commented:***

*I have not prosecuted this case. I'm actually reviewing the order as we speak. If there is a discrepancy, I believe it prudent to pull the item and put it back on another.*

***Neil Tomlinson, on behalf of LifeTrans, commented:***

*I just wanted to say on the notice point, I think that the order does reference count my position would be that it wouldn't need to be renoticed because it doesn't say the exact count. We're happy to do whatever the Authority decides. I would add one other point, too. This was part of another citation, and they were all kind of resolved on the same day. There was a bigger discussion and stipulations that were had that day that include the citation. We want to just get it resolved and move on, but we're happy to do whatever the Authority decides today. Thank you.*

***Chairman Vaughn Hartung commented:***

*It's not an issue of that. It's just an issue of clarity. I want to make sure that everything is clear in the record and is legal in the record, Mr. Tomlinson. I'm not wrapped around the axle on this; it's just that we did have 40 counts, and I want to make sure that there's no substantive difference in the orders as far as the DAG is concerned. I'm OK with moving forward, but I just need to get legal counsel from both the DAG and our admin attorney.*

***Deputy Attorney General Radhika Kunnel commented:***

*I'm comparing the order and the citation. I don't see there is any conflict, and they align perfectly because the order clearly states that it is an order issued based on stipulations and agreement. Point I says that the recommendation of the hearing officer, regarding violation 1 which aligns with violation 1 on the written citation. The citation has the number of counts also listed. I agree with Mr. Tomlinson, that the notice is proper.*

***Chairman Vaughn Hartung commented:***

*So, you have no issue with leaving it on the agenda? I just want to make sure everything is proper.*

***Deputy Attorney General Radhika Kunnel commented:***

*I do not see any discrepancy that would warrant either pulling from the agenda or scheduling to another agenda because it meets all the notice requirements under OML.*

***Administrative Attorney Yoneet Wilburn commented:***

*The reason that the order is written the way it is. It says to the admission of violation 1 and when you reference the citation violation 1 is all-encompassing as to everything that is written under violation 1 which includes count number.*

***Chairman Vaughn Hartung commented:***

*Commissioner Groover, go ahead. The floor is still yours. Do you have anything further on item number 48?*

***Commissioner R. David Groover commented:***

*I would like to. Probably direct the Deputy Commissioner and he can work with the Administrative Attorney and the DAG to get these consistent for everybody. Because they are all over the map what we're charging on these. The second thing is that under subsection 3 of 706.465, it requires a 10% penalty for the late payment of the fee. I don't know that we are collecting those. We used to collect them. I don't know what happened. Those have kind of fallen off the chart. But that is an interest, so at some point that needs to be part of the discussion with the Administrative Attorney and the Deputy Commissioner.*

***Chairman Vaughn Hartung commented:***

*With respect to item number 48, do you want to do you want to vote on that? Do you want to pull it back for a rehearing? What is your desire on 48?*

***Commissioner R. David Groover commented:***

*I believe that we should reset the penalty amount on it. The fee if we want to send it back for a hearing, that's fine with me. I believe that's what we did on the LifeTrans case. It was reset for a hearing in front of you. You were hearing all the other matters. So I believe that's what we did in that one.*

***Chairman Vaughn Hartung commented:***

*Miss Kunal with respect to item number 48 should we just take a vote for a rehearing?*

***Deputy Attorney General Radhika Kunnel commented:***

*If that's what Commissioners would like, maybe that's a motion that should be put forward. I'm not sure I understand your question.*

***Chairman Vaughn Hartung commented:***

*If Commissioner Groover wants to pull it back to revisit it and make that motion, I'm OK with that. With respect to item number 87, I think that I'll make the motion when we get to that point to leave that in and move forward. As it's written in the order, let's start with item number 48. Mr. Groover, what would you like to do?*

**Commissioner R. David Groover commented:**

*And let me go back to 87, one more time. That was only pulled to show the difference between the two cases. I agree that 87 should go forward today. With the other case, I would like some sort of guidance or direction from our attorneys and the Deputy Commissioner on what our standardized fees would be for this. I do want to either go back for a hearing or amend it at a General Session, whichever is more appropriate. Either way, it's OK with me.*

**Chairman Vaughn Hartung commented:**

*My personal opinion is that I think it should go back for a rehearing. You were the original hearing officer. I believe that notwithstanding any other issues, you should continue to be the hearing officer and rehear it, and you know under a different look at the statutory requirements. If you'd like to make that motion, we'll move with that one and then we'll go to item 87.*

**Administrative Attorney Yoneet Wilburn commented:**

*I understand we are trying to set these two into the same category, however, they are very different. If you read the discussion and the order for 48, it specifically says the fine is assessed for the violation taking the failure to appear into account, which you are allowed to do and that's why the fines vary greatly and as I said, the 706.771, 706.775 allow for certain fines and as Ms. Kunnel stated on the record, when the DAG is making their recommendation, they do get into the facts of the case and that is why I understand you may want the fees to be exactly or the fines to be exactly the same for every case. However, when you take the facts into account, the fines do vary based on past history. What the actions were in the case itself on that night and what happened, so I just wanted to bring to your attention that the reason this one is very different from number 87 is that there was an additional item taken into account, which is the failure to appear.*

**Chairman Vaughn Hartung commented:**

*Notice taken, Ms. Wilburn. However, on any citation or any item on an agenda, a Commissioner or staff can ask for it to be pulled back and reheard. So that is always an option for any one of the three Commissioners and doesn't mean we have to agree to that if Commissioner Groover would like to make a motion to reconsider and pull it back for another hearing. I believe he can do that, I believe it's well within his purview. and we the Authority, can either agree with him or disagree with him. So go ahead, Commissioner Grover.*

**Commissioner R. David Groover commented:**

*I just wanted to state that on agenda item 87, Mr. Csoka did state that his normal fine recommendation will be \$100 per count. However, due to the repeated failures to appear,*

*he is recommending \$200.00 per count, so that did not show up in the order, but it is on the record I did play that back yesterday. It was addressed in that one as well. It just did not show up in the order.*

***Vote taken to remand the case back for a rehearing:***

*Item 48*

*Motion made by Commissioner Gibbons*

*Seconded by Commissioner Groover*

*Approved 3-0*

***Attorney Brent Carson commented:***

*I appreciate and accept the remand back with this, but since this was a failure to appear. On a company that is temporarily operating, 24/7's license the mailing I think went to 24/7 if I could be included on the notice of hearing. That way we could avoid any more failure to appear that way I will have direct notice of the actual date and time. I would appreciate that. Hopefully, we can avoid some of these issues going forward. Thank you.*

***Chairman Vaughn Hartung commented:***

*Maybe that's why the FTA occurred to begin with. Do we need to amend the motion to include Mr. Carson in the mailing Ms. Kunnel or Ms. Wilburn.*

***Commissioner R. David Groover commented:***

*I really think his carrier's responsibility to keep up with this.*

***Chairman Vaughn Hartung commented:***

*No, I mean look, and I don't disagree, but sometimes that stuff gets crossed up. I can see how sometimes those things get crossed up. It's an error. So as long as we're OK with including Mr. Carson in that without amending the motion, then we can move on to item number 87.*

***Chairman Vaughn Hartung commented:***

*Is Mr. Carson enrolling as their formal attorney?*

***Attorney Brent Carson commented:***

*Yes. So, throughout this whole process, I've been their attorney as it relates to the operations of M Executive Car and 24/7 CPCN.*

***Chairman Vaughn Hartung commented:***

*The question is do I need to amend the motion? Do I need to have an amended motion? Go back and reconsider that motion and/or do an additional motion to allow Mr. Carson to be added to the mailing list.*

***Deputy Attorney General Radhika Kunnel commented:***

*No*

- 49. Citation 25127 and 25128** for a violation of NRS 706.386 and NRS 706A.280 issued to Shibaraj Gautam (RDG)
- 50. Citation 25179** for a violation of NRS 706.386 issued to Roajsha Calhoun (RDG)
- 51. Citation 25185 and 25186 and Impound I-5168** The impoundment pursuant to NRS 706.476 of a vehicle registered to and Citation 25185 and 25186 issued to Laurent Mbogtep for violation of NRS 706.386 and NRS 706A.280 (RDG)
- 52. Citation 25187 and 25188** for a violation of NRS 706.386 and NRS 706A.280 issued to Mulugeta Zeleke (RDG)
- 53. Citation 25189 and 25190 and Impound I-5169** The impoundment pursuant to NRS 706.476 of a vehicle registered to and Citation 25189 and 25190 issued to Royal McDaniel for violation of NRS 706.386 and NRS 706A.280 (RDG)
- 54. Citation 25191 and 25192 and Impound I-5170** The impoundment pursuant to NRS 706.476 of a vehicle registered to and Citation 25191 and 25192 issued to Roman Kazakevitch for violation of NRS 706.386 and NRS 706A.280 (RDG)
- 55. Citation 25418 and Impound I-5255** The impoundment pursuant to NRS 706.476 of a vehicle registered to and Citation 25418 issued to Samsoor Shirzad for violation of NRS 706.386 (RDG)
- 56. Citation 25428 and 25429** for a violation of NRS 706.386 and NRS 706A.280 issued to Samuel Teketay (RDG)
- 57. Impound I-3317** The impoundment pursuant to NRS 706.476 of a vehicle registered to Henock Tegafaw (RDG)
- 58. Impound I-4861** The impoundment pursuant to NRS 706.476 of a vehicle registered to Christopher McCabe (RDG)
- 59. Impound I-4917** The impoundment pursuant to NRS 706.476 of a vehicle registered to Bethelhem Hileselassie (RDG)
- 60. Impound I-4999** The impoundment pursuant to NRS 706.476 of a vehicle registered to Vicki Vail (RDG)

- 61. Impound I-5115** The impoundment pursuant to NRS 706.476 of a vehicle registered to Xin Shen (RDG)
- 62. Impound I-5121** The impoundment pursuant to NRS 706.476 of a vehicle registered to Viviana Martinez-Delgado (RDG)
- 63. Impound I-5124** The impoundment pursuant to NRS 706.476 of a vehicle registered to Shirley Del Cartillo Carvalho (RDG)
- 64. Impound I-5134** The impoundment pursuant to NRS 706.476 of a vehicle registered to Uma Devi Guragai Gautum (RDG)
- 65. Impound I-5161** The impoundment pursuant to NRS 706.476 of a vehicle registered to Carlos Ochoa-Avila (RDG)
- 66. Impound I-5284** The impoundment pursuant to NRS 706.476 of a vehicle registered to Yohannes Belai (RDG)
- 67. Citation 23186 and 23187** for a violation of NAC 706.3747.c1, NAC 706.376.11 and NAC 706.3751.1 issued to Allan Arteaga-Brown (VH)

***Commissioner R. David Groover commented:***

*I just wanted to make some comments on this and then a recommendation. Both of these citations apply to a pilot program that was being conducted for Reno Ryde. The purpose of that pilot program was to work out any problems or issues that the carrier had or that enforcement saw, and one of the issues that came up was trip log sheets and how they were using them. I believe it was one specific driver, Mr. Arteaga, who was not keeping a proper trip log sheet. Citations were issued to Mr. Arteaga and to the company. My only recommendation is that this was a pilot program. I felt that, as the NTA, the purpose of the pilot program was for our enforcement staff to sit down and work through these problems. If they were going to issue a citation, they should issue a warning as opposed to an actual citation. On the first issues that they've developed, the second thing is that we were supposed to have regular reporting on this program which we haven't had, but I wanted to see if that was going to come in before I made a final decision on this, but that has not come in yet so.*

***Chairman Vaughn Hartung commented:***

*Is there a direction that you have on these? We can start with 67, and then we can move to 68, and we'll see what we come up with here.*

***Commissioner R. David Groover commented:***

*Well, let me cite one more thing as to the importance of this: this is a program where the cab companies in Reno are allowed to use Uber, through an application called Flywheel to dispatch the cabs, it's been very, very successful. But this is a new thing. It's increased the revenue at least of Reno Ryde 30 to 40% we think. It's a significant increase for the*

*cab companies. I see this program coming to the Nevada Taxicab Authority for approval eventually, but the other major cab company in Reno is going to be using a different program called Curb and Curb will also be under the pilot program. But we need to have all these issues vetted out so that we don't run across the same issues in the Curb program that we ran across with the Flywheel program. Additionally, any of that information should be sent to the Taxicab Authority as they entertain the idea eventually in the future of implementing these type programs so that they don't go down the same path. The reporting is very, very important for that reason.*

***Chairman Vaughn Hartung commented:***

*I'm going to take you back to October 2023. Commissioner Groover, where we talked about this. It was my understanding and my recollection that we were going to put both Flywheel and Curb into a pilot program, and a report was to be generated on the two different platforms, not necessarily a comparison of the platforms to say one is better than the other. But what we have is two companies wanting to utilize two different platforms. We've had a similar discussion with Omadi on tow trucks, and we don't have other platforms, but that's a platform that we did finally approve for use with tow, so we may end up approving both Flywheel and Curb. But my recollection was that we would have an in-depth report on both platforms, how they could determine whether the drivers were on the app or were supposed to have their ambers on taking an actual taxi fare. There were some things to be worked out with all of this and I don't know where we are because that my recollection was the first one was to be done in six months, where we're going to get an update in six months from that October time and then I think it was a year. I don't know what else has gone on so.*

***Commissioner R. David Groover commented:***

*In the general session, and I believe October, we had asked for a report within 60 days. I believe the investigator may have run into some issues, but we are still waiting on that report so that we can move it forward. It is a pilot program. We do need reporting on it because it is a pilot program.*

***Chairman Vaughn Hartung commented:***

*For clarification, Commissioner Groover, that was in October 2024. Because the original one that we heard was in October 2023, am I correct?*

***Commissioner R. David Groover commented:***

*In 2024 the program was extended because the reporting had not been sufficient for us to decide to make it permanent at that time.*

***Chairman Vaughn Hartung commented:***

*Understood. I just wanted to get that on the record to make sure because you just said October, and I wanted to make sure you weren't referencing October 23 or October of 24.*

***Commissioner R. David Groover commented:***

*My recommendation is for item 67 and item 68 is to convert these two warnings. If these violations occur again, then we will take a much more serious stance toward it. But because it is in a pilot program. I would prefer to work with the carriers, get everything straightened out, and move it forward. This needs to be cited as one of the issues in the report.*

***Chairman Vaughn Hartung commented:***

*I'm just going to be very frank. I'm not going to support that motion. Citation 3190 is for a violation of NRS 706.3761. I don't believe that there's flexibility in changing that. There were violations. I actually won't support that motion. But if you'd like to make it, we can go forward.*

***Commissioner R. David Groover commented:***

*Agenda item 67, my motion is to amend this to a warning as opposed to a violation.*

***Commissioner Dawn Gibbons commented:***

*Are they doing the program yet?*

***Commissioner R. David Groover commented:***

*They have been approved for it, but we haven't gotten the reporting done yet.*

***Vote taken to issue warnings instead of citations:***

*Item 67*

*Motion made by Commissioner Groover*

*Seconded by Commissioner Gibbons*

*Approved 2-1 Hartung opposed*

**68. Citation 23190** for a violation of ~~NRS~~ NAC 706.3761 and NAC 706.3747.c1 issued to Reno Ryde, LLC (VH)

***Liz Babcock, Applications Manager, commented***

*Item 68 had that typo, so it's a violation of NAC 706.3747.*

***Chairman Vaughn Hartung commented:***

*Thank you for reminding me of that.*

***Commissioner Dawn Gibbons commented:***

*I just want to make sure we're doing that on the 2 programs.*

***Commissioner R. David Groover commented:***

*We're doing this one on Flywheel.*

***Chairman Vaughn Hartung commented:***

*This is just Reno Ryde on Flywheel. This has nothing to do with the second program, Commissioner, which is Curb, which is being done by Yellow Cab.*

***Commissioner Dawn Gibbons commented:***

*I'll second it.*

***Vote taken to issue a warning instead of a citation:***

*Item 68*

*Motion made by Commissioner Groover*

*Seconded by Commissioner Gibbons*

*Approved 2-1 Hartung opposed*

- 69. Citation 23241** for a violation of NRS 706.386 and NRS 706.758 issued to Abdelquddus Eita (VH)
- 70. Citation 23243 and Impound I-4941** The impoundment pursuant to NRS 706.476 of a vehicle registered to and Citation 23243 issued to Dennis Belisle for violations of NRS 706.386 and NRS 706.758 (VH)
- 71. Citation 23323 and Impound I-4670 and I-4671** The impoundment pursuant to NRS 706.476 of a vehicle registered to and Citation 23323 issued to Alejandro Mendivil for violations of NRS 706.386 and NRS 706.758 (VH)
- 72. Citation 23345 and Impound I-4951** The impoundment pursuant to NRS 706.476 of a vehicle registered to and Citation 23245 issued to Rami Razoqi for violations of NRS 706.386 (VH)
- 73. Citation 23346** for a violation of NAC 706.2473 ref 49 CFR 391.41 issued to Neil Luzzi (VH)
- 74. Citation 23347** for a violation of NAC 706.2473 ref 49 CFR 391.41 issued to Tim Roide (VH)

- 75. Citation 23348** for a violation of NAC 706.2473 ref 49 CFR 391.41 issued to Dennis Perry (VH)
- 76. Citation 23349** for a violation of NAC 706.2473 ref 49 CFR 391.41 issued to Spooner Lake, Inc. (VH)
- 77. Citation 23350 and Impound I-5000 and I-5001** The impoundment pursuant to NRS 706.476 of a vehicle registered to and Citation 23350 issued to Janatullah Elhifny for violations of NRS 706.386 and NRS 706.758 (VH)
- 78. Citation 23361 and Impound I-4970** The impoundment pursuant to NRS 706.476 of a vehicle registered to and Citation 23361 issued to Alma Aguilar for violations of NRS 706.386 and NRS 706.758 (VH)
- 79. Citation 23363** for a violation of NRS 706.386 and NRS 706.758 issued to Oscar Lemus (VH)
- 80. Citation 23366 and Impound I-4939 and I-4940** The impoundment pursuant to NRS 706.476 of a vehicle registered to and Citation 23366 issued to Ismael Macias-Guzman for violations of NRS 706.386 (VH)
- 81. Citation 24298 and 24299 and Impound I-4493** The impoundment pursuant to NRS 706.476 of a vehicle registered to and Citation 24298 and 24299 issued to Brandon Laclair for violations of NRS 706.386 and NRS 706A.280 (VH)
- 82. Citation 24357** for a violation of NRS 706.386 and NRS 706.758 issued to Christopher McCabe (VH)
- 83. Citation 24376 and Impound I-4973** The impoundment pursuant to NRS 706.476 of a vehicle registered to and Citation 24376 issued to Jonathon Wilkinson for violations of NRS 706.386 and NRS 706.758 (VH)
- 84. Citation 24503 and Impound I-4465** The impoundment pursuant to NRS 706.476 of a vehicle registered to and Citation 24503 issued to Jan Paul Benian for violations of NRS 706.386 and NRS 706.758 (VH)
- 85. Citation 24506 and 24716 and Impound I-3640** The impoundment pursuant to NRS 706.476 of a vehicle registered to and Citation 24506 and 24716 issued to Jose Ramirez Jr. for violations of NRS 706.386 and NRS 706.758 (VH)
- 86. Citation 24511 and 24512** for a violation of NRS 706.386 and NRS 706.758 issued to Angel Barrales-Garcia (VH)
- 87. Citation 24714** for a violation of NRS 706.465 issued to LifeTrans, Inc. (VH)

***Chairman Vaughn Hartung commented:***

*All right, let's move on to item number 87. Let me ask this first. Is there any public comment, Mr. Tomlinson, you're sitting there. Do you have more comments on item 87 before I make the motion?*

***Neil Tomlinson, on behalf of LifeTrans, commented:***

*No, Mr. Chairman. Thank you.*

***Vote taken to approve:***

*Item 87*

*Motion made by Chairman Hartung*

*Seconded by Commissioner Gibbons*

*Approved 3-0*

**88. Citation 25016** for a violation of NAC 706.191 issued to Highroller Transportation, LLC (VH)

**89. Citation 25017** for a violation of NAC 706.191 issued to Supersonic Movers, LLC (VH)

**90. Citation 25049 and Impound I-5148** The impoundment pursuant to NRS 706.476 of a vehicle registered to and Citation 25049 issued to Luis Polanco for violations of NRS 706.386 (VH)

**91. Citation 25126 and 24100 and Impound I-5133** The impoundment pursuant to NRS 706.476 of a vehicle registered to and Citation 25126 and 24100 issued to Xiang Shi for violations of NRS 706.386 and NRS 706A.280 (VH)

**92. Citation 25154 and 24017 and Impound I-4386** The impoundment pursuant to NRS 706.476 of a vehicle registered to and Citation 25154 and 24017 issued to Queen Lena, Inc. d/b/a ASAP Towing for violations of NRS 706.386 and NRS 706.758 (VH)

**93. Citation 25182 and 25183** for a violation of NRS 706.386 and NRS 706A.280 issued to Edisnoy Casals-Socarras (VH)

**94. Citation 25193 and 25196 and Impound I-5171** The impoundment pursuant to NRS 706.476 of a vehicle registered to and Citation 25193 and 25196 issued to Perla Aceves for violations of NRS 706.386 and NRS 706A.280 (VH)

**95. Citation 25194 and 25195 and Impound I-5193** The impoundment pursuant to NRS 706.476 of a vehicle registered to and Citation 25194 and 25195 issued to Jiahui Yu for violations of NRS 706.386 and NRS 706A.280 (VH)

**96. Citation 25197 and 25198 and Impound I-5192** The impoundment pursuant to NRS 706.476 of a vehicle registered to and Citation 25197 and 25198 issued to Hafiz Uzair for violations of NRS 706.386 and NRS 706A.280 (VH)

- 97. Citation 25236 and 25237 and Impound I-3980** The impoundment pursuant to NRS 706.476 of a vehicle registered to Jyanyu Li for violations of NRS 706.386 and NRS 706A.280 (VH)
- 98. Citation 25239 and 25240 and Impound I-4495** The impoundment pursuant to NRS 706.476 of a vehicle registered to and Citation 25239 and 25240 issued to Jeffrey Hipolito for violations of NRS 706.386 and NRS 706A.280 (VH)
- 99. Citation 25241 and 25242** for a violation of NRS 706.386 and NRS 706.758 issued to Ebony Burgos (VH)
- 100. Citation 25245** for a violation of NRS 706.386 issued to Darclay Rios-Oliveira (VH)
- 101. Citation 25278 and Impound I-4441** The impoundment pursuant to NRS 706.476 of a vehicle registered to Gabriel Soto for violations of NRS 706.386 (VH)
- 102. Citation 25413 and Impound I-5253** The impoundment pursuant to NRS 706.476 of a vehicle registered to Shirley Del Castillo Carbal and Citation 25413 issued to Darclay Rios Oliveira for violations of NRS 706.386 (VH)
- 103. Citation 25442 and 25443 and Impound I-5242** The impoundment pursuant to NRS 706.476 of a vehicle registered to Oscar Tokhalian for violations of NRS 706.386 and NRS 706A.280 (VH)
- 104. Impound I-4464** The impoundment pursuant to NRS 706.476 of a vehicle registered to Bryan Barrales (VH)
- 105. Impound I-4576** The impoundment pursuant to NRS 706.476 of a vehicle registered to Michael Rich- (VH)
- 106. Impound I-4673** The impoundment pursuant to NRS 706.476 of a vehicle registered to Paula McCarron (VH)
- 107. Impound I-4865** The impoundment pursuant to NRS 706.476 of a vehicle registered to David Karavani (VH)
- 108. Impound I-4866** The impoundment pursuant to NRS 706.476 of a vehicle registered to Lillian Pelaez and Luis Rodriguez (VH)
- 109. Impound I-5122** The impoundment pursuant to NRS 706.476 of a vehicle registered to Dawud Sami (VH)

## **DISCUSSION ITEMS**

- 110.** Educational Presentation on Identifying Illegal Transportation: Patrick Garvey, of PATG-LV Parking and Transportation Group will deliver an informative session on recognizing and addressing unauthorized transportation services. This presentation aims to enhance public awareness by providing key insights into identifying operations in and around parking lots.

*Item 110 was pulled from the Agenda prior to consideration.*

- 111. Docket 24-12026** Status update and procedural discussion on monitoring John Gardner's fine payments as an alternative to the permanent revocation of his driver's permit #15752 for John Gardner

***John Gardner commented:***

*I don't really have anything to say other than that I've been making the payments, and I just made one for March, so everything's up to order. That's it.*

***Commissioner R. David Groover commented:***

*Mr. Gardner has come back over and over and over again. I think we continue this out for six months to check his status. If payments are consistent, he has shown responsibility. This has been an issue in the past, but if he can do that over the next six months, then we can put it back on the agenda and his request for reconsideration of this matter.*

***Chairman Vaughn Hartung commented:***

*What you'd like to do is extend this for six months, which would put us into the September agenda to ensure that Mr. Gardner has made timely payments for each month. I'm thrilled that Mr. Gardner is making timely payments. That's commendable. What is the process if we move forward when it comes back in six months? Because this was already sent to the Treasurer's office and sent for collection? Can you articulate the process for us and what would happen? What's the path forward for us to potentially reconsider?*

***Hope DiBartolomeo, Management Analyst III, commented:***

*If I were to place it simply, his debts are in collections; they are accruing interest and fees, and at this time, if the Authority would like to reconsider any of the debt, they can potentially reconsider the NTA principal amounts with nothing to do with the State Controller's office fees and fines. That would be the most simple way to place a potential reconsideration. I would also like to ask if I may, for clarification based on my understanding of the discussion from January to this point, I was reviewing the notes on the processing and it was suggested that there be a responsibility to communicate proof of timely payment on Mr. Gardner, which I do not believe he has attempted to e-mail and or present proof of his payments from the State Controller's office in person at the agency, to me that I am aware of, however, I am able to verify that he has made a January and a February payment. Just moving forward if he is to be responsible for actually communicating to us that he has made a receipt or a payment to the State Controller's office, he has not met that requirement in the last two months, but I would ask that it be clarified that is a responsible requirement of him moving forward.*

**Chairman Vaughn Hartung commented:**

*So, we can potentially look at the original fines. However, any interest that it accrued or penalties that were associated with not making timely payments are not adjudicable by us, we cannot go back and make any recommendations.*

**Hope DiBartolomeo, Management Analyst III, commented:**

*Correct*

**Chairman Vaughn Hartung commented:**

*We cannot go back and make any recommendations to reduce those. Just as an example, we will say that the fine is \$10,000, and then there was a penalty of \$1000, and it has accrued interest of \$500. Just for simple math, we can go back and look at that principal amount of \$10,000. The math might be a little difficult because I know he has made some payments, so we'll have to figure out what was paid towards what. But I think we can still come up with some methodology, but the \$1000 that was the penalty and the \$500 that was in interest again for just for simple round numbers. Those are not the numbers, of course. We cannot revisit those. Those are through the Treasurer's office and will remain in effect until he pays them. Am I correct?*

**Hope DiBartolomeo, Management Analyst III, commented:**

*That is my understanding.*

**Chairman Vaughn Hartung commented:**

*Mr. Gardner, you are asking, and I think that this is completely reasonable. When he makes those timely payments, submit proof of payment to you (Dibartolomeo) so that you don't have to look this up and spend your time trying to track down if he has made those payments or not. I believe that is a completely legitimate request. These are situations where we should not be responsible for following up. I'm looking at the dates on this stuff and I see 2005 and 2007. These go back for quite a number of years. Here's a 2006. I do believe that if we want to make this motion to revisit this in six months, Commissioners, we should be asking for a request for him to apprise Ms. Dibartolomeo and make that part of the motion where if he does not do that, regardless of whether he made the payment, it is. It's not part of what the order would look like. Those are my two cents.*

**Commissioner R. David Groover commented:**

*Is there anyone wishing to speak on agenda item number 111 other than Mr. Gardner? Mr. Gardner, do you understand the conversations that have been had, the discussion that has taken place here?*

**John Gardner commented**

*Yes, I do. Just wanted to say that I did make a payment for March, January, and February and I will make sure that I come into this office and tell them that I made a payment monthly.*

***Chairman Vaughn Hartung commented:***

*I don't think that's what they're looking for. I think that Ms. Dibartolomeo is looking for an e-mail with a receipt attached. I don't think you need to come in and actually do that each time.*

***John Gardner commented***

*I will do that from this day forward.*

***Chairman Vaughn Hartung commented:***

*That's going to become part of this motion. I believe that Commissioner Groover will make, and then what I'd like to make sure of, and maybe Ms. Main can do this because I know Ms. Dibartolomeo is not in the room can provide Mr. Gardner with an e-mail.*

***Hope DiBartolomeo, Management Analyst III, commented:***

*It would be appreciated if he would communicate that with Ms. Main. We can send and confirm the specifics of the details approved.*

***Commissioner R. David Groover commented:***

*I'll make a motion to continue this to the September General Session for a review of Mr. Gardner's case. From today forward, Mr. Gardner will supply the NTA with proof of timely monthly payments and he'll do that by way of e-mail to an NTA e-mail address that he will be furnished with.*

***Vote taken to continue to September Agenda with Gardner emailing monthly payment receipts to the NTA:***

*Item 111*

*Motion made by Commissioner Groover*

*Seconded by Chairman Hartung*

*Approved 3-0*

- 112. Docket 25-01035** Discussion regarding the approval of a settlement between the Nevada Transportation Authority and XYZ Towing, Inc. d/b/a Titan Towing, CPCN 7257, Sub 2, resulting from the decision in case # A-24-899557-J.

***Chairman Vaughn Hartung commented:***

*I'll let Ms. Kunnel walk you through this, but as a refresher, this is in regard to NRS 706.4477 and, if memory serves me correctly, to see about towing vehicles that are not currently registered. Go ahead, Ms. Kunnel.*

***Deputy Attorney General Radhika Kunnel commented:***

*On August 12, 2024, the petitioner filed the timely petition for judicial review. PJR asking the Clark County district court to review the decision of the NTA under case A-24-899557-J.*

*In the PJR the petitioner appealed a decision made by the majority of the NTA Commissioners upholding an administrative warning against the petitioner pursuant to NRS 706.4477, sub 2, sub c, relative to a tow that was on or about March 2nd, 2024, at Meridian Palms Apartments, as part of its decision, the NTA also required the petitioner to issue a full refund to the complainant associated with that tow. In its PJR the petitioner argued that although the statute prohibits a tow with an expired registration. The subject vehicle was never registered. It only had a temporary 30-day dealer paper plate, which is basically the temp tag. On January 16th, 2025, the District Court issued a minute order in which it indicated its agreement with the petitioner's analysis of NRS 706.4477 Sub 2C, while containing certain further ambiguities relative to which parties did not wish to continue to mitigate and file appeals to limit the District Court's decision to the specific facts of the PJR without its ambiguities intruding into other areas of law that the NTA and DMV administers. NTA entered into a settlement with Titan, agreeing to that. The tow operator who tows a vehicle with an expired dealer, temporary plates, or an expired moving permit, such as the temp tag, is not in violation of NRS 706.4477, subsection 2C. That will.*

***Vincent Smith commented:***

*These changes just take effect moving forward. As far as the towing for dealer placards. Meaning, can we now enforce those on private property?*

***Chairman Vaughn Hartung commented:***

*I don't think we're in a position to give legal advice*

***Administrative Attorney Yoneet Wilburn commented:***

*We need to vote on the approval.*

***Chairman Vaughn Hartung commented:***

*Hold on, Sir. Just have a seat. Can he ask the question if approved? During public comment before we approve it, can he ask that question and get an answer?*

***Administrative Attorney Yoneet Wilburn commented:***

*I think the best method to do this here is to put his question on hold for a minute. Finish the discussion on this item. Finalize what's going to happen on this item, and then address his question.*

***Vincent Smith commented:***

*Once the Authority has made their ruling, will the changes go into effect immediately?*

***Administrative Attorney Yoneet Wilburn commented:***

*Like I said, I think the best method is Mr. Vincent. Let's finish the discussion on this and then I can address the question.*

***Chairman Vaughn Hartung commented:***

*I don't know where the reticence is he's asking. You know a simple question. I don't think we need to vote on it prior to him asking if it is approved, will it go into effect immediately? That's just a simple question. We are open for discussion, so I'll ask the question if approved. Will this go into effect immediately?*

***Deputy Attorney General Radhika Kunnel commented:***

*As soon as the order is signed, correct.*

***Vote taken to approve the settlement:***

*Items 112*

*Motion made by Commissioner Groover*

*Seconded by Commissioner Gibbons*

*Approved 3-0*

***Administrative Attorney Yoneet Wilburn commented:***

*Mr. Smith, this has now been voted on by the Authority, and we will just wait for a signed order on this, and it will be implemented.*

***Deputy Attorney General Radhika Kunnel commented:***

*And it will go to the courts.*

***Administrative Attorney Yoneet Wilburn commented:***

*Right, the court needs to have it as well. Once we approve it, it'll go to the court. It'll be signed by the court and then it goes into effect.*

***Chairman Vaughn Hartung commented:***

*And we won't know the timing of that. Correct? Until it gets through the courts.*

***Administrative Attorney Yoneet Wilburn commented:***

*It is a pretty quick process for the courts, but no, I cannot state an exact date or time.*

***Break at 11:10 for 5 minutes***

***On record again at 11:18***

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

***Chairman Vaughn Hartung commented:***

*OK, I'm going to bring this back to order. That takes us now to applications for Certificates of Public Convenience and Necessity to provide Tow Car Service. Items 113 through 127 can be taken in a block, and then we'll get to 128 and 129.*

***Liz Babcock, Applications Manager:***

*113 to 127, nothing unusual. They can be taken in block. If people wish to speak about it. They may not understand that taking a block means they're going to be approved.*

***Chairman Vaughn Hartung commented:***

*Correct. Items 113, 114, 115, 116, 117, 118, 119, 120, 121, 122, 123, 124, 125, 126, 127. I'm going to ask for a motion for a block vote to approve those, and then we get to 128 and 129; we will discuss those individually. Is there any public comment on items 113 through 127 before I ask for a motion?*

***Vote taken to approve:***

*Items 113 through 127*

*Motion made by Commissioner Groover*

*Seconded by Commissioner Gibbons*

*Approved 3-0*

- 113. Docket 24-04013** The Application of Carlos 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)
- 114. Docket 24-07030** The Application of Mobile Mechanic Services and Towing, LLC for final approval of an expansion of authority to add non-consent tow car service by tow car vehicle within the State of Nevada, granted under CPCN 7567. Staff investigation concluded. (RDG)
- 115. Docket 24-09016** The Application of Orlandi's 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)
- 116. Docket 24-10004** The Application of Los Crazies 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)
- 117. Docket 24-10010** The Application of Premier Corp d/b/a American Towing 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. (VH)

- 118. Docket 24-10011** The Application of Vannucci Enterprises, LLC d/b/a Chosen Towing & Recovery 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)
- 119. Docket 24-10020** The Application of Zips Transportation, LLC d/b/a Rincon 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. (RDG)
- 120. Docket 24-10025** The Application of DS Transport, LLC d/b/a DS 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. (RDG)
- 121. Docket 24-10035** The Application of C Star, 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)
- 122. Docket 24-11002** The Application of Battle Born Towing & Recovery, 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)
- 123. Docket 24-11013** The Application of Smart Tow Solution, LLC 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)
- 124. Docket 24-11018** The Application of R & Y, LLC d/b/a R & Y Towing for an expansion of authority to add non-consent tow car service by tow car vehicle within the State of Nevada granted under CPCN 7585. Staff investigation concluded. (DG)
- 125. Docket 24-11033** The Application of Mandy's 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)
- 126. Docket 24-12018** The Application of Tic Tok Towing, LLC 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. (RDG)
- 127. Docket 23-08041** The Application of Celda 27 Express, LLC d/b/a Vegas Towing for approval of an amendment to a previously approved application for a certificate of public convenience and necessity to provide consent-only tow car service by tow car vehicle within the State of Nevada. The amendment is to change from a corporation to a limited liability company. Staff investigation concluded. (DG)
- 128. Docket 23-10016** For **status check** of the joint Application of BRP Holdings, LLC d/b/a B&R Towing to sell and transfer and B&R Holdco, LLC d/b/a B&R Towing to purchase and acquire the authority to provide consent-only tow car service within the State of Nevada granted under CPCN 7486, and Staff's recommendation to issue an Order to Show Cause as to why CPCN 7486 should not be revoked. Staff investigation concluded. (RDG)

***Liz Babcock, Applications Manager:***

*I do not see that anybody is present here for this item on our listing unless they're online. This is a sale and transfer that has already occurred. If it were a regular application for a certificate, we would be dismissing it for lack of moving forward. They have not provided us with the information we requested relative to ownership. It was originally by an attorney in May of 2024. I was notified to deal with Lance Goeddel, Chief Administrative Officer for B&R Wrecking in Oregon, and to this date, he has not provided us anything. I am requesting an order to show cause to revoke the certificate. Since it's already a certificate that's in existence.*

***Chairman Vaughn Hartung commented:***

*I'll just ask because we want to put it on the record. Is there anyone in Las Vegas wishing to speak on item number 128? Is there anyone online wishing to speak on item number 128? Docket 23-10016*

***Jeff Berry, IT Professional, commented:***

*No hands raised, Chairman. There is no one here.*

***Vote taken to issue order to show cause:***

*Items 128*

*Motion made by Commissioner Gibbons*

*Seconded by Commissioner Groover*

*Approved 3-0*

**129. Docket 24-04016** The Application of Papi 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)

***Deputy Attorney General Radhika Kunnel commented:***

*I know you've said multiple times that the connection is choppy. I just want to make sure that the connection is clear enough for all the audience to be listening to comply with the OML law. Could we ascertain that the connection is reasonable for everyone to be following the meetings?*

***Chairman Vaughn Hartung commented:***

*Thank you for that, Ms. Kunnel. And I'm trying to repeat everything because I don't want there to be any confusion as to what's happening; it is a little choppy in Las Vegas. I don't know whether it's the microphones or the system itself. Ms. Babcock, take us into this application for towing from Papi Towing.*

***Liz Babcock, Applications Manager, commented:***

*This was an application that was previously approved at a General Session. While we're in the compliance period before the certificate was issued, the Agency was contacted by law enforcement that there was some additional background information that had come to their attention during that period regarding one of the owners, a 50% owner of Papi Towing. We rescinded the approval at the November 11, 2024, General Session and brought it back for a hearing. In the meantime, the applicant and his representative, Lucy Elias, filed an amendment to the application, which removed one of the 50% owners. It was a husband and wife, and it was the wife that was being removed and they amended the application. I discussed this with our Administrative Attorney, Yoneet Wilburn, as to setting up a hearing. She determined that since he had done the only possible thing he could do, which was to remove that particular owner who had the issues, we should move it straight forward to an agenda for approval or denial. That's where we are today.*

***Lucy Elias, Corporate Services on behalf of Papi Towing, commented:***

*I'm here with the owner of Papi Towing LLC. We are here waiting for approval or if we can move forward with the application, we already made the changes on the amendment on the ownership. That's what we're here for.*

***Chairman Vaughn Hartung commented:***

*It says staff investigation concluded who did the investigation? Ms. Babcock on this, or was it compliance?*

***Liz Babcock, Applications Manager commented:***

*On the amendment, it was myself, Sir.*

***Chairman Vaughn Hartung commented:***

*The reason that this came back is that we found some circumstances of one of the applicants that were disqualifying, correct?*

***Liz Babcock, Applications Manager, commented:***

*That is correct. A 50% owner, Sir. We've had situations similar to this in the past where an application was amended, there were some issues with the family. It was a family-run business, and they could not approve one of the family members, so they put it on the certificate that that particular person by name was not allowed to be involved in the running of the operations or the office, etc. That was detailed in the order. So that's a possibility. However, that puts the onus on us to make sure that that doesn't occur, and we really don't have that type of staff that runs around and does that. I just want to point out that that is a possibility, but it is difficult to enforce.*

**Chairman Vaughn Hartung commented:**

*I don't know how we enforce that on a regular basis. It's just, that's almost impossible. That's just my own opinion. Commissioner Groover, do you want to make any comments?*

**Commissioner R. David Groover commented:**

*There's quite a bit about one of the prior applicants, in this case, quite a bit in the media. and in the courts over what took place. The current applicant is Mr. Gomez Alvarez. Is that correct?*

**Jose Manuel Gomez Alvarez commented:**

*Yes*

**Commissioner R. David Groover commented:**

*Failed to report any of that information to the NTA. He had plenty of time to report that information to the NTA because of the seriousness of what took place. We now want to entrust him with a tow truck with other people's property. I just don't feel comfortable with that because of what took place and his failure to disclose what took place.*

**Chairman Vaughn Hartung commented:**

*Let me just kind of paraphrase and ask some other questions here. There were some issues with a family member with respect to some extenuating circumstances that would have disqualified them. The applicant made no attempt whatsoever. How did it occur, Ms. Babcock, that we found out that the applicant's wife had these issues in the background?*

**Deputy Attorney General Radhika Kunnel commented:**

*I believe this is going beyond the scope of what's happening. We may need to either consider rescheduling this particular item or close the session and give an opportunity to the applicant to discuss.*

**Chairman Vaughn Hartung commented:**

*What I'm asking is how we determined that there was a member of the application that had disqualifying factors. Did we determine it, or did the applicant determine it? I don't think that those are questions that can't be asked. How is it determined that that applicant got disqualified? Did we do it, or did the applicant do it himself? Come in and say hey, wait a minute. You know, red flag. I have a problem here. I need to amend the application.*

***Deputy Attorney General Radhika Kunnel commented:***

*It is proper, your honor. Thank you for the clarification. It is well within your authority to ask those questions.*

***Chairman Vaughn Hartung commented:***

*I understand the confidentiality even though it's pretty much been in the papers, but that's neither here nor there. What I'm asking is how the Authority determined that an applicant was disqualified. Was it determined by something that we had figured out, or did the applicant himself? Come in and disclose that.*

***Liz Babcock, Applications Manager, commented:***

*The FBI contacted the NTA because we had just recently run a background check on that individual. They contacted us to let us know there was some additional information that had recently come in.*

***Chairman Vaughn Hartung commented:***

*That's what I needed to know. OK. Ms. Elias, do you have any comments before I ask one of the Commissioners or before we entertain a motion on this?*

***Lucy Elias, Corporate Services on behalf of Papi Towing, commented:***

*I don't have any comments.*

***Commissioner R. David Groover commented:***

*I do have a procedural question. Are we looking to approve or deny or does this need to go for a further hearing?*

***Deputy Attorney General Radhika Kunnel commented:***

*Any of those three would be proper.*

***Administrative Attorney Yoneet Wilburn comment:***

*As Ms. Babcock stated before, we did discuss this, and she asked me about the hearing. I'm just stating this so you can make a decision based on the knowledge I stated. I didn't see what a hearing would do in this case because they did the only thing they could. We have all the information. I'm not sure what a hearing would do, but if the Commissioners believe that a hearing could resolve some of the issues, that's fine; however, if it goes into a certain situation, we might have to close the hearing, which is an issue as well. That's why I said at this point we knew the information. I didn't see that a hearing would divulge any further information. If you believe otherwise, of course, you can vote for a hearing.*

***Vote taken to deny application:***

*Items 129*

*Motion made by Commissioner Groover*

*Seconded by Commissioner Gibbons*

*Approved 3-0*

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

***Deputy Commissioner David Pasternak commented:***

*We have individuals wishing to speak on items 131, 133, 134, and 135.*

***Chairman Vaughn Hartung commented:***

*Those of you who wish to speak realize that what I'm requesting in a block vote are items 130 through 134. So that's 130, 131, 132, 133, and 134 for approval. If you still wish to speak on this, you may certainly come up and do so.*

***An unidentified person commented:***

*I indicated that as long as they're in block, I don't need to speak.*

***Chairman Vaughn Hartung commented:***

*I saw that on the sign-in sheets so I'm looking for a motion for items 130 through 134 inclusive.*

***Vote taken to approve:***

*Items 130 through 134 were considered collectively*

*Motion made by Commissioner Gibbons*

*Seconded by Commissioner Groover*

*Approved 3-0*

**130. Docket 24-09024** The Application of Tahoe Elite Private Car Service, Inc. for a certificate of public convenience and necessity to provide charter bus service within the State of Nevada. Staff investigation concluded. (VH)

**131. Docket 24-10036** The Application of Urban Las Vegas, Inc. d/b/a Urban Las Vegas for a certificate of public convenience and necessity to provide charter bus service within the State of Nevada. Staff investigation concluded. (RDG)

**132. Docket 24-12012** The Application of Jeacal Private VIP, LLC d/b/a Regatta for a certificate of public convenience and necessity to provide charter bus service within the State of Nevada. Staff investigation concluded. (DG)

- 133. Docket 24-12016** The Application of Easy Money, LLC d/b/a Easy Money, Easy Money Transportation for a certificate of public convenience and necessity to provide charter bus service within the State of Nevada. Staff investigation concluded. (VH)
- 134. Docket 25-01002** The Application of Wade Enterprises, LLC d/b/a Singing on the Strip, SOTS, SOS for a certificate of public convenience and necessity to provide charter bus service within the State of Nevada. Staff investigation concluded. (VH)
- 135. Docket 24-10021** The Application of Payback Transportation, LLC d/b/a All-Star Transportation Las Vegas, All-Star Vegas Transportation, Vegas All-Star Transportation for a certificate of public convenience and necessity to provide charter bus service within the State of Nevada. Staff investigation concluded. (VH)

***Liz Babcock, Applications Manager, commented:***

*This applicant has been a driver in the industry, and he had three citations which were in the materials on this particular item. The three citations were as a driver; he was driving for three different companies for these three citations. They are old, the first one being in 2013, 2015, and 2020. They are for solicitation of passengers and while they are old, I did want to draw your attention to the fact that there were three spaced over several years, so I just wanted this not to go in block where everybody goes as perfectly fine that this might pose a problem In the future if he is cited again for solicitation that I would want it on record that he seems to have a pattern, albeit it's old now.*

***Chairman Vaughn Hartung commented:***

*For clarification, I think when we say old, the last fine that I have in my notes was in 2020 and that was for the violation of NRS 706.756 solicitation. Am I correct?*

***Liz Babcock, Applications Manager, commented:***

*That is correct, and that's five years.*

***Attorney James Kent, on behalf of Payback, commented:***

*Morning your Honor, James Kent on behalf of the applicant Payback and with me to my left is Anthony Lale, who is the owner of the company. I've looked at the background. I've looked at the citation history. Ms. Babcock, she's absolutely correct as to what these were for, and as noted, the last one was over five years ago. Fines were fairly minimal on all those \$100. I think there was one that was \$500.00, but all fines have been timely paid. Nothing is outstanding. I think Mr. Lale understands as an owner, responsibility is going to fall on him, not only for himself but drivers as well, and part of the information that I give out, I give a copy of these specific solicitation statutes or regulations to my applicants so that they know exactly what it says versus hoping that they look it up in the books themselves. As I understand it, that is probably one of the largest reasons for citations given. I did not represent him during the citations. I don't believe if there's anything in particular you want, but we think that as it is old as he has now taken on the responsibilities as owning his own company, we would ask that the application be approved.*

***Chairman Vaughn Hartung commented:***

*Let me ask a legal question, and then I'll let the Commissioners ask. Let's play a scenario*

out Ms. Kunnel and Ms. Wilburn. If approved, let's say in five months that Payback Transportation is cited, whether it's Mr. Lale or one of his drivers, for NRS 706.756. Do we have the ability to fine? We can make a decision on those fines even though there's nothing to call back in abeyance. Can we just ask for an OSC? Can the hearing officer ask for that? Because it would seem to be habitual gain, I'm this is this is a what-if scenario.

**Deputy Attorney General Radhika Kunnel commented:**

*As you're properly identified, it is a what-if situation and very speculative at this point. I, for one, would not be open to responding to a highly speculative question at this time. We would have to look into the history and scenarios that could happen as again if you would like to incorporate certain conditions on this order, that's well within your authority. However, what could happen in the future would be an extremely difficult question for me to respond to at this time.*

**Chairman Vaughn Hartung commented:**

*Let me rephrase the question. Does the hearing officer have the ability to issue an OSC? Is that possible?*

**Deputy Attorney General Radhika Kunnel commented:**

*Generally, that's within your authority, Chairman*

**Chairman Vaughn Hartung commented:**

*That's all I that's all I wanted to know. Thank you so much. That's it. Commissioners, questions?*

**Commissioner R. David Groover commented:**

*I just state that in the past, we've had others that are far worse than them that have been approved. I do think he's listening to what we're saying right now at this moment, and if he picks up a new charge for soliciting passengers, it's not going to be a \$100, \$200 or \$500 fine. It's going to be substantial.*

**Chairman Vaughn Hartung commented:**

*The very reason for my comments. I know that both Mr. Kent and Mr. Lale are listening. Any other questions, Commissioners?*

**Vote taken to approve:**

*Items 135*

*Motion made by Commissioner Groover*

*Seconded by Commissioner Gibbons*

*Approved 3-0*

## **FINANCIAL RATES AND TARIFFS**

**Chairman Vaughn Hartung commented:**

*We're on to Financial Rates and Tariffs items 136 through 142, but here's what I'd like to do, Mr. Pasternak. If we can do this, I would like to do items 136 through 142. I would also like to do items 143 and 144, and I would like to do items 145 through 153. All in one block, and then we'll get down to requests to extend temporary discontinuances. We'll do those. This would be a block to approve items 136 through 153, even though we're dealing with applications for fully regulated carriers. We're also dealing with Requests for Temporary Discontinuances. Down to item 154 through 160, which we will hear.*

**Administrative Attorney Yoneet Wilburn commented:**

*I just ask if you say you can't hear the aye, can you please ask the question again for the motion until you can hear the aye to make sure everybody else can? If you don't mind, I know it's a little bit repetitive, otherwise, we might need to restart the whole call.*

**Chairman Vaughn Hartung commented:**

*I can do that. Does everyone understand what I'm asking? Items 136 through item 153 be voted in a block, even though they are different headings; we're talking about Financial Rates and Tariffs, and applications for fully regulated carriers.*

**Deputy Commissioner David Pasternak commented:**

*Can I just mention that under the Request for Temporary Discontinuance, if it's done in a block vote, items 145, 147, 149, 150, and 151 will require retroactive approval.*

**Deputy Attorney General Radhika Kunnel commented:**

*Given that they are noticed under different blocks, I believe it's proper to take them as separate blocks.*

**Chairman Vaughn Hartung commented:**

*OK. Let's do items 136 through 142, Financial rates.*

**Deputy Commissioner David Pasternak commented:**

*I do have potential individuals wishing to speak on items 136, 137, 139, and 140.*

**Chairman Vaughn Hartung commented:**

*I'm asking for a block motion to approve items 136 through 142. Is there anyone wishing to speak on any of those items?*

**Deputy Commissioner David Pasternak commented:**

*Mr. Carson?*

***Attorney Brent Carson commented:***

*I'm ok with block.*

***Deputy Commissioner David Pasternak commented:***

*Are there any individuals on items 136 or 137? There are none in Las Vegas Chairman Hartung.*

***Vote taken to approve:***

*Items 136 through 142*

*Motion made by Commissioner Groover*

*Seconded by Commissioner Gibbons*

**136. Docket 24-10015** The Application of Jacob Transportation Services, LLC d/b/a Executive Las Vegas for final approval of a tariff rate modification for services conducted under CPCN 1062, Sub 8. Staff investigation concluded. (RDG)

**137. Docket 24-11042** The Application of Reliance Care Enterprise, LLC for final approval of a tariff rate modification for services conducted under CPCN 1155. Staff investigation concluded. (VH)

**138. Docket 25-01001** The Application of Muscle Movers, LLC for approval of a tariff rate modification for services conducted under CPCN 3398. Staff investigation concluded.

**139. Docket 25-01040** The Application of Tea on the Strip, LLC for final approval of a tariff rate modification for services conducted under CPCN 1165. Staff investigation concluded.

**140. Docket 25-01041** The Application of Cartzilla, LLC d/b/a Cartzilla for final approval of a tariff rate modification for services conducted under CPCN 1156. Staff investigation concluded.

**141. Docket 25-02001** The Application of LV Tours, LLC for approval of a tariff rate modification for services conducted under CPCN 1159. Staff investigation concluded.

**142. Docket 25-02011** The Application of High Altitude Services, LLC d/b/a Reno Tahoe Movers for approval of a tariff rate modification for services conducted under CPCN 3372. Staff investigation concluded.

### **APPLICATIONS FOR FULLY REGULATED CARRIERS**

***Vote taken to approve:***

*Items 143 through 144 were considered collectively.*

*Motion made by Commissioner Groover*

*Seconded by Commissioner Gibbons*

*Approved 3-0*

- 143. Docket 24-02036** The Application of B-Classy Limousine, LLC for a certificate of public convenience and necessity to provide charter limousine service within Clark County, Nevada on the one hand and the State of Nevada on the other. Staff investigation concluded. (RDG)
- 144. Docket 24-09036** The Temporary Transfer of Operating Rights of S&W Royal, LLC d/b/a Light Limo granted under CPCN 1110, Sub 2, to B&S Sisters, LLC d/b/a West Limousine Service. Staff investigation concluded. (DG)

### **REQUEST FOR TEMPORARY DISCONTINUANCE**

***Deputy Commissioner David Pasternak commented:***

*Please note that items 145, 147, 149, 150, and 151 will require retroactive approval.*

***Vote taken to approve:***

*Items 145 through 153 were considered collectively with items 145, 147, 149, 150, and 151 requiring retroactive approval.*

*Motion made by Commissioner Gibbons*

*Seconded by Commissioner Groover*

*Approved 3-0*

- 145. Docket 25-01027** The temporary discontinuance from January 15, 2025, through July 15, 2025, of service provided by Xclusive Livery Transportation, LLC d/b/a Xclusiv Livery under CPCN 2339, 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.
- 146. Docket 25-01039** The temporary discontinuance from January 27, 2025, through June 27, 2025, of service provided by OLM Towing, LLC d/b/a Olmstead Towing under CPCN 7269, 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.
- 147. Docket 25-02004** The temporary discontinuance from February 4, 2025, through August 4, 2025, of service provided by R & C Towing, LLC d/b/a R & C Towing under CPCN 7609, 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.
- 148. Docket 25-02005** The temporary discontinuance from February 7, 2025, through August 7, 2025, of service provided by Select Limousine Service, LLC d/b/a SLS under CPCN 2307, 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.
- 149. Docket 25-02007** The temporary discontinuance from February 7, 2025, through August 7, 2025, of service provided by GRG Holdings, Inc. d/b/a GRG Towing under CPCN 7601, 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.

- 150. Docket 25-02012** The temporary discontinuance from February 13, 2025, through August 13, 2025, of services provided by El Jefe Towing, LLC d/b/a El Jefe Tow, under CPCN 7599, 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.
- 151. Docket 25-02014** The temporary discontinuance from February 13, 2025, through August 13, 2025, of service provided by Santa Fe Towing, Inc. under CPCN 7570, 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.
- 152. Docket 25-02018** The temporary discontinuance from February 28, 2025, through June 1, 2025, of service provided by Rowdy Industries, LLC d/b/a Nevada Party Bus under CPCN 2146, 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.
- 153. Docket 25-02019** The temporary discontinuance from April 29, 2025, through October 29, 2025, of service provided by Lucky Trans, LLC under CPCN 2078, 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.

### **REQUEST TO EXTEND TEMPORARY DISCONTINUANCE**

***Chairman Vaughn Hartung commented:***

*That takes us now to requests to Extend Temporary Discontinuances. We're only going to do 154 through 160. We will hear 161 on its own. Commissioners, are there any questions on items 154 through 160?*

***Vote taken to approve:***

*Items 154 through 160 were considered collectively, with items 154 and 159 requiring retroactive approval.*

*Motion made by Commissioner Gibbons*

*Seconded by Commissioner Groover*

*Approved 3-0*

- 154. Docket 24-07027** The request to extend temporary discontinuance from January 17, 2025, through July 17, 2025, of service provided by Paul M. Sprada d/b/a Buffalo Towing under CPCN 7185 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. This requires retroactive approval.
- 155. Docket 24-07042** The request to extend temporary discontinuance from January 16, 2025, through June 16, 2025, of charter bus services provided by VIP Transportation of Nevada, LLC under CPCN 2154, 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.

- 156. Docket 24-07045** The request to extend temporary discontinuance from February 1, 2025, through August 1, 2025, of services provided by Xpress Car, Inc. d/b/a Reno Tow & Transport, under CPCN 7315, 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.
- 157. Docket 24-08002** The request to extend temporary discontinuance from February 1, 2025, through August 1, 2025, of services provided by Rugga, LLC d/b/a Rugga Party Bus, Rugga, under CPCN 2349, 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.
- 158. Docket 24-08022** The request to extend temporary discontinuance from February 16, 2025, through August 16, 2025, of services provided by Stu's Motorcycle Towing, LLC, under CPCN 7344, 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.
- 159. Docket 24-09002** The request to extend temporary discontinuance from February 1, 2024, through July 1, 2025, of services provided by Eseme, LLC d/b/a 2020 Towing, under CPCN 7473, and 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.
- 160. Docket 24-11036** The request to extend temporary discontinuance from February 1, 2025, through August 1, 2025, of services provided by National Transportation Services, Inc. d/b/a NTS, under CPCN 1081, 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.
- 161. Docket 24-01003** The request to extend temporary discontinuance granted from January 2, 2024, through July 2, 2024, and extended through January 2, 2025, of services provided by Lanee, LLC d/b/a Lanee Transportation, LTS, under CPCN 2331, and Staff's recommendation to issue an Order to Show Cause as to why the CPCN should not be revoked. Staff investigation concluded.

***Liz Babcock, Applications Manager, commented:***

*This applicant has been out on a temporary or discontinuance since January 2nd of 2024, and the reason stated is that the vehicle was not operable. Powertrain issues, and the high cost of insurance. He's been out for more than one year, and it is the staff's opinion that the vehicle maintenance and insurance are the costs of doing business. No extenuating circumstances there. The staff is not in support and is asking for an order to show cause.*

***Vote taken to issue OSC:***

*Item 161*

*Motion made by Commissioner Groover*

*Seconded by Commissioner Gibbons*

*Approved 3-0*

## **EXPIRED TEMPORARY DISCONTINUANCE**

**162. Docket 24-02018** The expired temporary discontinuance granted from February 12, 2024, through August 12, 2024, *and extended through February 12, 2025*, of services provided by Fragela Towing, LLC, under CPCN 7427, and Staff's recommendation to issue an Order to Show Cause as to why the CPCN should not be revoked. Staff investigation concluded. – **FOR POSSIBLE ACTION**

***Liz Babcock, Applications Manager, commented:***

*This carrier has also been out of service for over a year. His reason was that the driver quit, and he's in the process of hiring a reliable driver. I'm sure we have some reliable drivers that could be found within a year and the staff does not support. He didn't request an extension, so let me rephrase that. Staff is requesting an order to show cause.*

**~~Vote taken Motion to issue OSC:~~**

~~Item 162~~

~~Motion made by Commissioner Groover~~

~~Seconded by Commissioner Gibbons~~

~~Approved 3-0~~

***Deputy Attorney General Radhika Kunnel commented:***

*I'd like to alert you to an issue that came about during lunchtime item 162. This was resolved prior to this agenda; we should have withdrawn that before the agenda started. Staff requests you to reopen that so the staff can formally withdraw that item. So, the order goes out as a voluntary cancellation rather than an order from the agency.*

***Liz Babcock, Applications Manager, commented:***

*Yes, the request is to formally withdraw this one from the agenda. He had previously filed a voluntary cancellation. This docket should have been closed at that same time and was not. That was an error on staff's part.*

***Vote taken to withdraw from Agenda:***

*Item 162*

*Motion made by Commissioner Groover*

*Seconded by Commissioner Gibbons*

*Approved 3-0*

## **COMPLIANCE PERIOD EXTENSION**

- 163. Docket 23-09017** The request of Affordability Towing Reno to extend their compliance period for ninety (90) days. Staff investigation concluded.

***Liz Babcock, Applications Manager, commented:***

*This is his first request for an extension and staff supports.*

***Vote taken to approve:***

*Item 163*

*Motion made by Commissioner Groover*

*Seconded by Commissioner Gibbons*

*Approved 3-0*

## **NAME CHANGES**

***Vote taken to approve:***

*Item 164*

*Motion made by Commissioner Gibbons*

*Seconded by Commissioner Groover*

*Approved 3-0*

- 164. Docket 24-11027** The Petition for final approval of Driven Transportation Group, Inc. d/b/a Driven, Driven Black Car, Driven Global, Driven by SPG Worldwide to change their name to Driven Transportation Group d/b/a Driven Global, Simon Protection Group for services provided under CPCN 6163, Sub 1. Staff investigation concluded.

## **PETITION FOR LOGO APPROVAL**

***Vote taken to approve:***

*Item 165*

*Motion made by Commissioner Gibbons*

*Seconded by Commissioner Gibbons*

*Approved 3-0*

- 165. Docket 25-01007** The Application of LVL, LLC d/b/a Las Vegas Limousines, Stardust Transportation for final approval of a logo for services conducted under CPCN 2258. Staff investigation concluded. (VH)

## **APPLICATIONS FOR WAREHOUSE PERMITS**

*Vote taken to approve:*

*Item 166 and 167*

*Motion made by Commissioner Gibbons*

*Seconded by Commissioner Groover*

*Approved 3-0*

**166. Docket 24-09025** The Application of 1-800-Pack-Rat, LLC for a warehouse permit. Staff investigation concluded.

**167. Docket 24-10038** The Application of Forward Moving LLC d/b/a Zippy Shell & Zippy Shell of Las Vegas for a warehouse permit. Staff investigation concluded.

## **VOLUNTARY CANCELLATIONS**

*Vote taken to approve:*

*Items 168 through 173 were considered collectively.*

*Motion made by Commissioner Groover*

*Seconded by Commissioner Gibbons*

*Approved 3-0*

**168. Docket 23-11011** The voluntary cancellation of Westside Tow Las Vegas, LLC CPCN 7538. Staff investigation concluded.

**169. Docket 24-12023** The voluntary cancellation of Planell Towing Corporation CPCN 7362. Staff investigation concluded.

**170. Docket 24-12030** The voluntary cancellation of Sidmore Safe Solutions, LLC CPCN 7466. Staff investigation concluded.

**171. Docket 24-12033** The voluntary cancellation of Able Movers, LLC CPCN 3351. Staff investigation concluded.

**172. Docket 25-01023** The voluntary cancellation of Martha O. Hernandez d/b/a Down on the Corner Towing CPCN 7345. Staff investigation concluded.

**173. Docket 25-01025** The voluntary cancellation of DG&CO, LLC d/b/a College Hunks Hauling Junk & Moving CPCN 3392. Staff investigation concluded.

## **ORDERS TO SHOW CAUSE**

*Vote taken to revoke CPCNs:*

*Items 175, 176, 177, 178, 179, 180, 181, 182, 185, 188*

*Motion made by Commissioner Groover*

*Seconded by Commissioner Gibbons*

*Approved 3-0*

**174. Docket 24-12024** Order to Show Cause issued to Stephen B. Perry d/b/a Salt Flats Towing. Results of hearing and the Hearing Officer's recommendation for six (6) month suspension of non-consent tow under CPCN 7312.

***Attorney James Kent, on behalf of Salt Flats Towing, commented:***

*I don't think I really need to review the history. This was heard in front of Commissioner Gibbons. A recommendation was made for a four-month suspension. It was pulled from the August 2024 Agenda for further proceedings. Chairman, you then conducted another hearing in January. I believe part of your findings in your proposed order indicate that there were still numerous errors. Therefore, you suggested a six-month suspension. After that time, we met with Investigator Brown. Mr. Perry again came down here with their files there was not a lot to be done or new that was different. There was one new driver, and Investigator Brown and I talked with him this morning. He went through it, and he found that, at least with one driver, there were some items that were still missing, but they were within time yet to still be corrected and obtained. Salt Flats did obtain all those items and submitted them to Investigator Brown. They were timely done so that at this point there were no new citations or warnings that Investigator Brown saw to come out of these files. What is to be noted? I think what came about when you did your hearing in January is that there are historical items that simply can't be fixed and are always going to be a problem. Mr. Perry, the owner, I don't know if I'm going to be making this up. I don't know if this is exactly one of the issues, but if he wasn't drug tested before he started back in 2014 or so when the company was issued its certificate, we can't go back in time and fix that. That is what I believe was really noted in January was, hey, we've got these issues here that they've had problems with. You know, they didn't do this they didn't do that. That's what the citations were given for. These aren't new things, and they can't be corrected. I would ask that the Commissioners look at what has been corrected and unfortunately, there's not a lot. What things could have been corrected, such as filling in an application? For somebody has been done. Was it late? Yes, and that's what they've got the citations for they have complied. They have tried. They are up to speed. As I said, the only one we have is one new driver, and that was done correctly. Everything's up to date on that. I think the suspension is rather harsh. I understand why the Commissioners did it was because of the 1<sup>st</sup> set of citations which were approximately, say a year, a year and a half ago. The second set of citations was from a year ago. There wasn't seen a lot of change there, but I think from the second one to today, there has been a lot of change and there have been corrections. I would also note that a lot of these issues that I see are historical issues that go back to when the company was incorporated and started out with its first sets of drivers. From the time they started until a year and a half two years ago, they had three or four inspections, and none of these issues were raised. I'm not saying that relieves some of their responsibility, but I'm just saying that those are why some of these things haven't been corrected for 10 years because until two years ago, it never came to light. Most people aren't going to look at an existing driver's file that they've had for three years or four years or more and go back and say, I wonder if there's something wrong with it. When the investigation was done by Investigator Woods, that's when it came up and that's why it's coming up now. If there is to be a suspension, which, again, I would hope that there wouldn't be, I think the four-month suspension initially recommended by Commissioner Gibbons was appropriate. She did the full in-depth hearing in person here with my clients. Had the chance to review the records at that time and I think that changes have been made. This is not something that Salt Flats has just simply ignored or is going to ignore. They are very concerned about this. It is their livelihood. I would hope that maybe we could go to a smaller suspension such as the four months suggested. To add to that, I would also like to note that in January, I'm not going to necessarily say who, but*

there was somebody from the NTA that contacted West Wendover Police Department and indicated, and I have copies of this e-mail if I can hand them out. I'll read the portion of it for you right now. This was sent on January 9th, 2025. It's to its officers and dispatchers, effective immediately, Rick's Mr. Tow and Salt Flats Towing will be removed from our towing rotation and the only authorized tow company for the PD is Elite Towing. Ignoring what he says about Mr. Rick's towing, it says Salt Flats is in the process of getting their state certification revoked. It is not finalized yet; however, PD will not conduct any business with them for the time being. Once the certification is revoked or restored for Salt Flats Towing, I will send an update. I did receive an e-mail from him this morning. I think that Salt Flats has already undergone based on information received from the NTA. Two months of suspension. I would hope that if we could do the four months it could be then reduced to two based upon the fact that they've already effectively been suspended from doing non-consent tows. I think since they got their first round of citations, they've been removed from the State Police tow rotation. They've basically been doing no non-consent tows since the beginning of January. I would ask that that be taken into consideration in the determination today. Lastly, I did look through the proposed order and it has a lot of errors in it. I noticed that on Page three, it says that it's a six-month suspension. I think it's a partial suspension it's not a complete suspension. On page four, it references a four-month suspension. On page four, paragraph three, it has the starting dates of unannounced inspections beginning back in February. I think it needs to be reviewed before it's sent out. I didn't want this order prepared to go out without somebody giving it further review and correction based upon whatever the Commission's decision is this morning.

**Chairman Vaughn Hartung commented:**

I understand. I was the hearing officer back in January I issued the six-month suspension for non-consent tows. That six months has yet to expire. We were very concerned with an applicant that you previously mentioned that we actually revoked. I'm very concerned about Salt Flats Towing. The problem is that I don't have officers out there who can monitor some of the things. I know your client has tried to fix some of these things, but my patience is growing thin because I'm just going to use this when the cat's away, the mice will play. It seems as if these things are habitual. Because we don't have a presence out there on a regular basis. I'm concerned. I'd like to get our officers out there as soon as possible so that they can actually get some eyes on this.  
Mr. Brown What did you find?

**Jason Brown, Supervisory Investigator, commented:**

During their voluntary operational inspection, I did note the deficiencies that Investigator Woods had already noted. Obviously, as discussed with the respondent, you know we can't go back in time those deficiencies cannot be corrected, you know, because you know that was 12 years ago. Since then, improvements have been made. Since the hearing when I did a cursory review of one of the files, they had brought another driver The driver was still within the 30 daytime period for new hire documentation to be completed, and since the date of the operational inspection I have received everything noting that the file is complete at this time and in compliance for the brand-new driver.

**Administrative Attorney Yoneet Wilburn commented:**

Mr. Kent, I have the order up. It sounds like you said that it looked like all tows were to be suspended during the six-month period. That's not the way the order reads that I have it specifically reads that during this period they may not do any non-consent tows at all.

*Furthermore, I do see the four months at the end of number one that need to be changed. The reason the date is February 13th was because this was supposed to be on the February 13th agenda, and it was not. The four months will be changed to six months, but with regard to saying they can't do any tows, that's not correct.*

***Attorney James Kent, on behalf of Salt Flats Towing, commented:***

*I appreciate that my concern was when I read starting on the bottom of page two, paragraph one, it says he will serve a six-month suspension with an anticipated date starting stopping. Later on, it says he may start doing non-consent tows after the suspension ends. Later, it says that during the suspension, the respondent will not conduct any non-consent tows. It's just that when I read that first sentence by itself, it says a six-month suspension, doesn't say a six-month partial or non-consent.*

***Administrative Attorney Yoneet Wilburn commented:***

*Correct, the order is I can change that if you find it misleading. The order is the main part of this, and the order specifically references non-consent tows. But if you want that changed for that first discussion item, I can do that. Not a problem.*

***Attorney James Kent, on behalf of Salt Flats Towing, commented:***

*I would appreciate that because I know I do it sometimes. You read the first part of the paragraph, and you don't necessarily read the end of it. Thank you very much.*

***Deputy Attorney General Radhika Kunnel commented:***

*Not sure if the Authority was considering including this e-mail that the opposing counsel has shared with us into the record. If you do, the State would like to object under the premise that we did not get an opportunity to review this before, and I don't know how this will go to the facts and the material aspects of the order that we are discussing at this moment. So, I would like to check.*

***Chairman Vaughn Hartung commented:***

*I'm glad you brought that up. I agree, and I'm not going to call into question the legitimacy of the e-mail, but we don't have this in our records. I would agree that while it's an interesting read, I'm not going to look at it as part of my decision-making process and recommend the Commissioners do the same. That goes in your client's favor, by the way, of not looking at this. I'm not calling into question your integrity. I'm just saying we haven't had a chance to substantiate this e-mail.*

***Attorney James Kent, on behalf of Salt Flats Towing, commented:***

*I understand. The only remark I might make, and I appreciate, based on your comment, I don't want to make too much of a comment back, but that it might be admitted subject to the Commissioners giving it any or no weight as they feel appropriate. My concern is to indicate that he hasn't been receiving non-consent tows. Therefore, I think a full suspension, for whatever time period would just be in addition to what he's already been faced informally.*

**Chairman Vaughn Hartung commented:**

*The six months that I ordered in January have yet to expire. That's still on the table. What's in our purview? I'm going to start with you, Ms. Kunnel.*

**Deputy Attorney General Radhika Kunnel commented:**

*Would you rephrase that question for me please? I was conferring with Mr. Brown.*

**Chairman Vaughn Hartung commented:**

*That's OK; I do want you to confer with Supervisor Brown. I apologize for that interruption. What I'm asking is, what's in our purview today? Can we extend this so that the six months that I issued in an order expires? Maybe this is the more important piece of this question in that order, can we require our enforcement team to get out there, time undetermined? I'm not going to tell your client they're coming. I'm just telling you they're coming. Can we give that order as well, Ms. Kunnel?*

**Commissioner R. David Groover commented:**

*I go back a long way with this, with this particular carrier. I too, had him do a temporary suspension on his non-consent tows. He never complied with what he was supposed to, and he was told over and over you have to make these refunds if you can't find the people you need to hire somebody to look them up and he just never did it. He did some of them. The easy ones. He cherry-picked it. He didn't, as far as I know, run DMV's have anybody to do it. At one point, I said I wanted an affidavit of due diligence on each and every one stating what he had done. It never came into the file and then it goes to another hearing in front of Commissioner Gibbons. And then you had a hearing on it. It's a guy that's just fraught with problems. It's a bad operation up there. The letter, presented by Mr. Kent. he should have presented that to all of us early this morning with sufficient copies, for the public to review if he wanted to present that today and discuss it, but we have no control over what Highway Patrol or West Wendover or anybody else wants to do, who they want to use on their tow list. That's up to them.*

**Commissioner Dawn Gibbons commented:**

*What's going on there? Do they need people there? Extra people?*

**Jason Brown, Supervisory Investigator, commented:**

*I'm not sure what the population is or the need.*

**Commissioner Dawn Gibbons commented:**

*What areas are they covering?*

**Jason Brown, Supervisory Investigator, commented:**

*West Wendover is on the eastern border of Nevada and western border of Utah It is situated roughly between Reno and Salt Lake City on I-80.*

***Commissioner Dawn Gibbons commented:***

*OK. There's not enough there.*

***Jason Brown, Supervisory Investigator, commented:***

*I do not know. I've never been there before, so I couldn't give you an educated idea of what it looks like up there.*

***Deputy Attorney General Radhika Kunnel commented:***

*We do not necessarily have an objection if the Authority decides to reduce the suspension from six months to four months. However, we would like to object to not beginning the suspension period after the order is signed. That would be our position. We have a question for the opposing counsel on the status point two in the order, which says that the respondent shall send a letter to all non-consent tow clients, prior to the beginning of the suspension. We would like for the Chairman to consider the beginning of the suspension or the start date for the suspension to be the date that the order is signed.*

***Chairman Vaughn Hartung commented:***

*That suspension was six months that I gave, and that's really what we're looking at. What you're suggesting is that when the order is signed, it's six months from that point, correct? The suspension, regardless of the length, goes from the date that the order is signed.*

***Deputy Attorney General Radhika Kunnel commented:***

*That is correct.*

***Chairman Vaughn Hartung commented:***

*Mr. Kent and I appreciate you coming in. I know you're here to argue for your client. Your client has just been problematic, and again, they don't seem to care because the NTA is not around. It's been habitual. I'm not asking for past issues to be corrected. Moving forward, we can require that, and it just doesn't seem as if your client wants to comport with these requirements. It would also seem that law enforcement on the eastern side of the state is not crazy about using them. Which is not in our control. We can't tell them who is in and who is out. That has nothing to do with the NTA. I want to make that perfectly clear. I'm still very much concerned with the operation that your client is running. Commissioners, any anyone else?*

***Commissioner R. David Groover commented:***

*I think if you do move him forward, you're going to have to have a lot of unannounced operational inspections more than usual. It presents a problem of where Mr. Perry is located to do those inspections. Unless they ordered the records by e-mail, but for other things they like to cover in those inspections. Doing the site visits has been very difficult.*

***Chairman Vaughn Hartung commented:***

*Are they located in East Wendover, Utah? Is that their primary location, or are they co-*

*located in Nevada and Utah?*

**Jason Brown, Supervisory Investigator, commented:**

*I do believe they are domiciled in Wendover, UT. They do have an approved impound tow yard in West Wendover, NV.*

**Chairman Vaughn Hartung commented:**

*I know that there was some sharing of a tow yard with a former applicant. I know that when our team went out there. It was very muddled. Commissioners, what would you like to do on this? If it's approved today, the six months start today, correct?*

**Deputy Attorney General Radhika Kunnel commented:**

*If you sign the order today, it will go into effect today. As Ms. Wilburn pointed out, there may need to be a few edits. I would like to alert you to the order. On page 4, the order talks about the letters that the respondents are supposed to send to all non-consent clients. So, if the respondent has not already done so and the order is signed today, I'm afraid the respondent would be contempt already. The opposing counsel would like to request additional time to comply with this second condition we had with a stipulated agreement.*

**Chairman Vaughn Hartung commented:**

*Mr. Kent, I'm growing weary of all of this. So, your client did not send a notification to any of these law enforcement agencies yet? Am I correct in that?*

**Attorney James Kent, on behalf of Salt Flats Towing, commented:**

*Correct because there's been no order, this came up last August. At the last agenda, there was concern as to, well, if we're not going to accept the recommendations and send it back to hearing, what do we do about suspensions and things like that? We had dates that were to start the suspension last year, and it was indicated that everything was off the table until we got an order. That's why nothing's been sent out yet. I don't know if you did a unilateral order by yourself, but I've not received anything.*

**Chairman Vaughn Hartung commented:**

*I'm asking if he's notified anybody. I have to be honest with you. I don't feel comfortable with this. Your client has not made restitution, and it's been up in the air even when they were supposed to do things, and they did not.*

**Attorney James Kent, on behalf of Salt Flats Towing, commented:**

*Can I respond to the restitution? My clients before the hearing in front of Commissioner Gibbons last year provided the affidavit, provided the efforts that they've made provided indication as to what's been paid back and what hasn't been paid back. They made two efforts to send it out. Some were returned. Some were cashed, and some were never done anything with. When we came back, they thought that they could work with the NTA to figure out how to deposit the rest with the state. That was not the correct way to do it, and I've set them up to try and work with the state. It looks like they have to file an individual*

*application for each person as to the amount they are owed and submit that to the state. I apologize for not having an update as to where they are on that, but that's the process that they're going through now. I would probably say they've made about 75% restitution. That information was given last year. I don't know where the mix-up has come. Maybe they could have submitted it more unilaterally, but again, it was submitted at the hearing last year in front of Commissioner Gibbons, and I believe it was discussed when we did the hearing with Chairman Hartung as well.*

**Commissioner R. David Groover commented:**

*I believe that was submitted well over a year past when I had ordered it, so they were way overdue with anything they submitted. I haven't seen anything. Nothing has come back to me. This company continues to have issues. Mr. Perry continues to have issues with other people in and out of his company. I don't know what the answer is to it.*

**Attorney James Kent, on behalf of Salt Flats Towing, commented:**

*Maybe I'm missing something, but they've had two sets of issues, one with the initial hearing with you. The second issue was when there were things that were not corrected, I can understand your frustration with that. You found them wrong on these things, and six months later they aren't corrected. I understand some of them could be and that there were some new things. Considering their history of 12 years in operation and considering a lot of the other people that I've seen around here that you say, you know, this is habitual, this is offensive. I'll point back to LifeTrans.*

**Commissioner R. David Groover commented:**

*We don't want to get into that.*

**Attorney James Kent, on behalf of Salt Flats Towing, commented:**

*Well, I do want to get into it, and I understand. But you have a lot of carriers with same obligations. When one knowingly does something for a year, no suspensions. Yet we've got my guy who has done things wrong and has had received citations for it and is getting fined for it, and now we're looking at four to six months, or based upon the fact that they've been revoked by a West Wendover since January, we do an order now for six months. That's basically a nine-month effective suspension. I understand your dislike of them, but I have to take some offense to that because this is not a habitual thing. This was a one or two-time thing that they have corrected. They've met with Investigator Brown. They've tried to do things they wanted to show that they're doing things right. They're coming forward with that. They didn't have to come down in January and do anything different or in February and do anything different. They came down because they wanted to show that they are trying to make a change. That they are trying to do things correctly. Did they screw up for a while? Yes, they did. Absolutely.*

**Commissioner R. David Groover commented:**

*Mr. Kent, I feel they do nothing until the back is against the wall. They have a problem with the non-consent license. There is a big difference between taking people's property and taking it to their tow yard.*

***Chairman Vaughn Hartung commented:***

*It's obvious I have a great deal of discomfort with this. Let me ask Ms. Kunnel one more question. If we order an OSC, do they keep their CPCN, and is the OSC only for non-consent tows so they can still continue to do consent tows? Will the entire CPCN be revoked from doing business in Nevada? What happens if they have to tow a vehicle across state lines from Wendover, UT, into Wendover, NV, because of a repair facility or something of that nature? We can't speak for what Wendover might do and their non-consent tows. I don't mean to keep dragging this out, but I'm trying to understand what's in our purview and what we can and cannot decide.*

***Deputy Attorney General Radhika Kunnel commented:***

*Talking about Interstate, if they picked up any tow from Nevada, they transported it to move to Utah. That would be considered Interstate transportation, and that's not under our jurisdiction or our purview. We don't have the jurisdiction to regulate that particular act.*

***Chairman Vaughn Hartung commented:***

*Do we not have the jurisdiction to determine whether they have a vehicle that has Interstate capabilities and that is apportioned?*

***Deputy Attorney General Radhika Kunnel commented:***

*That question is hovering into the zone of speculation. I am not sure Mr. Brown has any thoughts on that. I would have additional thoughts on that question.*

***Jason Brown, Supervisory Investigator, commented:***

*Hypothetically, we see a tow carrier in Las Vegas on the road with a car loaded on it. Nothing stops us from stopping it and investigating if the driver can prove that he brought it across state lines from Utah, Arizona, or California; we would consider it an Interstate tow, and we would not have jurisdiction. As far as the apportionment I think it would be more along the jurisdiction of the Department of Motor Vehicles.*

***Chairman Vaughn Hartung commented:***

*I thought I read somewhere when we adopted the statutes that we could indeed determine whether they had approval by USDOT. Maybe I missed something. The CFRs are so voluminous.*

***Jason Brown, Supervisory Investigator, commented:***

*We can check their DOT number to ensure that they have Interstate authority. The DOT website works very well, and we have no problem using it in the field.*

***Chairman Vaughn Hartung commented:***

*Ms. Kunnel, concerning consent versus non-consent, do the CPCNs get broken out?*

***Administrative Attorney Yoneet Wilburn commented:***

*We have spent an astronomical amount of time on this, and I know Mr. Kent deserves it. But we have so much left on the agenda, and I think we're getting off track here. I think at this point, if we have these questions, truthfully, we might need to go back to a hearing and revisit it. I'm just not sure where to go from here. It was clear what was going on, and we had a full hearing. At this point, we have in front of us the OSC that you ordered, Chairman. Which was a six-month suspension starting from the signed order. I believe at this point we just need to vote as to whether we're going to do this or not. It's only for non-consent tows. I think at this point we need to decide. Do we want to keep six months? Do we want to shorten it? Do we want to include any time that they've already done based on this e-mail? Do we want to address anything else? But at this point, these conversations don't seem to be relevant to what we're doing here. He has a CPCN to do non-consent and consent tows. I have not been involved in how CPCNs are given, but from what I see and based on his certificate. It states that he can do consent and non-consent tows under the same CPCN. If he's not allowed to do non-consent, it's just based on the order. Same CPCN; we don't break out CPCNs if that's what you're asking.*

***Vote taken to approve:***

*Item 174*

*Motion made by Chairman Hartung*

*Seconded by Commissioner Groover*

*Approved 2-1 Commissioner Gibbons opposed*

***Attorney James Kent, on behalf of Salt Flats Towing, commented:***

*May I ask what the order is? You said to move forward on the order to show cause. I don't know if that means more proceedings or if that means suspension or I don't know what that actually is.*

***Chairman Vaughn Hartung commented:***

*That's a suspension.*

***Administrative Attorney Yoneet Wilburn commented:***

*If I can clarify, I believe the Chairman is confirming the order that came out of the order to show cause hearing. Is that what the vote was?*

***Chairman Vaughn Hartung commented:***

*That's correct.*

***Administrative Attorney Yoneet Wilburn commented:***

*OK. I will make the corrections that Ms. Kunnel stated about the suspension starting at the signing of the order, and I will make sure that Mr. Kent's point is addressed that everything states non-consent so it's very clear.*

***Attorney James Kent, on behalf of Salt Flats Towing, commented:***

*Just to be clear, because again, we don't know when that order is. We don't have the exact dates of suspension. And the letter that my client is supposed to send out is supposed to have the exact dates of suspension in it. It's kind of a catch-22. He has to wait for the order, but he has to send the letter before he gets the order.*

***Commissioner R. David Groover commented:***

*It will be coming soon.*

***Attorney James Kent, on behalf of Salt Flats Towing, commented:***

*But I don't want him to be in trouble for not sending out the letters in advance. Can I learn the dates in advance of the order?*

***Administrative Attorney Yoneet Wilburn commented:***

*I can probably fix the order over lunch to have the order ready for signature, so I would assume the signature would be by tomorrow.*

***Attorney James Kent, on behalf of Salt Flats Towing, commented:***

*Can we give my client seven days to send out the letters? Then once he gets the order and knows the dates.*

***Administrative Attorney Yoneet Wilburn commented:***

*Chairman, if you want to make a motion to change the order, that's in your purview.*

***Chairman Vaughn Hartung commented:***

*That he has seven days to send the notifications out from the date that the order is signed. It's five working days, 7 full days, 7 full calendar days. I will make that motion.*

***Vote taken to allow respondent 7 calendar days to send out notifications:***

*Item 174*

*Motion made by Chairman Hartung*

*Seconded by Commissioner Groover*

*Approved 3-0*

**175. Docket 25-01009** Order to Show Cause issued to 24/7 Towing, Inc. d/b/a 24/7 Towing, Inc. as to why Certificate of Public Convenience and Necessity 7119, Sub 2, should not be revoked.

**176. Docket 25-01010** Order to Show Cause issued to Zavala's Moving, LLC as to why Certificate of Public Convenience and Necessity 3393, should not be revoked.

- 177. Docket 25-01011** Order to Show Cause issued to The Town Diesel Mechanic Truck and Auto, LLC d/b/a The Town Diesel Heavy Towing as to why Certificate of Public Convenience and Necessity 7394, should not be revoked.
- 178. Docket 25-01012** Order to Show Cause issued to Nahoom, LLC as to why Certificate of Public Convenience and Necessity 2194, should not be revoked.
- 179. Docket 25-01013** Order to Show Cause issued to Charter Nevada, LLC as to why Certificate of Public Convenience and Necessity 2286, should not be revoked.
- 180. Docket 25-01014** Order to Show Cause issued to Discount Movers, Inc. as to why Certificate of Public Convenience and Necessity 3338, should not be revoked. – **FOR POSSIBLE ACTION**
- 181. Docket 25-01015** Order to Show Cause issued to Andrade's Towing, LLC d/b/a Andrade's Towing as to why Certificate of Public Convenience and Necessity 7340, Sub 1, should not be revoked.
- 182. Docket 25-01016** Order to Show Cause issued to City on the Side, LLC d/b/a Retro Tour Las Vegas as to why Certificate of Public Convenience and Necessity 1142, Sub 1, should not be revoked.
- 183. Docket 25-01017** Order to Show Cause issued to Desert Run, LLC as to why Certificate of Public Convenience and Necessity 2278, should not be revoked.

***Item 183 was pulled from the Agenda prior to consideration.***

- 184. Docket 25-01018** Order to Show Cause issued to Supersonic Movers, LLC d/b/a SuperSonic Movers as to why Certificate of Public Convenience and Necessity 3391, should not be revoked.

***Liz Babcock, Applications Manager, commented:***

*Yesterday, we received an e-mail to the general mailbox from Alexis from Supersonic Movers. She explained that she was sorry she will not be able to be here today and gave various reasons, including health issues. Rather than go through them all, as it's quite a list, staff would suggest and support a six-month extension before we bring this order to show cause back. Table this for six months.*

***Vote taken to table to the September Agenda:***

*Item 184*

*Motion made by Commissioner Groover*

*Seconded by Commissioner Gibbons*

*Approved 3-0*

- 185. Docket 25-01029** Order to Show Cause issued to All City Towing & Recovery, LLC as to why Certificate of Public Convenience and Necessity 7406, should not be revoked.

**186. Docket 25-01030** Order to Show Cause issued to Sanchez Family, LLC dba PST Towing as to why Certificate of Public Convenience and Necessity 7534 should not be revoked.

***Back on the record at 2:12 pm***

***Liz Babcock, Applications Manager, commented:***

*This is in order to show cause that was issued based on an expired temporary discontinuance. The owner is here, and he's on a temporary discontinuance from January 31st of 2024 through July 31st of 2024. He did not attempt to extend it, and we heard nothing from him, so it's considered expired, and we brought it to an agenda and the order to show cause was issued.*

***Chairman Vaughn Hartung commented:***

*Mr. Sanchez, we haven't heard from you in a very long time, as you heard from Ms. Babcock. Now, here you are again. Tell us why we should not issue this order to show cause.*

***Bernardo Sanchez commented:***

*The truck was down. I had to get a new motor for it. I couldn't find one and I got low on funds and had to get a job. The guy that finally got my motor just kept giving me the run around on when he was going to have it done and finally got everything done. I'm up to date with everything. Whatever you guys need; I have.*

***Liz Babcock, Applications Manager, commented:***

*He has several things on his compliance order that he has to do. He has to show us he has the insurance; he has to have his vehicle inspected, drug testing, and he has signed up with a consortium.*

***Chairman Vaughn Hartung commented:***

*What would be the timing if we were to give him a short extension? Can we give him a short extension because it's already expired?*

***Liz Babcock, Applications Manager, commented:***

*Yes, but this is the order to show cause. I believe you can give him a period of time. Table this say for two months, which would be 60 days, and if he was able to resume operations by then this would then be not needed.*

***Chairman Vaughn Hartung commented:***

*I hate to see anybody go out of business. I want to see everybody stay in business. That's the whole nature of what we do is to try to help carriers comply with statutory and regulatory requirements, of course and stay in business.*

***Vote taken to continue to the May Agenda:***

*Item 186*

*Motion made by Commissioner Groover*

*Seconded by Commissioner Gibbons  
Approved 3-0*

- 187. Docket 25-01031** Order to Show Cause issued to Knox Transportation, LLC dba Royal Crown Transportation as to why Certificate of Public Convenience and Necessity 2285, should not be revoked. – ***FOR POSSIBLE ACTION***

***Item 187 was pulled from the Agenda prior to consideration.***

- 188. Docket 25-01032** Order to Show Cause issued to Sunshine Travel, Inc. as to why Certificate of Public Convenience and Necessity 2144, Sub 2, should not be revoked.

### **APPLICATIONS TO DISMISS**

***Vote taken to approve:***

*Items 189, 190, 192, and 193*

*Motion made by Commissioner Groover*

*Seconded by Commissioner Gibbons*

*Approved 3-0*

- 189. Docket 21-12004** The Application of Atlas Transportation, LLC for a CPCN to provide charter bus service within the State of Nevada. Deputy Commissioner's Motion to Dismiss Application.
- 190. Docket 22-12015** The Application of Messiah's Towing, LLC d/b/a Messiah's Towing for a CPCN to provide consent-only tow car service within the State of Nevada. Deputy Commissioner's Motion to Dismiss Application.
- 191. Docket 23-02029** The Application of EL Masters ENT South, LLC d/b/a LUXE Transportation, EL Masters for a CPCN to provide charter bus service within the State of Nevada. Deputy Commissioner's Motion to Dismiss Application.

***Attorney James Kent, on behalf of EL Masters, commented:***

*To my left is Thomas Watson El, the owner of the company. Very briefly, I would simply say that Mr. Watson El has been working together with staff. I believe a couple of times when he's had a vehicle, but it's fallen out. He thinks if he has 30 to 60 days, he will complete all of his items.*

***Liz Babcock, Applications Manager, commented:***

*It takes quite a while to get an application dismissed. This has been on the block for a while. Mr. Kent indicated that the applicant was working with Karen Rayson. We were not aware of that, but it was verified by our chief of compliance, so he is working with her, and therefore I have no opposition.*

***Vote taken to continue for 60 days:***

*Item 191*

*Motion made by Commissioner Groover*

*Seconded by Commissioner Gibbons*

*Approved 3-0*

**192. Docket 23-05002** The Application of Alvarez Towing, LLC for a CPCN to provide consent-only tow car service within the State of Nevada. Deputy Commissioner's Motion to Dismiss Application.

**193. Docket 23-11017** The Application of LGBTQ+ride, Inc. for a TNC Permit to provide transportation network company service within the State of Nevada. Deputy Commissioner's Motion to Dismiss Application.

### **PETITIONS FOR RECONSIDERATION**

**194. Docket 25-01026** Petition for Reconsideration of suspension of driver permit #15031 for Yodit Feseha Belete.

***Chairman Vaughn Hartung commented:***

*OK, welcome, Ms. Belete. You know what's going on? We have the ability to close this hearing. I don't think we need to do that to consider all aspects of this. I think the question is, do you have the documentation that the issues have been adjudicated, or are you still waiting for an adjudication date?*

***Yodit Belete commented:***

*The date is going to be March 31, and my lawyer said I have two options either plead guilty.*

***Administrative Attorney Yoneet Wilburn commented:***

*I'm sorry. Before you get into that, since we are getting into that history, do we need to offer her a closed session? Do you want a closed session? Are you OK with just saying this out loud? I mean, it's fine.*

***Chairman Vaughn Hartung commented:***

*We're not looking for any details. We just need to know the dates. I don't need to know what the infractions are. That is not what's in front of us today. When will this be adjudicated?*

***Yodit Belete commented:***

*March 31 will be the last court date.*

***Administrative Attorney Yoneet Wilburn commented:***

*It would need to be on the May agenda because the April agenda is April 10<sup>th</sup>. If the cutoff is weeks before that, we won't have any more information. Unless the Commissioners would*

*like to put it on the agenda and then pull it if we don't have the information we need.*

***Commissioner R. David Groover commented:***

*I agree with that Chair. This has gone on for a while, so we could just put it on the April agenda, and if she has a continuance or something else, she can call up and speak with the administrative attorney, and it can be pulled and just moved to a more convenient date.*

***Deputy Attorney General Radhika Kunnel commented:***

*If they have a specific date request, you can consider their suggestions on future dates as well. If April is not a convenient date for them, they can ask for a different date and see if that's workable for the NTA.*

***Vote taken to continue to April Agenda:***

*Item 194*

*Motion made by Commissioner Groover*

*Seconded by Commissioner Gibbons*

*Approved 3-0*

***Lunch Break 1 hour at 1:09 pm***

**195. 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.

***No comments***

**196. 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.