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PROPOSED AMENDMENT TO
ASSEMBLY BILL NO. 518
SECOND REPRINT

PREPARED FOR SENATE COMMITTEE ON TRANSPORTATION
MAY 22, 2003

PREPARED BY THE RESEARCH DIVISION

NOTE: THIS DOCUMENT SHOWS PROPOSED AMENDMENTS IN CONCEPTUAL FORM. THE LANGUAGE AND ITS PLACEMENT IN THE OFFICIAL AMENDMENT MAY DIFFER.

EXPLANATION: Matter in (1) *blue bold italics* is new language in the original bill; (2) *green bold italic underlining* is new language proposed in this amendment; (3) ~~red strikethrough~~ is deleted language in the original bill; (4) ~~green bold double strikethrough~~ is language proposed to be deleted in this amendment and (5) ~~green bold dashed underlining~~ is deleted language in the original bill that is proposed to be retained in this amendment.

1 Whereas, The taxi and limousine industries are vital and necessary
2 components of the tourism industry in Nevada; and

3 Whereas, These industries have faced serious challenges, both
4 operationally and economically, over the past few years as a result of the
5 events of September 11, 2001; and

6 Whereas, In Southern Nevada the excessive number of limousines has
7 been negatively affecting the integrity and viability of the limousine
8 industry and is now also negatively affecting the taxi industry, as well as
9 causing conflict between taxi and limousine drivers and companies which
10 could result in damage to the tourism industries; and

11 Whereas, The owners of a great majority of the limousines and taxis
12 operating in Southern Nevada are in agreement that significant damage to
13 the tourism industry and the viability of both the taxi and limousine
14 industries could occur absent legislative action and study; ~~and~~

15 ~~Whereas, There is also a general consensus that additional~~
16 ~~limousines authorized to existing operators or to new companies~~
17 ~~cannot be justified given the current saturation of the market and, in~~
18 ~~fact, would cause serious threat to the stability of both industries; now,~~
19 ~~therefore~~

THE PEOPLE OF THE STATE OF NEVADA, REPRESENTED IN

SENATE AND ASSEMBLY, DO ENACT AS FOLLOWS:

1 **Section 1.** 1. For the period beginning on the effective date of this
2 act and ending on July 1, 2005, the Transportation Services Authority shall
3 not accept the submission or filing of any application for:

4 (a) A new certificate of public convenience and necessity for the
5 operation of a livery or traditional limousine in a county whose population
6 is 400,000 or more.

7 (b) The modification of a certificate of public convenience and
8 necessity issued to a fully regulated carrier of passengers for the operation
9 of a livery or traditional limousine if the application for modification is to
10 increase the number of limousines to be operated pursuant to the certificate
11 of public convenience and necessity in a county whose population is
12 400,000 or more.

13 2. The Transportation Services Authority shall accept the submission
14 or filing of all applications for new or modified certificates of public
15 convenience, received prior to July 31, 2003 and shall process such
16 application in the sequence they were received.

17
18 ~~3.~~ An unlimited certificate of public convenience and necessity for
19 the operation of a livery or traditional limousine issued to a fully regulated
20 carrier of passengers by the Transportation Services Authority is void and
21 revoked for the period from the effective date of this act to July 1, 2005, to
22 the extent that the carrier has not, before the effective date of this act,
23 registered in this state each authorized limousine covered by the certificate
24 of public convenience and necessity.

25 3. As used in this section:

26 (a) "Fully regulated carrier" has the meaning ascribed to it in NRS
27 706.072.

28 (b) "Livery limousine" means a motor vehicle that is engaged in the
29 general transportation of persons for compensation and not operated on a
30 regular schedule or over regular routes and:

31 (1) Was a light truck, as that term is defined in 49 C.F.R. § 523.5, at
32 the time of its manufacture; or

33 (2) Was originally manufactured as having a capacity of 9 or more
34 persons but less than 16 persons, including the driver.

35 (c) "Traditional limousine" means a motor vehicle that is engaged in
36 the general transportation of persons for compensation and not operated on
37 a regular schedule or over regular routes and:

38 (1) Was a passenger automobile, as that term is defined in 49
39 C.F.R. § 523.4, at the time of its manufacture and was later modified to
40 increase its length; or

41 (2) Has a capacity of less than nine persons, including the driver.

42 **Sec. 2.** 1. The Legislative Commission is hereby directed to
43 appoint an interim committee to ~~conduct~~ direct a study of issues relating

1 to the allocation of limousines. The interim committee must be composed
2 of ~~five~~ ~~six~~ voting members as follows:

3 (a) Four Legislators appointed by the Legislative Commission:

4 (1) One of whom is The Legislator who served as the Chairman
5 of the Assembly Standing Committee on Transportation during the most
6 recent legislative session; and

7 (2) One of whom is the Legislator who served as the Chairman of
8 the Senate Standing Committee on Transportation during the most
9 recent legislative session.

10
11 (a) ~~Three members of the Transportation Services Authority~~ ; and

12 (~~b) Three~~ ~~One~~ member_s who represent certificated owners of
13 limousines in this state; and

14 (b) One non-voting member of the Transportation Services Authority
15 Staff.

16 ~~One of the six five voting members so appointed must also be appointed as~~
17 ~~Chairman of the committee. The Legislators appointed in section a,~~
18 ~~subsections 1 and 2 shall serve as co Chairmen of the committee.~~

19 2. The ~~committee~~ study shall consider:

20 (a) Whether an allocation system is appropriate for the issuance of
21 certificates of public convenience and necessity for limousines operated in
22 a county whose population is 400,000 or more;

23 (b) Whether the budgetary needs of the Transportation Services
24 Authority are being met at a level that will ensure optimum regulation of
25 limousines, combined with an assessment of the probable effect on
26 operators of any additional regulatory fees; and

27 (c) Such other issues regarding the regulation of limousines as the
28 committee deems appropriate.

29 3. The Director of the Legislative Counsel Bureau shall provide or
30 cause to be provided to the committee such staff assistance as the
31 Chairman of the committee may determine to be necessary for the
32 committee to carry out its duties.

33 4 The committee may apply for any available grants, and accept any
34 gifts, grants, or donations to aid the committee in conduction the study.
35 Additionally, the committee shall conduct no more than 4 meetings.

36 5. The committee shall enter into agreement with the University of
37 Las Vegas, School of Business to conduct such study.

38 ~~5~~5. The committee shall, on or before July 1, 2004, submit the
39 results of the study to the Legislative Commission and the Transportation
40 Services Authority. The Legislative Commission shall submit a report of
41 the results of the study and any recommendations for legislation to the
42 73rd Session of the Nevada Legislature.

43 § 6. Each member of the committee who is not an officer or employee
44 of the State shall serve without compensation, except that while he is
45 engaged in the business of the committee he is entitled to receive the per

1 diem allowance and travel expenses provided for state officers and
2 employees generally, which must be paid out of the Transportation
3 Services Authority Regulatory Fund created by NRS 706.1516.

4 § 7. Each member of the committee who is an officer or employee of
5 the State must be relieved from his duties without loss of his regular
6 compensation so that he may attend meetings of the committee. Such a
7 member shall serve on the committee without additional compensation,
8 except that while he is engaged in the business of the committee he is
9 entitled to receive the per diem allowance and travel expenses provided for
10 state officers and employees generally, which must be paid by the state
11 agency which employs him from the Transportation Services Authority
12 Regulatory Fund created by NRS 706.1516.

13 8. If the study warrants the establishment of a allocation system, in
14 counties with a population of 400,000 or more, the authority shall, on or
15 before February 15, 2005, adopt a system of allocation for the number of
16 traditional limousines and livery limousines to be operated in such
17 county. In addition to the information provided by the Study Committee,
18 the allocation system must reflect the number of traditional and livery
19 limousines registered in Nevada by each certificated carrier as of the
20 effective date of the allocation.

21 **Sec. 3.** This act becomes effective July 31, 2003 ~~upon passage and~~
22 ~~approval.~~

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