

ASSEMBLY BILL NO. 518—COMMITTEE ON TRANSPORTATION

MARCH 24, 2003

Referred to Committee on Transportation

SUMMARY—Temporarily prohibits increase in number of limousines in operation and directs legislative study of issues relating to allocation of limousines. (BDR S-1102)

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

~

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

AN ACT relating to limousines; temporarily prohibiting the Transportation Services Authority from accepting certain applications relating to certificates of public convenience and necessity for the operation of limousines; temporarily prohibiting fully regulated carriers from increasing the number of limousines which they operate; directing the Legislative Commission to conduct a study of issues relating to the allocation of limousines; and providing other matters properly relating thereto.

- 1 WHEREAS, The taxi and limousine industries are vital and
- 2 necessary 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
- 5 of the events of September 11, 2001; and
- 6 WHEREAS, In Southern Nevada the excessive number of
- 7 limousines has been negatively affecting the integrity and viability
- 8 of the limousine industry and is now also negatively affecting the
- 9 taxi industry, as well as causing conflict between taxi and limousine
- 10 drivers and companies which could result in damage to the tourism
- 11 industries; and
- 12 WHEREAS, The owners of a great majority of the limousines and
- 13 taxis operating in Southern Nevada are in agreement that significant
- 14 damage to the tourism industry and the viability of both the taxi and



1 limousine industries could occur absent legislative action and study;
2 and

3 WHEREAS, There is also a general consensus that additional
4 limousines authorized to existing operators or to new companies
5 cannot be justified given the current saturation of the market and, in
6 fact, would cause serious threat to the stability of both industries;
7 now, therefore

8
9 THE PEOPLE OF THE STATE OF NEVADA, REPRESENTED IN
10 SENATE AND ASSEMBLY, DO ENACT AS FOLLOWS:

11
12 **Section 1.** 1. For the period beginning on the effective date
13 of this act and ending on July 1, 2005, the Transportation Services
14 Authority shall not accept the submission or filing of any
15 application for:

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

19 (b) The modification of a certificate of public convenience and
20 necessity issued to a fully regulated carrier of passengers for the
21 operation of a livery or traditional limousine if the application for
22 modification is to increase the number of limousines to be operated
23 pursuant to the certificate of public convenience and necessity in a
24 county whose population is 400,000 or more.

25 2. An unlimited certificate of public convenience and necessity
26 for the operation of a livery or traditional limousine issued to a fully
27 regulated carrier of passengers by the Transportation Services
28 Authority is void and revoked for the period from the effective date
29 of this act to July 1, 2005, to the extent that the carrier has not,
30 before the effective date of this act, registered in this state each
31 authorized limousine covered by the certificate of public
32 convenience and necessity.

33 3. As used in this section:

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

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

39 (1) Was a light truck, as that term is defined in 49 C.F.R. §
40 523.5, at the time of its manufacture; or

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

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



1 (1) Was a passenger automobile, as that term is defined in 49
2 C.F.R. § 523.4, at the time of its manufacture and was later modified
3 to increase its length; or
4 (2) Has a capacity of less than nine persons, including the
5 driver.

6 **Sec. 2.** 1. The Legislative Commission is hereby directed to
7 appoint an interim committee, composed of three members of the
8 Assembly and three members of the Senate, one of whom must be
9 appointed as Chairman of the committee, to conduct a study of
10 issues relating to the allocation of limousines. In addition:
11 (a) The Majority Leader of the Senate and the Speaker of the
12 Assembly shall each appoint two nonvoting members to the
13 committee who represent certificated owners of limousines in this
14 state.
15 (b) The Chairman of the Transportation Services Authority, or
16 his designee, shall serve as a nonvoting member of the committee.

17 2. The committee shall consider:
18 (a) Whether an allocation system is appropriate for the issuance
19 of certificates of public convenience and necessity for limousines
20 operated in a county whose population is 400,000 or more;
21 (b) Whether the budgetary needs of the Transportation Services
22 Authority are being met at a level that will ensure optimum
23 regulation of limousines, combined with an assessment of the
24 probable effect on operators of any additional regulatory fees; and
25 (c) Such other issues regarding the regulation of limousines as
26 the committee deems appropriate.

27 3. Any recommended legislation proposed by the committee
28 must be approved by a majority of the members of the Senate and a
29 majority of the members of the Assembly appointed to the
30 committee.

31 4. The Legislative Commission shall submit a report of the
32 results of the study and any recommendations for legislation to the
33 73rd Session of the Nevada Legislature.

34 **Sec. 3.** This act becomes effective upon passage and approval.

