

# **PROPOSED REGULATION OF THE NEVADA TRANSPORTATION AUTHORITY**

**LCB File No. R029-15**

DEPARTMENT OF BUSINESS AND INDUSTRY

## **NOTICE OF INTENT TO ACT UPON A REGULATION and NOTICE OF HEARING FOR THE ADOPTION OF REGULATIONS**

The Nevada Transportation Authority (“Authority”) will hold a public hearing at 9:00am on Friday, September 11, 2015. The public may attend the hearing at the following locations:

***By videoconference:***

**Legislative Building, Room 3137  
401 S. Carson St.  
Carson City, Nevada 89701**

**Grant Sawyer State Office Building, Room 4412  
555 E. Washington Ave.  
Las Vegas, Nevada 89101**

The purpose of the hearing is to receive comments from all interested persons and for the Authority to take action regarding the adoption of certain regulations to a new chapter of the Nevada Administrative Code for purposes of implementing Assembly Bill No. 175 and Assembly Bill No. 176 of the 78<sup>th</sup> (2015) Nevada Legislative Session. The proposal has been designated as Docket 15-06024 by the Authority and as File No. R029-15 by the Nevada Legislative Counsel Bureau.

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

1. The proposed adoption of certain regulations to a new chapter of the Nevada Administrative Code are necessary to provide to ensure the safety, reliability and cost-effectiveness of the transportation services provided by drivers affiliated with transportation network companies in Nevada. The purpose of the proposed regulations are related to :
  - a) Establishing general provisions and definitions regarding the operations of transportation network companies and drivers in Nevada [Assembly Bill No. 175 and Assembly Bill No. 176 of the 78th (2015) Nevada Legislative Session];
  - b) Establishing provisions governing an application to the Authority for a permit to operate as a transportation network company [Assembly Bill No. 175 and Assembly Bill No. 176 of the 78th (2015) Nevada Legislative Session];
  - c) Establishing provisions relating to permits to operate as a transportation network company [Assembly Bill No. 175 and Assembly Bill No. 176 of the 78th (2015) Nevada Legislative Session];
  - d) Establishing provisions relating to identification of drivers for transportation network companies [Assembly Bill No. 175 and Assembly Bill No. 176 of the 78th (2015) Nevada Legislative Session];

- e) Establishing provisions relating to the regulatory assessment for transportation network companies [Assembly Bill No. 175 and Assembly Bill No. 176 of the 78th (2015) Nevada Legislative Session];
- f) Establishing regulations regarding the general operations of transportation network companies [Assembly Bill No. 175 and Assembly Bill No. 176 of the 78th (2015) Nevada Legislative Session];
- g) Establishing regulations regarding the rates and services of transportation network companies [Assembly Bill No. 175 and Assembly Bill No. 176 of the 78th (2015) Nevada Legislative Session];
- h) Establishing regulations regarding drivers for transportation network companies [Assembly Bill No. 175 and Assembly Bill No. 176 of the 78th (2015) Nevada Legislative Session];
- i) Establishing regulations regarding inspection and maintenance of vehicles operated by drivers for transportation network companies [Assembly Bill No. 175 and Assembly Bill No. 176 of the 78th (2015) Nevada Legislative Session];
- j) Establishing regulations regarding the method of operation of transportation network companies [Assembly Bill No. 175 and Assembly Bill No. 176 of the 78th (2015) Nevada Legislative Session];
- k) Establishing regulations regarding the enforcement of statutes and regulations applicable to transportation network companies and drivers [Assembly Bill No. 175 and Assembly Bill No. 176 of the 78th (2015) Nevada Legislative Session]; and
- l) Establishing rules of practice before the Authority in matters related to transportation network companies and drivers [Assembly Bill No. 175 and Assembly Bill No. 176 of the 78th (2015) Nevada Legislative Session].
- m) The estimated impact of the regulations:
- n) The proposed regulations will not have a significant adverse or beneficial economic impact upon the regulated industry, either immediately or long-term.
- a) The proposed regulations will have not a significant adverse or beneficial economic impact upon the public, either immediately or long-term.

The Authority notes that these assessments of impact are limited to the impacts of the proposed regulations themselves. While the new statutes authorizing the operation of transportation network companies in Nevada [Assembly Bill No. 175 and Assembly Bill No. 176 of the 78th (2015) Nevada Legislative Session] may have certain impacts, the proposed regulations are not expected to significantly alter those impacts.

2. The Authority determined the impact on small business as required pursuant to NRS 233B.0608 by taking and analyzing written and verbal comments from the public and from businesses to be affected by the proposed regulations in public general session meetings on June 11, June 25, and June 29, 2015, and at public workshops on July 16 and July 23, 2015.
3. The Authority anticipates incurring additional enforcement and regulatory oversight expenses as a result of the proposed regulations. The Authority anticipates such expenses being met by revenue from application fees and the regulatory assessment.
4. The Authority is not aware of any overlap or duplication of the proposed regulations with any regulations of other state or local governmental agencies.
5. The proposed regulations are not required pursuant to federal law.

6. The proposed regulations are not more stringent than any federal regulation that regulates the same activity.
7. The proposed regulations implement the application fee and regulatory assessment fee established by Assembly Bill No. 175 and Assembly Bill No. 176 of the 78<sup>th</sup> (2015) Nevada Legislative Session. The proposed regulations do not otherwise establish a new fee or increase an existing fee.

Persons wishing to comment on the proposed action of the Authority may appear at the scheduled public hearing or address their comments, data, views or arguments, in written form, to the Nevada Transportation Authority, attn.: James Allen Day, Nevada Transportation Authority, 2290 South Jones Blvd., Suite #110, Las Vegas, Nevada 89146, (702) 486-3303, [jday@nta.nv.gov](mailto:jday@nta.nv.gov). Written submissions must be received by the Authority no later than **5:00 pm, September 3, 2015**. If no person who is directly affected by the proposed revisions appears to request time to make an oral presentation, the Authority may proceed immediately to act upon any written submissions.

A copy of this notice and the text of the proposed regulation revisions will be on file at the Nevada State Library & Archives, 100 North Stewart Street, Carson City, Nevada 89701 for inspection by members of the public during normal business hours. Additionally, copies of this notice and the text of the proposed regulation revisions will be on file at the offices of the Nevada Transportation Authority at 2290 South Jones Boulevard, Suite 110, Las Vegas, Nevada 89146 and 1755 East Plumb Lane, Suite 216, Reno, Nevada 89502 for inspection by members of the public during normal business hours. Copies of this notice and the text of the proposed regulation revisions will be available for inspection at the main public library in all counties in which an office of the Authority is not maintained. This notice and the text of the proposed regulation revisions are also available in the State of Nevada Register of Administrative Regulations, which is prepared and published monthly by the Nevada Legislative Counsel Bureau pursuant to NRS 233B.0653, and on the Internet at: [www.leg.state.nv.us/register](http://www.leg.state.nv.us/register). Copies of this notice and the text of the proposed regulation revisions will also be mailed to members of the public upon request. If deemed necessary, a reasonable fee may be charged for copies.

Pursuant to NRS 233B.064: Upon adoption of any regulation, the agency, if requested to do so by an interested person, either prior to adoption or within 30 days thereafter, shall issue a concise statement of the principal reasons for and against its adoption, and incorporate therein its reason for overruling the consideration urged against its adoption.

This Notice of hearing has been sent to all passenger motor carriers certificated by the Nevada Transportation Authority, to all persons on the Authority's mailing list for administrative regulations, and posted at the following locations:

Clark County Court House, 200 Lewis Avenue, Las Vegas, NV 89101  
Washoe County Court House, 75 Court Street, Reno, NV 89501  
Nevada State Library & Archives, 100 North Stewart Street, Carson City, NV 89701  
Carson City Library, 900 North Roop Street, Carson City NV 89702  
Churchill County Library, 553 South Main Street, Fallon, NV 89406

Clark County District Library, 833 Las Vegas Boulevard North, Las Vegas, NV 89101  
Douglas County Library, 1625 Library Lane, Minden, NV 89423  
Elko County Library, 720 Court Street, Elko, NV 89801  
Esmeralda County Library, Corner of Crook & 4<sup>th</sup> Streets, Goldfield, NV 89013  
Eureka Branch Library, 10190 Monroe Street, P.O. Box 293, Eureka, NV 89316  
Humboldt County Library, 85 East 5<sup>th</sup> Street, Winnemucca, NV 89445  
Lander County Library, 625 South Broad Street, Battle Mountain, NV 89820  
Lincoln County Library, 63 Main Street, Pioche, NV 89043  
Lyon County Library, 20 Nevin Way, Yerington, NV 89447  
Mineral County Public Library, 110 1<sup>st</sup> Street, Hawthorne, NV 89415  
Pershing County Library, 1125 Central Avenue, Lovelock, NV 89419  
Storey County Public Library, 95 South R Street, Virginia City, NV 89440  
Tonopah Public Library, 167 Central Street, Tonopah, NV 89049  
Washoe County Library, 301 South Center Street, Reno, NV 89501  
White Pine County Library, 950 Campton Street, Ely, NV 89301  
Department of Business and Industry, 555 E. Washington Ave., Suite #4900, Las Vegas, NV 89101  
Department of Business and Industry, 1830 College Parkway, Suite #100, Carson City, NV 89706  
Nevada Transportation Authority, 2290 South Jones Boulevard, Suite #110, Las Vegas, NV 89146  
Nevada Transportation Authority, 1755 East Plumb Lane, Suite #216, Reno, NV 89502  
Nevada Transportation Authority website: [www.nta.nv.gov](http://www.nta.nv.gov)  
Nevada State Legislature Website: [www.leg.state.nv.us](http://www.leg.state.nv.us)

NOTICE: The Authority is pleased to make reasonable accommodations and will assist and accommodate people with a disability who wish to attend its meetings and hearings. If special arrangements are necessary, please contact the Authority in Las Vegas at (702) 486-3303 or in Reno at (775) 688-2800 as far in advance of the workshop as possible.

Dated: August 7, 2015

DEPARTMENT OF BUSINESS AND INDUSTRY  
NEVADA TRANSPORTATION AUTHORITY

This Meeting Notice and Agenda and Notice of Workshop to Solicit Comments on Proposed Regulations has been sent to all persons on the Authority's mailing list for administrative regulations, to all common motor carriers of passengers licensed by the Authority, and has been posted at the following locations:

Clark County Court House, 200 Lewis Avenue, Las Vegas, NV 89101  
Washoe County Court House, 75 Court Street, Reno, NV 89501  
Nevada State Library & Archives, 100 North Stewart Street, Carson City, NV 89701  
Carson City Library, 900 North Rook Street, Carson City NV 89702  
Churchill County Library, 553 South Main Street, Fallon, NV 89406  
Clark County District Library, 833 Las Vegas Boulevard North, Las Vegas, NV 89101  
Douglas County Library, 1625 Library Lane, Minden, NV 89423  
Elko County Library, 720 Court Street, Elko, NV 89801  
Esmeralda County Library, Corner of Crook & 4th Streets, Goldfield, NV 89013  
Eureka Branch Library, 10190 Monroe Street, P.O. Box 293, Eureka, NV 89316  
Humboldt County Library, 85 East 5th Street, Winnemucca, NV 89445  
Lander County Library, 625 South Broad Street, Battle Mountain, NV 89820  
Lincoln County Library, 63 Main Street, Pioche, NV 89043  
Lyon County Library, 20 Nevin Way, Yerington, NV 89447  
Mineral County Public Library, 110 1st Street, Hawthorne, NV 89415  
Pershing County Library, 1125 Central Avenue, Lovelock, NV 89419  
Storey County Public Library, 95 South R Street, Virginia City, NV 89440  
Tonopah Public Library, 167 Central Street, Tonopah, NV 89049  
Washoe County Library, 301 South Center Street, Reno, NV 89501  
White Pine County Library, 950 Campton Street, Ely, NV 89301  
Department of Business and Industry, 555 E. Washington Ave., Suite #4900, Las Vegas, NV 89101  
Department of Business and Industry, 1830 College Parkway, Suite #100, Carson City, NV 89706  
Nevada Transportation Authority, 2290 South Jones Boulevard, Suite #110, Las Vegas, NV 89146  
Nevada Transportation Authority, 1755 East Plumb Lane, Suite #216, Reno, NV 89502  
Nevada Transportation Authority website: [www.nta.nv.gov](http://www.nta.nv.gov)  
Nevada State Legislature Website: [www.leg.state.nv.us](http://www.leg.state.nv.us)

**MEETING NOTICE AND AGENDA, NOTICE OF INTENT TO ACT UPON A  
REGULATION, and NOTICE OF HEARING FOR THE ADOPTION OF  
REGULATIONS**

This is a notice of a duly authorized session of the Nevada Transportation Authority ("Authority") scheduled for **FRIDAY, SEPTEMBER 11, 2015 at 9:00 am.** Members of the public may request the supporting material for this meeting and workshop from **James Allen Day, Nevada Transportation Authority, 2290 South Jones Blvd., Suite #110, Las Vegas, Nevada 89146, (702) 486-3303, [jday@nta.nv.gov](mailto:jday@nta.nv.gov)**

The public may review any supporting material for this meeting and attend the meeting at the following locations:

**Grant Sawyer State Office Building, Room 4412  
555 E. Washington Ave.  
Las Vegas, Nevada 89101**

*By videoconference:*  
**Legislative Building, Room 3137  
401 S. Carson St.  
Carson City, Nevada 89701**

ALL CELLULAR TELEPHONES AND PAGERS ARE TO BE TURNED OFF OR  
SET TO SILENT NOTIFICATION MODE DURING THE PROCEEDINGS

### **AGENDA**

- 1. Call to Order**
- 2. Roll Call**
- 3. Pledge of Allegiance**
- 4. Public Comment** – Members of the public are invited to comment on items on the meeting agenda or on items not contained therein. No action may be taken on a matter raised during public comment until the matter itself has been specifically included on an agenda as an item for possible action.
- 5. Approval of Agenda – *FOR POSSIBLE ACTION***

### **DISCUSSION-ACTION ITEM / RULEMAKING ADOPTION HEARING**

- 6. Docket 15-06024.** The purpose of the rulemaking adoption hearing is to receive comments from all interested persons regarding the adoption of certain regulations to a new chapter of the Nevada Administrative Code for purposes of implementing Assembly Bill No. 175 and Assembly Bill No. 176 of the 78<sup>th</sup> (2015) Nevada Legislative Session. The proposal has been designated as Docket 15-06024 by the Authority and as File No. R029-15 by the Nevada Legislative Counsel Bureau. Please see the Notice of Intent to Act Upon a Regulation and Notice of Hearing for the Adoption of Regulations (attached and incorporated herein by reference) for further details regarding this item. – ***FOR POSSIBLE ACTION***
- 7. Docket 15-06024.** The Authority will discuss and potentially adopt certain regulations as more fully described in Item 6 above and the Notice of Intent to Act Upon a Regulation and Notice of Hearing for the Adoption of Regulations (attached and incorporated herein by reference). – ***FOR POSSIBLE ACTION***
- 8. Public Comment** – Members of the public are invited to comment on items on the meeting agenda or on items not contained therein. No action may be taken on a matter

raised during public comment until the matter itself has been specifically included on an agenda as an item for possible action.

## **9. 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. Comment may not be restricted based on viewpoint.

**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) 688-2800 as far in advance of the meeting or hearing as possible.