

Chairman Price called the meeting of the Assembly Transportation Committee to order at 3:00 p.m. on Tuesday, May 12, 1981 in Room 214 of the Legislative Building.

MEMBERS PRESENT:

Assemblyman Price, Chairman  
Assemblyman Polish, Vice Chairman  
Assemblyman Beyer  
Assemblyman DuBois  
Assemblyman Glover  
Assemblyman Mello  
Assemblyman Prengaman  
Assemblyman Schofield

MEMBERS ABSENT:

Assemblyman Westall

GUESTS LIST:

See attached

SB 399, Provides for equal allocation of taxicabs among all certificate holders under jurisdiction of taxicab authority.

Herb Totman, one of Western Cab Co., spoke in support of this bill. He stated that the new language of this bill is very simple in that what they are asking is for equal allocation for all the taxicabs in Clark County. He stated that they are just asking the legislature to put into law something that has been going on during every allocation that has been made by the Taxicab Authority. The Authority has always equally allocated taxicabs; however, they are not required by statute to do this and because of a current lawsuit they would like to be placed into the statute.

Mr. Price inquired about the geographical distribution included in the bill. Mr. Totman stated that this was no a part of the original bill and that he doesn't really care one way or another whether it is left in. He stated that this would merely mean that wherever a company is currently allocated taxicabs that is where they will remain. He stated that there were approximately 12 companies in Clark County.

He explained that at the present time if 12 cabs are allocated each company would get one. The larger companies want to do the allocation on a proportional basis which would do away with the smaller companies.

Mr. Polish inquired why have allocations. Mr. Totman stated that the company does not have to buy the number allocated but if they don't regulate the industry the small man would be forced out of business and someday there would be more taxicabs around than "guys can make a living at".

Mr. Prengaman inquired why the motivation for this bill if they have been treated squarely so far. Mr. Totman stated that since 1966 he has spent \$72,000 on attorneys because everytime there was an allocation one of the big companies decides to sue because the method of allocation is not in the statute. He stated that they feel it is unfair to continually have to go to court. There is presently a suit going on which states that the last two allocations were illegal in that the company did not have a fair hearing. He stated that if that suit hadn't come up this bill would exist.

Mrs. Westall inquired if some owners had more than one certificate or company. Mr. Totman stated that some people do own more than one.

Ray Chenoweth, Nellis Cab Company and Desert Cab Company, explained that they supported the previous statement. He stated that they were one of the smallest companies in Clark County and had 12 cabs. He explained that each allocation hearing two things are determined and that is how many cabs are needed to serve the public in Clark County and how they should be allocated. They have always allocated equally among the certificate holders. Recently when one company changed hands the new owners decided they didn't like that method and they have taken it to court.

Pete , owner of Star Cab Company and part owner of Yellow Cab Company, spoke in support of the bill. He stated that he supported the statements of the previous men. Pete stated that Star has 14 cabs and Yellow has 86.

In response to Mr. DuBois' comment regarding percentage allocation, Peter explained that in 1955 when he starting driving a taxi there was no allocation as they were under the Public Service Commission. A company could put as many cabs as they saw fit on the road. Later on the big companies did not like this idea because the smaller companies were progressing and getting more cabs. The big companies wanted to suppress the small companies and came into the legislature and got some laws passed which would put the small companies out of business. The big companies obtained a large number and gave the small companies only a few and tried to put the small companies out of business in 1969. He stated that at that time he had 60 cars and this legislation put him back to three cars. They almost put some of them out of business but through long hours and hard work they were able to stay in business.

Jim Avance, Administrator, Taxicab Authority (TCA), gave a brief history of the TCA. He explained that the first allocation came in 1966 and at the time they cut the number of cabs in Clark County down among the various companies. In 1966 the PSC allocated a total number of 210 taxicabs in Clark County. There were some court decisions, the main one being whether the PSC has the ability or jurisdiction to allocate. The court came back and ruled that they did. In 1969 there was another allocation that gave a total of 274 cabs and in 1974 some cap companies were formed and minor number changes and 1974 the total number of cabs on the street was 283. The TCA which was in existence at that time, held hearings

Date: May 12, 1981

Page: Three

and made the determination that allocations would be equal for all parties and allocated 33 cabs so each company received three. So in 1974 the allocation was up to 316. In 1974 NLV Cab Company was formed and given 5 cabs and that brought the number to 321. Mr. Avance stated that he was appointed in 1976 and held hearings in 1977 and bifurcated our hearings and were told that if they didn't do things a certain way, they would be sued. There are three methods of allocation; the small companies wanted them to allocate all the cabs to them until they caught up with the large companies; the big ones wanted to be allocated on a percentage basis so that they could maintain their share of the market and others felt that the best way was to give everyone an equal share of any new cabs. After they held the hearings they made the determination at that time that from that day forward they would allocate equally among all parties. They waited six months to see who would sue them; but nobody did. So then they held more hearings and made the determination were in fact needed and allocated 36 cabs and gave everybody 3. In 1979 they had applications for more cabs and held hearings and told everybody going in that they have already made the determination that they would allocate equally if any more were needed. They determined at that time that there had been a 14% increase in ridership and that a 14% increase in the number of cabs was justified. To that they allocated 48 cabs and gave everyone 4 more cabs. Checker Cab then came along and sued the TCA with the theory that they were not heard as to the percentage concept of theirs. The Supreme Court ruled that since the TCA had made this determination they had the ability to make a different determination and they should have given Checker Cab the right to be heard. That particular hearing, according to Mr. Avance is scheduled for tomorrow (May 13) night. TCA has received briefs from all the companies and they will hear the same testimony that they have heard before about different method of allocations and at that time the TCA will make a determination on how to once again divide of the 48 cabs that were given in 1979. This is basically why this piece of legislation is here before the committee.

Mr. Avance stated that he has a philosophical problem in that he feels that the legislature has created an administrative agency to handle these problems and he feels that they should be allowed to do so. However, if the bill is passed in effect it will be "casting into granite what we have done for the last six years".

In answer to Mr. Schofield's question regarding the number of cabs, Mr. Avance stated that there were 405 presently allocated. He added that there was nothing in their rules that called for equal allocation. It is a matter of record after a public hearing.

Mr. Price inquired if any action taken here would have any bearing on the hearing to be held tomorrow night. Mr. Avance stated that he did not believe so. A law passed now would have no bearing on the allocation of 1979.

Mr. Price pointed out the other part of the bill which deals with allocation throughout the county. He stated that he was under the impression that the intent was that if someone had a cab

company in one part of the county but felt they needed a company in another part which wasn't being serviced and it was approved by the TCA they could use their cabs to service. Mr. Avance stated that he didn't believe that is what this part says. He stated that he anticipated that it says that because a cab might not be needed in a particular area would not preclude that company from the allocation. He stated that he would interpret to mean that irregardless of where in the county a company was located if an allocation is made that company would be given the opportunity to increase their fleet by the same number as everyone else.

In answer to Mr. Glover's question whether Mr. Avance has considered putting this language into TCA rules and regulations, Mr. Avance stated that he has since the Supreme Court ruling. He stated that that would not however alleviate the present problem. The Supreme Court has ruled that since they have the ability to make the rules and regulations they have the ability to change them so they have to listen to the argument everytime they have an allocation hearing.

Mr. Avance briefly explained the geographic areas of Clark County and there were basically three companies that are bound by areas, North Las Vegas Cab Company, Henderson Cab Company and Desert Cab Company. Most of the other companies have some type of constraints.

Norman Ty Hilbrecht, representing Whittlesea Blue and Henderson Taxi Company, spoke in support of the bill. He explained that one of the companies was a middle size company while the other one was a small one. The companies support the concept of AB 399, but they are somewhat concerned with language they feel is ambiguous beginning with line 9. They believe the balance of the bill should be deleted. He stated that they understand the administrator's concern that a limited area certificate holder should have the same allocation as all the certificate holders, but it is their opinion that the language included before line 9 cures that problem so the other language is not needed. On the other hand they feel that this last language might be very damaging to permit those companies that do have certain limitations on their territory to operate wherever they want to. The reason would be that service in the areas where their principal responsibility lies would degenerate. Since this was reason for their limitations they feel it would be bad policy to remove those limitations entirely.

Harry Reid and Milos Terzick, representing Checker Cab and Yellow Cab of Las Vegas, spoke in opposition to the bill. Mr. Terzick presented the committee with a letter from the International Taxicab Association. This letter is attached to these minutes as Exhibit A.

Mr. Reid stated that the companies he represents are the two largest companies in Clark County, but that fact alone should not indicate that they should be treated any differently then the small companies. He stated that Mr. Avance summarized the facts that led up to the hearing scheduled. The allocation aspect of the hearings held was somewhat a minor aspect of the hearings. He stated that he was the attorney that handled the matter before the Supreme Court.

The Nevada Supreme Court unanimously said that the certificates of convenience that the cab companies have are valuable property rights and are not something that can be dealt with lightly. He stated that the remarks he would like to make would in his opinion leave the legislative body very limited choices to what it should or should not do. He stated that he also felt it was important to talk about the TCA itself and how it felt when they started making these allocations. One of the long time members of the TCA was a man by the name of BJ Hanlon. B. J. Hanlon stated when the original equal allocation was made, "They (the big companies) could have successfully contested in court if they had wanted to." Everyone knew when these equal allocations were being done that they were being done as a convenience to the small companies. Everyone recognized at the time it was illegal and that you couldn't do it in the law, because they were taking valuable property rights away from the companies.

B. J. Hanlon also stated that a couple of years ago they took away from the major companies, some of which had been in business many years, roughly two percent. Each time they do this they are taking more and more away from the company that has been in the business and helped the cab industry become what it is. Mr. Reid stated that the reason he mentions this is that they believe that only the national legislature as well as the state legislature perhaps gets involved in things that they really shouldn't get involved. The legislature created the TCA, now let them do what they were legislated to do. In the past they have allocated equally. There is one man who owns 4 companies in Clark County. Mr. Reid questioned whether it was fair that this man gets so many more cabs each. Using the example of 48 cabs, Mr. Reid pointed out that this man would get 16 cabs while everyone else would get four each.

The TCA should have some discretion what they do with these allocations. He questioned what incentive the companies would have to do better; what incentive would they have to take better care of the cabs that they have; what incentive would they have to do a good job? The companies will get an equal number of cabs no matter what happens.

Mr. Reid continued that in 1973 the AG of the State of Nevada was asked the question "Must the Las Vegas TCA allocate taxicabs among the tax companies on a proportionate basis in keeping with the present taxicab allocation." His answer basically was no, that they had to allocate them not on an equal basis but on a proportionate basis. The reason for this was the legislature created what is known as a regulated monopoly. A copy of this opinion is attached to these minutes as Exhibit B. A regulated monopoly does a number of things; it keeps the big companies from running the small companies out of business; it protects the small companies and it keeps the big companies in the middle ground in that it limits the profit margin and a number of other things. A regulated monopoly protects the public as well as the certificate holders. Mr. Reid stated that all they are asking is that the TCA be given some discretion. He stated that they feel that they can present arguments to the TCA why they should be allocated on a proportionate basis. The TCA may well in the future allocate taxicabs on an equal basis as

Date: May 12, 1981

Page: Six

they have done in the past. It is easier for them. Mr. Reid stated that forgetting about the legal argument, he would like to discuss the matter of fairness and asked if it is really fair that these cab companies, small in number, get the same number of cabs as those who have made multimillion dollar investments in Clark County. The big companies are not running the small companies out of business. The little guy in the taxicab industry is being treated fairly. They have been helped by the regulations of the TCA and without these regulations the big companies would have crushed them long time ago. The legislation previously passed saved the little man but it hurt the large companies profit motive tremendously.

Mr. Reid stated that many of the small companies have ties to the larger companies. He reiterated the four companies are owned by one man. The main message that they would like to leave here is that there is no one that has fought the TCA more than they have in the last year but they have been fair fights. They would like to leave the TCA as is and not legislate anything down their throats. Mr. Reid read the letter from International Taxicab Association which is attached as Exhibit A.

Mr. Mello questioned how with the proportionate allocation, the small cab company could ever become large. Mr. Reid stated that they would propose that the small company could come in and show that they have proper capital, managerial depth, market segmentation, they could in effect compete, they could be allocated more cabs. This discretion should be left to the TCA.

Mr. Mello stated that if they stayed with the proportionate share they could not get big because the bigger company would be getting even bigger. Mr. Reid stated that if they could prove things they could get a larger proportion than another company.

Mr. Reid stated that there are those that say that they could allocate on a proportionate basis but there are others that say that if they can prove they warrant more cabs they can be allocated a disproportionate number of cabs. He felt that this was something that the TCA should have to worry about.

Mr. Glover stated that the legislature has given authority to TCA but that then the people such as in this law suit are going to court and substituting the court system for the legislative or administrative system to get what they want out of it which is to allocate on percentage. Mr. Reid responded that if the legislature is going to "mess with the allocation of taxicabs then they should do and say that the ability to allocate taxicabs is in the administrator and TCA." Maybe some thought should be given to passing legislation giving authority to TCA to allocate as they see fit rather than giving the same number to everybody.

Mr. Glover stated that he didn't believe the legislature should be in the allocation business but the problem keeps cropping up with the use of the court to circumvent the issue.

Dave Willden, Yellow Cab Co., stated that there was another problem in that the big companies were the ones that were taking all the telephone calls and the big local workload is handled by these companies. The small companies do not take calls and as a result the big companies are making less money percentage wise. Telephone responses are less money then the large revenue being generated on the strip.

Mr. Avance pointed out that all companies are required to take phone calls and to service the public. All are required to have radios.

Mr. Willden stated that he believes about 75-80% of the phone calls are answered by the three large companies in the Clark County area.

Zel Lowman, North Las Vegas Cab Company, Vegas, Western and Ace Cab Companies, stated that these were the four companies owned by one man. He stated that his clients do take telephone calls and do respond to them in the usual manner. He urged the committee to look at the taxi statutes and they would discover a real hodge podge of regulatory material. He stated that in response to statement that the small companies should not have equal allocation because there is a smaller investment there, he would have to comment that the owner of the four companies was once a driver himself and has invested a great deal in these certificates. The way that one can grow in this industry is to buy certificates. Mr. Lowman stated that the amendment to SB 399 found in the first reprint was intended to do exactly what Mr. Price had indicated. Testimony in the Senate Committee showed that it was meant to bring the service area of North Las Vegas Cab Company into line with the rest of the cab companies of Clark County. The effect of the present restrictions is on the North Las Vegas Cab Company.

In answer to Mrs. Westall's question regarding total number of cabs involved with these four companies, Mr. Lowman stated that he believed it was 84 cabs.

Mr. Glover stated that if the four merged they would be one of the largest in Clark County. Mr. Lowman stated that they do operate out of the same office with different phones, books, etc. The certificates are four separate cab companies.

Mr. DuBois inquired if it was difficult for a new company to get a certificate. Mr. Avance stated that the last certificate was issued in 1974 to North Las Vegas Cab Co. The burden of proof is on the applicant to prove that there is a need for additional cabs in the area to be serviced and to prove that the existing certificate holders in that area are not doing the job as they were allocated under their certificate.

Herb Totman, in rebuttal, stated that the records of the TCA show that the top company in Clark County in revenue producing for the last 12 years has been the same, Star Cab Company. The next person in line is Mr. Totman; after which comes Desert and then Western. The service is being provided by the small cab companies. He stated that in 1969 when the TCA was created he held 60 permits one day and on the next day he held one permit.

He concluded that Checker lost \$200,000 a couple of years ago and the small companies have never lost money and that is a matter of record. He stated that the name of B.J. Hanlon kept coming up in testimony and that he has known him for a number of years and that he was a very good man on the TCA; but that everything he stated he lost 2-1 when it came to the vote. The other two people on the TCA were well respected people also. B. J. Hanlon had an opinion that lost.

AB 179, Makes various changes in provisions regarding regulations of taxicabs.

Mr. Price explained that this bill had been requested by the TCA and that he has had amendments drawn up which would make 179 the vehicle to correct the problems that were raised in the Supreme Court about the constitutionality of the TCA. These amendments would make it constitutional but would also make it statewide. He stated that he also had another amendment that was suggested which would make it apply to those counties that had a certain number of taxicab allocations. The criteria would be the number of taxicabs rather than being statewide.

Jim Avance, TCA, stated that this originally started out as their only bill and was going to be a simple housekeeping bill. On page 2 of 179, line 9, Mr. Avance stated that they currently require a certificate holder to submit financial statement by April 15. This has caused some problems with companies unable to meet that deadline because of conflict with IRS, etc. He would propose that they move that to May 15 to make it a workable deadline.

Line 22, page 2 deals with the problems of radio facilities. He has proposed a second amendment that would better solve the problem. The new language would require each taxicab equipped with a two-way mobile radio, at all times must maintain either individually or cooperatively central radio dispatch facilities the principal activity of which is radio communication with the taxicabs of the certificate holder or holders. This is aimed at getting away from these answering services and getting adequate dispatching capabilities. This would require everyone to serve the constituents of the area.

He stated that he had attempted to do this by regulation but was opposed by company attorneys that stated that he could not propose stricter regulations than the legislature had put into the law. They have the authority to make rules and regulations to make the system work, they cannot tighten past the point the legislature made it.



Various companies have made overtures that they would put other companies on the system and right now there is a plan in the works in Clark County that would computerize the whole dispatch system for all cabs in the county. This would be a tremendous gasoline savings and more efficient.

The next item for change is on line 27 where they are requesting the maximum change in a taxicab be reduced from four years to three years. He referred everyone to a statistical sheet which is attached to these minutes as Exhibit C. He explained the out-of service notices, which means that they are unsafe to be on the road. 24-Hour notice means that they have 24 hours to correct a deficiency or the cab comes off the street. The average taxicab in Clark County puts on 100,000 a year. He added that right now there is only one company that is running cabs that are four years old. Whittlesea has some that are 4 years old but they are only used as spare vehicles. Checker Cab is running some in violation of law. A copy of their lawsuit regarding this is attached to these minutes as Exhibit D.

Mr. Glover inquired if there was any breakdown of the age group that the out of service notices occurred most. Mr. Avance stated that he was not aware but that he would assume that they would be in the over 2 year age group. Mr. Glover inquired what kind of financial burden this age requirement would put on the cab company. Mr. Avance explained that they are amortized out in three years and tax wise they are written off after three years. Mr. Avance stated that the taxicab driver is upset with the condition of the vehicles he has to operate, the public is upset with the condition. There are standards that have to be met. The problem is making sure that the cabs do meet these standards each day because of the abuse that they do receive.

Page 3, line 7, is merely Mr. Avance putting some more "garbage into the law instead into regulation". At the present time it is more expedient to come to the legislature. This would prohibit drivers from leaving keys in vehicles. They have had cases where cabs have been stolen because a driver leaves his key in the car while he goes to lunch and then the fact driver picks up a passenger and robs them. This would prohibit the leaving of keys in the car. Operators of companies have indicated they have a problem firing people for doing this since it is not a regulations against it.

Mr. Price stated that he felt the employer would be able to fire someone for doing this without regulation. He added that he had discussed some of this with Mr. Avance and he had indicated that Mr. Avance had stated that it was not the place of TCA to get into the labor management field. It seemed to Mr. Price that a lot of the rules and regulations that effect the drivers are in fact the type of things that would normally be handled in the relationship between the employer and employee.

Date: May 12, 1981

Page: Ten

He stated that he felt a lot of this should be between the company and the employee. Mr. Avance stated that what they have run into in the past is that the company does not do and TCA then has to if they are going to keep the industry clean and running in the best interests of the public. They have had the employers draw up standards that the employee is suppose to meet; however many of these standards are not policed. Consequently the TCA has been told by the legislature that they will police the industry.

Mr. Schofield inquired if Mr. Avance would have any idea how many cabs would be too old if the age were dropped to 3 years on July 1, 1981. Mr. Avance stated that there would probably be about 20 at Whittelsea and 50 a Checker Cab. This would prohibit them from putting them on the street.

Continuing Mr. Avance stated that next change was on page 3, lines 33-36. This involves driving under influence drugs etc. He explained in the 1977 session he saw some possible abuses that occur, and at the time they could fine up to \$500, suspend or revoke for any violation. He came in and made proposals to go to a \$100 maximum on a first offense, \$200 on second, etc. What he did was to take away his ability to revoke a person's permit for driving under the influence or stopping cab and having a couple of beers while working. The requested change on page 4 allows him in those severe circumstances to get rid of the driver on the first offense. He presented the last three hearing results to the committee. This shows the various types of offenses that are committed. These are attached as Exhibits E, F, & G.

He pointed out that their administrative hearings procedure is well accepted and the police department does write citations on their hearings book and does cite drivers into their procedure. This is a lot cleaner then running them into justice court. It keeps the driver's record in tact and does not put any points on the driver's driving license. These are all misdemeanor offenses.

Mr. Avance stated that the driver is unhappy with result of hearing they have the right to appeal to the Board and if they are not happy at that point has the right to appeal it to District Court.

Mr. Price inquired what happens to the records. Mr. Avance stated that it is kept in the driver's file and is confidential. Mr. Price inquired if a copy goes to the court system, to which Mr. Avance replied no. Mr. Price stated that if violation of the rule is a misdemeanor. Mr. Avance interrupted that this was true only if cited over into the court system. They could be cited over into the court system but when they come before TCA they are administrative hearings.

Next change in line 28, of page 4. Mr. Mello stated that this really disturbed him. Mr. Avance read the section and stated this is what he considers a snakebite kit. Something you like to have in your hip pocket but you hope you never use. He

stated that he ran into a situation where the owner of a cab company was giving them a lot of trouble. The state law states that he can impose sanctions and penalties after a hearing but if he refuses to come in he cannot do anything. If someone does not show up for a hearing, TCA does not have any muscle other than a lengthy process of going through court system and subpoena them.

Lines 36-37 were then read. Mr. Mello asked for an example of this. Mr. Avance stated that he does not hold hearings for the drivers but rather his hearings officer does. They have had circumstances where the driver has become obnoxious and hearings officer is powerless to act other than for the offense the driver is in front of him for. These are rare and Mr. Avance stated that if they had this language they might never have to use it because the drivers and owners would know they have the ability to do it. Right now they know the TCA is virtually powerless to act except for a small statute in the law that states they cannot disrupt a public hearing.

Mr. Mello stated that he felt this is something that no other agency has and found the whole section disturbing. Mr. Avance stated that they have researched this and it was drawn up through the AG's office. Mr. Mello further questioned the derogatory remarks section. Mr. Avance stated that he could not really explain this particular part. He stated that this language or the ability to control an administrative hearing is not present in any of the administrative law of the state. If it were they would not need it. Mr. Mello stated that he really felt that this language was dangerous.

Mr. Prengaman stated that the legislature had given them the power of subpoena and stated that he felt that this should be power enough. He questioned what was wrong with the 10 day delay caused by subpoena. He added that he also had never seen language similar to this in any bill.

Mr. Schofield inquired if the language meant that a driver's license would be revoked as well as a fine for the first offense. Mr. Avance stated that this was true but in practice they do not do that. He stated that if they revoke a driver's license they no longer have any control over him and would therefore not impose any monetary sanctions. The language is ambiguous; they don't do both. He stated that he wanted the ability to get rid of "a guy who is drinking while he is driving his cab or using dope while he is driving his cab and not have to wait and catch him the third time."

Mr. Avance stated that they also have a proposed amendment to the bill. Mr. Price explained that the amendment was designed to make the taxicab authority statewide in scope applicable in some manner, determined other than population limits. Mr. Avance explained that this came about after listening and talking to various people opposed to AB 419 in hopes of resolving that issue. Rather than attempt to amend AB 419 this amendment would allow TCA

to go statewide with taxicabs only. It takes the population limits out, addresses some of the points mentioned previously, financial condition of each county as maintained by that county, it makes sure that they have the ability to pass different rules and regulations in different counties based on the need of the county, and it provides for the return of unused funds back to certificate holders and makes changes so that there is not an allocation mandated in any one area.

Norman Ty Hilbrecht, representing Whittlesea Taxicab Entities, stated that there were two areas of concern raised by the testimony of the Administrator. The first are generally housekeeping measures and they would have some comments on those. The other matter they deem quite significant and that is that after the advent of the TCA the general feeling in the industry was that regulation has been rather vigorous and the industry is generally pretty well policed. They really are quite pleased with the status quo and they would recommend taking whatever steps are necessary to maintain the present level of regulation in Clark County. The existence of the TCA is somewhat in jeopardy owing to a recent district court judgement, presently on appeal, which suggested that population brackets were inappropriate as a indication for the regulation of taxicabs at this higher level of regulation; because population just doesn't bear any reasonable relation to the object of the regulation. The one solution is to regulate taxicabs throughout the state; in many counties where there aren't even any taxicabs. In Washoe County there are a number of taxicabs; but the history of the industry there is one of more orderliness and there has not been the need to regulate at the level that was necessary in Clark County. They would suggest that this is not the only answer. They have prepared one possible alternative and that is the approach that would deal with Article IX, Section 21 of the Nevada State Constitution. This places certain restrictions on local and special legislation. If general legislation can be made to deal with the problem then that should be selected and not special and local legislation. There are many cases that tend to spell out what this means. He cited the example of when a county seat was moved from one area to another, it was done by legislation and the Nevada Supreme Court deemed that this was an appropriate and constitutional enactment although it was indeed both special legislation and local legislation, because it could not be affected feasibly with a general law. Another type of situation was addressed by the legislation when they enacted a statute that directed counties to regulate certain kinds of public transportation. At that time it was taxicabs and a court case resulted from this. In that case the Supreme Court ruled that this was not special and local legislation for the reason that if the events spelled out in the act in any county they all related to transportation, it was enacted on a county by county basis and therefore was not special legislation. They would suggest that the legislation take the lesson from the Supreme Court and find one consistent strain which is reasonable relationship between the specific standard adopted and applied to the problem that is being regulated. The other alternative is a pronouncement by the legislature that they intend to do a special

piece of legislation because in their opinion no general law would apply to that particular situation. It is their opinion that the safer approach would be to select some kind of standards that relate to what they are trying to regulate. They went back and reviewed the proceedings of the PSC prior to the enactment of the TCA, 1967-68 when the problems arose. The first problem had to do with allocating taxicabs, with the result of too many cabs on the street and too many certificate holders. These are the two items that kept appearing throughout the hearings held. For this reason they would propose the amendment which is attached to these minutes as Exhibit H. He stated that they have discussed this with the legislative counsel and it appears that this amendment is just as constitutional as the one being proposed by the Administrator.

Mr. Hilbrecht stated that the reason they chose the figure 9 for the number of certificate holders was that it appeared from the record of the hearings held in 1967-68 that it was at this number and above the problems began to appear and that they would anticipate that if Washoe County or some other county had this number of certificate holders, these same problems would begin to appear and it would be appropriate to institute the TCA into the county. They felt that one standard might be vulnerable so they went back and investigated the number of "tires on the pavement". At this point the figure of 400 became apparent as a figure of the number that were in existence at the time of all the problems.

Mr. Hilbrecht explained that if there are 400 medallions then there can only be 400 taxicabs on the street at one time unless there is a special order during a convention or other situation. Then the other taxicabs in the county come on the street. He stated that they are required by regulation to have 15% spares available for this kind of situation.

In answer to Mr. Price's question, Mr. Hilbrecht explained that the original reduction was a result of hearings held in Clark County and order from the PSC and a similar order from the Clark County Commissioners. This cut the number of taxicabs on the street to about half. Thereafter, the TCA was formed and it inherited the prior allocation of the PSC.

In answer to Mr. Price's question regarding number of certificates and cabs in Washoe County, it was stated that there are 5 certificates in Washoe County and about 250 cabs. These are under the PSC, which has the right to allocate taxicabs even through the statute doesn't mention it.

Mr. DuBois inquired what the definition of medallion was and Mr. Hilbrecht explained that it was a right in those counties where there is allocation to the number of taxicab that may be on the street at one time. It was a permit to be on the street. The reason they have to distinguish this between taxicabs is that the TCA also orders the taxicabs to have so many vehicles that are equipped and ready to operate at any time but cannot actually be on the street raising revenues without a special order of the TCA.

Donal Walls, Whittlesea Checker, stated that they believe that the stability of the cab industry in Clark County requires the continuity of the TCA; however, they do not see any need for this type of regulation to be expanded statewide. It would be very expensive; a burden on the operators and on the public who would ultimately have to pay for it. He stated that Larry Bell, of Whittlesea Checker, communicated with every operator outside of Clark County and found none of them who were anxious to take on this regulation and come out from under the PSC. They do support the TCA in Clark County they cannot see why it should be expanded to go statewide. The amendment described by Mr. Avance may state that there could be different rules and regulations for different counties, an enormous amount of these rules and regulations are in the statute and there would be no choice from county to county. Such things a fees, etc. would be required by statute.

Mr. Walls stated that they would have a suggested amendment, entitled A Bill, which would deal with the problem of radio communication. This is attached to these minutes as Exhibit I. They feel that this would be better language then suggested in AB 179 regarding this issue. This would allow for the sharing of equipment in an cooperative effort.

Mr. Beyer stated that the committee heard testimony in Las Vegas that there are some drivers who do not maintain radio communication and he wondered if there was some way that this could be resolved. Mr. Walls stated that each company polices this as they see fit; some they believe do not police it as they should. There is a rule that they must keep their radio on at all times.

Mr. Walls stated that the next item they would like to address would be on the permitted age of the taxicab. He stated that they could see no reason for this being changed. SB 397 "will gut the whole section". Reducing the maximum life of a taxicab is both unreasonable and wasteful. The TCA has the authority to police the vehicles and require maintenance. The life of the vehicle was orginally put into the statute as a fail safe because they didn't really know just how the TCA would work. If the maintenance portion of the regulations are being enforced there is not need for a change in this part. Age of the vehicle is not the only what to measure the utility, condition or safety of the vehicle. Mileage would probably be better but it is impractical.

In answer to Mr. DuBois question regarding inspection periods, Larry Bell stated that they are inspected at least one a quarter by the TCA.

Mr. Hilbrecht stated that these inspections cover every aspect of the requirements. This could cover a dent, chip in a paint, fracture in the window, torn upholstery. Some of this is not a threat to safety and it would not be fair to characterize all out of service stickers as being threats to safety.

Mr. DuBois inquired if the insurance company ever became involved with the safety maintenance. Mr. Hilbrecht explained that most companies are self insured but that the carrier of the excess insurance has been known to send a maintenance engineer around to inspect vehicles.

Mr. DuBois stated that previous testimony had indicated that some of the drivers had complained about the lack of maintenance. Larry Bell stated that this could come from drivers with low seniority who do not get the new equipment.

Harvey Whittemore, Baker & Drake; Lionel, Sawyer & Collins, stated that Baker & Drake were the certificated owners of the Deluxe and Yellow Cabs in the Reno area. He stated that he would speak to the proposed amendment to AB 179 and that they would agree with Mr. Hilbrecht's analysis of the constitutional question regarding whether the TCA has to go statewide. They agree with their proposed amendment. It is his personal opinion that the population brackets will be upheld by the Supreme Court so that much of this may be unnecessary. If the committee chooses to process AB 179 they would urge that this amendment be incorporated into the bill.

Donald Drake, Deluxe Taxi & Yellow Cab of Reno, stated that they were opposed to having the TCA in Washoe County as they do not believe it is needed and they have been getting along without it for a good number of years.

Mr. DuBois inquired how they feel about the age change found in the bill. Mr. Drake stated that they try to retire their cars after three years. The cost to maintain them longer is much higher. He stated that they would not like to see a limit of age be put into effect as there are some cars that are well designed and they will last for a good number of years. He cited the example of some Ford LTDs that they have that could last longer than 4 years.

Zel Lowman, NLV Cab Co., stated that he had an amendment which was drafted for AB 419, which he would like to propose be added to this bill. A copy of this amendment is attached to these minutes as Exhibit J. This amendment would put limousines under the TCA in Clark County. He stated that his client feels that they are being used the same as a taxicab in many cases.

Mr. Price stated that this was a very controversial issue and that it should probably be a different bill.

Mr. Hilbrecht stated that they also represent limousine companies and although they were not prepared to discuss this at this time but that the carriers are presently regulated by the PSC. There are other companies in Clark County that would probably wish to be heard on this issue.

Date: May 12, 1981

Page: Sixteen

Mr. Glover moved for adoption of the amendment as proposed by Mr. Hilbrecht regarding number of certificate holders and number of cabs. Mr. DuBois seconded the motion. The motion carried with Mrs. Westall, Mr. Mello, and Mr. Schofield absent.

Mr. Glover moved for adoption of the amendment entitled "A Bill" as presented by Mr. Walls regarding radio communication. Mr. Polish seconded the motion. The motion passed with Mrs. Westall, Mr. Mello and Mr. Schofield absent.

Mr. Glover moved for adoption of an amendment which would clean-up the language on page 4, lines 3-5 which deals with driving under the influence of drugs and alcohol. Mr. Beyer seconded the motion. The motion passed with Mr. Mello and Mrs. Westall and Mr. Schofield absent.

Mr. Beyer moved to strike the language on page 3, lines 35-47, regarding contempt of court. Mr. Glover seconded the motion and the motion passed with Mrs. Westall, Mr. Mello and Mr. Schofield absent.

Mr. Prengaman moved to strike the language on page 3, lines 28-34 and Mr. Beyer seconded the motion. Mr. Prengaman stated that he did not feel this was necessary as last session the TCA was given the power of subpoena.

Mr. DuBois stated that he would oppose this motion as he felt the language would facilitate the work of the Administrator and make what he has to do easier. Mr. Price agreed with Mr. DuBois.

The motion failed with Mr. Prengaman and Mr. Beyer voting for it and Mr. Glover, Mr. Polish, Mr. Price and Mr. DuBois voting against it and Mrs. Westall, Mr. Mello and Mr. Schofield absent.

Mr. Glover moved to strike the brackets around the 4 year age and delete the 3, found on page 2 line 28. Mr. Prengaman seconded the motion and the motion carried with Mr. Price voting against the motion and Mrs. Westall, Mr. Mello and Mr. Schofield absent.

Mr. Beyer moved for "do pass as amended" on AB 179 and Mr. Glover seconded the motion. The motion carried with Mrs. Westall, Mr. Mello and Mr. Schofield absent.

SB 398, Allows holder of certificate of public convenience and necessity to lease taxicabs to independent drivers.

Harvey Whittemore, Baker & Drake, introduced two drivers who asked to make a statement regarding this bill. Ron Johnson and Ray Olstrom both agreed that they would favor the ability to lease the taxicab. Mr. Johnson stated that he felt that it would work well and that it would give the driver a little more incentive to keep the appearance of the cab up because in essence they would own the cab.

Mr. Olstrom stated if the driver had to put out so much money a



day to have a vehicle they would work harder to make sure that they recouped that money. This would lead to better maintained and appearing vehicles and also better service to the public. He stated that the drivers would not be parked at a stand for hours because they do not feel like doing anything. He also stated that he felt this would get rid of the rid of the dead-wood that only wants to work during the peak hours.

Mr. Prengaman inquired how much he felt they should pay for a lease considering such things as NIC, insurance, gas, maintenance etc. and how much of those should the driver be responsible for. Mr. Olstrom stated that the driver has to be responsible for the vehicle and that the cost would have to be worked out between the company and the driver. He added that if the driver does not want to pay the price than he shouldn't be driving the cab.

Donald Drake stated that from an operator's standpoint he would have to look at the fee as one that was reasonable for both driver and operator and let the market set the price. He stated that they would certainly have to consider the overhead and other items but to just pick a figure out of the sky would be impossible at this point.

Mr. Prengaman continued by stating that they had heard some testimony in Las Vegas that this might make it so there would be no cabs out during the real slow periods of time because the drivers would only want to work during the peak periods in order pay for the cab lease. He also questioned about how cabs would be allocated as far as the newer cabs were considered. Mr. Drake stated that this type of thing would have to be handled with the lease. He stated that lease could be daily, weekly, monthly etc. and the latter two would take care of the dead periods. He also stated that he felt that the allocation would probably be handled by seniority. Mr. Prengaman stated that he felt that with leasing there wouldn't be any seniority. Mr. Drake also suggested that this could also be handled by varying the price according to the vehicle.

Mr. Whittemore stated that they have a full presentation to be heard when the bill is heard in its entirety.

SB 397, Limits use of taxicabs by standards of safety instead of by age.

Mike Sloane, representing the Las Vegas Taxicab Owners Association, stated that this bill is a bill that addresses itself to a number of issues that have already been discussed. This would focus itself on the proper criteria for determining the safety of the cab. He stated that a cab less than 4 years old can be very unsafe while a taxi over 4 years can be safe. The factor that should be the primary consideration is the inspections that are given to it by the TCA. There are some cars that are more expensive but have a longer life. Mr. Sloane presented a copy of the letter from the International Taxicab Association which is attached to these minutes as Exhibit K.

Mr. Sloan stated that there have been companies that have been able to purchase cabs that have never been on the road but are more than 2 years old. The TCA still brought this under the 4 year rule so they were two years gone before they had ever been driven.

He stated that from the point of the industry and riding public the criteria should be the safety inspecting. Another thing they would bring to the committee's attention would be to amend line 8 to increase the 10,000 miles to 20,000 miles which relates to the mileage on a replacement vehicle. Taxicabs in Clark County do approximately 100,000 miles a year. These replacements would be subject to the first requirement of inspection by TCA.

Mr. DuBois inquired if Mr. Sloan knew of any litigation that has arisen from an accident caused by an unsafe taxicab. Mr. Sloan stated that he had no knowledge of this.

Mr. Price inquired if with this type of thing would it be proper to have some type of sticker that would have to be renewed perhaps every three months because the vehicle would no longer be as easily spotted as it would be by age. Mr. Sloan stated that it was his understanding that there was a very vigorous inspection program at the present time. To presume automatically that when a car reaches 4 years old that it is unsafe is not fair.

Mr. Polish stated that he felt the age really shouldn't be a criteria but the safety of it should and that he felt that the drivers would themselves report when a car was not safe to be driven.

Mr. Beyer pointed out that the Senate had amended out the DMV as doing the inspection and that it left the bill rather open as to who would do these inspections. In Las Vegas the TCA does it and he wondered if the bill needed language that spells out who would do it in Washoe County. Mr. Sloan stated that this bill only applies to TCA as it amends NRS 706.8834 which is the TCA.

Mr. Whittemore stated that this raises a point that they would like to make in that if the bill is processed that would limit the TCA to Clark County there would have to be technical amendments to have this type of thing apply to all counties. SB 398&397 are limited to Clark County.

Mr. Hilbrecht stated that automatically it is taken care of if the others are adopted if the AB 179 is adopted.

Mr. Price stated that they would take care of this later.

It was pointed out that PSC conducts the inspections at the present time.

Adrian Arakie, Whittlesea Blue Cab Co. driver, stated that he had appeared before the committee in Las Vegas and that he would like to reiterate the drivers position. He stated that over 150 drivers appeared before the committee in Las Vegas and not a single driver spoke in favor of the leasing. The majority of the drivers were from the same company that he drives for. Other cab companies made it inconvenient for the drivers to have any knowledge to the committees appearance. The feeling of the drivers is that the monetary benefits will be derived by the company at the driver's expense. The companies would not be required to collect taxes, social security, etc. and thus absolving them of the current responsibilities.

Mr. Arakie stated that it would cause problems with NIC, seniority, bidding of cabs. etc. He stated that he felt that it would not work in Las Vegas. He added that he felt there would be no way to control under the table payoffs. TCA would be inundated with complaints and such "bedlam will result with the leasing of cabs in the Las Vegas area" that the legislature will be compelled to make changes when they meet next.

He stated that drivers are talking about carrying baseball bats and guns to protect themselves if this leasing goes through. He stated that today they make less money then they did in in 1974 during energy crisis and certainly less than 1979 and 1980. Conditions in the business are not improving and this is a way that the companies can assure themselves that they will get the rate and making the same amounts or additional amounts over a year through the least; but it will be of no benefit to the driver in the Las Vegas area. Under leasing the driver is no longer employed and this could hurt his credit rating. This will be a problem to establish himself to get credit. He would be an independent just as a small businessman.

Mr. Arakie concluded by stating that there are many ways to transport a passenger from the airport in Las Vegas to down town and under leasing the driver would need the additional income that taking the longer route would get him and this could present some real problems to the public. The issue of leasing, according to Mr. Arakie, is not practical at all, especially in Las Vegas and it would be a real disservice to the public.

Due to the lateness of the hour and the fact that the members had other meetings and functions to attend, Mr. Price stated that he would reschedule those bills not completely heard for another time and he adjourned the meeting.

Respectfully submitted,

Sandee Gagnier,  
Assembly Attache

*\*See next page for note about additional exhibits*

Also attached to these minutes as Exhibit L, Monthly Trips as presented by Mr. Avance, Exhibit M, further definitions of monthly trips, as presented by Mr. Avance, and Exhibit N, Industrial Commission Statement re: SB 398 with questions.

ASSEMBLY

AGENDA FOR COMMITTEE ON.....TRANSPORTATION.....

TUESDAY

Date.....MAY 12.....1981.....Time.....3:00 P.M.....Room.....214.....

Bills or Resolutions  
to be considered

Subject

Counsel  
requested\*

THIS AGENDA CANCELS AND SUPERSEDES ALL PREVIOUS AGENDAS FOR THIS DATE

- |        |  |  |
|--------|--|--|
| AB 179 | Makes various changes in provisions regarding regulation of taxicabs.  |  |
| AB 218 | Expands regulation of taxicabs to all counties and transfers regulation to department of motor vehicles.         |  |
| AB 595 | Adds qualifications for certain members of taxicab authority.  |  |
| SB 397 | Limits use of taxicabs by standards of safety instead of by age.   |  |
| SB 398 | Allows holder of certificate of public convenience and necessity to lease taxicabs to independent drivers.       |  |
| SB 399 | Provides for equal allocation of taxicabs among all certificate holders under jurisdiction of taxicab authority. |  |

ASSEMBLY

AGENDA FOR COMMITTEE ON TRANSPORTATION.....

TUESDAY

Date.....MAY 12, 1981.....Time 3:00 P.M.....Room 214.....

Bills or Resolutions  
to be considered

Subject

Counsel  
requested\*

THIS AGENDA CANCELS AND SUPERSEDES ALL PREVIOUS AGENDA FOR THIS DATE

- |        |  |  |
|--------|--|--|
| AB 179 | Makes various changes in provisions regarding regulation of taxicabs.  |  |
| AB 218 | Expands regulation of taxicabs to all counties and transfers regulation to department of motor vehicles.         |  |
| AB 595 | Adds qualifications for certain members of taxicab authority.  |  |
| SB 398 | Allows holder of certificate of public convenience and necessity to lease taxicabs to independent drivers.       |  |
| SB 399 | Provides for equal allocation of taxicabs among all certificate holders under jurisdiction of taxicab authority. |  |

\*Please do not ask for counsel unless necessary.

ASSEMBLY

AGENDA FOR COMMITTEE ON..... TRANSPORTATION  
TUESDAY  
Date MAY 12, 1981 Time 3:00 P.M. Room 214

Bills or Resolutions  
to be considered

Subject

Counsel  
requested\*

THIS AGENDA CANCELS AND SUPERSEDES ALL PREVIOUS AGENDA FOR THIS DATE

- |        |  |  |
|--------|--|--|
| AB 179 | Makes various changes in provisions regarding regulation of taxicabs.  |  |
| AB 218 | Expands regulation of taxicabs to all counties and transfers regulation to department of motor vehicles.         |  |
| AB 595 | Adds qualifications for certain members of taxicab authority.  |  |
| SB 398 | Allows holder of certificate of public convenience and necessity to lease taxicabs to independent drivers.       |  |
| SB 399 | Provides for equal allocation of taxicabs among all certificate holders under jurisdiction of taxicab authority. |  |
| SB 595 | Authorizes counties to designate county treasurer as collector of personal property taxes.                       |  |

ASSEMBLY

AGENDA FOR COMMITTEE ON.....TRANSPORTATION.....

Date TUESDAY, MAY 12 Time 5:00 p.m. Room 214.....

Bills or Resolutions  
to be considered

Subject

Counsel  
requested\*

AB 426

Requires flashing red lights on top of  
vehicles of Nevada highway patrol.

SB 363

Changes system of designation on license  
plates for passenger cars.

\*Please do not ask for counsel unless necessary.



ASSEMBLY

AGENDA FOR COMMITTEE ON.....TRANSPORTATION.....

Date TUESDAY, MAY 12 Time UPON..... Room 214.....

ADJOURNMENT

Bills or Resolutions  
to be considered

Subject

Counsel  
requested\*

SB 160

Provides for revocation of certificate of  
public convenience and necessity for  
non-use by motor carrier.

\*Please do not ask for counsel unless necessary.

GU LIST

Date: \_\_\_\_\_

PLEASE PRINT YOUR NAME	PLEASE PRINT WHO YOU REPRESENT	I WISH TO SPEAK		
		FOR	AGAINST	BILL NO
DONALD DRAKE	DEZUXE TAXI + YELLOW CAB RETRO	X		398
R. L. Oke	Driver B + D. Kams	Y		
Bill Sumner	NLV Cab Co			
Dave Willden	YELLOW CAB L.V.	X		398
KARVE ROSE	NIC		616 Provisions	398
Milos Terzich	yellow + Checker Cab L.V.		X	399
ADRIAN ARAKIE	WHITTLESEA BLUE CAB CO		X	398 399
JIM AVANCE	State of NEV			All
Trish Olson	LAS VEGAS Cab Owners ASSN.	X		398
Harvey Whittemore	Yellow of Checker		X	399
	Baker + Drake; Lionel, Sanger + Collins	X		398
NORMAN TY HILBRECHT	Whittlesea Blue + Whittlesea Checker			399 218, 398 595, 5179
LARRY BELL	Whittlesea Checker	"	" "	
JIM BELL	Whittlesea Blue	"	" "	
DONAL WALLS	Whittlesea Checker	"	" "	

# International Taxicab Association

11300 ROCKVILLE PIKE • ROCKVILLE, MARYLAND 20852 • TELEPHONE (301) 881-1333

May 1, 1981

Mr. Milton I. Schwartz, President  
Checker Cab Company  
609 Kingbury Lane  
Las Vegas, NV 89106

Dear Mr. Schwartz:

I spoke with Mr. Harry Reid today about the recent amendment to Senate Bill No. 399. The amendment changes Bill No. 399 from devastating transportation policy to just plain bad transportation policy. The bill, which now calls for guaranteed "equal" growth, still brings into play all the disadvantages that existed before it was amended.

To my knowledge, there is still no similar regulation in the United States or any other country. Further, the legislation as amended remains counter productive to quality taxicab service. If passed it would remove the incentive for larger companies to improve current service quality and increase operating efficiencies. It also severely limits their ability to expand and diversify services. The reason the incentives are removed is that there would be no hope of benefitting from service improvements. The legislation removes hope of expanding or even maintaining the company's current market share.

The proposed legislation still presumes that smaller taxicab companies would have a tremendous incentive to upgrade services and quickly expand their market share. Unfortunately, due to capital limitations, lack of managerial depth, and market segmentation, it is unlikely that the smaller taxicab companies would be able to expand as some in your legislature are trying to dictate. Further, since the smaller companies are guaranteed future growth without effort, why should they upgrade service.

My evaluation of Senate Bill No. 399, as amended, is that it would harmfully effect the quality and diversity of transportation service offered by the taxicab industry to the citizens of Nevada.

If I can be of any further assistance, please do not hesitate to contact me.

Sincerely,



Alfred B. LaGasse, III  
Executive Vice President

Copies to: Harry Reid, Esq., Milos Terzich, Dave Willden,  
Jim Bell, Jay Brown, Frank Lonardo 5.4.81

MAY 6 1981

556

RECEIVED  
TAXICAB AUTHORITY  
STATE OF NEVADA



APR 30 1973

STATE OF NEVADA  
OFFICE OF THE ATTORNEY GENERAL  
ROOM 341, LEGISLATIVE BUILDING  
CARSON CITY 89701

ROBERT LIST  
ATTORNEY GENERAL

April 27, 1973

OPINION NO. 127

Taxicab Allocation--The Las Vegas Taxicab Authority must offer to all certificate holders proportionate allocations of taxicabs in keeping with existing allocations. Disproportionate allocations may be made if one or more certificate holders are unwilling or are unable to accept proportionate allocation, or when one or more certificate holders are shown to have failed the requisite standards of public convenience and necessity and have further failed an opportunity granted them to expand their services or facilities to meet such standards.

Honorable Harry M. Reid  
Lieutenant Governor  
State Capitol  
Carson City, Nevada 89701

Dear Lieutenant Governor Reid:

You have requested an opinion on the following matter.

QUESTION

Must the Las Vegas Taxicab Authority allocate taxicabs among taxi companies on a proportionate basis in keeping with the present taxicab allocation?

RECEIVED  
TAXICAB AUTHORITY  
STATE OF NEVADA

APR 30 1973

Honorable Harry M. Reid  
 April 27, 1973  
 Page Two

ANALYSIS

It is provided in Nevada Revised Statutes 706.8827 that:

A person shall not engage in the taxicab business unless he:

\*\*\*

2. Obtains a certificate of public convenience and necessity from the taxicab authority as provided in NRS 706.386 to 706.396, inclusive, and NRS 706.406.

This term, "public convenience and necessity", places the functions of the Taxicab Authority into the realm of what is called a "regulated monopoly". Generally, the regulation of common carriers falls into the classification of a "regulated monopoly" or "regulated competition". Corporation Commission v. People's Freight Lines, Inc., 41 Ariz. 158, 16 P.2d 420 (1932).

When a statute provides that common carriers shall be regulated in the "public interest"; the regulatory scheme is called "regulated competition". This means that free and open competition is permitted so long as each competitor can show that he is operating in and for the public interest. With the exception of this limitation, there is no restriction of competition. But a statute which provides for the issuance of certificates of "public convenience and necessity", creates a "regulated monopoly". In this instance, free competition is regarded by the law as a possible evil. Common carriers must show that their service is convenient and necessary, and if one company can provide most or all of the necessary service, it will be permitted to do so with little or no competition. Arrow Transportation Co. v. Hill, 387 P.2d 559 (Ore., 1963). The authority which grants certificates of public convenience and necessity must look not only to the interest of the public in immediate transportation, but to the interest of the public in continuing transportation. It does this by insuring the well-being and strength of the carrier or carriers providing the service. In this respect, NRS 706.386(2), which is incorporated by reference into the Taxicab Authority's enabling act by NRS 706.8827(2), provides that in awarding certificates of public convenience and necessity, the Authority must consider other authorized transportation facilities in the territory.

Honorable Harry M. Reid  
April 27, 1973  
Page Three

The Nevada Supreme Court in Checker, Inc. v. Public Service Commission, 84 Nev. 623, 446 P.2d 981 (1968), in construing the statutes regulating common carriers in Nevada, noted with approval the principle that:

. . . competition is not necessarily unrestrainable. It cannot be allowed to harm the very public it was designed to protect and aid. It may be restrained for the public welfare just the same as monopoly may be restrained or as competition may be left unrestrained. . . .

Therefore, in light of these principles of "regulated monopoly", it has been established that before a common carrier can compete with an established common carrier in an area, or before it can increase its service or facilities in that area, it not only has the burden of proving that it meets the standards of public convenience and necessity, but it also has the burden of proving that the established carrier is not meeting those same standards. However, the principle of a "regulated monopoly" is that competition, in the long run, may be harmful to the public by destroying the financial basis of the competitors. Therefore, it is also the rule that the established carrier, if there has been proof that it is not meeting the standards of public convenience and necessity, must be given the opportunity to expand its services or facilities to meet such standards. Only if the established carrier fails to do this, will a competitor be given the right to compete or expand its services or facilities in the territory. Tuscon Rapid Transit Co. v. Old Pueblo Transit Co., 79 Ariz. 327, 289 P.2d 406 (1955).

#### CONCLUSION

Keeping these principles in mind, your question is answered as follows: The Taxicab Authority, in allocating taxicabs, must always consider the continuing strength and stability of existing certificate holders. Whenever the Authority determines that the public convenience and necessity require additional taxicabs in Clark County, it must follow these rules:

1. Because it must foster the economic well-being of all taxicab companies, the Authority must offer all certificate holders a proportionate increase in the number of their taxicabs in keeping with the present taxicab allocation.

Honorable Harry M. Reid  
April 27, 1973  
Page Four

2. An applicant or applicants for taxicab allocation may petition the Authority for a disproportionate increase in allocation, but must meet the burden of proving that one or more certificate holders are falling short of meeting the requisite standards of public convenience and necessity in the conduct of their businesses. But even if the challenging applicants can meet this burden, the Authority, in the interests of maintaining the continuing strength and stability of all certificate holders, must give the challenged company or companies the opportunity to bring, or prove that they may bring, their services or facilities up to the requisite standard. If this can be done to the satisfaction of the Authority, then, again, the Authority must offer all existing certificate holders a proportionate allocation of taxicabs in keeping with present allocations.

3. But if one or more certificate holders are unwilling or are unable to accept an increased proportionate allocation, or if one or more companies which have been successfully challenged by other applicants are unable, after due opportunity, to expand, or show that they can expand, their services or facilities to meet the requisite standards of public convenience and necessity, then the Authority may allocate taxicabs on a disproportionate basis.

Respectfully,



ROBERT LIST  
Attorney General

## STATE OF NEVADA TAXICAB AUTHORITY

## 1980 STATISTICAL TOTALS

	Background Invest. Applicants	Inspection of Taxicabs	Sealing of Taximeter	Sealing of Transm.	Out-of-Service Notices Issued	24 Hour Notices Issued	Out-of-Service Notices Cleared	24 Hour Notices Cleared	Invest. of NRS & G.O#3 Violations	Invest. of Accidents	Defensive Driving Attendance	Taxicabs Impounded
ANLV	273	138	56	27	78	122	76	114	26	27	180	-0-
ACE	170	330	124	83	213	519	208	510	31	62	24	-0-
CIECKER	362	695	165	139	427	788	409	820	42	182	69	-0-
DESERT	110	94	36	34	41	131	39	92	44	28	44	-0-
HENDERSON	52	106	43	18	46	97	45	99	13	17	30	-0-
NELLIS	104	94	31	23	30	68	28	62	32	26	29	-0-
STAR	112	126	56	33	67	148	71	148	41	27	33	-0-
UNION	102	327	124	72	167	434	157	434	27	35	25	-0-
VEGAS-WESTERN	26	123	36	28	49	121	60	122	13	30	5	-0-
WESTERN	77	86	45	23	38	92	37	92	17	36	24	-0-
WHITTLESEA	355	567	213	124	249	578	247	576	50	79	112	-0-
YELLOW	<u>378</u>	<u>727</u>	<u>244</u>	<u>140</u>	<u>187</u>	<u>314</u>	<u>184</u>	<u>333</u>	<u>35</u>	<u>114</u>	<u>84</u>	<u>-0-</u>
YEARLY TOTAL	2,121	3,413	1,173	744	1,592	3,412	1,561	3,402	371	663	659	-0-



SEP 17 1980

LAS VEGAS, NEV.

1 CASE NO. 79-0405

2

3

BEFORE THE STATE OF NEVADA TAXICAB AUTHORITY

4

5 State of Nevada Taxicab Authority)

6 Plaintiff )

7 vs. )

8 Checker Cab Company Inc. )

9 Respondent )

10

11

12 STATEMENT OF FACTS

13 Respondent, Checker Cab Company, is presently being charged,  
14 in the above referenced case, with thirteen (13) violations of  
15 Nevada Revised Statutes Section 706.8834-2, which provides that  
16 " any replacement or supplement vehicle which a certificate holder  
17 acquires for use as a taxicab shall: a.) be new; or b.) register  
18 not more than 10,000 miles on the odometer".

19 All thirteen (13) vehicles in question were purchased by  
20 Respondent from Ardmore Leasing Corporation, who had purchased  
21 them from the Los Angeles Dealers Auction. The odometer state-  
22 ments filed by the Los Angeles Dealers Auction show that at the  
23 time of the sale of the vehicles to Ardmore, each vehicle showed  
24 mileage far in excess of ten thousand (10,000) miles, ranging  
25 between nineteen thousand (19,000) miles to eighty six thousand  
26 (86,000) miles.

27 When the same vehicles were received by Respondent, Checker  
28 Cab Company, the odometers all read under ten thousand (10,000)  
29 miles, and when they were inspected by the Taxicab Authority, they  
30 had less than ten thousand (10,000) miles.

31 The alleged violations came to light by means of a secret  
32 informant, whose identity the Plaintiff refused to disclose.

YID  
O E  
INC  
VE  
TE  
703

CHREIBER  
AT LAW  
1700 N. LAS VEGAS BLVD.  
SUITE 100  
LAS VEGAS, NV. 89102  
2-8272

EXHIBIT A

1 The informant gave information that the odometers were being rolled  
2 back.

3  
4 ISSUES

- 5 1. Whether Nevada Revised Statutes Section 706.8834 (2) has  
6 been violated by Respondent.  
7 2. Whether refusal of Plaintiff to disclose the identity of  
8 an informant in these proceedings requires a dismissal  
9 of the instant proceedings.

10  
11 FINDINGS OF FACT

- 12 1. The thirteen (13) vehicles, which are the subject of these  
13 proceedings all had travelled in excess of ten thousand  
14 (10,000) miles at the time of their purchase by Respondent,  
15 notwithstanding the fact that they had less than ten  
16 thousand (10,000) miles appearing on their odometers  
17 when so purchased.  
18 2. The guilt or innocence of the Respondent does not rest  
19 upon the tip of the confidential informant, nor would  
20 such guilt or innocence be determined by such informant's  
21 testimony. Rather, the tip furnished by the informant did  
22 no more than precipitate an investigation, which inves-  
23 tigation, in and of itself, produced facts and evidence  
24 sufficient to warrant findings of innocence or guilt.

25  
26 CONCLUSIONS OF LAW

- 27 1. Plaintiff has sustained its burden of proof that Respon-  
28 dent has violated Nevada Revised Statutes Section 706.8834  
29 (2) and each of thirteen (13) instances by reason of the  
30 uncontroverted testimony and evidence that the thirteen  
31 (13) vehicles in question had in fact, travelled in excess  
32 of ten thousand (10,000) miles at the time of their  
purchase; Respondent is therefore guilty of violating

YIP A. SCHNEIDER  
ATTORNEY AT LAW  
300 WEST 10TH ST.  
DENVER, COLORADO  
TE 310  
Vt. CO. REG. 00100  
1. LEADERS  
021 712-8272

- 1 Nevada Revised Statutes, Section 706.8834 (2) in each of  
 2 the thirteen (13) violations as alleged.
- 3 2. The Legislature, by enactment of the aforesaid Statute  
 4 intended strict compliance therewith and did not intend  
 5 that the statute be satisfied merely by odometer readings  
 6 less than the maximum allowed; which showing could easily  
 7 be obtained by illegally rolling back the odometers.
- 8 3. These proceedings are administrative in nature rather than  
 9 criminal. Therefore, it is not necessary for the Respon-  
 10 dent to be guilty of express criminal intent in order to  
 11 violate the Statute.
- 12 4. The State can properly claim the privilege of refusing  
 13 to disclose the identity of an informant under Nevada  
 14 Revised Statute, Section 49.335 because there is insuf-  
 15 ficient evidence to indicate that the informer could give  
 16 testimony necessary to a fair determination of the  
 17 Respondent's guilt or innocence. Refusal of the State to  
 18 disclose the identity of the informant does not fall within  
 19 the purview of Nevada Revised Statute, Section 49.365  
 20 mandating a dismissal of the proceedings.

21  
 22 JUDGEMENT AND ORDER

23  
 24 IT IS HEREBY ORDERED ADJUDGED AND DECREED that Respondent be  
 25 and hereby is assessed a fine in the amount of five hundred (\$500.00  
 26 dollars for each of the thirteen (13) violations, herein establishe

27 IT IS FURTHER HEREBY ORDERED ADJUDGED AND DECREED that  
 28 Respondents Checker Cabs numbered: 663, 660, 664, 662, 651, 645,  
 29 646, 648, 652, 657, 659, 640, 666 be, and the same are hereby  
 30 ordered removed from service forthwith.

31 Dated this 16th day of September, 1980.

*David M. Schreiber*  
 David M. Schreiber, Esq.  
 Hearing Officer-State of Nevada  
 Taxi Cab Authority

32  
 DAVID M. SCHREIBER  
 ATTORNEY AT LAW  
 1700 S. BENTLEY BLVD. #2  
 WASHINGTON PLAZA  
 SUITE 200  
 LAS VEGAS, NEV. 89102  
 TELEPHONE:  
 (702) 732-8272

BEFORE THE STATE OF NEVADA TAXICAB AUTHORITY

CHECKER CAB COMPANY, INC.,  
Petitioner,

vs.

STATE OF NEVADA TAXICAB AUTHORITY,  
Respondent.

CASE NO. 79-0495 :

ORDER

This matter having come before the STATE OF NEVADA TAXICAB AUTHORITY BOARD on the 8th day of October, 1980, for hearing on Petitioner CHECKER CAB COMPANY's Petition on Appeal, and having heard and considered statements of legal counsel and the evidentiary record presented below, and good cause appearing therefor,

IT IS HEREBY ORDERED that the findings of fact and conclusions of law set forth by the administrative hearings officer below be adopted. (See Exhibit A attached hereto). Further, the sanctions imposed shall be affirmed in part and modified in part as follows:

1. That the fine assessed be reduced to the amount of ONE HUNDRED DOLLARS (\$100) for each of thirteen (13) violations.
2. That Checker Cabs numbered 645, 646, 648, 651, 652, 657, 659, 660, 662, 663, 664, 666 and 1640 be removed from taxicab service forthwith.

DATED this 20 day of OCTOBER, 1980.

  
JACK JAMES, Chairman  
Nevada State Taxicab Authority

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28  
29  
30

BEFORE THE STATE OF NEVADA TAXICAB AUTHORITY

CHECKER CAB COMPANY, INC., )  
Petitioner, )  
vs. )  
STATE OF NEVADA TAXICAB )  
AUTHORITY, )  
Respondent. )

ORDER


This matter, having come before the STATE OF NEVADA TAXICAB AUTHORITY BOARD on the 2nd day of December, 1980, for hearing on CHECKER CAB COMPANY's petition for administrative interpretation of NRS 706.8834 (1), and having heard and considered testimony of witnesses and statements of legal counsel, and good cause appearing therefor,

IT IS HEREBY ORDERED that the four-year age limitation of NRS 706.8834 (1) shall be computed as follows:

(a) In the case of used vehicles registering not more than 10,000 miles on the odometer which are put into service as taxicabs, four (4) years from December 31 of the year of the model of the vehicle;

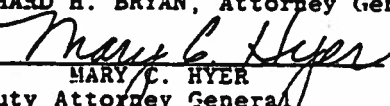
(b) In the case of new vehicles put into operation during or prior to their model year, four (4) years from the date when the taxicab is put into service.

DATED this 11 day of December, 1980.

  
JACK JAMES, Chairman  
Nevada State Taxicab Authority

Submitted by:

RICHARD H. BRYAN, Attorney General

By:   
MARY C. HYER  
Deputy Attorney General  
State Mailroom Complex  
Las Vegas, NV 89158

ATTORNEY GENERAL'S  
OFFICE  
LAS VEGAS  
NEVADA  
103 LV

HEARING RESULTS

DATE: April 24, 1981

Plead Guilty	08	Amount of Fines Recommended	475.00
Plead Not Guilty	04	Amount of Fines Given	340.00
Found Guilty	11	DNA/Suspended	01
Fount Not Guilty	00	Revocations	01
Dismissed	01	Continuances	06
Warnings	00	For State Witnesses	05
		For Defendant's Purposes	01
		Other	00
Number of People	19	Number of Charges	22

81-0268/BALL, Robert W./2671/Union \$25. Fine plus one year voluntary probation	8:30 a.m.	NOH #8002712 SANT 3-19-81
		NRS 706.8845-11, G.O. #3, Rule 504-1 To Wit: NRS 201.340, Transportation for prostitution
81-0269/GARRISON, Bernard/7477/Ace Guilty - \$25. Fine	8:30 a.m.	NOH #8002714 SANT 4-14-81
		G.O. #3, Rule 411-3 Operating a taxicab with expired TA permit
81-0171/LAKATOS, Laszlo/3255/Checker Dismissed	8:30 a.m.	NOH #8002112 HURST 3-6-81
		G.O. #3, Rule 501-1 Not engage in verbal argu- ments or acts of physical violence with other driver or the general public
81-0251/MICHAIKOFF, Simeon/5722/Western Guilty - \$25. Fine	9:00 a.m.	NOH #8002455 GRANT 4-8-81
		NRS 706.8845-6 While a driver is on duty he shall attend his cab if it is being held out for hire
81-0256/COHEN, Doron/6003/Desert DNA/Suspended	9:00 a.m.	NOH #8002454 GRANT 4-8-81
		NRS 706.8845-11, G.O. #3, Rule 501-3 Refrain from loading passengers at any establishment where a tax cab stand has been estab- lished unless he has been through the rotation of the stand
81-0260/KIM, Chong Chun/3462/Ace Guilty - \$20. Fine	9:00 a.m.	NOH #8003080 KINCER 4-17-81
		NRS 706.8845-11 A driver

shall operate his cab in accordance with all applicable state & local laws & regulations & with due regard for the safety, comfort & convenience of the passengers & the general public, To Wit: 484.361-3, Excessive Speed

81-0261/TRUDEL, Romeo/0712/Checker

9:00 a.m.

NOH #8003081

KINCER

Guilty - \$20. Fine

4-17-81

NRS 706.8845-11 A driver shall operate his cab in accordance with all applicable state & local laws & regulations & with due regard for the safety, comfort & convenience of the passengers & the general public, To Wit: 484.361-3, Excessive Speed

81-0262/GHADERY, Ali/6602/Star

9:00 a.m.

NOH #8003083

KINCER

Case'd to 5--8-81 per respondent's request  
Respondent is ill

4-17-81

NRS 706.8845-11 A driver shall operate his cab in accordance with all applicable state & local laws & regulations & with due regard for the safety, comfort & convenience of the passengers & the general public, To Wit: 484.361-3, Excessive Speed

81-0265/MacCARTY, Lance/6874/Yellow

9:00 a.m.

NOH #8003079

NOBLE

Guilty - \$25. Fine

4-15-81

NRS 706.8845-11 County Ordinance 1.08.010 A driver shall operate his cab in accordance with all applicable state & local laws & regulations & with due regard for the safety, comfort & convenience of the passengers & the general public, To Wit: 484.361-3, Excessive Speed



81-0255/O'NEILL, Paula/5986/Checker

9:00 a.m.

NOH #8003077

NOBLE

Cont'd to 5-8-81 per State's Request to  
subpoena witness

4-8-81

NRS 706.8845-11 A driver must operate his taxicab in accordance with all applicable state & local laws & regulations & with due regard to the passenger safety, To Wit: 1.08.010 Excessive Speeding or NRS 484.361-3

81-0043/DRITSAS, Chris/4532/Star

9:00 a.m.

NOH #8002103

HURST

(Con't from 3-27-81 per agreement)

Guilty - \$100. Fine

1-21-81

G.O. #3, Rule 501-1 Not engage in verbal argument or acts of physical violence with other drivers or the general public

NOH #8002104

HURST

1-21-81

G.O. #3, Rule 503-B Not solicit passengers by voice or action

(Con't from 3-27-81 per agreement)

\$Guilty - \$50. Fine

81-0257/BACON, Patrick/3496/Yellow

10:00 a.m.

NOH #8002520

CRAWFORD

Cont'd to 6-5-81 per state's request to  
subpoena witness

4-5-81

NRS 706.8846-2 A driver shall not convey or attempt to convey any passenger to a destination other than the one directed by the passenger

NOH #8002519

CRAWFORD

4-5-81

NRS 706.8845-3 A driver shall refrain from talking loudly & uttering profanity & shouting to other drivers

81-0258/O'HANESIAN, Paul/0709/Vegas Western 10:00 a.m. NOH #8002878 STAR  
 Guilty - \$20. Fine

4-12-81

NRS 706.8845-11 A driver shall operate his taxicab in accordance with all applicable state & local laws & regulations & with due regard for the safety, comfort & convenience of passengers and of the general public; To Wit: 484.303-1, Wrong way on a one way street

81-0259/CAMPBELL, Lee/5708/Checker 10:00 a.m. NOH #8002877 STAR  
 Guilty - \$15. Fine

4-12-81

NRS 706.8845-11 A driver shall operate his taxicab in accordance with all applicable state & local laws & regulations & with due regard for the safety, comfort & convenience of passengers & of the general public; To Wit: 484.303-1, Wrong way on a one way street

81-0263/ZENOSTATATHIS, Charles/5953/Star 10:00 a.m. NOH #8002876 STAR  
 Guilty - \$15. Fine

4-12-81

NRS 706.8845-11 A driver shall operate his cab in accordance with all applicable state & local laws & regulations & with due regard for the safety, comfort & convenience of the passengers & of the general public; To Wit: 484.303-1, Wrong way on a one way street

81-0266/SHUMAN, Seymour/6942/Union 10:00 a.m. NOH #8001972 WITTWER  
 Cont'd to 5-8-81 per State's request  
 subpoena witness

4-1-81

NRS 706.8845-3 A driver shall refrain from talking loudly and uttering profanity

81-0266/SHUMAN, Seymour/6942/Union

10:00 a.m.

NOH #8001973

WITTWER

Cont'd to 5-8-81 per State's request  
to subpoena witnesses

4-1-81

NRS 706.8845-11 A driver shall operate his taxicab with due regard for the safety, Comfort & convenience of passengers

81-0226/BROWN, Jack/7463/Desert

10:00 a.m.

NOH #8002517

CRAWFORD

(DNA/SUSPENDED)

4-10-81

DNA/Revoked

3-30-81

NRS 706.8849-1-K Obey all provisions and restriction of his employer's certificate of public convenience and necessity

81-0267/MONTGOMERY, John/5742/Checker

10:30 a.m.

NOH #8001969

WITTWER

Cont'd to 5-8-81 per State's request to  
subpoena witnesses

4-1-81

NRS 706.8847-1 A driver shall not refuse to transport an orderly person to that person's destination

NOH #8001970

WITTWER

4-1-81

Cont'd to 5-8-81 per State's request to  
subpoena witnesses

NRS 706.8845-3 A driver shall refrain from talking loudly and uttering profanity

HEARING RESULTS

DATE: May 1, 1981

Plead Guilty	00	Amount of Fines Recommended	00
Plead Not Guilty	03	Amount of Fines Given	00
Found Guilty	01	DNA/Suspended	00
Fount Not Guilty	00	Revocations	00
Dismissed	01	Continuances	01
Warnings	00	For State Witnesses	-
		For Defendant's Purposes	01
		Other	01
Number of People	01	Number of Charges	03

## HEARING SCHEDULE FOR MAY 1, 1981

81-0172/Iliev, Peter/2400/Desert	10:00	NOH #8002113	LYNCH
(Cont'd from 3-27-81 per respondent's request to obtain counsel)		02-27-81	
Guilty - Sentence will be given on 6-5-81		GENERAL ORDER #3, RULE 503-1-B	A taxicab driver shall not solicit passengers by voice or action
81-0210/Iliev, Peter/2400/Desert	10:00	NOH #8002380	LYNCH
(Cont'd from 3-27-81 per respondent's request to obtain counsel)		03-11-81	
Dismissed		NRS 706.8845-3	A driver shall refrain from talking loudly, uttering profanity and from shouting to other drivers
81-0223/Iliev, Peter/2400/Desert	10:00	NOH #8002521	CRAWFORD
(Cont'd from 4-3-81 per respondent's request to obtain counsel)		03-23-81	
held for status check until 5-8-81		NRS 706.8846-3	A driver shall not take a longer route than necessary to the passenger's destination, unless specifically requested to do so by the passenger

## HEARING RESULTS

DATE: May 8, 1981

Plead Guilty	11	Amount of Fines Recommended	525.00
Plead Not Guilty	05	Amount of Fines Given	360.00
Found Guilty	15	DNA/Suspended	00
Found Not Guilty	00	Revocations	00
Dismissed	01	Continuances	05
Warnings	00	For State Witnesses	.01
		For Defendants Purposes	01
		Other	03
Number of People	18	Number of Charges	22

## HEARING SCHEDULE FOR MAY 8, 1981

81-0277/Windisch, John/7406/Desert	8:30	NOH #8002328	WILLS
Guilty - \$25. Fine		04-15-81	
		<p>NRS 706.8845-11 TO WIT:  G.O. #3, RULE 501-6 .  Driver shall operate his taxicab  in accordance with all applicable  state and local laws and regulations  TO WIT: Driver shall not operate  a taxicab in which the taximeter  is not sufficiently illuminated  as to be easily seen by the  passenger</p>	
81-0283/Sasson, Haim/5310/Vegas Western	8:30	NOH #8002329	WILLS
Guilty - \$30. Fine		04-16-81	
		<p>NRS 706.8844-3-A  Failure to keep a complete and  accurate trip sheet (No time  stamp)</p>	
81-0271/Pietanza, Andrew/7679/Desert	8:30	NOH #8002716	SANT
Cont'd to 6-5-81 - driver arrived late		04-15-81	
		<p>NRS 706.8849-1-K  Driver shall obey all provisions  and restrictions of his employer's  certificate of public convenience  and necessity (CPCT 887)</p>	
81-0118/Tourkinchevsky, Dimiter/5221/ Western	9:00	NOH #8002456	GRANT
Guilty - \$25. Fine		02-20-81	
		<p>NRS 706.8845-11 TO WIT:  NRS 706.8847  Driver shall operate his taxicab  in accordance with all applicable  state and local laws and regulations  TO WIT: Driver shall not refuse  or neglect to transport any  orderly person to that person's  destination</p>	

81-0256/Cohen, Doron/6003/Desert

9:00

NOH #8002454

GRANT

(DNA/SUSPENDED 4-24-81)

04-08-81

Cont'd to 6-5-81 per state's  
request to subpoena witness

NRS 706.8845-11 TO WIT:

G.O. #3, RULE 501-3

Driver shall operate his taxicab  
in accordance with all applicable  
state and local laws and regulations.  
TO WIT: Driver shall refrain from  
loading passengers at any establish-  
ment where a taxicab stand has  
been established unless he has  
been through the rotation of the  
stand.

81-0255/O'Neill, Paula/5986/Checker

9:00

NOH #8003077

NOBLE/CAHILL

(CONT'D FROM 4-24-81 PER STATE'S  
REQUEST TO SUBPOENA WITNESS)

04-08-81

Case Dismissed

NRS 706.8845-11 TO WIT:

1.08.010

Driver shall operate his taxicab  
in accordance with all applicable  
state and local laws and regulations.  
TO WIT: Excessive Speed

81-0275/Vasilev, Hristo/7723/Western

9:00

NOH #8003085

NOBLE

Guilty - \$15. Fine

04-29-81

NRS 706.8845-11 TO WIT:

1.08.010

Driver shall operate his taxicab  
in accordance with all applicable  
state and local laws and regulations.  
TO WIT: Excessive Speed

81-0262/Ghadery, Ali/6602/Star

9:00

NOH #8003083

KINCER

(CONT'D FROM 4-24-81 -  
RESPONDENT WAS ILL)

04-17-81

Guilty - \$20. Fine

NRS 706.8845-11 TO WIT:

484.361-3

Driver shall operate his taxicab  
in accordance with all applicable  
state and local laws and regulations.  
TO WIT: Excessive Speed



1-0280/Stell, Jimmie/5134/Union

9:00

NOH #8003084

KINCER

Guilty - \$10. Fine

04-23-81

NRS 706.8845-11 TO WIT:

484.361-3

Driver shall operate his taxicab  
in accordance with all applicable  
state and local laws and regulations

TO WIT: Excessive Speed

81-0281/Saitta, Frank/6734/Union

9:00

NOH #8002117

KINCER

Cont'd to 6-5-81 (driver was not  
notified of change of hearing date -  
did not have current address)

04-23-81

NRS 706.8845-11 TO WIT:

484.361-3

Driver shall operate his taxicab  
in accordance with all applicable  
state and local laws and regulations

TO WIT: Excessive Speed

81-0264/Cook, Sylvia/6155/Yellow

9:00

NOH #8003078

LEHTINEN

(CONT'D FROM 4-24-81 PER  
RESPONDENT'S REQUEST -  
OUT OF TOWN)

04-14-81

NRS 706.8845-11 TO WIT:

484.361-3

Driver shall operate his taxicab  
in accordance with all applicable  
state and local laws and regulations

TO WIT: Excessive Speed

Guilty - \$10. Fine

81-0276/Wassman, Billy/6240/Western

9:30

NOH #8002600

QUANDT

Guilty - \$25. Fine

04-21-81

NRS 706.8845-7

Driver shall not permit his taxicab  
to remain at a taxicab stand unless  
it is being held out for hire

81/0279/McCabe, Steven/6811/Whittlesea

9:30

NOH #8002601

QUANDT

Guilty - \$35. Fine

04-24-81

NRS 706.8844-7

Fail to keep a complete and accurate  
trip sheet (No times, locations  
or passengers)

PAGE 4

81-0279/McCabe, Steven/6811/Whittlesea

9:30

NOH #8002602

QUANDT

Guilty - \$15. Fine

04-24-81

NRS 706.8849-1-I

Driver shall not operate a taxicab with an expired T. A. permit

81-0284/Salerno, Ceasar/7516/Yellow

10:00

NOH #8002879

STAR

Cont'd to 6-5-81 - failed to issue NOH in time for this hearing

04-25-81

NRS 706.8845-11 TO WIT:

G.O. #3, RULE 501-3

Driver shall operate his taxicab in accordance with all applicable state and local laws and regulations  
TO WIT: Driver shall refrain from loading passengers at any establishment where a taxicab stand has been established unless he has been through the rotation of the stand

81-0278/Whalen, Steven/7619/Western

10:00

NOH #8002781

OWEN

Guilty - \$25. Fine

04-24-81

NRS 706.8845-11 TO WIT:

484.361-3

Driver shall operate his taxicab in accordance with all applicable state and local laws and regulations  
TO WIT: Excessive Speed

81-0266/Shuman, Seymour/6942/Union

10:00

NOH #8001972

WITTWER

(CONT'D FROM 4-24-81 PER STATE'S REQUEST TO SUBPOENA WITNESS)

Guilty - \$25. Fine

04-01-81

NRS 706.8845-3

Driver shall refrain from talking loudly, uttering profanity and from shouting to other drivers

NOH #8001973

WITTWER

Guilty - \$25. Fine

04-01-81

NRS 706.8845-11

Driver shall operate his taxicab with due regard for the safety, comfort and convenience of passengers and of the general public

PAGE 5

1-0267/Montgomery, John/5742/Checker 10:30

NOH #8001969

WITTWER

04-01-81

NRS 706.8847-1

Driver shall not refuse or neglect to transport any orderly person to that person's destination

NOH #8001970

WITTWER

04-01-81

NRS 706.8845-3

Driver shall refrain from talking loudly, uttering profanity and from shouting to other drivers

Guilty - \$25. Fine

81-0285/Swan, Michael/7455/Whittlesea 9:00

NOH #8002977

JOHN

04-23-81

NRS 706.8845-11 TO WIT

14.28.080

Driver shall operate his taxicab in accordance with all applicable state and local laws and regulations  
TO WIT: Wrong way on a one way street

Guilty - \$25. Fine

A.B. 179

AMENDMENT

AMENDMENT TO MAKE CONSTITUTIONAL THE TAXICAB AUTHORITY  
IN CLARK COUNTY.

AMEND A.B. 179 BY ADDING THE FOLLOWING AS AN ADDITIONAL  
SECTION.

Amend 706.881 as follows:

706.881 1. NRS 706.8811 to 706.885, inclusive,  
apply to any county [whose population is 250,000 or  
more] *in which:*

*(a) There are more than nine certificates, lawfully issued  
and outstanding, authorizing the holders to engage in the taxicab  
business, and*

*(b) There are more than four hundred taxicabs operated by  
the certificate holders.*

2. Within any such county, the provisions of this  
chapter which confer regulatory authority over taxicab  
motor carriers upon the Public Service Commission of  
Nevada do not apply.

A BILL

SEC. NRS 706.8832 is hereby amended  
to read as follows:

706.8832 A certificate holder [shall] *must* have each taxicab equipped with a two-way mobile radio and [shall have access to, be affiliated with or maintain central radio dispatch facilities] at all times *must maintain, either individually or co-operatively with one or more other certificate holders, central radio dispatch facilities, the principal activity of which is radio communication with the taxicabs of the certificate holder or holders.*

*July 21*

1981 REGULAR SESSION (61st)

ASSEMBLY ACTION	SENATE ACTION	AMENDMENT BLANK
Adopted <input type="checkbox"/>	Adopted <input type="checkbox"/>	AMENDMENTS to <u>Assembly</u>
Lost <input type="checkbox"/>	Lost <input type="checkbox"/>	Bill No. <u>419</u> <u>Joint</u>
Date: <input type="checkbox"/>	Date: <input type="checkbox"/>	Resolution No. <input type="checkbox"/>
Initial: <input type="checkbox"/>	Initial: <input type="checkbox"/>	BDR <u>58-1240</u>
Concurred in <input type="checkbox"/>	Concurred in <input type="checkbox"/>	Proposed by <input type="checkbox"/>
Not concurred in <input type="checkbox"/>	Not concurred in <input type="checkbox"/>	
Date: <input type="checkbox"/>	Date: <input type="checkbox"/>	
Initial: <input type="checkbox"/>	Initial: <input type="checkbox"/>	

Amendment No

Amend sec. 4, page 2, line 2, after "vehicles" by inserting:  
", including taxicabs and limousines,".

Amend the bill as a whole by adding two new sections designated sections 9.3 and 9.6, following section 9, to read as follows:

"Sec. 9.3. 1. "Limousine" means a motor vehicle which is designed to accommodate and transport not more than seven passengers, including the driver, and is:

(a) Used in the transportation of passengers or light express or both for which a fee is charged; or

(b) Operated in any service which is held out to the public as being available for the transportation of passengers from place to place in this state,

*first* but is not so used or operated on a regular schedule or over regular routes.

2. "Limousine" does not include a motor vehicle of an employer who operates the vehicle for the transportation of his employees, whether or not the employees pay for the transportation.

Sec. 9.6. "Limousine motor carrier" means any person who operates a limousine or limousines in the transportation of passengers or light express or both for which a charge or fee is received, either to or from an airport or by charter, but not on a regular schedule or over regular routes."

To: E & E  
LCB File  
Journal  
Engrossment  
Bill

Drafted by WC:smc Date 5-11-81

583

Amendment No. \_\_\_\_\_ to Assembly Bill No. 419 (BDR 58-1240) Page 2

Amend sec. 21, page 4, line 2, by deleting the semicolon and inserting:

", and shall not discriminate among certificate holders with respect to the operating area or authority for which they are certificated within a county."

Amend the bill as a whole by adding a new section designated section 32.5, following section 32, to read as follows:

"Sec. 32.5. A person shall not engage in the taxicab or limousine business unless he holds a currently effective certificate of public convenience and necessity issued by:

1. The public service commission of Nevada before July 1, 1969, which has not been transferred, revoked or suspended by the former taxicab authority;

2. The former taxicab authority; or

3. The commission to regulate transportation of passengers."

Amend sec. 33, page 7, by deleting line 25 and inserting: "public convenience and necessity and the payment of prescribed application fee and the reasonable costs of any investigation,"

Amend sec. 33, page 7, line 38, by deleting the period and inserting:

"; or".

Amend sec. 33, page 7, by deleting line 40 and inserting a flush line to read:

*final* "The commission may attach to the exercise of the rights granted".

Amend sec. 33, page 7, line 42, by deleting the period and inserting:

", except that no term or condition concerning a certificate holder's operating area or authority is valid unless it applies uniformly to all certificate holders."

Amend sec. 33, page 7, line 43, by deleting "5." and inserting "4."

Amend the bill as a whole by adding a new section designated section 36.5, following section 36, to read as follows:

Amendment No. \_\_\_\_\_ to Assembly Bill No. 419 (BDR 58-1240) Page 3

"Sec. 36.5. 1. A motor carrier which has been issued certificates, permits and licenses pursuant to this chapter may transfer those certificates, permits and licenses to another qualified under this chapter by making a joint application to the commission for such a transfer. No such transfer is valid unless the commission has authorized the substitution of the transferee for the transferor. No transfer of stock of a corporate motor carrier under the jurisdiction of the commission is valid without prior approval by the commission if the effect of the transfer will be to change corporate control of the carrier or if a transfer of 15 percent or more of the common stock of the carrier is proposed.

2. The commission has the sole discretion on whether to hold a hearing if the application seeks to transfer the certificate from a natural person or persons or partners to a corporation when the officers of the corporation will be substantially the same persons or partners.

3. The commission, in its discretion, may:

(a) Hold a hearing in the matter of such transfer, which hearing must be noticed and conducted as other hearings before the commission; or

(b) Dispense with the hearing on the joint application to transfer if, upon the expiration of the time fixed in the notice thereof, no protest against the transfer of the certificate or permit has been filed by or in behalf of any interested person.

4. In determining whether or not the transfer of a certificate or permit to an applicant should be authorized, the commission shall consider:

(a) The service which has been performed by the transferor and that which may be performed by the transferee;

(b) Other authorized transportation facilities in the territory for which such transfer is sought; and

(c) Whether or not the transferee is fit, willing and able to perform the services of a common or contract carrier of passengers.

585



Amendment No. \_\_\_\_\_ to Assembly Bill No. 419 (BDR 58-1240) Page 4

*flush* The commission may make such amendments, restrictions or modifications in a certificate or permit upon such a transfer as the public interest may require, except that no amendment, restriction or modification concerning a transferee's operating area or authority is valid unless it applies uniformly to all holders of that certificate or permit.

5. No transfer is valid beyond the life of the certificate, permit or license transferred."

Amend sec. 45, page 10, by deleting page 10, line 37 to page 11, line 9, and inserting:

"Sec. 45. (Deleted by amendment.)"

Amend sec. 47, page 11, line 31, after "fees" by inserting:  
"for taxicabs collected pursuant to sections 33 and 36.5 of this act and all fees and".

Amend sec. 47, page 11, line 32, by deleting "45" and inserting "46".

Amend sec. 70, page 19, line 48, by deleting "45" and inserting "46".

Amend sec. 70, page 20, line 5, by deleting "45" and inserting "46".

Amend sec. 70, page 20, line 8, by deleting "45" and inserting "46".

# International Taxicab Association

11300 ROCKVILLE PIKE • ROCKVILLE, MARYLAND 20852 • TELEPHONE (301) 881-1333

November 10, 1980

Mr. Frank Lonardo  
Checker Cab Company  
709 Tyson Drive  
Las Vegas, NV 89119

Dear Mr. Lonardo:

The situation you described, where the model year of a taxicab vehicle would determine whether or not it would be eligible to be placed in service is very rare. The reasons for this system not being used are: even new model cars if not properly maintained are unsafe and, therefore, the city must maintain a vehicle inspection system; requiring newer model vehicles has a disproportionately severe impact on smaller operators and may force them out of business; and the cost of replacing vehicles is often more expensive than properly maintaining them which causes higher fares. By far the majority of communities set reasonable vehicle standards and enforce them by means of an inspection system.

The system of vehicle inspections is more equitable to all taxicab operators. Each operator could then determine his own best way of meeting the vehicle standards. This can be done through a preventive maintenance program; a strong repair program; a new vehicle purchase program; or most likely through a combination of these programs. Terrain and climate are two very important non controllable factors in determining vehicle life expectancy. A vehicle operating in the northeast United States should not last near as long as a vehicle operating in the southwest United States.

I hope these comments will aid you in your efforts.

Sincerely,

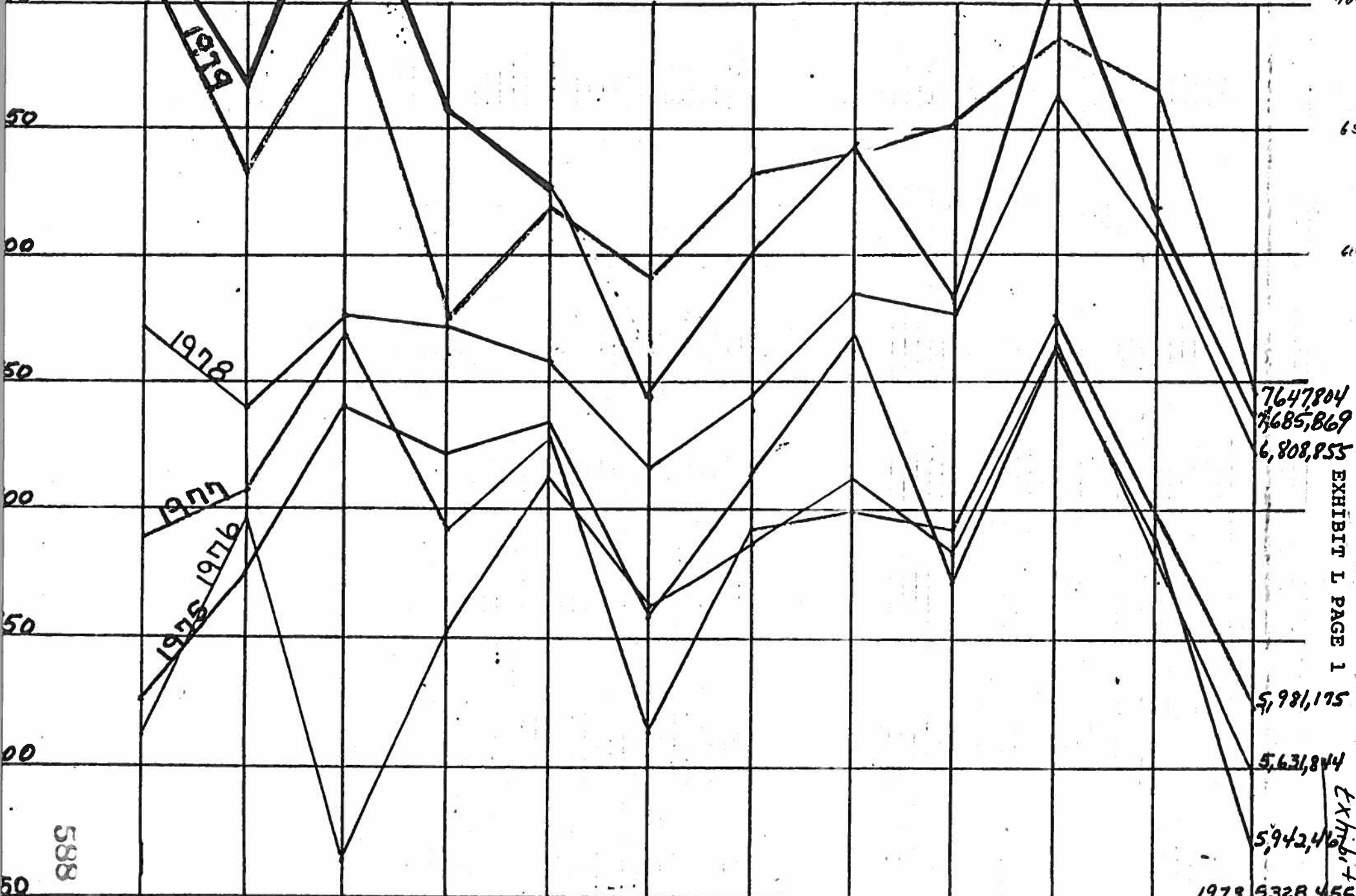


Alfred B. LaGasse, III  
Executive Vice President

# MONTHLY TRIPS

1975 
  1977 
  1979  
 1976 
  1978 
  1980

JAN FEB MAR APR MAY JUNE JULY AUG SEPT OCT NOV DEC



NUMBER OF TRIPS IN (1,000's)

588

764,784  
768,869  
6,808,855

5,981,175

5,631,814

5,942,416

1973 9328,455

EXHIBIT L PAGE 1

EXHIBIT L PAGE 1

## MONTHLY TRIPS

## CLARK COUNTY CAB COMPANIES

	<u>1979</u>	<u>1980</u>	<u>% INCREASE/ DECREASE</u>
January	714,383	731,446	2.4
February	634,365	667,879	5.3
March	700,149	761,515	8.8
April	576,584	656,140	13.8
May	618,336	626,270	1.3
June	590,364	543,092	( 8.0)
TRIPS - 6 months January thru June	<u>3,834,181</u>	<u>3,986,342</u> 152,161 Actual Increase	<u>4.0</u>
July	632,420	601,196	( 4.9)
August	641,305	643,421	.3
September	643,966	583,300	( 9.4)
October	685,799	716,567	4.5
November	665,103	618,235	( 7.0)
December	545,030	536,808	( 1.5)
TRIPS - 6 months July thru December	<u>3,813,623</u>	<u>3,699,527</u> 114,096 Actual Decrease	<u>( 3.0)</u>
TRIPS - 12 months January thru December	<u>7,647,804</u>	<u>7,685,869</u> 38,065 Actual Increase	<u>.5</u>

## TOTAL MONTHLY TRIPS

DECEMBER 1979 vs. DECEMBER 1980

	<u>1979</u>	<u>1980</u>	<u>% INCREASE/ DECREASE</u>
ANLV	10,475	9,770	( 6.7)
ACE	50,377	50,554	.4
CHECKER	114,383	112,611	( 1.5)
DESERT	18,172	17,480	( 3.8)
HENDERSON	16,998	16,434	( 3.3)
NELLIS	18,770	15,993	(14.8)
STAR	24,639	22,477	( 8.8)
UNION	38,075	39,432	3.6
VEGAS-WESTERN	13,272	17,502	31.9
WESTERN	22,597	24,108	6.7
WHITTLESEA	100,539	97,138	( 3.4)
YELLOW	<u>116,733</u>	<u>113,309</u>	<u>( 2.9)</u>
TOTAL	545,030	536,808	( 1.5)

Actual Decrease (8,222)

## AVERAGE REVENUE PER SHIFT

DECEMBER 1979 vs. DECEMBER 1980

	<u>1979</u>	<u>1980</u>	<u>% INCREASE/ DECREASE</u>
ANLV	\$ 58.43	\$ 66.90	14.5
ACE	75.17	80.55	7.2
CHECKER	89.64	92.78	3.5
DESERT	100.94	108.63	7.6
HENDERSON	75.66	80.81	6.8
NELLIS	105.10	109.40	4.1
STAR	111.92	109.10	( 2.5)
UNION	76.50	87.22	14.0
VEGAS-WESTERN	78.96	94.95	20.3
WESTERN	84.24	94.06	11.7
WHITTLESEA	75.44	78.54	4.1
YELLOW	<u>82.53</u>	<u>87.63</u>	<u>6.2</u>
TOTAL	82.73	87.75	6.1

Actual Increase \$5.02

COMPARATIVE MONTHLY TRIPS  
CLARK COUNTY CAB COMPANIES

	<u>12 MONTH PERIOD</u>		<u>% INCREASE/ DECREASE</u>	
DECEMBER	<u>1978</u>	520,907	<u>1979</u> 545,030	4.6
JANUARY	<u>1979</u>	714,383	<u>1980</u> 731,446	2.4
FEBRUARY		634,365	667,879	5.3
MARCH		700,149	761,515	8.8
APRIL		576,584	656,140	13.8
MAY		618,336	626,270	1.3
JUNE		590,364	543,092	( 8.0)
JULY		632,420	601,196	( 4.9)
AUGUST		641,305	643,421	.3
SEPTEMBER		643,966	583,300	( 9.4)
OCTOBER		685,799	716,567	4.5
NOVEMBER		<u>665,193</u>	<u>618,235</u>	( 7.0)
TOTAL		7,623,681	7,694,091	.9

Actual Increase 70,410

## TOTAL MONTHLY TRIPS

NOVEMBER 1979 vs. NOVEMBER 1980

	<u>1979</u>	<u>1980</u>	<u>INCREASE/ DECREASE</u>
ANLV	11,440	10,132	(11.4)
ACE	62,506	58,663	( 6.1)
CHECKER	143,723	130,593	( 9.1)
DESERT	21,439	20,621	( 3.8)
HENDERSON	19,967	18,343	( 8.1)
NELLIS	22,611	20,847	( 7.8)
STAR	30,918	25,956	(16.0)
UNION	46,036	44,646	( 3.0)
VEGAS-WESTERN	17,998	19,750	9.7
WESTERN	27,866	27,903	( 3.1)
WHITTLESEA	121,318	112,330	( 7.4)
YELLOW	<u>139,281</u>	<u>129,351</u>	<u>( 7.1)</u>
TOTAL	665,103	618,235	( 7.0)

Actual Decrease 46,868



## AVERAGE REVENUE PER SHIFT

NOVEMBER 1979 vs. NOVEMBER 1980

	<u>1979</u>	<u>1980</u>	<u>% INCREASE/ DECREASE</u>
ANLV	\$ 71.96	\$ 65.38	( 9.1)
ACE	92.85	97.60	5.1
CHECKER	110.31	112.29	1.8
DESERT	115.47	124.56	7.9
HENDERSON	92.24	94.82	2.8
NELLIS	128.82	127.90	( .7)
STAR	135.84	138.82	2.2
UNION	93.91	103.91	10.6
VEGAS-WESTERN	99.00	112.47	13.6
WESTERN	106.91	110.33	3.2
WHITTLESEA	92.51	91.62	( 1.0)
YELLOW	<u>97.86</u>	<u>93.59</u>	<u>( 4.4)</u>
TOTAL	100.75	101.91	1.2

Actual Increase \$1.16

COMPARATIVE MONTHLY TRIPS  
CLARK COUNTY CAB COMPANIES

		<u>12 MONTH PERIOD</u>			<u>% INCREASE/ DECREASE</u>
NOVEMBER	<u>1978</u>	605,225	<u>1979</u>	665,103	9.9
DECEMBER		520,907		545,030	4.6
JANUARY	<u>1979</u>	714,383	<u>1980</u>	731,446	2.4
FEBRUARY		634,365		667,879	5.3
MARCH		700,149		761,515	8.8
APRIL		576,584		656,140	13.8
MAY		618,336		626,270	1.3
JUNE		590,364		543,092	( 8.0)
JULY		632,420		601,196	( 4.9)
AUGUST		641,302		643,421	.3
SEPTEMBER		643,966		583,300	( 9.4)
OCTOBER		<u>685,799</u>		<u>716,567</u>	<u>4.5</u>
TOTAL		7,563,783		7,740,959	2.3

Actual Increase 177,176

TOTAL MONTHLY TRIPS  
OCTOBER 1979 vs. OCTOBER 1980

	<u>1979</u>	<u>1980</u>	<u>% INCREASE/ DECREASE</u>
ANLV	11,480	11,657	1.5
ACE	65,496	68,366	4.4
CHECKER	141,493	150,546	6.4
DESERT	23,031	23,929	3.9
HENDERSON	21,113	21,044	( .3)
NELLIS	24,343	24,269	( .3)
STAR	30,093	30,073	( .01)
UNION	48,225	52,002	7.8
VEGAS-WESTERN	19,206	23,385	21.8
WESTERN	29,001	30,762	6.1
WHITTLESEA	125,791	129,780	3.2
YELLOW	<u>146,527</u>	<u>150,754</u>	<u>2.9</u>
TOTAL	685,799	716,567	4.5

Actual Increase 30,768

AVERAGE REVENUE PER SHIFT  
OCTOBER 1979 vs. OCTOBER 1980

	<u>1979</u>	<u>1980</u>	<u>% INCREASE/ DECREASE</u>
ANLV	\$ 75.17	\$ 75.40	.3
ACE	94.86	109.17	15.1
CHECKER	111.06	125.64	13.1
DESERT	130.81	138.18	5.6
HENDERSON	94.73	107.11	13.1
NELLIS	134.90	140.68	4.3
STAR	135.49	146.92	8.4
UNION	94.26	115.13	22.1
VEGAS-WESTERN	104.03	125.83	21.0
WESTERN	109.67	121.18	10.5
WHITTLESEA	94.27	102.80	9.0
YELLOW	<u>99.55</u>	<u>109.32</u>	<u>9.8</u>
TOTAL	102.89	114.65	11.4

Actual Increase \$11.76

**AVERAGE REVENUE PER SHIFT**  
**SEPTEMBER 1979 vs. SEPTEMBER 1980**

	<u>1979</u>	<u>1980</u>	<u>% INCREASE/ DECREASE</u>
ANLV	\$ 73.72	\$ 65.39	(11.3)
ACE	91.32	93.47	2.4
CHECKER	106.64	105.89	( .7)
DESERT	134.09	111.60	(16.8)
HENDERSON	92.35	89.53	( 3.1)
NELLIS	135.73	115.11	(17.9)
STAR	135.37	122.09	( 9.8)
UNION	92.47	100.42	8.6
VEGAS-WESTERN	99.53	109.55	10.1
WESTERN	107.77	99.94	( 7.3)
WHITTLESEA	93.46	87.37	( 6.5)
YELLOW	<u>103.02</u>	<u>92.24</u>	<u>(10.5)</u>
TOTAL	101.92	96.97	( 4.9)

Actual Decrease \$4.95

TOTAL MONTHLY TRIPS  
SEPTEMBER 1979 vs. SEPTEMBER 1980

	<u>1979</u>	<u>1980</u>	<u>% INCREASE/ DECREASE</u>
ANLV	9,939	9,576	( 3.7)
ACE	60,541	55,950	( 7.6)
CHECKER	132,546	120,394	( 9.2)
DESERT	21,044	18,209	(13.5)
HENDERSON	19,441	17,449	(10.2)
NELLIS	23,517	20,322	(15.7)
STAR	28,749	24,526	(14.7)
UNION	46,608	42,693	( 8.4)
VEGAS-WESTERN	17,609	19,205	9.1
WESTERN	28,047	23,806	(15.1)
WHITTLESEA	118,817	104,263	(12.2)
YELLOW	<u>137,108</u>	<u>126,907</u>	<u>( 7.4)</u>
TOTAL	643,966	583,300	( 9.4)

Actual Decrease 60,666

COMPARATIVE MONTHLY TRIPS  
CLARK COUNTY CAB COMPANIES

	<u>12 MONTH PERIOD</u>		<u>% INCREASE/ DECREASE</u>	
OCTOBER	<u>1978</u>	663,099	<u>1979</u> 685,799	3.4
NOVEMBER		605,225	665,103	9.9
DECEMBER		520,907	545,030	4.6
JANUARY	<u>1979</u>	714,383	<u>1980</u> 731,446	2.4
FEBRUARY		634,365	667,879	5.3
MARCH		700,149	761,515	8.8
APRIL		576,584	656,140	13.8
MAY		618,336	626,270	1.3
JUNE		590,364	543,092	( 8.0)
JULY		632,420	601,196	( 4.9)
AUGUST		641,302	643,196	.3
SEPTEMBER		<u>643,966</u>	<u>583,300</u>	<u>( 9.4)</u>
TOTAL		7,541,103	7,710,191	2.2

Actual Increase 169,088

AVERAGE REVENUE PER SHIFT  
AUGUST 1979 vs. AUGUST 1980

	<u>1979</u>	<u>1980</u>	<u>% INCREASE/ DECREASE</u>
ANLV	\$ 84.76	\$ 68.87	[18.7]
ACE	102.16	103.89	1.7
CHECKER	110.00	104.16	[ 5.3]
DESERT	141.86	116.00	[18.2]
HENDERSON	92.92	97.59	5.0
NELLIS	139.17	128.69	[ 7.5]
STAR	143.32	132.69	[ 7.4]
UNION	98.14	108.66	10.7
VEGAS-WESTERN	102.97	119.13	15.7
WESTERN	110.71	110.76	.06
WHITTLESEA	96.70	93.89	[ 2.9]
YELLOW	<u>97.72</u>	<u>98.26</u>	<u>.6</u>
TOTAL	104.25	102.74	[ 1.4]

Actual Decrease \$1.51 :



TOTAL MONTHLY TRIPS  
AUGUST 1979 vs. AUGUST 1980

	<u>1979</u>	<u>1980</u>	<u>% INCREASE/ DECREASE</u>
ANLV	9,173	10,182	11.0
ACE	59,617	61,869	3.8
CHECKER	140,411	130,946	[ 7.1]
DESERT	17,584	20,628	17.3
HENDERSON	15,521	19,415	25.1
NELLIS	19,522	21,413	9.7
STAR	25,201	26,586	5.5
UNION	42,873	47,871	11.7
VEGAS-WESTERN	16,424	21,078	28.3
WESTERN	25,026	26,788	7.0
WHITTLESEA	123,849	115,387	[ 6.8]
YELLOW	<u>146,104</u>	<u>141,258</u>	<u>[ 3.3]</u>
TOTAL	641,305	643,421	.3

Actual Increase 2,116

COMPARATIVE MONTHLY TRIPS  
CLARK COUNTY CAB COMPANIES

		<u>12 MONTH PERIOD</u>			<u>% INCREASE/ DECREASE</u>
SEPTEMBER	<u>1978</u>	576,375	<u>1979</u>	643,966	11.7
OCTOBER		663,099		685,799	3.4
NOVEMBER		605,225		665,103	9.9
DECEMBER		520,907		545,030	4.6
JANUARY	<u>1979</u>	714,383	<u>1980</u>	731,446	2.4
FEBRUARY		634,365		667,879	5.3
MARCH		700,149		761,515	8.8
APRIL		576,584		656,140	13.8
MAY		618,336		626,270	1.3
JUNE		590,364		543,092	[ 8.0]
JULY		632,420		601,196	[ 4.9]
AUGUST		<u>641,305</u>		<u>643,196</u>	<u>.3</u>
TOTAL		7,473,512		7,770,857	4.0

Actual Increase 297,345

## AVERAGE REVENUE PER SHIFT

JULY 1979 vs. JULY 1980

	<u>1979</u>	<u>1980</u>	<u>% INCREASE/ DECREASE</u>
ANLV	\$ 73.51	\$ 66.47	[ 9.6]
ACE	91.40	93.99	2.8
CHECKER	102.18	94.78	[ 7.2]
DESERT	130.97	121.32	[ 7.1]
HENDERSON	86.52	88.60	2.4
NELLIS	131.56	117.24	[10.9]
STAR	136.21	105.34	[22.7]
UNION	88.24	100.67	14.1
VEGAS-WESTERN	97.51	111.49	14.3
WESTERN	106.48	101.46	[ 4.7]
WHITTLESEA	86.50	94.27	9.0
YELLOW	<u>92.93</u>	<u>91.59</u>	<u>[ 1.4]</u>
TOTAL	\$ 96.10	\$ 95.86	[ .2]

Actual Decrease \$0.24

TOTAL MONTHLY TRIPS  
JULY 1979 vs. JULY 1980

	<u>1979</u>	<u>1980</u>	<u>% INCREASE/ DECREASE</u>
ANLV	8,664	10,128	16.9
ACE	59,206	57,602	[ 2.7]
CHECKER	144,985	121,579	[16.1]
DESERT	17,202	19,089	11.0
HENDERSON	14,270	17,878	25.3
NELLIS	17,559	19,469	10.9
STAR	23,020	24,918	8.2
UNION	42,130	44,561	5.8
VEGAS-WESTERN	15,274	20,188	32.2
WESTERN	24,029	25,042	4.2
WHITTLESEA	120,853	108,679	[10.7]
YELLOW	<u>145,228</u>	<u>132,063</u>	<u>[ 9.1]</u>
TOTAL	632,420	601,196	[ 4.9]

Actual Decrease 31,224

COMPARATIVE MONTHLY TRIPS  
CLARK COUNTY CAB COMPANIES

	<u>12 MONTH PERIOD</u>		<u>% INCREASE/ DECREASE</u>	
AUGUST	<u>1978</u>	577,476	<u>1979</u> 641,305	11.1
SEPTEMBER		576,375	643,966	11.7
OCTOBER		663,099	685,799	3.4
NOVEMBER		605,225	665,103	9.9
DECEMBER		520,907	545,030	4.6
JANUARY	<u>1979</u>	714,383	<u>1980</u> 731,446	2.4
FEBRUARY		634,365	667,879	5.3
MARCH		700,149	761,515	8.8
APRIL		576,584	656,140	13.8
MAY		618,336	626,270	1.3
JUNE		590,364	543,092	[ 8.0]
JULY		<u>632,420</u>	<u>601,196</u>	[ 4.9]
TOTAL		7,409,653	7,768,741	4.8

Actual Increase 359,088

**COMPARATIVE MONTHLY TRIPS  
CLARK COUNTY CAB COMPANIES**

	<u>12 MONTH PERIOD</u>		<u>% INCREASE/ DECREASE</u>	
JULY	<u>1978</u>	544,332	<u>1979</u> 632,420	16.2
AUGUST		577,476	641,305	11.1
SEPTEMBER		576,375	643,966	11.7
OCTOBER		663,099	685,799	3.4
NOVEMBER		605,225	665,103	9.9
DECEMBER		520,907	545,030	4.6
JANUARY	<u>1979</u>	714,383	<u>1980</u> 731,446	2.4
FEBRUARY		634,365	667,879	5.3
MARCH		700,149	761,515	8.8
APRIL		576,584	656,140	13.8
MAY		618,336	626,270	1.3
JUNE		<u>590,364</u>	<u>543,092</u>	<u>( 8.0)</u>
TOTAL		7,321,595	7,799,965	6.5

Actual Increase 478,370

**TOTAL MONTHLY TRIPS**  
**JUNE 1979 VS. JUNE 1980**

	<u>1979</u>	<u>1980</u>	<u>% INCREASE/ DECREASE</u>
ANLV	8,447	9,531	12.8
ACE	54,437	51,816	( 4.8)
CHECKER	136,477	110,809	(18.8)
DESERT	16,000	17,386	8.7
HENDERSON	13,690	16,278	18.9
NELLIS	16,178	17,407	7.6
STAR	21,068	22,173	5.2
UNION	39,451	39,830	.9
VEGAS-WESTERN	14,122	18,211	29.0
WESTERN	21,578	22,412	3.9
WHITTLESEA	114,097	96,921	(15.1)
YELLOW	<u>134,719</u>	<u>120,318</u>	<u>(10.7)</u>
TOTAL	590,364	543,092	( 8.0)

Actual Decrease 47,272

## AVERAGE REVENUE PER SHIFT

JUNE 1979 VS. JUNE 1980

	<u>1979</u>	<u>1980</u>	<u>% INCREASE/ DECREASE</u>
ANLV	\$ 73.44	\$ 60.49	(17.6)
ACE	83.42	85.80	2.9
CHECKER	98.45	90.44	( 8.1)
DESERT	123.64	113.76	( 8.0)
HENDERSON	82.61	83.58	1.2
NELLIS	120.41	109.52	( 9.0)
STAR	128.87	112.90	(12.4)
UNION	85.04	92.36	8.6
VEGAS-WESTERN	94.85	102.64	8.2
WESTERN	104.66	94.79	( 9.4)
WHITTLESEA	82.89	82.41	( .6)
YELLOW	<u>89.60</u>	<u>85.19</u>	<u>( 4.9)</u>
TOTAL	91.91	87.06	( 5.3)

Actual Decrease \$4.85



COMPARATIVE MONTHLY TRIPS  
CLARK COUNTY CAB COMPANIES

		<u>12 MONTH PERIOD</u>			<u>% INCREASE</u>
JUNE	<u>1978</u>	506,549	<u>1979</u>	590,364	16.6
JULY		544,332		632,420	16.2
AUGUST		577,476		641,305	11.1
SEPTEMBER		576,375		643,966	11.7
OCTOBER		663,099		685,799	3.4
NOVEMBER		605,225		665,103	9.9
DECEMBER		520,907		545,030	4.6
JANUARY	<u>1979</u>	714,383	<u>1980</u>	731,446	2.4
FEBRUARY		634,365		667,879	5.3
MARCH		700,149		761,515	8.8
APRIL		576,584		656,140	13.8
MAY		<u>618,336</u>		<u>626,270</u>	<u>1.3</u>
TOTAL		7,237,780		7,847,246	8.4

Actual Increase 609,466

TOTAL MONTHLY TRIPS  
MAY 1979 vs. MAY 1980

	<u>1979</u>	<u>1980</u>	<u>% INCREASE/ DECREASE</u>
ANLV	8,985	10,542	17.3
ACE	58,878	59,881	1.7
CHECKER	144,139	128,246	[11.0]
DESERT	16,538	20,170	22.0
HENDERSON	14,345	18,271	27.4
NELLIS	16,645	24,776	48.8
STAR	22,169	25,170	13.5
UNION	41,281	45,459	10.1
VEGAS-WESTERN	15,034	20,622	37.2
WESTERN	22,348	25,273	13.1
WHITTLESEA	121,007	110,857	[ 8.4]
YELLOW	<u>136,967</u>	<u>137,003</u>	<u>.02</u>
TOTAL	618,336	626,270	1.3

Actual Increase 7,934

## AVERAGE REVENUE PER SHIFT

MAY 1979 vs. MAY 1980

	<u>1979</u>	<u>1980</u>	<u>% INCREASE/ DECREASE</u>
ANLV	70.77	67.38	[ 4.8]
ACE	83.76	95.03	13.5
CHECKER	98.73	100.57	1.7
DESERT	121.29	122.52	1.0
HENDERSON	83.30	90.95	9.9
NELLIS	123.13	121.06	[ 1.7]
STAR	126.30	110.30	[12:7]
UNION	85.42	99.06	16.0
VEGAS-WESTERN	97.10	110.40	13.7
WESTERN	101.37	102.84	1.5
WHITTLESEA	82.23	89.88	9.3
YELLOW	<u>85.60</u>	<u>96.84</u>	<u>13.1</u>
TOTAL	91.23	97.77	7.2

Actual Increase \$6.54

COMPARATIVE MONTHLY TRIPS  
CLARK COUNTY CAB COMPANIES

		<u>12 MONTH PERIOD</u>		<u>% INCREASE</u>	
MAY	<u>1978</u>	556,909	<u>1979</u>	618,336	1.0
JUNE		506,549		590,364	16.6
JULY		544,332		632,420	16.2
AUGUST		577,476		641,305	11.1
SEPTEMBER		576,375		643,966	11.7
OCTOBER		663,099		685,799	3.4
NOVEMBER		605,225		665,103	9.9
DECEMBER		520,907		545,030	4.6
JANUARY	<u>1979</u>	714,383	<u>1980</u>	731,446	2.4
FEBRUARY		634,365		667,879	5.3
MARCH		700,149		761,515	8.8
APRIL		<u>576,584</u>		<u>656,140</u>	<u>13.8</u>
TOTAL		7,176,353		7,839,312	9.2

Actual Increase 662,959

**TOTAL MONTHLY TRIPS**  
**APRIL 1979 vs. APRIL 1980**

	<u>1979</u>	<u>1980</u>	<u>% INCREASE/ DECREASE</u>
ANLV	8,283	10,743	29.7
ACE	52,976	64,447	21.7
CHECKER	133,051	135,999	2.2
DESERT	15,283	21,051	37.7
HENDERSON	13,323	19,666	47.6
NELLIS	15,769	21,924	39.0
STAR	20,349	26,853	32.0
UNION	39,558	47,818	20.9
VEGAS-WESTERN	13,625	21,785	59.9
WESTERN	20,682	26,868	29.9
WHITTLESEA	112,284	117,033	4.2
YELLOW	<u>131,401</u>	<u>141,953</u>	<u>8.0</u>
TOTAL	576,584	656,140	13.8

Actual Increase 79,556

## AVERAGE REVENUE PER SHIFT

APRIL 1979 vs. APRIL 1980

	<u>1979</u>	<u>1980</u>	<u>% INCREASE/ DECREASE</u>
ANLV	69.33	69.10	0.3
ACE	79.74	101.03	26.7
CHECKER	91.08	111.15	22.0
DESERT	115.13	127.98	11.2
HENDERSON	80.86	100.66	24.5
NELLIS	115.07	127.91	11.2
STAR	118.64	130.39	9.9
UNION	78.41	105.96	35.1
VEGAS- WESTERN	85.88	113.68	32.4
WESTERN	92.97	110.70	19.1
WHITTLESEA	80.52	96.43	19.8
YELLOW	<u>84.06</u>	<u>101.38</u>	<u>20.6</u>
TOTAL	86.40	104.99	21.5

Actual Increase \$18.59

COMPARATIVE MONTHLY TRIPS  
CLARK COUNTY CAB COMPANIES

		<u>12 MONTH PERIOD</u>		<u>% INCREASE</u>	
APRIL	<u>1978</u>	570,792	<u>1979</u>	576,584	21.7
MAY		556,909		618,336	1.0
JUNE		506,549		590,364	16.6
JULY		544,332		632,420	16.2
AUGUST		577,476		641,305	11.1
SEPTEMBER		576,375		643,966	11.7
OCTOBER		663,099		685,799	3.4
NOVEMBER		605,225		665,103	9.9
DECEMBER		520,907		545,030	4.6
JANUARY	<u>1979</u>	714,383	<u>1980</u>	731,446	2.4
FEBRUARY		634,365		667,879	5.3
MARCH		<u>700,149</u>		<u>761,515</u>	<u>8.8</u>
TOTAL		7,170,561		7,759,756	8.2

Actual Increase 589,195

## TOTAL MONTHLY TRIPS

MARCH 1979 vs. MARCH 1980

	<u>1979</u>	<u>1980</u>	<u>% INCREASE/ DECREASE</u>
ANLV	9,341	12,395	32.7
ACE	66,659	72,052	8.1
CHECKER	158,739	162,527	2.4
DESERT	18,474	24,584	33.1
HENDERSON	16,079	22,951	42.7
NELLIS	18,844	24,868	32.0
STAR	25,653	31,856	24.2
UNION	46,782	54,800	17.1
VEGAS-WESTERN	15,587	24,213	55.3
WESTERN	24,304	32,004	31.7
WHITTLESEA	139,947	137,805	[ 1.5]
YELLOW	<u>159,740</u>	<u>161,460</u>	<u>1.1</u>
TOTAL	700,149	761,515	8.8

Actual Increase 61,366



## AVERAGE REVENUE PER SHIFT

MARCH 1979 vs. MARCH 1980

	<u>1979</u>	<u>1980</u>	<u>% INCREASE/ DECREASE</u>
ANLV	\$ 73.59	\$ 72.79	[ 1.1]
ACE	97.31	108.03	11.0
CHECKER	106.03	122.02	15.1
DESERT	134.08	140.22	4.6
HENDERSON	93.50	108.70	16.3
NELLIS	134.98	143.86	6.6
STAR	141.21	155.34	10.0
UNION	94.98	111.67	17.6
VEGAS-WESTERN	100.84	120.92	19.9
WESTERN	109.33	120.60	10.3
WHITTLESEA	94.34	103.77	10.0
YELLOW	<u>98.19</u>	<u>109.58</u>	<u>11.6</u>
TOTAL	101.38	114.05	12.5

Actual Increase \$12.67

**COMPARATIVE MONTHLY TRIPS  
CLARK COUNTY CAB COMPANIES**

		<u>12 MONTH PERIOD</u>		<u>% INCREASE</u>	
MARCH	<u>1978</u>	575,535	<u>1979</u>	700,149	21.7
APRIL		570,792		576,584	1.0
MAY		556,909		618,336	11.0
JUNE		506,549		590,364	16.6
JULY		544,332		632,420	16.2
AUGUST		577,476		641,305	11.1
SEPTEMBER		576,375		643,966	11.7
OCTOBER		663,099		685,799	3.4
NOVEMBER		605,225		665,103	9.9
DECEMBER		520,907		545,030	4.6
JANUARY	<u>1979</u>	714,383	<u>1980</u>	731,446	2.4
FEBRUARY		<u>634,365</u>		<u>667,879</u>	<u>5.3</u>
TOTAL		7,045,947		7,698,390	9.3

Actual Increase 652,443

**TOTAL MONTHLY TRIPS**  
**FEBRUARY 1979 vs. FEBRUARY 1980**

	<u>1979</u>	<u>1980</u>	<u>% INCREASE/ DECREASE</u>
ANLV	8,793	11,646	32.4
ACE	58,695	62,007	5.6
CHECKER	142,128	141,800	[ 0.2]
DESERT	16,775	21,809	30.0
HENDERSON	14,487	19,625	35.5
NELLIS	17,028	22,601	32.7
STAR	22,596	28,449	25.9
UNION	42,743	47,557	11.3
VEGAS-WESTERN	14,582	21,738	49.1
WESTERN	21,904	27,934	27.5
WHITTLESEA	126,669	121,032	[ 4.5]
YELLOW	<u>147,965</u>	<u>141,681</u>	<u>[ 4.2]</u>
<b>TOTAL</b>	<b>634,365</b>	<b>667,879</b>	<b>5.3</b>

Actual Increase 33,514

AVERAGE REVENUE PER SHIFT  
FEBRUARY 1979 vs. FEBRUARY 1980

	<u>1979</u>	<u>1980</u>	<u>% INCREASE/ DECREASE</u>
ANLV	\$ 74.70	\$ 76.26	2.1
ACE	94.09	102.08	8.5
CHECKER	106.37	115.59	8.7
DESERT	133.22	131.43	[ 1.3]
HENDERSON	93.09	97.89	5.2
NELLIS	135.96	135.29	[ .5]
STAR	141.75	141.70	[ .03]
UNION	96.25	104.21	8.3
VEGAS-WESTERN	99.09	114.49	15.5
WESTERN	108.39	113.37	4.6
WHITTLESEA	92.29	94.95	2.9
YELLOW	<u>99.21</u>	<u>101.40</u>	<u>2.2</u>
TOTAL	103.31	106.52	3.1

Actual Increase \$3.21

## COMPARATIVE MONTHLY TRIPS

## CLARK COUNTY CAB COMPANIES

		<u>12 MONTH PERIOD</u>		<u>% INCREASE</u>	
FEBRUARY	<u>1978</u>	540,151	<u>1979</u>	634,365	17.5
MARCH		575,535		700,149	21.7
APRIL		570,792		576,584	1.0
MAY		556,909		618,336	11.0
JUNE		506,549		590,364	16.6
JULY		544,332		632,420	16.2
AUGUST		577,476		641,305	11.1
SEPTEMBER		576,375		643,966	11.7
OCTOBER		663,099		685,799	3.4
NOVEMBER		605,225		665,103	9.9
DECEMBER		520,907		545,030	4.6
JANUARY	<u>1979</u>	<u>714,383</u>	<u>1980</u>	<u>731,446</u>	<u>2.4</u>
TOTAL		6,951,733		7,664,876	10.3

Actual Increase 713,134

**TOTAL MONTHLY TRIPS**  
**JANUARY 1979 vs. JANUARY 1980**

	<u>1979</u>	<u>1980</u>	<u>% INCREASE/ DECREASE</u>
ANLV	10,820	12,586	16.3
ACE	67,833	65,936	[ 2.8]
CHECKER	157,040	154,903	[ 1.4]
DESERT	19,802	24,859	25.5
HENDERSON	16,728	22,744	36.0
NELLIS	19,388	25,335	30.7
STAR	27,818	32,562	17.1
UNION	48,955	51,475	5.1
VEGAS-WESTERN	17,273	22,410	29.7
WESTERN	26,062	31,476	20.8
WHITTLESEA	140,116	133,514	[ 4.7]
YELLOW	<u>162,548</u>	<u>153,646</u>	<u>[ 5.5]</u>
TOTAL	714,383	731,446	2.4

Actual Increase 17,063

## AVERAGE REVENUE PER SHIFT

JANUARY 1979 vs. JANUARY 1980

	<u>1979</u>	<u>1980</u>	<u>% INCREASE/ DECREASE</u>
ANLV	72.54	69.99	[ 3.5]
ACE	89.22	100.20	12.3
CHECKER	101.85	116.65	14.5
DESERT	123.21	132.62	7.6
HENDERSON	90.90	100.24	10.3
NELLIS	129.46	131.82	1.8
STAR	133.34	146.50	9.9
UNION	89.82	102.52	14.1
VEGAS-WESTERN	94.77	109.12	15.1
WESTERN	103.41	115.50	11.7
WHITTLESEA	89.06	97.12	9.1
YELLOW	<u>96.37</u>	<u>106.63</u>	<u>10.6</u>
TOTAL	96.83	107.96	11.5

Actual Increase \$11.13

## NEVADA INDUSTRIAL COMMISSION STATEMENT

ON SB 398

This bill in its Chapter 616 provisions would make a mockery of workers' compensation.

Because the lessee cab driver is deemed to have a wage of \$300 per month, a driver who suffered a permanent disability so serious that he was unable to work at all would have a lifetime pension of only \$200 per month (two-thirds of \$300). If he sustained a serious permanent disability of, for example, 30%, he would have compensation of \$45 per month (30% times \$300 times one-half). Even with these totally inadequate benefits, the bill also would shift the premium payments to the drivers. Obviously, this bill not only would place the burden on the injured driver but, no doubt, also on the welfare system due to its grossly inadequate benefits.

Workers' compensation is a trade-off. The employer is relieved of damage suits by injured employees in exchange for guaranteeing to pay the statutory benefits. This bill destroys that trade-off by substantially relieving the employer of any obligation.

The Nebraska Supreme Court in reviewing a similar lease arrangement in Nebraska awarded full compensation to an employee. The court found that the lease agreement did not, in fact, eliminate the employer-employee relationship because the materials and equipment used were provided by the taxi company and it maintained control over the methods and



means of providing taxi service. We see nothing in SB 398 that alters, in workers' compensation terms, the essential employer-employee relationship between drivers and company.

The bill allows drivers to elect coverage as a sole proprietor. Currently the premium for a self-employed, owner-operator of a taxi ranges from \$126 per month for a person under 40 years of age to \$219 per month for those over 65. The rates are high because of high loss experience (mainly medical expense) and because the covered employee and the employer are one and the same person so that the employer control over claims is lost. With these rates, we can expect that few, if any, drivers will agree to pay for workers' compensation. The result will be many workers in a relatively high hazard occupation with no workers' compensation insurance.

The premium rate for taxi companies where there is the employer-employee relationship is \$6.57 per \$100 of wages, a substantially lower rate.

Finally, to the extent that drivers do opt for coverage, NIC will be in an administrative mess. Under SB 398 we must open an account, collect two months advance premium (\$252 to \$438), and issue a policy, though the coverage may be for as little time as 12 hours. With the turnover that we understand occurs in drivers, this bill could impose a tremendous administrative burden and cost on NIC.

In summary, we believe the bill evades the State's workers' compensation law, conflicts with sound principles of industrial accident insurance, will result in workers without any or without adequate coverage and will add unnecessary administrative costs.

1. HOW WILL THE PROBLEMS AS OUTLINED BY THE N.I.C. BE HANDLED?
2. THE LOS ANGELES STUDY FOUND THAT AFTER THE CAB COMPANIES COLLECTED THEIR DAILY LEASE MONEY, THEY TENDED TO LET THE DRIVERS GO OFF ON THEIR OWN. HOW SHOULD WE CONTROL THAT SITUATION?
3. THE L.A. STUDY FOUND THAT DRIVERS WOULD WAIT 2 HOURS AT THE AIRPORT FOR A \$50 CROSSTOWN FARE RATHER THAN SERVICE OTHER PARTS OF TOWN.
4. WHAT WILL HAPPEN TO THE DRIVERS' ACCUMULATED VACATIONS?
5. WHO WILL PAY FOR MAINTENANCE AND HOW WILL IT WORK?
6. WHO WILL PAY FOR AUTO INSURANCE?
7. HOW MUCH WILL LEASE COST?
8. WHAT HAPPENS IF THE DRIVER'S CAB BREAKS DOWN? WILL THE COMPANIES HAVE TOW TRUCKS?
9. NOW THE TAXICAB AUTHORITY AUDITS THE COMPANY FINANCIAL RECORDS TO DETERMINE THE NEED FOR A RATE INCREASE. WHAT CRITERIA WILL THEY USE UNDER LEASING? (WITH THE COMPANY GETTING A SET AMOUNT AND THE DRIVER CARRYING ALL THE BURDEN.)
10. WHAT RESPONSIBILITY DOES THE COMPANY HAVE IF THE DRIVERS DON'T ADHERE TO ALL THE EXISTING RULES? (IF THE COMPANY IS RESPONSIBLE FOR DRIVERS ACTIONS, ISN'T HE AN EMPLOYEE?)
11. WILL DRIVERS HAVE TO ANSWER RADIO CALLS?
12. WHO WILL WASH THE CABS?
13. DO THE DRIVERS HAVE TO PAY THE DISPATCHERS? (DO THEY NOW?)
14. WILL THERE BE SUB-LEASING?
15. WILL THE COMPANIES SELL GAS OR WILL THE DRIVER HAVE TO GO TO A STATION?
16. WILL THE DRIVERS BE ABLE TO BOYCOTT CERTAIN HOTELS OR AREAS OF TOWN?
17. WILL THERE BE REGULATIONS ABOUT DRIVERS APPEARANCE.
18. THE DRIVER NOW IS PROTECTED BY UNEMPLOYMENT AND STATE LABOR COMMISSION AND NLRB IF HE IS UNJUSTLY FIRED. WHAT RECOURSE WILL AN INDEPENDENT OPERATOR HAVE?