

ASSEMBLY BILL NO. 329—ASSEMBLYMEN MARTIN, HEALEY;  
AIZLEY, COHEN, HORNE, HOGAN, MUNFORD AND SWANK

MARCH 18, 2013

Referred to Committee on Transportation

SUMMARY—Revises provisions governing taxicabs in certain counties. (BDR 58-555)

FISCAL NOTE: Effect on Local Government: No.  
Effect on the State: Yes.

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EXPLANATION – Matter in *bolded italics* is new; matter between brackets ~~omitted material~~ is material to be omitted.

AN ACT relating to taxicabs; requiring the Taxicab Authority to establish a system of flat-rate fares for certain trips by taxicab to or from an international airport; authorizing the Taxicab Authority to establish a system of flat-rate fares for certain other trips by taxicab; increasing the administrative sanctions imposed on a driver of a taxicab who takes a longer route than necessary to a passenger's destination under certain circumstances; requiring the Taxicab Authority to impose a penalty on the operator of a taxicab business each time a driver employed by the operator is penalized for taking a longer route than necessary to a passenger's destination; requiring the Taxicab Authority and the Nevada Transportation Authority to authorize the conduct of a pilot program to electronically monitor the movement of certain vehicles; and providing other matters properly relating thereto.

**Legislative Counsel's Digest:**

1 Under existing law, the Taxicab Authority regulates taxicabs in a county whose  
2 population is 700,000 or more (currently Clark County) and in any county that has,  
3 by ordinance, placed itself under the jurisdiction of the Taxicab Authority. (NRS  
4 706.881) Existing law makes it unlawful for the driver of a taxicab in such a county  
5 to engage in the act commonly known as "long-hauling." **Section 1** of this bill  
6 requires the Taxicab Authority to establish by regulation a system that requires the  
7 operator of a taxicab business to charge a flat-rate fare established by the Taxicab  
8 Authority for each trip between an international airport in the county and any origin  
9 or destination that is located within that county for which the Taxicab Authority has



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10 determined there is a substantial history of long-hauling or an unreasonable risk  
11 that long-hauling may occur. Under **section 7** of this bill, the Taxicab Authority  
12 must adopt those regulations on or before October 1, 2013. **Section 1** also  
13 authorizes the Taxicab Authority to establish a flat-rate fare system for taxicab trips  
14 between destinations within the designated geographical area if the Taxicab  
15 Authority has determined there is a substantial history of long-hauling or an  
16 unreasonable risk that long-hauling may occur. In establishing its flat-rate fare  
17 system, the Taxicab Authority is required to consider and equitably balance the  
18 interests of taxicab passengers, taxicab drivers and the operators of taxicab  
19 businesses. **Section 1** further requires the Taxicab Authority to operate a toll-free  
20 telephone hotline for passengers of taxicabs to register complaints, including  
21 complaints regarding long-hauling.

22 Existing law establishes a system of escalating sanctions that may be imposed  
23 on drivers of taxicabs who violate certain standards of conduct, including the  
24 prohibition against long-hauling. (NRS 706.8848) **Section 5** of this bill doubles the  
25 amount of the existing fines for long-hauling and requires that a driver's permit to  
26 drive a taxicab be revoked for a third offense within a 12-month period.

27 Under existing law, an operator of a taxicab business may be penalized for a  
28 violation committed by an employee only if the operator knowingly permitted or  
29 required the employee to commit the violation. (NRS 706.885) **Section 6** of this bill  
30 requires the Taxicab Authority to penalize an operator of a taxicab business each  
31 time a driver employed by the operator is penalized for long-hauling.

32 **Sections 8 and 9** of this bill require the Taxicab Authority and the Nevada  
33 Transportation Authority to authorize a developer of a system that is capable of  
34 electronically monitoring the movement of properly equipped vehicles to conduct a  
35 pilot program of the system using vehicles subject to regulation to determine the  
36 feasibility and desirability of using such a system in carrying out each agency's  
37 duties.

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THE PEOPLE OF THE STATE OF NEVADA, REPRESENTED IN  
SENATE AND ASSEMBLY, DO ENACT AS FOLLOWS:

1 **Section 1.** Chapter 706 of NRS is hereby amended by adding  
2 thereto a new section to read as follows:

3 *1. If an international airport is located in a county to which*  
4 *this section and NRS 706.881 to 706.885, inclusive, apply, the*  
5 *Taxicab Authority shall establish by regulation a system that*  
6 *requires a certificate holder to charge a flat-rate fare established*  
7 *by the Taxicab Authority for each trip between the international*  
8 *airport and any origin or destination located within the*  
9 *geographical area of the county for which the Taxicab Authority*  
10 *determines:*

11 *(a) There is a history of a substantial number of passengers*  
12 *traveling by taxicab between the international airport and the*  
13 *origin or destination being taken by means of a longer route than*  
14 *is necessary without the passengers specifically requesting use of*  
15 *the longer route; or*

16 *(b) The configuration of the streets, highways, tunnels and*  
17 *other avenues of transportation available for travel by taxicab*



1 *between the international airport and the origin or destination*  
2 *presents an unreasonable risk that a substantial number of*  
3 *passengers traveling by taxicab between the international airport*  
4 *and the origin or destination may be taken by means of a longer*  
5 *route than is necessary without the passengers specifically*  
6 *requesting use of the longer route.*

7 2. *The Taxicab Authority may establish by regulation a*  
8 *system that requires a certificate holder to charge a flat-rate fare*  
9 *established by the Taxicab Authority for each trip between an*  
10 *origin and a destination located within the geographical area of a*  
11 *county if the Taxicab Authority determines:*

12 (a) *There is a history of a substantial number of passengers*  
13 *traveling by taxicab between the origin and destination being*  
14 *taken by means of a longer route than is necessary without the*  
15 *passengers specifically requesting use of the longer route; or*

16 (b) *The configuration of the streets, highways, tunnels and*  
17 *other avenues of transportation available for travel by taxicab*  
18 *between the origin and destination presents an unreasonable risk*  
19 *that a substantial number of passengers traveling by taxicab*  
20 *between the origin and destination may be taken by means of a*  
21 *longer route than is necessary without the passengers specifically*  
22 *requesting use of the longer route.*

23 3. *In establishing a system that requires a certificate holder to*  
24 *charge a flat-rate fare pursuant to this section, the Taxicab*  
25 *Authority shall consider and equitably balance the needs and*  
26 *interests of the:*

27 (a) *Passengers, whether traveling to or from the international*  
28 *airport;*

29 (b) *Drivers; and*

30 (c) *Certificate holders.*

31 4. *The Taxicab Authority shall:*

32 (a) *Operate a toll-free telephone hotline for passengers to*  
33 *register complaints regarding transportation by taxicab, including,*  
34 *without limitation, complaints regarding alleged violations of*  
35 *subsection 3 of NRS 706.8846; and*

36 (b) *Require that information concerning the hotline be*  
37 *conspicuously displayed within each taxicab while it is operated in*  
38 *passenger service.*

39 **Sec. 2.** NRS 706.881 is hereby amended to read as follows:

40 706.881 1. The provisions of NRS 706.8811 to 706.885,  
41 inclusive, *and section 1 of this act* apply to any county:

42 (a) Whose population is 700,000 or more; or

43 (b) For whom regulation by the Taxicab Authority is not  
44 required, if the board of county commissioners of the county has



1 enacted an ordinance approving the inclusion of the county within  
2 the jurisdiction of the Taxicab Authority.

3 2. Upon receipt of a certified copy of such an ordinance from a  
4 county for whom regulation by the Taxicab Authority is not  
5 required, the Taxicab Authority shall exercise its regulatory  
6 authority pursuant to NRS 706.8811 to 706.885, inclusive, *and*  
7 *section 1 of this act* within that county.

8 3. Within any such county, the provisions of this chapter which  
9 confer regulatory authority over taxicab motor carriers upon the  
10 Nevada Transportation Authority do not apply.

11 **Sec. 3.** NRS 706.8811 is hereby amended to read as follows:

12 706.8811 As used in NRS 706.881 to 706.885, inclusive, *and*  
13 *section 1 of this act*, unless the context otherwise requires, the  
14 words and terms defined in NRS 706.8812 to 706.8817, inclusive,  
15 have the meanings ascribed to them in those sections.

16 **Sec. 4.** NRS 706.8821 is hereby amended to read as follows:

17 706.8821 1. The Administrator is responsible for the control  
18 and regulation of the taxicab industry in any county to which NRS  
19 706.881 to 706.885, inclusive, *and section 1 of this act* apply and  
20 for the administration of NRS 706.881 to 706.885, inclusive **H** ,  
21 *and section 1 of this act*.

22 2. The Administrator shall appoint:

23 (a) One accountant and such auditors as are necessary to enable  
24 the Administrator to perform the Administrator's official functions  
25 properly; and

26 (b) Such other employees as are necessary to enable the  
27 Administrator to perform the Administrator's official functions  
28 properly.

29 **Sec. 5.** NRS 706.8848 is hereby amended to read as follows:

30 706.8848 1. **H** *Except as otherwise provided in this*  
31 *section, if* a driver violates any provision of NRS 706.8844 to  
32 706.8847, inclusive, *and section 1 of this act*, the Administrator  
33 may impose the following sanctions:

34 (a) First offense: Warning notice or a fine of not more than  
35 \$100, or both warning and fine.

36 (b) Second offense: 1 to 3 days' suspension of a driver's permit  
37 or a fine of not more than \$200, or both suspension and fine.

38 (c) Third offense: 4 to 6 days' suspension of a driver's permit or  
39 a fine of not more than \$300, or both suspension and fine.

40 (d) Fourth offense: 10 days' suspension of a driver's permit or a  
41 fine of not more than \$500, or both suspension and fine.

42 (e) Fifth offense: Revocation of a driver's permit or a fine of not  
43 more than \$500, or both revocation and fine.

44 2. *If a driver violates subsection 3 of NRS 706.8846, the*  
45 *Administrator shall impose the following sanctions:*



1 (a) *First offense: Warning notice or a fine of not more than*  
2 *\$200, or both warning and fine.*

3 (b) *Second offense: 1 to 3 days' suspension of a driver's permit*  
4 *or a fine of not more than \$400, or both suspension and fine.*

5 (c) *Third offense: Revocation of a driver's permit or a fine of*  
6 *not more than \$600, or both revocation and fine.*

7 3. Only violations occurring in the 12 months immediately  
8 preceding the most current violation shall be considered for the  
9 purposes of ~~subsection 1~~ *this section*. The Administrator shall  
10 inspect the driver's record for that period to compute the number of  
11 offenses committed.

12 ~~3~~ 4. The Administrator shall conduct a hearing prior to  
13 suspension or revocation of a driver's permit or imposing a fine  
14 under this section or NRS 706.8849.

15 **Sec. 6.** NRS 706.885 is hereby amended to read as follows:

16 706.885 1. Any person who knowingly makes or causes to be  
17 made, either directly or indirectly, a false statement on an  
18 application, account or other statement required by the Taxicab  
19 Authority or the Administrator or who violates any of the provisions  
20 of NRS 706.881 to 706.885, inclusive, *and section 1 of this act* is  
21 guilty of a misdemeanor.

22 2. The Taxicab Authority or Administrator may at any time, for  
23 good cause shown and upon at least 5 days' notice to the grantee of  
24 any certificate or driver's permit, and after a hearing unless waived  
25 by the grantee, penalize the grantee of a certificate to a maximum  
26 amount of \$15,000 or penalize the grantee of a driver's permit to a  
27 maximum amount of ~~\$500~~ *\$600* or suspend or revoke the  
28 certificate or driver's permit granted by the Taxicab Authority or  
29 Administrator, respectively, for:

30 (a) Any violation of any provision of NRS 706.881 to 706.885,  
31 inclusive, *and section 1 of this act* or any regulation of the Taxicab  
32 Authority or Administrator.

33 (b) Knowingly permitting or requiring any employee to violate  
34 any provision of NRS 706.881 to 706.885, inclusive, *and section 1*  
35 *of this act* or any regulation of the Taxicab Authority or  
36 Administrator.

37 *➤ The Taxicab Authority shall penalize the grantee of a certificate*  
38 *each time a driver employed by the grantee is penalized for a*  
39 *violation of subsection 3 of NRS 706.8846. The amount of the*  
40 *penalty may not be less than the amount of the penalty imposed on*  
41 *the driver.*

42 3. If a penalty is imposed on the grantee of a certificate  
43 pursuant to this section, the Taxicab Authority or Administrator may  
44 require the grantee to pay the costs of the proceeding, including  
45 investigative costs and attorney's fees.



~~13-1~~ 4. When a driver or certificate holder fails to appear at the time and place stated in the notice for the hearing, the Administrator shall enter a finding of default. Upon a finding of default, the Administrator may suspend or revoke the license, permit or certificate of the person who failed to appear and impose the penalties provided in this chapter. For good cause shown, the Administrator may set aside a finding of default and proceed with the hearing.

~~14-1~~ 5. Any person who operates or permits a taxicab to be operated in passenger service without a certificate of public convenience and necessity issued pursuant to NRS 706.8827, is guilty of a gross misdemeanor. If a law enforcement officer witnesses a violation of this subsection, the law enforcement officer may cause the vehicle to be towed immediately from the scene.

~~15-1~~ 6. The conviction of a person pursuant to subsection 1 does not bar the Taxicab Authority or Administrator from suspending or revoking any certificate, permit or license of the person convicted. The imposition of a fine or suspension or revocation of any certificate, permit or license by the Taxicab Authority or Administrator does not operate as a defense in any proceeding brought under subsection 1.

**Sec. 7.** The Taxicab Authority shall adopt the regulations required pursuant to section 1 of this act on or before October 1, 2013.

**Sec. 8.** 1. The Taxicab Authority shall authorize a developer of a system that is capable of electronically monitoring the movement of properly equipped vehicles to conduct a pilot program of the system using vehicles subject to regulation by the Taxicab Authority to determine the feasibility and desirability of the Taxicab Authority using such a system in carrying out its duties.

2. On or before June 30, 2014, the Taxicab Authority shall submit a report concerning the pilot program to the Director of the Legislative Counsel Bureau for transmittal to the Legislative Commission.

**Sec. 9.** 1. The Nevada Transportation Authority shall authorize a developer of a system that is capable of electronically monitoring the movement of properly equipped vehicles to conduct a pilot program of the system using vehicles subject to regulation by the Nevada Transportation Authority to determine the feasibility and desirability of the Nevada Transportation Authority using such a system in carrying out its duties.

2. On or before June 30, 2014, the Nevada Transportation Authority shall submit a report concerning the pilot program to the Director of the Legislative Counsel Bureau for transmittal to the Legislative Commission.



1       **Sec. 10.** 1. This section and sections 8 and 9 of this act  
2 become effective upon passage and approval.

3       2. Sections 1 to 7, inclusive, of this act become effective upon  
4 passage and approval for the purpose of adopting regulations and  
5 performing any other preparatory administrative tasks that are  
6 necessary to carry out the provisions of this act, and on October 1,  
7 2013, for all other purposes.

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