

(REPRINTED WITH ADOPTED AMENDMENTS)

FIRST REPRINT

S.B. 491

SENATE BILL NO. 491—COMMITTEE ON TRANSPORTATION

MARCH 19, 1999

Referred to Committee on Transportation

SUMMARY—Makes various changes relating to regulation of common and contract motor carriers, operators of tow cars, taxicab motor carriers and limousine motor carriers. (BDR 58-1606)

FISCAL NOTE: Effect on Local Government: Yes.
Effect on the State or on Industrial Insurance: Yes.

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

AN ACT relating to transportation; providing for the deregulation of common motor carriers and other entities, other than operators of tow cars, regulated by the transportation services authority; abolishing the taxicab authority; creating taxicab authorities for certain counties and defining their duties; providing for the regulation of taxicab motor carriers and limousine motor carriers; transferring responsibility relating to requirements for liability insurance for common and contract motor carriers, taxicab motor carriers and limousine motor carriers to the department of motor vehicles and public safety; increasing certain fees; prohibiting certain acts; providing penalties; and providing other matters properly relating thereto.

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

- 1 **Section 1.** Chapter 706 of NRS is hereby amended by adding thereto
2 the provisions set forth as sections 2 to 21, inclusive, of this act.
3 **Sec. 2.** *“Administrator” means the administrator of the taxicab*
4 *authority for southern Nevada or the taxicab authority for northern*
5 *Nevada, as appropriate.*
6 **Sec. 3.** *“Certificate holder” means:*
7 1. *With regard to an operator of a tow car, a person who holds a*
8 *current certificate of public convenience and necessity which was issued*
9 *for the operation of a tow car with respect to towing services performed*
10 *without the prior consent of the owner of the vehicle or the person*
11 *authorized by the owner to operate the vehicle by:*

1 (a) The previously existing public service commission of Nevada
2 before July 1, 1981, and which has not been transferred, revoked or
3 suspended by the transportation services authority, or by operation of
4 law; or

5 (b) The transportation services authority and which has not been
6 transferred, suspended or revoked by the transportation services
7 authority or by operation of law.

8 2. With regard to a taxicab motor carrier or a limousine motor
9 carrier, a person who holds a current certificate of public convenience
10 and necessity which was issued for the operation of a taxicab motor
11 carrier or a limousine motor carrier subject to the jurisdiction of a
12 taxicab authority by:

13 (a) The previously existing public service commission of Nevada
14 before July 1, 1981, and which has not been transferred, revoked or
15 suspended by the transportation services authority, the previously
16 existing taxicab authority, the taxicab authority for southern Nevada or
17 the taxicab authority for northern Nevada, or by operation of law;

18 (b) The previously existing taxicab authority and which has not been
19 transferred, suspended or revoked by the transportation services
20 authority, the previously existing taxicab authority, the taxicab authority
21 for southern Nevada or the taxicab authority for northern Nevada, or by
22 operation of law;

23 (c) The transportation services authority and which has not been
24 transferred, suspended or revoked by the transportation services
25 authority, the previously existing taxicab authority, the taxicab authority
26 for southern Nevada or the taxicab authority for northern Nevada, or by
27 operation of law; or

28 (d) The taxicab authority for southern Nevada or the taxicab authority
29 for northern Nevada and which has not been transferred, suspended or
30 revoked by the taxicab authority for southern Nevada or the taxicab
31 authority for northern Nevada, or by operation of law.

32 Sec. 4. "Driver" means a person who operates a taxicab or
33 limousine that is regulated pursuant to this chapter, and includes a
34 certificate holder if he actually operates the taxicab or limousine.

35 Sec. 5. "Limousine motor carrier" means a person who operates a
36 livery limousine or traditional limousine.

37 Sec. 6. "Livery limousine" means a motor vehicle that:

38 1. At the time of its manufacture, was a light truck, as that term is
39 defined in 49 C.F.R. § 523.5, as that section existed on January 1, 1999;

40 2. Has a capacity of 9 or more persons but less than 16 persons,
41 including the driver; and

1 3. *Is engaged in the general transportation of persons for*
2 *compensation and is not operated on a regular schedule or over regular*
3 *routes.*

4 Sec. 7. *“Operator of a tow car” means a person who provides towing*
5 *services performed without the prior consent of the owner of the vehicle*
6 *or the person authorized by the owner to operate the vehicle.*

7 Sec. 8. *“Taxicab authority” means the taxicab authority for*
8 *southern Nevada or the taxicab authority for northern Nevada, as*
9 *determined pursuant to sections 12 and 13 of this act.*

10 Sec. 9. *“Taximeter” means an instrument used in a taxicab for*
11 *indicating the fare charged.*

12 Sec. 10. *“Traditional limousine” means a motor vehicle that is*
13 *engaged in the general transportation of persons for compensation and is*
14 *not operated on a regular schedule or over regular routes and which:*

15 1. *At the time of its manufacture, was a passenger automobile, as*
16 *that term is defined in 49 C.F.R. § 523.4, as that section existed on*
17 *January 1, 1999, and which was later modified to increase its length; or*

18 2. *Has a capacity of less than 9 persons, including the driver.*

19 Sec. 11. *All regulations, practices and service prescribed by the*
20 *transportation services authority must be enforced and are prima facie*
21 *reasonable unless suspended or found otherwise in an action brought for*
22 *the purpose, or until changed or modified by the transportation services*
23 *authority itself upon satisfactory showing made.*

24 Sec. 12. 1. *A taxicab authority for southern Nevada, consisting of*
25 *five members appointed by the governor, is hereby created. No member*
26 *may serve for more than 4 years. Not more than three members may be*
27 *members of the same political party, and no elected officer of this state or*
28 *any political subdivision is eligible for appointment. The members of the*
29 *taxicab authority for southern Nevada must include:*

30 (a) *A person who has knowledge and experience in business or*
31 *accounting;*

32 (b) *A person who has training and experience in the law;*

33 (c) *A person who has knowledge and experience in the taxicab*
34 *industry, except that the person may not be currently involved in a*
35 *taxicab business as an owner or manager;*

36 (d) *A person who has knowledge and experience in the limousine*
37 *industry, except that the person may not be currently involved in a*
38 *limousine business as an owner or manager; and*

39 (e) *A member of the general public.*

40 2. *The members of the taxicab authority for southern Nevada are in*
41 *the unclassified service of the state.*

42 3. *The taxicab authority for southern Nevada is the chief regulatory*
43 *agency for the business of transporting passengers by taxicab motor*

1 carrier or limousine motor carrier in a county whose population is
2 400,000 or more, and in such other counties which elect pursuant to
3 section 20 of this act to be subject to the jurisdiction of the taxicab
4 authority for southern Nevada. The taxicab authority for southern
5 Nevada shall maintain its principal office in a county whose population
6 is 400,000 or more.

7 4. The taxicab authority for southern Nevada may adopt appropriate
8 regulations applicable in the counties subject to its jurisdiction for the
9 administration and enforcement of NRS 706.881 to 706.885, inclusive,
10 and sections 12 to 21, inclusive, of this act, and for the conduct of the
11 taxicab and limousine business and the qualifications of and the
12 issuance of permits to drivers of taxicabs and of limousines, not
13 inconsistent with the provisions of NRS 706.881 to 706.885, inclusive and
14 sections 12 to 21, inclusive, of this act. The regulations may include
15 different provisions for different counties to allow for differences among
16 the counties subject to the jurisdiction of the taxicab authority for
17 southern Nevada. Local law enforcement agencies and the Nevada
18 highway patrol, upon request of the taxicab authority for southern
19 Nevada, may assist in enforcing the provisions of NRS 706.881 to
20 706.885, inclusive, and sections 12 to 21, inclusive, of this act, and the
21 regulations adopted pursuant thereto by the taxicab authority for
22 southern Nevada.

23 **Sec. 13. 1.** A taxicab authority for northern Nevada, consisting of
24 three members appointed by the governor, is hereby created. No member
25 may serve for more than 4 years. The members of the taxicab authority
26 for northern Nevada must include:

27 (a) The sheriff of a county whose population is 100,000 or more but
28 less than 400,000;

29 (b) A person who has knowledge and experience in the transportation
30 industry; and

31 (c) A person who has knowledge and experience in business or
32 accounting.

33 2. Each member of the taxicab authority for northern Nevada who is
34 not a public employee is entitled to receive a salary of not more than \$80,
35 as fixed by the taxicab authority for northern Nevada, for each day
36 actually employed on work of the taxicab authority for northern Nevada.

37 3. While engaged in the business of the taxicab authority for
38 northern Nevada, each member of the taxicab authority for northern
39 Nevada is entitled to receive the per diem allowance and travel expenses
40 provided for state officers and employees generally.

41 4. The taxicab authority for northern Nevada is the chief regulatory
42 agency for the business of transporting passengers by taxicab motor
43 carrier or limousine motor carrier in a county whose population is

1 100,000 or more but less than 400,000 and in such other counties which
2 elect pursuant to section 20 of this act to be subject to the jurisdiction of
3 the taxicab authority for northern Nevada. The taxicab authority for
4 northern Nevada shall maintain its principal office in a county whose
5 population is 100,000 or more but less than 400,000.

6 5. The taxicab authority for northern Nevada may adopt appropriate
7 regulations applicable in the counties subject to its jurisdiction for the
8 administration and enforcement of NRS 706.881 to 706.885, inclusive,
9 and sections 12 to 21, inclusive, of this act, and for the conduct of the
10 taxicab business and the qualifications of and the issuance of permits to
11 drivers of taxicabs and of limousines, not inconsistent with the provisions
12 of NRS 706.881 to 706.885, inclusive, and sections 12 to 21, inclusive, of
13 this act. The regulations may include different provisions for different
14 counties to allow for differences among the counties subject to the
15 jurisdiction of the taxicab authority for northern Nevada. Local law
16 enforcement agencies and the Nevada highway patrol, upon request of
17 the taxicab authority for northern Nevada, may assist in enforcing the
18 provisions of NRS 706.881 to 706.885, inclusive, and sections 12 to 21,
19 inclusive, of this act, and the regulations adopted pursuant thereto by the
20 taxicab authority for northern Nevada.

21 **Sec. 14.** Except to the extent of any inconsistency with the provisions
22 of NRS 706.881 to 706.885, inclusive, and sections 12 to 21, inclusive, of
23 this act, every order issued by the transportation services authority or the
24 previously existing taxicab authority remains in effect until the order is
25 modified or rescinded by a taxicab authority. The taxicab authority for
26 southern Nevada or the taxicab authority for northern Nevada, as
27 appropriate, shall enforce such an order until the order is modified or
28 rescinded.

29 **Sec. 15.** 1. If a taxicab authority has established a system of
30 allocations for taxicabs and limousines in a county subject to its
31 jurisdiction, the taxicab authority shall, on or before April 1 of each year,
32 increase the number of allocated taxicabs and limousines in that county
33 by a percentage which is equal to the average of:

34 (a) The percentage of increase, if any, in the number of passengers
35 who traveled into an airport located in that county during the preceding
36 calendar year, as reported by the board of county commissioners of the
37 county in which the airport is located; and

38 (b) The percentage of increase, if any, in the population of that county
39 during the preceding calendar year, as determined from the certifications
40 made pursuant to NRS 360.285.

41 2. Except as otherwise provided in this subsection, on or before
42 February 15, each board of county commissioners in this state shall
43 prepare and cause to be published an annual report setting forth the

1 *number of passengers who arrived by commercial airline at an airport*
2 *located in the county during each month in the preceding calendar year.*
3 *A board of county commissioners does not have to submit a report*
4 *pursuant to this subsection if no commercial airline operates at any*
5 *airport located within the county.*

6 **Sec. 15.5.** 1. *An owner, a manager or an employee of, or any*
7 *holder of a business license for, a business shall not offer remuneration*
8 *of cash or services, to any driver of a taxicab, limousine or bus that is*
9 *designed to carry not more than 19 persons, including the driver, for the*
10 *diversion of patronage to the business.*

11 2. *A person who violates the provisions of subsection 1:*

12 (a) *For a first violation, is guilty of a misdemeanor and shall be*
13 *punished by a fine of not less than \$500 and not more than \$1,000.*

14 (b) *For a second violation, is guilty of a gross misdemeanor and shall*
15 *be punished by a fine of not less than \$1,000 and not more than \$5,000.*

16 (c) *For a third or subsequent violation, is guilty of a gross*
17 *misdemeanor and shall be punished by:*

18 (1) *A fine of not less than \$5,000 and not more than \$10,000; and*

19 (2) *Forfeiture, for not more than 6 months, of any business license*
20 *issued to the business for which the diversion of patronage was to be*
21 *made, except that if the person who violated the provisions of this section*
22 *is only an employee of the business, the business licenses of the business*
23 *are not subject to forfeiture pursuant to this subparagraph unless the*
24 *owner, manager or holder of the business license knew or reasonably*
25 *should have known that the employee was acting in violation of the*
26 *provisions of this section.*

27 3. *As used in this section, "diversion" means the willful redirection*
28 *of a customer to an alternative business, contrary to the request of the*
29 *customer.*

30 **Sec. 16.** *Except as otherwise provided in subsection 6 of NRS*
31 *706.8827:*

32 1. *Not later than 45 days after the date on which a taxicab authority*
33 *receives an application for a certificate of public convenience and*
34 *necessity for the operation of a limousine, the taxicab authority shall*
35 *hold a prehearing conference with the applicant.*

36 2. *The taxicab authority may authorize discovery on the application,*
37 *beginning on the first day after the day on which the prehearing*
38 *conference is held. The period for discovery may not exceed 90 days.*

39 3. *If a period for discovery is authorized pursuant to subsection 2,*
40 *the taxicab authority shall provide a period for response, beginning on*
41 *the first day after the date on which the period for discovery expires. The*
42 *period for response may not exceed 30 days.*

1 **4. The taxicab authority shall hold a hearing on the application not**
2 **later than 120 days after the date on which the prehearing conference is**
3 **held.**

4 **Sec. 17. An applicant for a driver's permit pursuant to NRS**
5 **706.8841 must include his social security number with his application for**
6 **the initial issuance or renewal of a driver's permit. The taxicab authority**
7 **to which the application for a driver's permit is submitted shall keep the**
8 **social security number of each applicant and licensee in the record for**
9 **the applicant or permittee, as appropriate.**

10 **Sec. 18. 1. A person who applies to a taxicab authority for the**
11 **issuance or renewal of a driver's permit pursuant to NRS 706.8841 shall**
12 **submit to the taxicab authority the statement prescribed by the welfare**
13 **division of the department of human resources pursuant to NRS 425.520.**
14 **The statement must be completed and signed by the applicant.**

15 **2. Each taxicab authority shall include the statement required**
16 **pursuant to subsection 1 in:**

17 **(a) The application or any other forms that must be submitted for the**
18 **issuance or renewal of the permit; or**

19 **(b) A separate form prescribed by the taxicab authority.**

20 **3. A driver's permit may not be issued or renewed by a taxicab**
21 **authority if the applicant:**

22 **(a) Fails to submit the statement required by subsection 1; or**

23 **(b) Indicates on the statement submitted pursuant to subsection 1 that**
24 **he is subject to a court order for the support of a child and is not in**
25 **compliance with the order or a plan approved by the district attorney or**
26 **other public agency enforcing the order for the repayment of the amount**
27 **owed pursuant to the order.**

28 **4. If a person's driver's permit has been suspended or revoked**
29 **pursuant to this chapter, the taxicab authority may not reinstate the**
30 **permit if the person:**

31 **(a) Fails to submit the statement required by subsection 1; or**

32 **(b) Indicates on the statement submitted pursuant to subsection 1 that**
33 **he is subject to a court order for the support of a child and is not in**
34 **compliance with the order or a plan approved by the district attorney or**
35 **other public agency enforcing the order for the repayment of the amount**
36 **owed pursuant to the order.**

37 **5. If the applicant indicates on the statement submitted pursuant to**
38 **subsection 1 that he is subject to a court order for the support of a child**
39 **and is not in compliance with the order or a plan approved by the district**
40 **attorney or other public agency enforcing the order for the repayment of**
41 **the amount owed pursuant to the order, the taxicab authority shall advise**
42 **the applicant to contact the district attorney or other public agency**

1 *enforcing the order to determine the actions that the applicant may take*
2 *to satisfy the arrearage.*

3 *6. The taxicab authority shall keep each statement submitted by an*
4 *applicant pursuant to subsection 1 in the record of the applicant.*

5 **Sec. 19. 1.** *If a taxicab authority receives a copy of a court order*
6 *issued pursuant to NRS 425.540 that provides for the suspension of all*
7 *professional, occupational and recreational licenses, certificates and*
8 *permits issued to a person who is the holder of a driver's permit issued by*
9 *that taxicab authority, the taxicab authority shall deem the driver's*
10 *permit issued to that person to be suspended at the end of the 30th day*
11 *after the date on which the court order was issued unless the taxicab*
12 *authority receives a letter issued to the holder of the permit by the district*
13 *attorney or other public agency pursuant to NRS 425.550 stating that the*
14 *holder of the permit has complied with the subpoena or warrant or has*
15 *satisfied the arrearage pursuant to NRS 425.560.*

16 *2. A taxicab authority shall reinstate a driver's permit that has been*
17 *suspended by a district court pursuant to NRS 425.540 if the taxicab*
18 *authority receives a letter issued by the district attorney or other public*
19 *agency pursuant to NRS 425.550 to the person whose permit was*
20 *suspended stating that the person whose permit was suspended has*
21 *complied with the subpoena or warrant, or has satisfied the arrearage*
22 *pursuant to NRS 425.560.*

23 **Sec. 20. 1.** *The board of county commissioners of each county*
24 *which is not otherwise subject to the jurisdiction of a taxicab authority*
25 *pursuant to sections 12 and 13 of this act, shall, by ordinance, elect to:*

26 *(a) Include the county in the jurisdiction of the taxicab authority for*
27 *southern Nevada;*

28 *(b) Include the county in the jurisdiction of the taxicab authority for*
29 *northern Nevada; or*

30 *(c) Exclude the county from the jurisdiction of both the taxicab*
31 *authority for southern Nevada and the taxicab authority for northern*
32 *Nevada.*

33 *2. Upon enacting such an ordinance, the board of county*
34 *commissioners shall notify each taxicab authority specified in the*
35 *ordinance, the previous taxicab authority to whose jurisdiction the*
36 *county was subject, if any, and the department of the ordinance.*

37 **Sec. 21. 1.** *If a board of county commissioners enacts an*
38 *ordinance approving the exclusion of the county from the jurisdiction of*
39 *a taxicab authority pursuant to section 20 of this act, the board of county*
40 *commissioners may enact such other ordinances as it may deem*
41 *necessary to regulate the conduct of the business of taxicab motor*
42 *carriers and limousine motor carriers that are based and primarily*

1 *operate within that county. If enacted, such ordinances must be*
2 *consistent with the legislative policies set forth in NRS 706.151.*

3 *2. If a board of county commissioners enacts an ordinance*
4 *approving the inclusion of the county in the jurisdiction of the taxicab*
5 *authority for southern Nevada or the taxicab authority for northern*
6 *Nevada, the board of county commissioners shall not amend or repeal*
7 *the ordinance, or enact any other ordinance pursuant to section 20 of*
8 *this act, for at least 2 years after the date on which the ordinance*
9 *approving the inclusion of the county in the jurisdiction of a taxicab*
10 *authority becomes effective.*

11 *3. A person who is regulated by a county in accordance with this*
12 *section shall pay to the county \$100 per year for each taxicab and \$500*
13 *per year for each limousine that the person operates and a fee set by the*
14 *board of county commissioners by ordinance that must not exceed 20*
15 *cents per trip for each compensable trip of each of those taxicabs, which*
16 *may be added to the meter charge.*

17 *4. Except as otherwise provided in this subsection, all money*
18 *collected by the board of county commissioners relating to the regulation*
19 *of taxicab motor carriers and limousine motor carriers pursuant to this*
20 *section must be deposited with the county treasurer of that county and*
21 *accounted for separately in the county general fund. All money collected*
22 *by a county for a fine or other monetary penalty must be deposited with*
23 *the state treasurer for deposit in the state general fund.*

24 *5. No ordinance enacted by a board of county commissioners*
25 *pursuant to:*

26 *(a) Section 20 of this act to exclude the county from the jurisdiction of*
27 *a taxicab authority; or*

28 *(b) Subsection 1 to regulate the conduct of the business of taxicab*
29 *motor carriers and limousine motor carriers that are based and primarily*
30 *operate within that county,*
31 *may be construed as motor vehicle registration law and any license fees*
32 *that may be imposed by a board of county commissioners pursuant*
33 *thereto are in addition to the fees for motor vehicle registration required*
34 *under the laws of this state.*

35 **Sec. 22.** NRS 706.011 is hereby amended to read as follows:

36 706.011 As used in ~~[NRS 706.013 to 706.791, inclusive,]~~ *this chapter,*
37 *unless the context otherwise requires, the words and terms defined in NRS*
38 *706.013 to 706.146, inclusive, and sections 2 to 10, inclusive, of this act*
39 *have the meanings ascribed to them in those sections.*

40 **Sec. 23.** NRS 706.013 is hereby amended to read as follows:

41 706.013 "Advertise" means the commercial use of any medium,
42 including, but not limited to, the radio or television, or a newspaper,
43 magazine, directory, sign or other printed matter, by ~~[a common or contract~~

1 ~~motor carrier~~ *an operator of a tow car* to bring the services of the ~~carrier~~
2 *operator* to the attention of members of the general public.

3 **Sec. 24.** NRS 706.036 is hereby amended to read as follows:

4 706.036 "Common motor carrier" means any person or operator who
5 holds himself out to the public as willing to transport by vehicle from place
6 to place, either upon fixed route or on-call operations, passengers or
7 property, including a common motor carrier of passengers ~~and~~ *and* a
8 common motor carrier of property . ~~and~~ *The term does not include* a
9 taxicab motor carrier ~~and~~ *, a limousine motor carrier or an operator of a*
10 *tow car.*

11 **Sec. 25.** NRS 706.041 is hereby amended to read as follows:

12 706.041 "Common motor carrier of passengers" means any person or
13 operator ~~including a taxicab motor carrier,~~ who holds himself out to the
14 public as willing to transport by vehicle from place to place, either upon
15 fixed route or on-call operations, passengers or passengers and light
16 express for all who may choose to employ him. *The term does not include*
17 *a taxicab motor carrier or limousine motor carrier.*

18 **Sec. 26.** NRS 706.046 is hereby amended to read as follows:

19 706.046 "Common motor carrier of property" means any person or
20 operator, including a motor convoy carrier, who holds himself out to the
21 public as willing to transport by motor vehicle from place to place, either
22 upon fixed route or on-call operations, the property of all who may choose
23 to employ him. *The term does not include an operator of a tow car.*

24 **Sec. 27.** NRS 706.051 is hereby amended to read as follows:

25 706.051 "Contract motor carrier" means any person or operator
26 engaged in transportation by motor vehicle of passengers or household
27 goods for compensation pursuant to continuing contracts with one person
28 or a limited number of persons:

29 1. For the furnishing of transportation services through the assignment
30 of motor vehicles for a continuing period ~~of time~~ to the exclusive use of
31 each person served;

32 2. For the furnishing of transportation services designed to meet the
33 distinct need of each individual customer; and

34 3. Not operating as a common motor carrier of passengers or property
35 ~~and~~ *, or as a taxicab motor carrier or limousine motor carrier.*

36 **Sec. 28.** NRS 706.085 is hereby amended to read as follows:

37 706.085 "Household goods" means personal effects and property used
38 or to be used in a dwelling which are part of the equipment or supply of the
39 dwelling and ~~such~~ other similar property . ~~as the authority may provide~~
40 ~~by regulation.~~ The term does not include property moving from a factory
41 or store, except property that the householder has purchased with the intent
42 to use in his dwelling and that is transported at the request of, and the
43 transportation charges paid to the carrier by, the householder.

1 **Sec. 29.** NRS 706.124 is hereby amended to read as follows:

2 706.124 **1.** “Taxicab” means a vehicle which is not operated over a
3 fixed route, is designed or constructed to accommodate and transport not
4 more than six passengers, including the driver, and is:

5 ~~(1.)~~ **(a)** Fitted with a taximeter or has some other device, method or
6 system to indicate and determine the passenger fare charged for the
7 distance traveled;

8 ~~(2.)~~ **(b)** Used in the transportation of passengers or light express, or
9 both, for which a charge or fee is received; or

10 ~~(3.)~~ **(c)** Operated in any service which is held out to the public as being
11 available for the transportation of passengers from place to place in the
12 State of Nevada.

13 **2. The term does not include a motor vehicle of:**

14 **(a) A common motor carrier;**

15 **(b) A contract motor carrier;**

16 **(c) An employer who operates the vehicle for the transportation of his**
17 **employees, whether or not the employees pay for the transportation;**

18 **(d) An operator of a bus service; or**

19 **(e) A limousine motor carrier.**

20 **Sec. 30.** NRS 706.151 is hereby amended to read as follows:

21 706.151 **1.** It is hereby declared to be the purpose and policy of the
22 legislature in enacting this chapter:

23 (a) ~~Except to the extent otherwise provided in NRS 706.881 to~~
24 ~~706.885, inclusive, to~~ **To** confer upon the **transportation services** authority
25 the power and to make it the duty of the **transportation services** authority
26 to regulate ~~fully regulated carriers,~~ operators of tow cars ~~and brokers of~~
27 ~~regulated services~~ to the extent provided in this chapter , and to confer
28 upon the department the power to license all motor carriers **subject to the**
29 **provisions of this chapter** and to make it the duty of the department to
30 enforce the provisions of this chapter and the regulations adopted by the
31 **transportation services** authority pursuant ~~to it,~~ **thereto**, to relieve the
32 undue burdens on the highways arising by reason of the use of the highways
33 by vehicles in a gainful occupation thereon.

34 (b) To provide for reasonable compensation for the use of the highways
35 in gainful occupations, and enable the State of Nevada, by using license
36 fees, to provide for the proper construction, maintenance and repair thereof,
37 and thereby protect the safety and welfare of the traveling and shipping
38 public in their use of the highways.

39 (c) To provide for fair and impartial regulation, to promote safe,
40 adequate, economical and efficient service and to foster sound economic
41 conditions in motor transportation.

42 (d) To encourage the establishment and maintenance of reasonable
43 charges for

~~(f)~~

1 ~~—(1) Intrastate transportation by fully regulated carriers; and~~
2 ~~—(2) Towing~~ **towing** services performed without the prior consent of
3 the owner of the vehicle or the person authorized by the owner to operate
4 the vehicle, without unjust discriminations against or undue preferences or
5 advantages being given to any ~~{motor carrier}~~ **operator of a tow car** or
6 applicant for a certificate of public convenience and necessity.

7 (e) To discourage any practices which would tend to increase or create
8 competition that may be detrimental to the ~~{traveling and shipping public or~~
9 ~~the motor carrier}~~ **business of towing vehicles without the prior consent of**
10 **the owner of the vehicle or the person authorized by the owner to operate**
11 **the vehicle** within this state.

12 2. All ~~{of}~~ the provisions of this chapter must be administered and
13 enforced with a view to carrying out the declaration of policy contained in
14 this section.

15 **Sec. 31.** NRS 706.1511 is hereby amended to read as follows:

16 706.1511 1. The transportation services authority is hereby created.

17 2. The **chief of the transportation services** authority ~~{consists of three~~
18 ~~members appointed by the governor. After the initial term each member~~
19 ~~shall serve}~~ **is the commissioner of the transportation services authority.**
20 **The governor shall appoint the commissioner for** a term of 4 years.

21 3. The ~~{governor shall appoint to the authority members who}~~ **person**
22 **appointed as the commissioner must** have at least 2 years of experience in
23 one or more of the following fields:

- 24 (a) Accounting.
25 (b) Business administration.
26 (c) Economics.
27 (d) Administrative law.
28 (e) Transportation.
29 (f) Professional engineering.

30 ~~{At least one but not more than two of the members appointed must be~~
31 ~~residents of Clark County.~~

32 ~~—4.— Not more than two of the members may be:~~

33 ~~—(a) Members of the same political party.~~

34 ~~—(b) From the same field of experience.~~

35 ~~—5.— All of the members}~~

36 4. **The commissioner** must be ~~{persons who are}~~ **a person who is**
37 independent of the industries regulated by the **transportation services**
38 authority. No elected officer of this state or any political subdivision is
39 eligible for appointment.

40 ~~{6.— The members of the authority}~~

41 5. **The commissioner** shall give ~~{their}~~ **his** entire time to the business
42 of the **transportation services** authority and shall not pursue any other
43 business or vocation or hold any other office of profit.

~~[7.—Each member of the authority]~~

6. The commissioner serves at the pleasure of the governor.

Sec. 32. NRS 706.1513 is hereby amended to read as follows:

706.1513 The **transportation services** authority may sue and be sued in the name of the transportation services authority.

Sec. 33. NRS 706.1515 is hereby amended to read as follows:

706.1515 1. Any ~~[common or contract carrier]~~ **operator of a tow car** subject to the jurisdiction of the **transportation services** authority that elects to maintain its books and records outside the State of Nevada ~~[shall,]~~ **must**, in addition to any other assessment and fees provided for by law, be assessed **in advance** by the **transportation services** authority for an amount **which the transportation services authority reasonably estimates will be equal to the amount that will be incurred for** the travel expenses and the excess of the out-of-state subsistence allowances over the in-state subsistence allowances, as fixed by NRS 281.160, ~~[of members]~~ **by the commissioner** of the **transportation services** authority and staff, for investigations, inspections and audits required to be performed outside this state.

2. The ~~[assessments]~~ **actual amount of the assessment** provided for by this section must be determined by the **transportation services** authority upon the completion of each such investigation, inspection, audit or appearance. ~~[and are]~~ **If the actual amount of the assessment is less than the estimated amount of the assessment, the transportation services authority shall refund the difference to the affected operator, as appropriate. If the actual amount of the assessment is greater than the estimated amount of the assessment paid by the affected operator, the transportation services authority shall assess the affected operator an amount that is equal to the difference between the estimated and actual assessment. The final assessment is** due within 30 days after receipt by the affected ~~[common or contract carrier]~~ **operator** of the notice of **the** assessment.

3. The records of the **transportation services** authority relating to the additional costs incurred by reason of the necessary additional travel must be open for inspection by the affected ~~[common or contract carrier]~~ **operator** at any time within the 30-day period.

Sec. 34. NRS 706.1516 is hereby amended to read as follows:

706.1516 1. The transportation services authority regulatory fund is hereby created as a special revenue fund. ~~[All]~~ **Except as otherwise provided in this section, all** money collected by the **transportation services** authority pursuant to law must be deposited in the state treasury for credit to the fund.

2. Money in the fund may be used only to defray the costs of:

1 (a) Maintaining staff and equipment needed to regulate adequately
2 persons subject to the jurisdiction of the *transportation services* authority.

3 (b) Participating in all proceedings relevant to the jurisdiction of the
4 *transportation services* authority.

5 (c) Audits, inspections, investigations, publication of notices, reports
6 and retaining consultants connected with that maintenance and
7 participation.

8 (d) The salaries, travel expenses and subsistence allowances of the
9 ~~members~~ *commissioner and staff* of the *transportation services*
10 authority.

11 3. All claims against the fund must be paid as other claims against the
12 state are paid.

13 4. The *transportation services* authority must furnish upon request a
14 statement showing the balance remaining in the fund as of the close of the
15 preceding fiscal year.

16 *5. Money collected by the transportation services authority from a*
17 *fine or penalty must be deposited into the state highway fund.*

18 **Sec. 35.** NRS 706.1517 is hereby amended to read as follows:

19 706.1517 Employees of the *transportation services* authority who are
20 peace officers may carry firearms in the performance of their duties.

21 **Sec. 36.** NRS 706.1518 is hereby amended to read as follows:

22 706.1518 Except as otherwise provided in NRS 706.1725, the
23 *transportation services* authority shall make and publish biennial reports
24 showing its proceedings. All biennial reports, records, proceedings, papers
25 and files of the *transportation services* authority must be open at all
26 reasonable times to the public.

27 **Sec. 37.** NRS 706.156 is hereby amended to read as follows:

28 706.156 ~~1.—All common and contract motor carriers and brokers~~ *All*
29 *operators of tow cars* are hereby declared to be, to the extent provided in
30 this chapter:

31 ~~{(a)}~~ *1.* Affected with a public interest; and

32 ~~{(b)}~~ *2.* Subject to NRS ~~706.011~~ *706.151* to 706.791, inclusive ~~{~~
33 ~~—2.—A purchaser or broker of transportation services which are provided~~
34 ~~by a common motor carrier who holds a certificate of public convenience~~
35 ~~and necessity may resell those services, in combination with other services~~
36 ~~and facilities that are not related to transportation, but only in a manner~~
37 ~~complying with the scope of authority set forth in the certificate of the~~
38 ~~common motor carrier. The authority shall not prohibit or restrict such a~~
39 ~~purchaser or broker from reselling those transportation services to any~~
40 ~~person based upon that person's affiliation, or lack of affiliation, with any~~
41 ~~group~~ *, and section 11 of this act.*

1 **Sec. 38.** NRS 706.166 is hereby amended to read as follows:
2 706.166 The **transportation services** authority shall:
3 1. ~~{Subject to the limitation provided in NRS 706.168 and to}~~ **To** the
4 extent provided in this chapter, supervise and regulate ~~{~~:
5 ~~—(a) Every fully regulated carrier and broker of regulated services in this~~
6 ~~state in all matters directly related to those activities of the motor carrier~~
7 ~~and broker actually necessary for the transportation of persons or property,~~
8 ~~including the handling and storage of that property, over and along the~~
9 ~~highways.~~
10 ~~—(b) Every~~ **every** operator of a tow car concerning the rates and charges
11 assessed for towing services performed without the prior consent of the
12 operator of the vehicle or the person authorized by the owner to operate the
13 vehicle and pursuant to the provisions of NRS ~~{706.011}~~ **706.151** to
14 706.791, inclusive ~~{,}~~ **, and section 11 of this act.**
15 2. ~~{Supervise and regulate the storage of household goods and effects~~
16 ~~in warehouses and the operation and maintenance of such warehouses in~~
17 ~~accordance with the provisions of this chapter and chapter 712 of NRS.~~
18 ~~—3.}~~ Enforce the standards of safety applicable to the employees,
19 equipment, facilities and operations of ~~{those common and contract carriers~~
20 ~~subject to the authority of the department}~~ **operators of tow cars** by:
21 (a) Providing training in safety;
22 (b) Reviewing and observing the programs or inspections of ~~{the carrier}~~
23 **operators of tow cars** relating to safety; and
24 (c) Conducting inspections relating to safety . ~~{at the operating terminals~~
25 ~~of the carrier.~~
26 ~~—4.}~~ **3.** To carry out the policies expressed in NRS 706.151, adopt
27 regulations providing for agreements between two or more ~~{fully regulated~~
28 ~~carriers or two or more}~~ operators of tow cars relating to:
29 (a) ~~{Fares of fully regulated carriers;~~
30 ~~—(b)}~~ All rates of ~~{fully regulated carriers and rates of}~~ operators of tow
31 cars for towing services performed without the prior consent of the owner
32 of the vehicle or the person authorized by the owner to operate the vehicle;
33 ~~{(c) Classifications;~~
34 ~~—(d) Divisions;~~
35 ~~—(e) Allowances; and~~
36 ~~—(f) All charges of fully regulated carriers}~~ and
37 **(b) All** charges of operators of tow cars for towing services performed
38 without the prior consent of the owner of the vehicle or the person
39 authorized by the owner to operate the vehicle . ~~{, including charges~~
40 ~~between carriers and compensation paid or received for the use of facilities~~
41 ~~and equipment.}~~
42 These regulations may not provide for collective agreements which restrain
43 any party from taking free and independent action.

1 ~~[5.]~~ 4. Review decisions of ~~[the]~~ a taxicab authority appealed to the
2 *transportation services* authority pursuant to NRS 706.8819.

3 **Sec. 39.** NRS 706.167 is hereby amended to read as follows:

4 706.167 1. Each ~~[fully regulated carrier,]~~ operator of a tow car ~~[and~~
5 ~~common or contract carrier]~~ regulated by the *transportation services*
6 authority shall:

7 (a) Keep uniform and detailed accounts of all business transacted in the
8 manner required by the *transportation services* authority by regulation and
9 render them to the *transportation services* authority upon its request.

10 (b) Furnish an annual report to the *transportation services* authority in
11 the form and detail that it prescribes by regulation.

12 The regulations of the *transportation services* authority may not require an
13 operator of a tow car to keep accounts and report information concerning
14 towing services *performed without the prior consent of the owner of the*
15 *vehicle or the person authorized by the owner to operate the vehicle* other
16 than information that is necessary to permit the *transportation services*
17 authority to enforce the provisions of NRS ~~[706.011]~~ 706.151 to 706.791,
18 inclusive ~~[-~~.

19 ~~—2.— Except as otherwise provided in subsection 3, the], and section 11~~
20 ~~of this act.~~

21 2. *The* reports required by this section must be prepared for each
22 calendar year and submitted not later than May 15 of the year following the
23 year for which the report is submitted.

24 3. ~~[A carrier may, with the permission of the authority, prepare the~~
25 ~~reports required by this section for a year other than a calendar year that the~~
26 ~~authority specifies and submit them not later than a date specified by the~~
27 ~~authority in each year.~~

28 ~~—4.]~~ If the *transportation services* authority finds that necessary
29 information is not contained in a report submitted pursuant to this section,
30 it may call for the omitted information at any time.

31 **Sec. 40.** NRS 706.1675 is hereby amended to read as follows:

32 706.1675 Every annual report, record or statement required by law to
33 be made to the *transportation services* authority must be submitted under
34 oath by the proper officer, agent or person responsible for submitting the
35 report, record or statement.

36 **Sec. 41.** NRS 706.169 is hereby amended to read as follows:

37 706.169 The department shall ~~[-~~

38 ~~—1.— Regulate the activities of common and contract carriers of property~~
39 ~~other than fully regulated carriers and operators of tow cars.~~

40 ~~—2.— Regulate]~~ *regulate* the licensing of private motor carriers of property
41 used for private commercial enterprises on any highway in this state.

1 **Sec. 42.** NRS 706.171 is hereby amended to read as follows:

2 706.171 1. The ~~{authority and the}~~ department may:

3 (a) Make necessary and reasonable regulations governing the
4 administration and enforcement of the provisions of this chapter for which
5 ~~{they are each}~~ *the department is* responsible.

6 (b) Adopt by reference any appropriate rule or regulation, as it exists at
7 the time of adoption, issued by the United States Department of
8 Transportation, the Surface Transportation Board, any other agency of the
9 Federal Government, or the National Association of Regulatory Utility
10 Commissioners.

11 (c) Require such reports and the maintenance of such records as ~~{they~~
12 ~~determine}~~ *the department determines* to be necessary for the
13 administration and enforcement of this chapter.

14 (d) Except as otherwise provided in this section, examine, at any time
15 during the business hours of the day, the books, papers and records of any
16 ~~{fully regulated carrier, and of any other}~~ common, contract or private
17 motor carrier , *taxicab motor carrier, limousine motor carrier or operator*
18 *of a tow car* doing business in this state to the extent necessary for ~~{their~~
19 ~~respective duties. The authority and}~~ *the department to carry out the*
20 *provisions of this chapter. The* department may examine in other states or
21 require by subpoena the production inside this state of such books, papers
22 and records as are not maintained in this state.

23 (e) Temporarily waive any requirement for a ~~{certificate or permit}~~
24 *license* when an emergency exists as defined in NRS 706.561.

25 2. No personnel records of an employee of a ~~{fully regulated carrier, or~~
26 ~~of any other}~~ common, contract or private motor carrier , *taxicab motor*
27 *carrier, limousine motor carrier or operator of a tow car* may be
28 examined pursuant to paragraph (d) of subsection 1 unless the records
29 contain information relating to a matter of public safety or ~~{the authority~~
30 ~~and}~~ the department ~~{determine}~~ *determines* that the examination is
31 required to protect the interests of the public.

32 3. The department may adopt regulations to ensure the payment of any
33 fee due or authorized pursuant to the provisions of this chapter.

34 4. As used in this section, "personnel records" does not include:

35 (a) The name of the employee who is the subject of the record;

36 (b) The gross compensation and perquisites of the employee;

37 (c) Any record of the business expenses of the employee;

38 (d) The title or any description of the position held by the employee;

39 (e) The qualifications required for the position held by the employee;

40 (f) The business address of the employee;

41 (g) The telephone number of the employee at his place of business;

42 (h) The work schedule of the employee;

43 (i) The date on which the employee began his employment; and

(j) If applicable, the date on which the employment of the employee was terminated.

Sec. 43. NRS 706.1715 is hereby amended to read as follows:

706.1715 1. The attorney general shall:

(a) Act as counsel and attorney for the *transportation services* authority in all actions, proceedings and hearings.

(b) Prosecute in the name of the transportation services authority all civil actions for the enforcement of this chapter and for the recovery of any penalty or forfeiture provided for therein.

(c) Generally aid the *transportation services* authority in the performance of its duties and the enforcement of this chapter.

2. The attorney general or any district attorney may prosecute any violation of this chapter ~~for chapter 712 of NRS~~ for which a criminal penalty is provided.

Sec. 44. NRS 706.1717 is hereby amended to read as follows:

706.1717 The *transportation services* authority may, in carrying out its duties:

1. Cooperate with the Federal Government and its departments and agencies.

2. Confer with the regulatory agencies of other states on matters of mutual concern and benefit to persons served by *operators of tow cars, taxicab motor carriers and limousine* motor carriers of this state.

3. Use the services, records, facilities and cooperation of federal and state regulatory agencies, and hold joint hearings and participate in joint conferences to reach decisions in matters that require cooperation. All necessary expenses incurred in attending hearings and conferences outside this state are a charge against the state and must be audited and paid as other claims against the state are paid.

Sec. 45. NRS 706.172 is hereby amended to read as follows:

706.172 1. *The transportation services authority may:*

(a) Make necessary and reasonable regulations governing the administration and enforcement of the provisions of this chapter for which the transportation services authority is responsible.

(b) Require such reports and the maintenance of such records as the transportation services authority determines to be necessary for the administration and enforcement of this chapter.

(c) Temporarily waive any requirement for a certificate when an emergency exists as defined in NRS 706.561.

2. Except as otherwise provided in subsection ~~{2, any, member of}~~ 3, the *commissioner of the transportation services* authority, or any officer or employee of the *transportation services* authority who is designated by the *commissioner of the transportation services* authority may examine during the regular business hours the books, accounts, records, minutes,

1 papers and property of any person who is regulated by the **transportation**
2 **services** authority . ~~{and who does business in this state, whether or not the~~
3 ~~book, account, record, minutes, paper or property is located within this~~
4 ~~state.~~

5 ~~—2.} The transportation services authority may examine in other states~~
6 ~~or require by subpoena the production inside this state of any such~~
7 ~~books, accounts, records, minutes, papers and property that are not~~
8 ~~maintained in this state.~~

9 **3.** No personnel records of an employee may be examined pursuant to
10 subsection ~~{4}~~ **2** unless the records contain information relating to a matter
11 of public safety or the **transportation services** authority determines that the
12 examination is required to protect the interests of the public.

13 ~~{3.}~~ **4.** As used in this section, “personnel records” does not include:

- 14 (a) The name of the employee who is the subject of the record;
- 15 (b) The gross compensation and perquisites of the employee;
- 16 (c) Any record of the business expenses of the employee;
- 17 (d) The title or any description of the position held by the employee;
- 18 (e) The qualifications required for the position held by the employee;
- 19 (f) The business address of the employee;
- 20 (g) The telephone number of the employee at his place of business;
- 21 (h) The work schedule of the employee;
- 22 (i) The date on which the employee began his employment; and
- 23 (j) If applicable, the date on which the employment of the employee was
- 24 terminated.

25 **Sec. 46.** NRS 706.1725 is hereby amended to read as follows:

26 706.1725 1. Any books, accounts, records, minutes, papers and
27 property of any ~~{carrier}~~ **operator of a tow car** that are subject to
28 examination pursuant to NRS 706.1518 and 706.172, and are made
29 available to the **transportation services** authority, any officer or employee
30 of the **transportation services** authority, or any other person under the
31 condition that the disclosure of such information to the public be withheld
32 or otherwise limited, must not be disclosed to the public unless the
33 **transportation services** authority first determines that the disclosure is
34 justified.

35 2. The **transportation services** authority shall take such actions as are
36 necessary to protect the confidentiality of such information, including,
37 without limitation:

- 38 (a) Granting such protective orders as it deems necessary; and
- 39 (b) Holding closed hearings to receive or examine such information.

40 3. If the **transportation services** authority closes a hearing to receive or
41 examine such information, it shall:

- 42 (a) Restrict access to the records and transcripts of such hearings
- 43 without the prior approval of the **transportation services** authority or an

1 order of a court of competent jurisdiction authorizing access to the records
2 or transcripts; and

3 (b) Prohibit any participant at such a hearing from disclosing such
4 information without the prior authorization of the *transportation services*
5 authority.

6 4. The *transportation services* authority shall consider in an open
7 meeting whether the information reviewed or examined in a closed hearing
8 may be disclosed without revealing the confidential subject matter of the
9 information. To the extent the *transportation services* authority determines
10 the information may be disclosed, the information must become a part of
11 the records available to the public. Information that the *transportation*
12 *services* authority determines may not be disclosed must be kept under seal.

13 **Sec. 47.** NRS 706.173 is hereby amended to read as follows:

14 706.173 1. The *transportation services* authority or the department
15 may, by regulation applicable to ~~[common, contract and private motor~~
16 ~~carriers of passengers and property,]~~ *operators of tow cars*, adopt standards
17 for safety for drivers and vehicles.

18 2. *The department may, by regulation applicable to common,*
19 *contract and private motor carriers of passengers or property, taxicab*
20 *motor carriers, limousine motor carriers and operators of tow cars, adopt*
21 *standards for safety for drivers and vehicles.*

22 3. The department may, by regulation applicable to all motor vehicles
23 transporting hazardous materials, adopt standards for the transportation of
24 hazardous materials and hazardous waste as defined in NRS 459.430.

25 **Sec. 48.** NRS 706.176 is hereby amended to read as follows:

26 706.176 The *commissioner of the transportation services* authority
27 may:

28 1. Appoint a deputy who serves in the unclassified service of the state.

29 2. Employ such other personnel as may be necessary.

30 **Sec. 49.** NRS 706.197 is hereby amended to read as follows:

31 706.197 1. The *transportation services* authority may collect fees for
32 the filing of any official document required by this chapter or by a
33 regulation of the *transportation services* authority.

34 2. Filing fees may not exceed:

35 (a) For applications, \$200.

36 (b) For petitions seeking affirmative relief, \$200.

37 (c) For each tariff page that requires public notice and is not attached to
38 an application, \$10. If more than one page is filed at one time, the total fee
39 may not exceed the cost of notice and publication.

40 (d) For all other documents that require public notice, \$10.

41 (e) *For an amended application, the cost of publication.*

3. If an application or other document is rejected by the *transportation services* authority because it is inadequate or inappropriate, the filing fee must be returned.

4. The *transportation services* authority may not charge any fee for filing a complaint.

Sec. 50. NRS 706.201 is hereby amended to read as follows:

706.201 To the extent that such costs cannot be paid for from the transportation services authority regulatory fund, the costs of administration of ~~this chapter~~ *NRS 706.151 to 706.791, inclusive, and section 11 of this act by the transportation services authority* must be paid from the state highway fund on claims presented by the *transportation services* authority or department, approved by the state board of examiners.

Sec. 51. NRS 706.226 is hereby amended to read as follows:

706.226 No common, contract or private motor carrier, *taxicab motor carrier, limousine motor carrier or operator of a tow car* may operate on any highway ~~nor any broker of regulated services engage in business~~ in this state except in accordance with the provisions of this chapter.

Sec. 51.5. NRS 706.231 is hereby amended to read as follows:

706.231 Sheriffs and all other peace officers and traffic officers of this state are charged with the duty, without further compensation, of assisting in the enforcement of this chapter. ~~They~~ *The officers* shall make arrests for this purpose when requested by an authorized agent of the department, *transportation services* authority or other competent authority.

Sec. 52. NRS 706.246 is hereby amended to read as follows:

706.246 1. Except as otherwise provided in NRS 706.235:

~~1.~~ (a) A common or contract motor carrier, *taxicab motor carrier, limousine motor carrier or operator of a tow car* shall not permit or require a driver to drive or tow any vehicle revealed by inspection or operation to be in such condition that its operation would be hazardous or likely to result in a breakdown of the vehicle, and a driver shall not drive or tow any vehicle which by reason of its mechanical condition is so imminently hazardous to operate as to be likely to cause an accident or a breakdown of the vehicle. If, while any vehicle is being operated on a highway, it is discovered to be in such an unsafe condition, it may be continued in operation, except as further limited by ~~subsection 2,~~ *paragraph (b) or (c)*, only to the nearest place where repairs can safely be effected, and even that operation may be conducted only if it is less hazardous to the public than permitting the vehicle to remain on the highway.

~~2.—A common or contract motor carrier or private motor carrier~~

(b) *An operator of a tow car* shall not permit or require a driver to drive or tow, and a driver shall not drive or tow, any vehicle which:

~~[(a)]~~ (1) By reason of its mechanical condition is so imminently hazardous to operate as to be likely to cause an accident or a breakdown; and

~~[(b)]~~ (2) Has been declared "out of service" by an authorized employee of the *transportation services* authority. ~~[for the department.]~~ When the repairs have been made, the ~~carrier~~ operator shall so certify to the *transportation services* authority ~~[for the department, whichever agency declared the vehicle "out of service,"]~~ as required by the *transportation services* authority. ~~[for the department.]~~

(c) *A common or contract motor carrier, private motor carrier, taxicab motor carrier, limousine motor carrier or operator of a tow car shall not permit or require a driver to drive, and a driver shall not drive, any vehicle which:*

(1) By reason of its mechanical condition is so imminently hazardous to operate as to be likely to cause an accident or a breakdown; and

(2) Has been declared "out of service" by an authorized employee of the department.

When the repairs have been made, the carrier or operator, as appropriate, shall so certify to the department, as required by the department.

2. The transportation services authority may adopt such regulations as are necessary to carry out a program for inspecting vehicles pursuant to this section.

Sec. 53. NRS 706.251 is hereby amended to read as follows:

706.251 1. Every person operating a vehicle used by any motor carrier under the jurisdiction of the *transportation services* authority shall forthwith report each accident occurring on the public highway, wherein the vehicle may have injured the person or property of some person other than the person or property carried by the vehicle, to the sheriff or other peace officer of the county where the accident occurred. If the accident immediately or proximately causes death, the person in charge of the vehicle, or any officer investigating the accident, shall furnish to the *transportation services* authority such detailed report thereof as required by the *transportation services* authority.

2. All accident reports required in this section must be filed in the office of the *transportation services* authority and there preserved. An accident report made as required by this chapter, or any report of the *transportation services* authority made pursuant to any accident investigation made by it, is not open to public inspection and must not be disclosed to any person, except upon order of the *transportation services* authority. The reports must not be admitted as evidence or used for any

1 purpose in any action for damages growing out of any matter mentioned in
2 the accident report or report of any such investigation.

3 **Sec. 54.** NRS 706.256 is hereby amended to read as follows:

4 706.256 The **transportation services** authority may, in the interest of
5 safety or service, after hearing:

6 1. Determine and order repairs of facilities of ~~{common and contract~~
7 ~~motor carriers;}~~ **operators of tow cars;** and

8 2. Order the use of safety appliances by such carriers in the interest of
9 the public and employees.

10 **Sec. 55.** NRS 706.281 is hereby amended to read as follows:

11 706.281 ~~{1.}~~ In addition to any identifying device provided for in this
12 chapter, each motor vehicle ~~{within the provisions of NRS 706.011 to~~
13 ~~706.791, inclusive,}~~ **under the jurisdiction of the transportation services**
14 **authority** must have the name of the person or operator operating the
15 vehicle prominently and conspicuously displayed on both sides of the
16 vehicle in such location, size and style as may be specified by the
17 **transportation services** authority. The display shall not be deemed **to be**
18 advertising for the purposes of NRS 706.285 unless additional information
19 about the operator is included.

20 ~~{2.—This section does not apply to motor vehicles:~~

21 ~~—(a) Weighing 10,000 pounds or less operated by private carriers and not~~
22 ~~operated in combination with any other vehicle.~~

23 ~~—(b) Operated by an employer for the transportation of his employees,~~
24 ~~whether or not the employees pay for the transportation.}~~

25 **Sec. 56.** NRS 706.285 is hereby amended to read as follows:

26 706.285 All advertising by ~~{:~~

27 ~~—1.—A fully regulated carrier of intrastate commerce; and~~

28 ~~—2.—An}~~ **an** operator of a tow car, must include the number of the
29 certificate of public convenience and necessity ~~{or contract carrier's permit}~~
30 issued to him by the **transportation services** authority.

31 **Sec. 57.** NRS 706.2855 is hereby amended to read as follows:

32 706.2855 1. If the **transportation services** authority finds, after
33 notice and hearing, that a person has violated NRS 706.285, the
34 **transportation services** authority may, in addition to any penalty,
35 punishment or disciplinary action authorized by this chapter, petition a
36 court of competent jurisdiction for an injunction prohibiting the person
37 from continuing to:

38 (a) Engage in advertising that violates the provisions of NRS 706.285;
39 or

40 (b) Use any telephone number mentioned in such advertising for any
41 purpose.

42 2. If the court finds that the respondent has engaged in advertising that
43 is unlawful pursuant to NRS 706.285, the court shall:

- 1 (a) Enjoin him from continuing the advertising.
- 2 (b) Enjoin him from using the telephone number mentioned in the
- 3 advertising for any purpose.
- 4 (c) Issue an order that requires the telephone number mentioned in the
- 5 advertising to be disconnected.
- 6 (d) Forward a copy of the order to the appropriate provider of telephone
- 7 service within 5 days after issuing the order.

8 *(e) If the transportation services authority has revoked the certificate*
9 *of public convenience and necessity of the respondent, cancel the local*
10 *business licenses and permits relating to the operation of the respondent*
11 *that is subject to the jurisdiction of the transportation services authority*
12 *that have been issued to the respondent.*

13 3. As used in this section, “provider of telephone service” includes, but
14 is not limited to:

- 15 (a) A public utility furnishing telephone service.
- 16 (b) A provider of cellular or other service to a telephone that is installed
- 17 in a vehicle or is otherwise portable.

18 **Sec. 58.** NRS 706.286 is hereby amended to read as follows:

19 706.286 1. ~~{When}~~ *If* a complaint is made against any ~~{fully~~
20 ~~regulated carrier or}~~ operator of a tow car ~~{by any person,}~~ that:

21 (a) Any of the rates, tolls, charges or schedules, or any joint rate or rates
22 assessed by any ~~{fully regulated carrier or by any}~~ operator of a tow car for
23 towing services performed without the prior consent of the owner of the
24 vehicle or the person authorized by the owner to operate the vehicle are in
25 any respect unreasonable or unjustly discriminatory;

26 (b) Any of the provisions of NRS 706.445 to 706.453, inclusive, have
27 been violated;

28 (c) Any regulation, measurement, practice or act directly relating to the
29 transportation of persons or property, including the handling and storage of
30 that property, is, in any respect, unreasonable, insufficient or unjustly
31 discriminatory; or

32 (d) Any service is inadequate,
33 the *transportation services* authority shall investigate the complaint. After
34 receiving the complaint, the *transportation services* authority shall give a
35 copy of ~~{it}~~ *the complaint* to the ~~{carrier or}~~ operator of a tow car against
36 ~~{whom}~~ *which* the complaint ~~{is}~~ *was* made. Within a reasonable time
37 thereafter, the ~~{carrier or}~~ operator of a tow car shall provide the
38 *transportation services* authority with ~~{its}~~ *his* written response to the
39 complaint according to the regulations of the *transportation services*
40 authority.

41 2. If the *transportation services* authority determines that probable
42 cause exists for the complaint, it shall order a hearing thereof, give notice
43 of the hearing and conduct the hearing as it would any other hearing. *If the*

1 *complaint has been filed against an operator of a tow car by another*
2 *operator of a tow car and the transportation services authority does not*
3 *find probable cause for the complaint, the transportation services*
4 *authority may recover from the complainant the cost of court reporting*
5 *and investigation, and other necessary expenses incurred by the*
6 *transportation services authority.*

7 3. No order affecting a rate, toll, charge, schedule, regulation,
8 measurement, practice or act complained of may be entered without a
9 formal hearing unless the hearing is dispensed with as provided in NRS
10 706.2865.

11 **Sec. 59.** NRS 706.2865 is hereby amended to read as follows:

12 706.2865 1. When, in any matter pending before the *transportation*
13 *services* authority, a hearing is required by law, or is normally required by
14 the *transportation services* authority, the *transportation services* authority
15 shall give notice of the pendency of the matter to all persons entitled to
16 notice of the hearing. The *transportation services* authority shall by
17 regulation specify:

18 (a) The manner of giving notice; and

19 (b) Where not specified by law, the persons entitled to notice in each
20 type of proceeding.

21 2. Unless, within 10 days after the date of the notice of pendency, a
22 person entitled to notice of the hearing files with the *transportation*
23 *services* authority a request that the hearing be held, the *transportation*
24 *services* authority may dispense with a hearing and act upon the matter
25 pending.

26 3. If a request for a hearing is filed, the *transportation services*
27 authority shall give at least 10 days' notice of the hearing.

28 4. If an operator of a tow car files an application for a certificate of
29 public convenience and necessity or an application to transfer a certificate
30 of public convenience and necessity with the authority, the authority shall
31 give notice pursuant to the provisions of subsection 1.

32 **Sec. 60.** NRS 706.2873 is hereby amended to read as follows:

33 706.2873 1. A complete record must be kept of all hearings before
34 the *transportation services* authority, and all testimony must be taken down
35 by the stenographer appointed by the *transportation services* authority, or,
36 under the direction of any competent person appointed by the
37 *transportation services* authority, reported by sound recording equipment
38 in the manner authorized for reporting testimony in district courts. The
39 testimony reported by a stenographer must be transcribed and filed with the
40 record in the matter. The *transportation services* authority may by
41 regulation provide for the transcription or safekeeping of sound recordings.

42 The costs of recording and transcribing testimony at any hearing, except
43 those hearings ordered pursuant to NRS 706.286 must be paid by the

1 applicant. If a complaint is made pursuant to NRS 706.286 by a customer
2 or by a political subdivision of this state or a municipal organization, the
3 complainant is not liable for any costs. Otherwise, if there are several
4 applicants or parties to any hearing, the *transportation services* authority
5 may apportion the costs among them in its discretion.

6 2. Whenever any petition is served upon the *transportation services*
7 authority, before the action is reached for trial, the *transportation services*
8 authority shall file a certified copy of all proceedings and testimony taken
9 with the clerk of the court in which the action is pending.

10 3. A copy of the proceedings and testimony must be furnished to any
11 party, on payment of a reasonable amount, to be fixed by the
12 *transportation services* authority, and the amount must be the same for all
13 parties.

14 4. The provisions of this section do not prohibit the *transportation*
15 *services* authority from restricting access to the records and transcripts of a
16 hearing pursuant to subsection 2 of NRS 706.1725.

17 **Sec. 61.** NRS 706.2875 is hereby amended to read as follows:

18 706.2875 1. Any party is entitled to an order by the *transportation*
19 *services* authority for the appearance of witnesses or the production of
20 books, papers and documents containing material testimony.

21 2. Witnesses appearing upon the order of the *transportation services*
22 authority are entitled to the same fees and mileage as witnesses in civil
23 actions in the courts of this state . ~~[-, and the fees and mileage must be paid~~
24 ~~out of the state treasury in the same manner as other claims against the state~~
25 ~~are paid.]~~ No fees or mileage may be allowed *for a witness appearing*
26 *pursuant to an order of the transportation services authority* unless the
27 ~~{chairman}~~ *commissioner* of the *transportation services* authority certifies
28 the correctness of the claim.

29 **Sec. 62.** NRS 706.288 is hereby amended to read as follows:

30 706.288 The *transportation services* authority may require, by order to
31 be served on any person regulated by the *transportation services* authority
32 in the same manner as a subpoena in a civil action, the production at a time
33 and place designated by the *transportation services* authority of any books,
34 accounts, papers or records kept by the person in any office or place
35 outside this state, or verified copies in lieu thereof if the *transportation*
36 *services* authority so directs, so that an examination may be made by the
37 *transportation services* authority or under its direction, or for use as
38 testimony.

39 **Sec. 62.5.** NRS 706.2883 is hereby amended to read as follows:

40 706.2883 Any person who is aggrieved by any action or inaction of
41 ~~{the}~~ *a* taxicab authority pursuant to NRS 706.8819 is entitled to judicial
42 review of the decision in the manner provided by chapter 233B of NRS.

1 The transportation services authority may adopt such regulations as may be
2 necessary to provide for its review of decisions of ~~the~~ a taxicab authority.

3 **Sec. 63.** NRS 706.2885 is hereby amended to read as follows:

4 706.2885 1. A certificate of public convenience and necessity ~~;~~
5 ~~permit or license issued in accordance with this chapter~~ **issued by the**
6 **transportation services authority** is not a franchise and may be revoked.

7 2. The **transportation services** authority may at any time, for good
8 cause shown, after investigation and hearing and upon 5 days' written
9 notice to the grantee, suspend any certificate ~~;~~ ~~permit or license~~ issued in
10 accordance with the provisions of NRS ~~[706.011]~~ **706.151** to 706.791,
11 inclusive, **and section 11 of this act**, for a period not to exceed 60 days.

12 3. Upon receipt of a written complaint or on its own motion, the
13 **transportation services** authority may, after investigation and hearing,
14 revoke any certificate . ~~;~~ ~~permit or license.~~ If service of the notice
15 required by subsection 2 cannot be made or if the grantee relinquishes his
16 interest in the certificate ~~;~~ ~~permit or license~~ by so notifying the
17 **transportation services** authority in writing, the **transportation services**
18 authority may revoke the certificate ~~;~~ ~~permit or license~~ without a hearing.

19 4. The proceedings thereafter are governed by the provisions of
20 chapter 233B of NRS.

21 **Sec. 64.** NRS 706.291 is hereby amended to read as follows:

22 706.291 1. The ~~authority shall require every fully regulated carrier~~
23 ~~and every operator of a tow car, within such time and in such amounts as~~
24 ~~the authority may designate, to file with the authority in a form required~~
25 ~~and approved by the authority a liability insurance policy, or a certificate of~~
26 ~~insurance in lieu thereof, or a bond of a surety company, or other surety, in~~
27 ~~such reasonable sum as the authority may deem necessary to protect~~
28 ~~adequately the interests of the public.~~

29 ~~—2.—The~~ department shall require every ~~other~~ common and contract
30 motor carrier , ~~and every~~ private **motor** carrier, **limousine motor carrier**
31 **or operator of a tow car** within such time and in such amounts as the
32 department may designate, to file with the department in a form required
33 and approved by the department a liability insurance policy, or a certificate
34 of insurance in lieu thereof, a bond of a surety company, or other surety, in
35 such reasonable sum as the department may deem necessary to protect
36 adequately the interests of the public. In determining the amount of liability
37 insurance or other surety required of a carrier **or operator** pursuant to this
38 subsection, the department shall create a separate category for vehicles with
39 a manufacturer's gross vehicle weight rating of less than 26,000 pounds and
40 impose a lesser requirement with respect to such vehicles.

41 ~~[3.]~~ **2.** The liability insurance policy or certificate, policy or bond of a
42 surety company or other surety must bind the obligors thereunder to pay the

1 compensation for injuries to persons or for loss or damage to property
2 resulting from the negligent operation of the carrier ~~[-~~

3 ~~—4.—The authority and the] or operator.~~

4 **3.** The department may ~~[jointly]~~ prescribe by regulation the
5 ~~[respective]~~ amounts and forms required by ~~[subsections 1 and 2.]~~
6 **subsection 1.**

7 **Sec. 65.** NRS 706.296 is hereby amended to read as follows:

8 706.296 Every common and contract motor carrier ~~[who]~~ **which**
9 engages in transportation intrastate and the collection of the purchase price
10 of goods sold by the shipper to the consignee shall provide a bond, to be
11 filed with the ~~[authority,]~~ **department**, for the benefit of the shipper in an
12 amount which the ~~[authority]~~ **department** deems reasonably sufficient as an
13 aggregate but not to exceed \$1,000, to insure the shipper against any loss of
14 the ~~[moneys]~~ **money** so collected by the carrier through misappropriation,
15 negligence or other defalcations.

16 **Sec. 66.** NRS 706.303 is hereby amended to read as follows:

17 706.303 The ~~[authority]~~ **department** shall adopt regulations requiring
18 all operators of horse-drawn vehicles ~~[subject to its regulation and~~
19 ~~supervision]~~ to maintain a contract of insurance against liability for injury
20 to persons and damage to property for each such vehicle. The amounts of
21 coverage required by the regulations:

22 1. Must not exceed a total of:

23 (a) For bodily injury to or the death of one person in any one accident,
24 \$250,000;

25 (b) Subject to the limitations of paragraph (a), for bodily injury to or
26 death of two or more persons in any one accident, \$500,000; and

27 (c) For injury to or destruction of property in any one accident, \$50,000;
28 or

29 2. Must not exceed a combined single-limit for bodily injury to one or
30 more persons and for injury to or destruction of property in any one
31 accident, \$500,000.

32 **Sec. 67.** NRS 706.305 is hereby amended to read as follows:

33 706.305 The ~~[authority]~~ **department** shall adopt regulations requiring
34 all operators of taxicabs subject to ~~[its]~~ **the** regulation and supervision **of a**
35 **taxicab authority** to maintain a contract of insurance against liability for
36 injury to persons and damage to property for each taxicab. The amounts of
37 coverage required by the regulations:

38 1. Must not exceed a total of:

39 (a) For bodily injury to or the death of one person in any one accident,
40 \$250,000;

41 (b) Subject to the limitations of paragraph (a), for bodily injury to or
42 death of two or more persons in any one accident, \$500,000; and

1 (c) For injury to or destruction of property in any one accident, \$50,000;
2 or

3 2. Must not exceed a combined single-limit for bodily injury to one or
4 more persons and for injury to or destruction of property in any one
5 accident, \$500,000.

6 **Sec. 68.** NRS 706.3052 is hereby amended to read as follows:

7 706.3052 1. Except as otherwise provided in subsection 2, an
8 operator of a taxicab may operate under a program of self-insurance in
9 compliance with the provisions of NRS 706.3054 or 706.3056 in lieu of the
10 insurance against liability required by the regulations adopted pursuant to
11 NRS 706.305.

12 2. An operator of a taxicab shall not operate under a program of self-
13 insurance if any judgment recovered against him has not been paid in full.

14 *3. An operator of a taxicab to whom the department has issued a*
15 *certificate of self-insurance may self-insure the first \$50,000, combined*
16 *single-limit, per accident, of the coverage required by the regulations*
17 *adopted pursuant to NRS 706.305.*

18 **Sec. 69.** NRS 706.311 is hereby amended to read as follows:

19 706.311 1. ~~Except as otherwise provided in subsection 2, every~~
20 ~~common and contract motor carrier is required to furnish reasonably~~
21 ~~adequate service and facilities, and all transportation charges made by any~~
22 ~~such carrier must be just and reasonable.~~

23 ~~2.]~~ Every operator of a tow car is required to furnish reasonably
24 adequate service and facilities, and all charges assessed for towing services
25 performed without the prior consent of the owner of the vehicle or the
26 person authorized by the owner to operate the vehicle must be just and
27 reasonable.

28 ~~[3.]~~ 2. Every unjust and unreasonable charge for *such* service by any
29 ~~[such carrier or]~~ operator of a tow car is prohibited and shall be deemed to
30 be unlawful.

31 **Sec. 70.** NRS 706.321 is hereby amended to read as follows:

32 706.321 1. ~~Except as otherwise provided in subsection 2, every~~
33 ~~common or contract motor carrier shall file with the authority:~~

34 ~~—(a) Within a time to be fixed by the authority, schedules and tariffs that~~
35 ~~must:~~

36 ~~—(1) Be open to public inspection; and~~

37 ~~—(2) Include all rates, fares and charges which the carrier has~~
38 ~~established and which are in force at the time of filing for any service~~
39 ~~performed in connection therewith by any carrier controlled and operated~~
40 ~~by it.~~

41 ~~—(b) As a part of that schedule, all regulations of the carrier that in any~~
42 ~~manner affect the rates or fares charged or to be charged for any service~~

~~and all regulations of the carrier that the carrier has adopted to comply with the provisions of NRS 706.011 to 706.791, inclusive.~~

~~2.]~~ Every operator of a tow car shall file with the **transportation services** authority:

(a) Within a time to be fixed by the **transportation services** authority, schedules and tariffs that must:

(1) Be open to public inspection; and

(2) Include all rates and charges for towing services performed without the prior consent of the owner of the vehicle or the person authorized by the owner to operate the vehicle which the operator has established and which are in force at the time of filing.

(b) As a part of that schedule, all regulations of the operator of the tow car which in any manner affect the rates charged or to be charged for towing services performed without the prior consent of the owner of the vehicle or the person authorized by the owner to operate the vehicle and all regulations of the operator of the tow car that the operator has adopted to comply with the provisions of NRS ~~[706.011]~~ **706.151** to 706.791, inclusive ~~[-~~

~~3.]~~ , and section 11 of this act.

2. No changes may be made ~~[in any schedule, including schedules of joint rates, or]~~ in the regulations affecting any rates or charges, except upon ~~[30]~~ 60 days' notice to the **transportation services** authority . ~~[-, and all those changes must be plainly indicated on any new schedules filed in lieu thereof 30 days before the time they are to take effect.]~~ The **transportation services** authority, upon application of any ~~[carrier,]~~ **operator of a tow car**, may prescribe a shorter time within which changes may be made. The ~~[30]~~ 60 days' notice is not applicable when the ~~[carrier]~~ **operator of a tow car** gives written notice to the **transportation services** authority 10 days before the effective date of its participation in a tariff bureau's rates and tariffs, provided the rates and tariffs have been previously filed with and approved by the **transportation services** authority.

~~[4.]~~ **3.** The **transportation services** authority may at any time, upon its own motion, investigate any of the rates, fares, charges, regulations, practices and services filed pursuant to this section and, after hearing, by order, make such changes as may be just and reasonable.

~~[5.]~~ **4.** The **transportation services** authority may dispense with the hearing on any change requested in rates, fares, charges, regulations, practices or service filed pursuant to this section.

~~[6.]~~ **5.** All rates, fares, charges, classifications and joint rates, regulations, practices and services fixed by the **transportation services** authority are in force, and are prima facie lawful, from the date of the order until changed or modified by the **transportation services** authority, or pursuant to NRS 706.2883.

1 ~~[7.—All regulations, practices and service prescribed by the authority~~
2 ~~must be enforced and are prima facie reasonable unless suspended or found~~
3 ~~otherwise in an action brought for the purpose, or until changed or~~
4 ~~modified by the authority itself upon satisfactory showing made.]~~

5 **Sec. 71.** NRS 706.323 is hereby amended to read as follows:

6 706.323 1. Except as otherwise provided in subsection 2, the
7 **transportation services** authority may not investigate, suspend, revise or
8 revoke any rate that is subject to the approval of the **transportation services**
9 authority pursuant to NRS 706.321 and proposed by ~~{a common motor~~
10 ~~carrier or contract motor carrier}~~ **an operator of a tow car** because the rate
11 is too high or too low and therefore unreasonable if:

12 (a) The ~~{motor carrier}~~ **operator of a tow car** notifies the **transportation**
13 **services** authority that it wishes to have the rate reviewed by the
14 **transportation services** authority pursuant to this subsection; and

15 (b) The rate resulting from all increases or decreases within 1 year is not
16 more than 10 percent above or 10 percent below the rate in effect 1 year
17 before the effective date of the proposed rate.

18 2. This section does not limit the authority of the transportation
19 services authority to investigate, suspend, revise or revoke a proposed rate
20 if the rate would violate the provisions of NRS 706.151.

21 **Sec. 72.** NRS 706.326 is hereby amended to read as follows:

22 706.326 1. Whenever there is filed with the **transportation services**
23 authority pursuant to NRS 706.321 any schedule or tariff stating a new or
24 revised individual or joint rate, fare or charge, or any new or revised
25 individual or joint regulation or practice affecting any rate, fare or charge,
26 or any schedule or tariff resulting in a discontinuance, modification or
27 restriction of service, the **transportation services** authority may commence
28 an investigation or, upon reasonable notice, hold a hearing concerning the
29 propriety of the rate, fare, charge, classification, regulation, discontinuance,
30 modification, restriction or practice.

31 2. Pending the investigation or hearing and the decision thereon, the
32 **transportation services** authority, upon delivering to the ~~{common or~~
33 ~~contract motor carrier}~~ **operator of a tow car** affected thereby a statement
34 in writing of its reasons for the suspension, may suspend the operation of
35 the schedule or tariff and defer the use of the rate, fare, charge,
36 classification, regulation, discontinuance, modification, restriction or
37 practice, but not for a longer period than 150 days beyond the ~~{time}~~ **date**
38 when the rate, fare, charge, classification, regulation, discontinuance,
39 modification, restriction or practice would otherwise go into effect.

40 3. After full investigation or hearing, whether completed before or after
41 the date upon which the rate, fare, charge, classification, regulation,
42 discontinuance, modification, restriction or practice is to go into effect, the
43 **transportation services** authority may make such order in reference to the

1 rate, fare, charge, classification, regulation, discontinuance, modification,
2 restriction or practice as would be proper in a proceeding initiated after the
3 rate, fare, charge, classification, regulation, discontinuance, modification,
4 restriction or practice has become effective.

5 4. The **transportation services** authority shall determine whether it is
6 necessary to hold a hearing to consider the proposed change in any
7 schedule stating a new or revised individual or joint rate, fare or charge. In
8 making that determination, the **transportation services** authority shall
9 consider all timely written protests, any presentation the staff of the
10 **transportation services** authority may desire to present, the application and
11 any other matters deemed relevant by the **transportation services** authority.

12 **Sec. 73.** NRS 706.331 is hereby amended to read as follows:

13 706.331 1. If, after due investigation and hearing, any authorized
14 rates, tolls, fares, charges, schedules, tariffs, joint rates or any regulation ~~or~~
15 ~~measurement, practice, act or service~~ that is subject to the approval of the
16 **transportation services** authority is complained of and is found to be
17 unjust, unreasonable, insufficient, preferential, unjustly discriminatory or
18 otherwise in violation of the provisions of this chapter, or if it is found that
19 the service is inadequate, or that any reasonable service cannot be obtained,
20 the **transportation services** authority may substitute therefor such other
21 rates, tolls, fares, charges, tariffs, schedules or regulations, ~~measurements,~~
22 ~~practices, service or acts~~ and make an order relating thereto as may be just
23 and reasonable.

24 2. When complaint is made of more than one matter, the
25 **transportation services** authority may order separate hearings upon the
26 several matters complained of at such times and places as it may prescribe.

27 3. No complaint may at any time be dismissed because of the absence
28 of direct damage to the complainant.

29 4. The **transportation services** authority may at any time, upon its own
30 motion, investigate any of the matters listed in subsection 1, and, after a full
31 hearing, by order, make such changes as may be just and reasonable, the
32 same as if a formal complaint had been made.

33 **Sec. 74.** NRS 706.341 is hereby amended to read as follows:

34 706.341 ~~[1.]~~ An operator of a tow car shall, in the manner prescribed
35 by the **transportation services** authority, notify the **transportation services**
36 authority if the operator discontinues providing towing services from an
37 operating terminal or establishes a new operating terminal from which a
38 tow car provides towing services within 30 days after the operator
39 discontinues providing towing services from an operating terminal or
40 commences operations at the new terminal.

41 ~~[2.—A common motor carrier, other than an operator of a tow car,~~
42 ~~authorized to operate by NRS 706.011 to 706.791, inclusive, shall not~~
43 ~~discontinue any service established pursuant to the provisions of NRS~~

1 ~~706.011 to 706.791, inclusive, and all other laws relating thereto and made~~
2 ~~applicable thereto by NRS 706.011 to 706.791, inclusive, without an order~~
3 ~~of the authority granted only after public notice or hearing in the event of~~
4 ~~protest.]~~

5 **Sec. 75.** NRS 706.346 is hereby amended to read as follows:

6 706.346 1. Except as otherwise provided in subsection 3, a copy, or
7 so much of the schedule or tariff as the *transportation services* authority
8 determines necessary for the use of the public, must be printed in plain type
9 and posted ~~[in every office of a common motor carrier where payments are~~
10 ~~made by customers or users,]~~ *by each operator of a tow car in such places*
11 *as the transportation services authority may require which are* open to the
12 public ~~[, in such form and place]~~ so as to be readily accessible to the public
13 and conveniently inspected.

14 2. Except as otherwise provided in subsection 3, ~~[when]~~ *if* a schedule
15 or tariff of joint rates or charges is or may be in force between two or more
16 ~~[common motor carriers or between any such carrier and a public utility,]~~
17 *operators of tow cars*, the schedule or tariff must be printed and posted in
18 the manner prescribed in subsection 1.

19 3. Only the rates for towing services performed without the prior
20 consent of the owner of the vehicle or the person authorized by the owner
21 to operate the vehicle must be printed and posted by an operator of a tow
22 car pursuant to subsections 1 and 2.

23 **Sec. 76.** NRS 706.351 is hereby amended to read as follows:

24 706.351 1. It is unlawful for:

25 (a) A ~~[fully regulated]~~ *taxicab motor carrier or limousine motor* carrier
26 to furnish any pass, frank, free or reduced rates for transportation to any
27 state, city, district, county or municipal officer of this state or to any person
28 other than those specifically enumerated in this section.

29 (b) Any person other than those specifically enumerated in this section
30 to receive any pass, frank, free or reduced rates for transportation.

31 2. This section does not prevent the carriage, storage or hauling free or
32 at reduced rates of passengers or property for charitable organizations or
33 purposes for the United States, the State of Nevada or any political
34 subdivision thereof.

35 3. This chapter does not prohibit a fully regulated common carrier from
36 giving free or reduced rates for transportation of persons to:

37 (a) Its own officers, commission agents or employees, or members of
38 any profession licensed under Title 54 of NRS retained by it, and members
39 of their families.

40 (b) Inmates of hospitals or charitable institutions and persons over 60
41 years of age.

42 (c) Persons who are physically handicapped or mentally handicapped
43 and who present a written statement from a physician to that effect.

1 (d) Persons injured in accidents or wrecks and physicians and nurses
2 attending such persons.

3 (e) Persons providing relief in cases of common disaster.

4 (f) Attendants of livestock or other property requiring the care of an
5 attendant, who must be given return passage to the place of shipment, if
6 there is no discrimination among shippers of a similar class.

7 (g) Officers, agents, employees or members of any profession licensed
8 under Title 54 of NRS, together with members of their families, who are
9 employed by or affiliated with other common carriers, if there is an
10 interchange of free or reduced rates for transportation.

11 (h) Indigent, destitute or homeless persons when under the care or
12 responsibility of charitable societies, institutions or hospitals, together with
13 the necessary agents employed in such transportation.

14 (i) Students of institutions of learning, including, without limitation,
15 homeless students, whether the free or reduced rate is given directly to a
16 student or to the board of trustees of a school district on behalf of a student.

17 (j) Groups of persons participating in a tour for a purpose other than
18 transportation.

19 4. ~~{This section does not prohibit common motor carriers from giving
20 free or reduced rates for the transportation of property of:~~

21 ~~—(a) Their officers, commission agents or employees, or members of any
22 profession licensed under Title 54 of NRS retained by them, or pensioned
23 or disabled former employees, together with that of their dependents.~~

24 ~~—(b) Witnesses attending any legal investigations in which such carriers
25 are interested.~~

26 ~~—(c) Persons providing relief in cases of common disaster.~~

27 ~~—(d) Charitable organizations providing food and items for personal
28 hygiene to needy persons or to other charitable organizations within this
29 state.~~

30 ~~—5.—This section does not prohibit the authority from establishing
31 reduced rates, fares or charges for specified routes or schedules of any
32 common motor carrier providing transit service if the reduced rates, fares
33 or charges are determined by the authority to be in the public interest.~~

34 ~~—6.—Only fully regulated common carriers may provide free or reduced
35 rates for the transportation of passengers or household goods, pursuant to
36 the provisions of this section.~~

37 ~~—7.}~~ As used in this section, “employees” includes:

38 (a) Furloughed, pensioned and superannuated employees.

39 (b) Persons who have become disabled or infirm in the service of ~~{such~~
40 ~~carriers.}~~ **a taxicab motor carrier or limousine motor carrier.**

41 (c) Persons who are traveling to enter the service of such a carrier.

1 **Sec. 77.** NRS 706.361 is hereby amended to read as follows:

2 706.361 1. A person with a disability is entitled to the full and equal
3 enjoyment of the *services and* facilities of any common motor carrier of
4 passengers, contract motor carrier of passengers , *taxicab motor carrier,*
5 *limousine motor carrier* or other entity providing a means of public
6 conveyance and transportation operating within this state.

7 2. A common motor carrier of passengers, a contract motor carrier of
8 passengers , *a taxicab motor carrier, a limousine motor carrier* and other
9 entities providing means of public conveyance and transportation shall
10 designate a person responsible for ensuring that the carrier complies with
11 the applicable provisions of the Americans with Disabilities Act of 1990,
12 42 U.S.C. §§ 12101 to 12213, inclusive, and 47 U.S.C. §§ 225 and 611,
13 and the regulations adopted pursuant to that act.

14 3. The person designated pursuant to subsection 2 shall conduct
15 training sessions for the employees of the carrier or entity. Each employee
16 must be provided at least 3 hours of training during one or more training
17 sessions. During the training sessions, the designee shall:

18 (a) Describe the carrier's plan for compliance with the Americans with
19 Disabilities Act of 1990 and the regulations adopted pursuant to that act;

20 (b) Explain the obligations of the employees to assist a person with a
21 disability to store a mobility device;

22 (c) Explain the illegality of charging an additional fee or a higher fare to
23 a person with a disability; and

24 (d) Ensure that each employee is trained in accordance with the
25 requirements of 49 C.F.R. § 37.173.

26 4. It is unlawful for any person to deny any of the privileges granted by
27 subsection 1.

28 5. It is unlawful for any common motor carrier, contract motor carrier ,
29 *taxicab motor carrier, limousine motor carrier* or other entity providing a
30 means of public conveyance or transportation operating within this state, to:

31 (a) Deny the equal enjoyment of its services and facilities to a person
32 with a disability by the arbitrary, capricious or unreasonable interference,
33 direct or indirect, with the use of aids and appliances used by a person with
34 a disability;

35 (b) Fail to designate a person pursuant to subsection 2; or

36 (c) Fail to conduct the training sessions in the manner described in
37 subsection 3.

38 6. As used in this section, "disability" has the meaning ascribed to it in
39 49 C.F.R. § 37.3.

40 **Sec. 78.** NRS 706.366 is hereby amended to read as follows:

41 706.366 1. It is unlawful for a common motor carrier of passengers ,
42 *taxicab motor carrier, limousine motor carrier* or other means of public
43 conveyance or transportation operating in this state to:

1 (a) Refuse service to a visually, aurally or physically handicapped
2 person because he is accompanied by a guide dog, hearing dog, helping
3 dog or other service animal;

4 (b) Refuse service to a person who is training a guide dog, hearing dog,
5 helping dog or other service animal because he is accompanied by such an
6 animal; or

7 (c) Charge an additional fee for such an animal.

8 2. This section does not relieve a visually, aurally or physically
9 handicapped person or a person who trains a guide dog, hearing dog,
10 helping dog or other service animal from liability for damage which may be
11 caused by his animal.

12 3. Visually, aurally or physically handicapped persons accompanied by
13 guide dogs, hearing dogs, helping dogs or other service animals are subject
14 to the same conditions and limitations that apply to persons who are not so
15 handicapped and accompanied.

16 4. For the purposes of this section, the terms "guide dog," "hearing
17 dog," "helping dog" and "service animal" have the meanings ascribed to
18 them respectively in NRS 426.075, 426.081, 426.083 and 426.097.

19 **Sec. 79.** NRS 706.386 is hereby amended to read as follows:

20 706.386 It is unlawful, except as otherwise provided in NRS
21 ~~{373.117,}~~ 706.446, 706.453 and 706.745, for ~~{any fully regulated common~~
22 ~~motor carrier}~~ **a person** to operate as ~~{a carrier of intrastate commerce and~~
23 ~~any}~~ **an operator of a tow car** to perform towing services **performed**
24 **without the prior consent of the owner of the vehicle or the person**
25 **authorized by the owner to operate the vehicle** within this state without
26 first obtaining a certificate of public convenience and necessity from the
27 **transportation services** authority.

28 **Sec. 80.** NRS 706.398 is hereby amended to read as follows:

29 706.398 The **transportation services** authority:

30 1. Shall revoke or suspend, pursuant to the provisions of this chapter,
31 the certificate of public convenience and necessity of ~~{a common motor~~
32 ~~carrier}~~ **an operator of a tow car** which has failed to:

33 (a) File the annual report required by NRS 706.167 within 60 days after
34 the report is due; or

35 (b) Operate as ~~{a carrier of intrastate commerce}~~ **an operator of a tow**
36 **car** in this state under the terms and conditions of its certificate,
37 unless the ~~{carrier}~~ **operator** has obtained the prior permission of the
38 **transportation services** authority.

39 2. May revoke or suspend, pursuant to the provisions of NRS
40 706.2885, the certificate of public convenience and necessity of ~~{a common~~
41 ~~motor carrier}~~ **an operator of a tow car** which has failed to comply with
42 any provision of this chapter or any regulation of the **transportation**
43 **services** authority adopted pursuant thereto.

1 **Sec. 81.** NRS 706.411 is hereby amended to read as follows:

2 706.411 Every order *by the transportation services authority* refusing
3 or granting any certificates of public convenience and necessity, or granting
4 or refusing permission to discontinue, modify or restrict service is prima
5 facie lawful from the date of the order until changed or modified by the
6 order of the *transportation services* authority pursuant to the provisions of
7 this chapter.

8 **Sec. 82.** NRS 706.445 is hereby amended to read as follows:

9 706.445 The *transportation services* authority may not regulate the:

10 1. Geographical area in which towing services *performed without the*
11 *prior consent of the owner of the vehicle or the person authorized by the*
12 *owner to operate the vehicle* are provided;

13 2. Types of towing services *performed without the prior consent of*
14 *the owner of the vehicle or the person authorized by the owner to operate*
15 *the vehicle* that are provided; or

16 3. Rates and charges assessed or the terms and conditions imposed for
17 towing services performed with the prior consent of the owner of the
18 vehicle or the person authorized by the owner to operate the vehicle,
19 by an operator of a tow car.

20 **Sec. 83.** NRS 706.446 is hereby amended to read as follows:

21 706.446 The provisions of this chapter do not require an operator of a
22 tow car who provides towing for a licensed motor club regulated pursuant
23 to chapter 696A of NRS to obtain a certificate of public convenience and
24 necessity or to comply with the regulations or rates adopted by the
25 *transportation services* authority to provide that towing.

26 **Sec. 84.** NRS 706.4463 is hereby amended to read as follows:

27 706.4463 1. In addition to the other requirements of this chapter,
28 each operator of a tow car shall, to protect the health, safety and welfare of
29 the public:

30 (a) Obtain a certificate of public convenience and necessity from the
31 *transportation services* authority before he provides any services other than
32 those services which he provides as a private motor carrier of property
33 pursuant to the provisions of this chapter;

34 (b) Use a tow car of sufficient size and weight which is appropriately
35 equipped to transport safely the vehicle which is being towed; and

36 (c) Comply with the provisions of NRS ~~706.011~~ *706.151* to 706.791,
37 inclusive ~~11~~, *and section 11 of this act.*

38 2. A person who wishes to obtain a certificate of public convenience
39 and necessity to operate a tow car must file an application with the
40 *transportation services* authority.

41 3. The *transportation services* authority shall issue a certificate of
42 public convenience and necessity to an operator of a tow car if it
43 determines that the applicant:

1 (a) Complies with the requirements of paragraphs (b) and (c) of
2 subsection 1;

3 (b) Complies with the requirements of the regulations adopted by the
4 *transportation services* authority pursuant to the provisions of this chapter;

5 (c) Has provided evidence that he has filed with the ~~{authority}~~
6 *department* a liability insurance policy, a certificate of insurance or a bond
7 of a surety and bonding company or other surety required for every
8 operator of a tow car pursuant to the provisions of NRS 706.291; and

9 (d) Has provided evidence that he has filed with the *transportation*
10 *services* authority schedules and tariffs pursuant to ~~{subsection 2 of}~~ NRS
11 706.321.

12 4. An applicant for a certificate has the burden of proving to the
13 *transportation services* authority that the proposed operation will meet the
14 requirements of subsection 3.

15 5. The *transportation services* authority may hold a hearing to
16 determine whether an applicant is entitled to a certificate only if:

17 (a) Upon the expiration of the time fixed in the notice that an application
18 for a certificate of public convenience and necessity is pending, a petition
19 to intervene has been granted by the *transportation services* authority; or

20 (b) The *transportation services* authority finds that after reviewing the
21 information provided by the applicant and inspecting the operations of the
22 applicant, it cannot make a determination as to whether the applicant has
23 complied with the requirements of subsection 3.

24 **Sec. 85.** NRS 706.4464 is hereby amended to read as follows:

25 706.4464 1. An operator of a tow car who is issued a certificate of
26 public convenience and necessity may transfer it to another operator of a
27 tow car qualified pursuant to the provisions of NRS ~~{706.011}~~ *706.151* to
28 706.791, inclusive, *and section 11 of this act*, but no such transfer is valid
29 for any purpose until a joint application to make the transfer is made to the
30 *transportation services* authority by the transferor and the transferee, and
31 the *transportation services* authority has authorized the substitution of the
32 transferee for the transferor. No transfer of stock of a corporate operator of
33 a tow car subject to the jurisdiction of the *transportation services* authority
34 is valid without the prior approval of the *transportation services* authority
35 if the effect of the transfer would be to change the corporate control of the
36 operator of a tow car or if a transfer of 15 percent or more of the common
37 stock of the operator of a tow car is proposed.

38 2. The *transportation services* authority shall approve an application
39 filed with it pursuant to subsection 1 if it determines that the transferee:

40 (a) Complies with the provisions of NRS ~~{706.011}~~ *706.151* to 706.791,
41 inclusive, *and section 11 of this act*, and the regulations adopted by the
42 *transportation services* authority pursuant to those provisions;

1 (b) Uses equipment that is in compliance with the regulations adopted
2 by the **transportation services** authority;

3 (c) Has provided evidence that he has filed with the ~~{authority}~~
4 **department** a liability insurance policy, a certificate of insurance or a bond
5 of a surety and bonding company or other surety required for every
6 operator of a tow car pursuant to the provisions of NRS 706.291; and

7 (d) Has provided evidence that he has filed with the **transportation**
8 **services** authority schedules and tariffs pursuant to NRS 706.321 which
9 contain rates and charges and the terms and conditions that the operator of
10 the tow car requires to perform towing services without the prior consent of
11 the owner of the vehicle or the person authorized by the owner to operate
12 the vehicle which do not exceed the rates and charges that the transferor
13 was authorized to assess for the same services.

14 3. The **transportation services** authority may hold a hearing
15 concerning an application submitted pursuant to this section only if:

16 (a) Upon the expiration of the time fixed in the notice that an application
17 for transfer of a certificate of public convenience and necessity is pending,
18 a petition to intervene has been granted by the **transportation services**
19 authority; or

20 (b) The **transportation services** authority finds that after reviewing the
21 information provided by the applicant and inspecting the operations of the
22 applicant, it cannot make a determination as to whether the applicant has
23 complied with the requirements of subsection 2.

24 4. The **transportation services** authority shall not hold a hearing on an
25 application submitted pursuant to this section if the application is made to
26 transfer the certificate of public convenience and necessity from a natural
27 person or partners to a corporation whose controlling stockholders will be
28 substantially the same person or partners.

29 5. The approval by the **transportation services** authority of an
30 application for transfer of a certificate of public convenience and necessity
31 of an operator of a tow car is not valid after the expiration of the term for
32 the transferred certificate.

33 **Sec. 86.** NRS 706.4468 is hereby amended to read as follows:

34 706.4468 1. Each operator of a tow car shall file its charges for
35 preparing or satisfying a lien to which the operator is entitled against a
36 vehicle that was towed without the prior consent of the owner of the vehicle
37 or the person authorized by the owner to operate the vehicle. The
38 **transportation services** authority may investigate any charge filed pursuant
39 to this subsection and revise the charge as necessary to ensure that the
40 charge is reasonable.

41 2. An operator of a tow car may not impose a charge or any part of a
42 charge filed pursuant to subsection 1 unless the operator:

43 (a) Has initiated the procedure by which a person may satisfy a lien; and

(b) Stores the vehicle for at least 96 hours.

3. If an operator of a tow car stores a vehicle that was towed without the prior consent of the owner of the vehicle or the person authorized by the owner to operate the vehicle for at least 96 hours but not more than 336 hours, the operator may charge an amount not to exceed 50 percent of the charge approved by the *transportation services* authority pursuant to subsection 1 for preparing or satisfying a lien.

4. If an operator of a tow car stores a vehicle that was towed without the prior consent of the owner of the vehicle or the person authorized by the owner to operate the vehicle for more than 336 hours, the operator may charge an amount not to exceed 50 percent of the charge approved by the *transportation services* authority pursuant to subsection 1 for preparing or satisfying a lien in addition to the amount charged pursuant to subsection 3.

Sec. 87. NRS 706.4473 is hereby amended to read as follows:

706.4473 The operator shall inform each owner, or agent of the owner, of a towed motor vehicle that the owner or agent may file a complaint with the *transportation services* authority regarding any violation of the provisions of this chapter.

Sec. 88. NRS 706.4483 is hereby amended to read as follows:

706.4483 1. The *transportation services* authority shall act upon complaints regarding the failure of an operator of a tow car to comply with the provisions of NRS ~~706.011~~ *706.151* to 706.791, inclusive ~~1~~, and *section 11 of this act*.

2. In addition to any other remedies that may be available to the *transportation services* authority to act upon complaints, the *transportation services* authority may order the release of towed motor vehicles, cargo or personal property upon such terms and conditions as the *transportation services* authority determines to be appropriate.

Sec. 89. NRS 706.4485 is hereby amended to read as follows:

706.4485 A law enforcement agency that maintains and uses a list of operators of tow cars which are called by that agency to provide towing shall not include an operator of a tow car on the list unless he:

1. Holds a certificate of public convenience and necessity issued by the *transportation services* authority.

2. Complies with all applicable provisions of this chapter and chapters 482 and 484 of NRS.

3. Agrees to respond in a timely manner to requests for towing made by the agency.

4. Maintains adequate, accessible and secure storage within the State of Nevada for any vehicle that is towed.

5. Complies with all standards the law enforcement agency may adopt to protect the health, safety and welfare of the public.

6. Assesses only rates and charges that have been approved by the *transportation services* authority for towing services performed without the prior consent of the owner of the vehicle or the person authorized by the owner to operate the vehicle.

7. The *transportation services* authority shall not require that an operator of a tow car charge the same rate to law enforcement agencies for towing services performed without the prior consent of the owner of the vehicle or the person authorized by the owner to operate the vehicle that the operator charges to other persons for such services.

Sec. 90. NRS 706.449 is hereby amended to read as follows:

706.449 The *transportation services* authority may impose an administrative fine pursuant to subsection 2 of NRS 706.771 on the owner or operator of a tow car who fails to pay in a timely manner any charge required to be paid by subsection 2 of NRS 484.631.

Sec. 91. NRS 706.451 is hereby amended to read as follows:

706.451 1. Each owner or operator of a tow car subject to the jurisdiction of the *transportation services* authority shall, before commencing to operate or continuing operation after July 1, 1971, and annually thereafter, pay to the *transportation services* authority for each tow car operated, a fee of not more than ~~[\$36.]~~ \$75.

2. The fee provided in this section must be paid on or before January 1 of each year.

3. The initial fee must be reduced one-twelfth for each month which has elapsed since the beginning of the calendar year before July 1, 1971, for those tow cars lawfully operating on that date or before the commencement of operation of each tow car commencing operation after July 1, 1971.

4. Any person who fails to pay any fee on or before the date provided in this section shall pay a penalty of 10 percent of the amount of the fee plus interest on the amount of the fee at the rate of 1 percent per month or fraction of a month from the date the fee is due until the date of payment.

Sec. 92. NRS 706.457 is hereby amended to read as follows:

706.457 The *transportation services* authority may by subpoena require any person believed by it to be subject to any of the provisions of NRS ~~[706.011]~~ 706.151 to 706.791, inclusive, *and section 11 of this act*, who has not obtained a required certificate of public convenience and necessity ~~[or a required permit]~~ issued in accordance with those sections, to appear before it with all ~~[of]~~ his relevant books, papers and records and to testify concerning the scope, nature and conduct of his business.

Sec. 93. NRS 706.458 is hereby amended to read as follows:

706.458 1. The district court in and for the county in which any investigation or hearing is being conducted by the *transportation services* authority pursuant to the provisions of this chapter may compel the

1 attendance of witnesses, the giving of testimony and the production of
2 books and papers as required by any subpoena issued by the *transportation*
3 *services* authority.

4 2. If any witness refuses to attend or testify or produce any papers
5 required by such subpoena the *transportation services* authority may report
6 to the district court in and for the county in which the investigation or
7 hearing is pending by petition, setting forth:

8 (a) That due notice has been given of the time and place of attendance of
9 the witness or the production of the books and papers;

10 (b) That the witness has been subpoenaed in the manner prescribed in
11 this chapter; and

12 (c) That the witness has failed and refused to attend or produce the
13 papers required by subpoena in the investigation or hearing named in the
14 subpoena, or has refused to answer questions propounded to him in the
15 course of such investigation or hearing,
16 and asking an order of the court compelling the witness to attend and testify
17 or produce the books or papers.

18 3. The court, upon petition of the *transportation services* authority,
19 shall enter an order directing the witness to appear before the court at a
20 time and place to be fixed by the court in such order, the time to be not
21 more than 10 days ~~from~~ *after* the date of the order, and then and there
22 show cause why he has not attended or testified or produced the books or
23 papers before the *transportation services* authority. A certified copy of the
24 order must be served upon the witness. If it appears to the court that the
25 subpoena was regularly issued, the court shall thereupon enter an order that
26 the witness appear at the time and place fixed in the order and testify or
27 produce the required books or papers, and upon failure to obey the order
28 the witness must be dealt with as for contempt of court.

29 **Sec. 94.** NRS 706.461 is hereby amended to read as follows:

30 706.461 When:

31 1. A complaint has been filed with the *transportation services*
32 authority alleging that any vehicle is being operated without a certificate of
33 public convenience and necessity ~~or contract carrier's permit~~ as required
34 by NRS ~~[706.011]~~ *706.151* to 706.791, inclusive ~~;~~ *, and section 11 of this*
35 *act;* or

36 2. The *transportation services* authority has reason to believe that any:

37 (a) Person is advertising to provide ~~;~~

38 ~~—(1) The services of a fully regulated carrier in intrastate commerce; or~~

39 ~~—(2) Towing services;~~ *towing services performed without the prior*
40 *consent of the owner of the vehicle or the person authorized by the owner*

41 *to operate the vehicle* without including the number of his certificate of
42 public convenience and necessity or permit in each advertisement; or

1 (b) Provision of NRS ~~[706.011]~~ **706.151** to 706.791, inclusive, *and*
2 *section 11 of this act*, is being violated,
3 the *transportation services* authority shall investigate the operations or
4 advertising and may, after a hearing, order the owner or operator of the
5 vehicle or the person advertising to cease and desist from any operation or
6 advertising in violation of NRS ~~[706.011]~~ **706.151** to 706.791, inclusive ~~[.]~~
7 *, and section 11 of this act*. The *transportation services* authority shall
8 enforce compliance with the order pursuant to the powers vested in the
9 *transportation services* authority by NRS ~~[706.011]~~ **706.151** to 706.791,
10 inclusive, *and section 11 of this act*, or by other law.

11 **Sec. 95.** NRS 706.473 is hereby amended to read as follows:

12 706.473 1. ~~[In a county whose population is less than 400,000, a]~~ **A**
13 person who holds a certificate of public convenience and necessity which
14 was issued for the operation of a taxicab business *subject to the*
15 *jurisdiction of a taxicab authority* may, upon approval from the *taxicab*
16 authority, lease a taxicab to an independent contractor who does not hold a
17 certificate of public convenience and necessity. A person may lease only
18 one taxicab to each independent contractor with whom he enters into a
19 lease agreement. The taxicab may be used only in a manner authorized by
20 the lessor's certificate of public convenience and necessity.

21 2. A person who enters into a lease agreement with an independent
22 contractor pursuant to this section shall submit a copy of the agreement to
23 the *appropriate taxicab* authority for its approval. The agreement is not
24 effective until approved by the *taxicab* authority.

25 3. A person who leases a taxicab to an independent contractor is jointly
26 and severally liable with the independent contractor for any violation of the
27 provisions of this chapter *relating to the regulation of taxicabs* or the
28 regulations adopted pursuant thereto, and shall ensure that the independent
29 contractor complies with such provisions and regulations.

30 4. The *taxicab* authority *which has jurisdiction over a lease*
31 *agreement* or ~~[any of its employees]~~ *its administrator* may intervene in a
32 civil action involving a lease agreement entered into pursuant to this
33 section.

34 **Sec. 96.** NRS 706.475 is hereby amended to read as follows:

35 706.475 1. ~~[The]~~ **A taxicab** authority shall adopt such regulations as
36 are necessary to:

- 37 (a) Carry out the provisions of NRS 706.473; and
38 (b) Ensure that the taxicab business remains safe, adequate and reliable.

39 2. Such regulations must include, without limitation:

40 (a) The minimum qualifications for an independent contractor;

41 (b) ~~[Requirements related to liability insurance;~~

42 ~~—(c)]~~ Minimum safety standards; and

1 ~~[(d)]~~ (c) The procedure for approving a lease agreement and the
2 provisions that must be included in a lease agreement concerning the
3 grounds for the revocation of such approval.

4 **Sec. 97.** NRS 706.491 is hereby amended to read as follows:

5 706.491 Every person operating as a common, contract or private
6 motor carrier , *a taxicab motor carrier, a limousine motor carrier or an*
7 *operator of a tow car* must, before commencing operation in this state in
8 any calendar year, secure from the department a license and make payments
9 therefor as provided in NRS ~~[706.011]~~ 706.151 to 706.861, inclusive, *and*
10 *section 11 of this act*, as applicable.

11 **Sec. 98.** NRS 706.631 is hereby amended to read as follows:

12 706.631 The remedies of the state provided for in NRS ~~[706.011]~~
13 706.151 to 706.861, inclusive, *and section 11 of this act* are cumulative,
14 and no action taken by the department or *transportation services* authority
15 may be construed to be an election on the part of the state or any of its
16 officers to pursue any remedy under NRS ~~[706.011]~~ 706.151 to 706.861,
17 inclusive, *and section 11 of this act*, to the exclusion of any other remedy
18 for which provision is made in NRS ~~[706.011]~~ 706.151 to 706.861,
19 inclusive ~~[,]~~ *and section 11 of this act*.

20 **Sec. 99.** NRS 706.736 is hereby amended to read as follows:

21 706.736 1. Except as otherwise provided in subsection 2, the
22 provisions of NRS ~~[706.011]~~ 706.151 to 706.791, inclusive, *and section 11*
23 *of this act* do not apply to:

24 (a) The transportation by a contractor licensed by the state contractors'
25 board of his own equipment in his own vehicles from job to job.

26 (b) Any person engaged in transporting his own personal effects in his
27 own vehicle, but the provisions of this subsection do not apply to any
28 person engaged in transportation by vehicle of property sold or to be sold,
29 or used by him in the furtherance of any commercial enterprise other than
30 as provided in paragraph (d), or to the carriage of any property for
31 compensation.

32 (c) Special mobile equipment.

33 (d) The vehicle of any person, when that vehicle is being used in the
34 production of motion pictures, including films to be shown in theaters and
35 on television, industrial training and educational films, commercials for
36 television and video discs and tapes.

37 (e) A private motor carrier of property which is used for any convention,
38 show, exhibition, sporting event, carnival, circus or organized recreational
39 activity.

40 (f) A private motor carrier of property which is used to attend livestock
41 shows and sales.

2. Unless exempted by a specific state statute or a specific federal statute, regulation or rule, any person referred to in subsection 1 is subject to:

(a) The provisions of paragraph (d) of subsection 1 of NRS 706.171 *or subsection 2 of NRS 706.172, as appropriate*, and NRS 706.235 to 706.256, inclusive, 706.281, 706.457 and 706.458.

(b) All rules and regulations adopted by reference pursuant to ~~paragraph (b) of subsection 1 of NRS 706.171~~ *NRS 706.151 to 706.791, inclusive, and section 11 of this act, by the department or transportation services authority, as appropriate*, concerning the safety of drivers and vehicles.

(c) All standards adopted by regulation pursuant to NRS 706.173.

3. The provisions of NRS 706.311 to 706.453, inclusive, ~~706.471, 706.473, 706.475 and 706.6411~~ which authorize the *transportation services* authority to issue ~~:~~

~~—(a) Except as otherwise provided in paragraph (b), certificates of public convenience and necessity and contract carriers' permits and to regulate rates, routes and services apply only to fully regulated carriers.~~

~~—(b) Certificates~~ *certificates* of public convenience and necessity to operators of tow cars and to regulate rates for towing services performed without the prior consent of the owner of the vehicle or the person authorized by the owner to operate the vehicle apply to operators of tow cars.

4. Any person who operates pursuant to a claim of an exemption provided by this section but who is found to be operating in a manner not covered by any of those exemptions immediately becomes liable, in addition to any other penalties provided in this chapter, for the fee appropriate to his actual operation as prescribed in this chapter, computed from the date when that operation began.

Sec. 100. NRS 706.745 is hereby amended to read as follows:

706.745 1. The provisions of NRS 706.386 ~~and 706.421~~ do not apply to ambulances or hearses.

~~2. [A common motor carrier who enters into an agreement for the purchase of its service by an incorporated city, county or regional transportation commission is not required to obtain a certificate of public convenience and necessity to operate a system of public transit consisting of regular routes and fixed schedules. Under such an agreement, the public entity shall establish the routes and fares and provide for any required safety inspections.]~~

~~—3.]~~ A nonprofit carrier of elderly or physically or mentally handicapped persons is not required to obtain a certificate of public convenience and necessity to operate as a ~~common~~ *taxicab* motor carrier *or limousine motor carrier* of such passengers only, but such a carrier is not exempt

1 from inspection by ~~the~~ **a taxicab** authority to determine whether its
2 vehicles and their operation are safe.

3 ~~[4.]~~ **3.** An incorporated city, county or regional transportation
4 commission is not required to obtain a certificate of public convenience and
5 necessity to operate a system of public transportation ~~[.]~~ **which uses**
6 ***taxicabs, limousines or other vehicles for passenger service that would***
7 ***otherwise be subject to the jurisdiction of a taxicab authority pursuant to***
8 ***this chapter.***

9 **Sec. 101.** NRS 706.756 is hereby amended to read as follows:

10 706.756 1. Except as otherwise provided in subsection 2, any person
11 who:

12 (a) Operates a vehicle or causes it to be operated in any carriage to
13 which the provisions of NRS ~~[706.011]~~ **706.151** to 706.861, inclusive, **and**
14 ***section 11 of this act*** apply without first obtaining a certificate, permit or
15 license, or in violation of the terms thereof;

16 (b) Fails to make any return or report required by the provisions of NRS
17 ~~[706.011]~~ **706.151** to 706.861, inclusive, **and section 11 of this act** or by
18 the ***transportation services*** authority or the department pursuant to the
19 provisions of NRS ~~[706.011]~~ **706.151** to 706.861, inclusive ~~[.]~~, **and**
20 ***section 11 of this act;***

21 (c) Violates, or procures, aids or abets the violating of, any provision of
22 NRS ~~[706.011]~~ **706.151** to 706.861, inclusive ~~[.]~~, **and section 11 of this**
23 ***act;***

24 (d) Fails to obey any order, decision or regulation of the ***transportation***
25 ***services*** authority or the department;

26 (e) Procures, aids or abets any person in his failure to obey such an
27 order, decision or regulation of the ***transportation services*** authority or the
28 department;

29 (f) Advertises, solicits, proffers bids or otherwise holds himself out to
30 perform ~~[transportation as a common or contract carrier]~~ ***towing services***
31 ***performed without the prior consent of the owner of the vehicle or the***
32 ***person authorized by the owner to operate the vehicle*** in violation of any
33 of the provisions of NRS ~~[706.011]~~ **706.151** to 706.861, inclusive ~~[.]~~, **and**
34 ***section 11 of this act;***

35 (g) Advertises as providing ~~[.]~~
36 ~~—(1) The services of a fully regulated carrier; or~~
37 ~~—(2) Towing services;~~ ***towing services performed without the prior***
38 ***consent of the owner of the vehicle or the person authorized by the owner***
39 ***to operate the vehicle*** without including the number of his certificate of
40 public convenience and necessity ~~[or contract carrier's permit]~~ in each
41 advertisement;

42 (h) Knowingly offers, gives, solicits or accepts any rebate, concession or
43 discrimination in violation of the provisions of this chapter;

1 (i) Knowingly, willfully and fraudulently seeks to evade or defeat the
2 purposes of this chapter;

3 (j) Operates or causes to be operated a vehicle which does not have the
4 proper identifying device;

5 (k) Displays or causes or permits to be displayed a certificate, permit,
6 license or identifying device, knowing it to be fictitious or to have been
7 canceled, revoked, suspended or altered;

8 (l) Lends or knowingly permits the use of by one not entitled thereto any
9 certificate, permit, license or identifying device issued to the person so
10 lending or permitting the use thereof; ~~{or}~~

11 (m) *Knowingly makes or causes to be made, either directly or*
12 *indirectly, a false statement on an application, account or other*
13 *statement required by the transportation services authority; or*

14 (n) Refuses or fails to surrender to the *transportation services* authority
15 or department any certificate, permit, license or identifying device which
16 has been suspended, canceled or revoked pursuant to the provisions of this
17 chapter,

18 is guilty of a *gross* misdemeanor, and upon conviction thereof shall be
19 punished by a fine of not less than \$100 ~~{nor}~~ *and not* more than ~~[\$1,000,]~~
20 *\$2,000*, or by imprisonment in the county jail for not more than ~~[6 months,]~~
21 *1 year*, or by both fine and imprisonment.

22 2. A person convicted of a *gross* misdemeanor for a violation of the
23 provisions of NRS 706.386 ~~{or 706.421}~~ shall be punished:

24 (a) For the first offense, by a fine of not less than \$500 ~~{nor}~~ *and not*
25 more than ~~[\$1,000,]~~ *\$2,000*;

26 (b) For a second offense within 12 consecutive months and each
27 subsequent offense, by a fine of ~~[\$1,000,]~~ *\$2,000*; or

28 (c) For any offense, by imprisonment in the county jail for not more than
29 ~~[6 months,]~~ *1 year*, or by both the prescribed fine and imprisonment.

30 3. ~~{Any person who operates or permits the operation of a vehicle in~~
31 ~~passenger service without a certificate of public convenience and necessity~~
32 ~~issued pursuant to NRS 706.391 is guilty of a gross misdemeanor. If a law~~
33 ~~enforcement officer witnesses a violation of this subsection, he may cause~~
34 ~~the vehicle to be towed immediately from the scene.}~~ *The conviction of a*
35 *person pursuant to this section does not bar the transportation services*
36 *authority from suspending or revoking any certificate, permit or license*
37 *of the person convicted. The imposition of a fine or the suspension or*
38 *revocation of any certificate, permit or license by the transportation*
39 *services authority does not operate as a defense in any proceeding*
40 *brought against the person by the transportation services authority*
41 *pursuant to this chapter.*

42 4. The fines provided in this section are mandatory and must not be
43 reduced under any circumstances by the court.

1 5. Any bail allowed must not be less than the appropriate fine provided
2 for by this section.

3 **Sec. 102.** NRS 706.761 is hereby amended to read as follows:

4 706.761 1. Any ~~{agent or person in charge of the books, accounts,~~
5 ~~records, minutes or papers of any private, common or contract motor~~
6 ~~carrier or broker of any of these services}~~ *person who holds a certificate*
7 who refuses or fails for a period of 30 days to furnish the *transportation*
8 *services* authority or department , *as appropriate*, with any report required
9 by ~~{either}~~ *the transportation services authority or department, as*
10 *appropriate*, or who fails or refuses to permit any person authorized by the
11 *transportation services* authority or department , *as appropriate*, to inspect
12 such books, accounts, records, minutes or papers on behalf of the
13 *transportation services* authority or department , *as appropriate, or*
14 *otherwise interferes with or impedes such an inspection*, is liable to *pay* a
15 penalty ~~{in a sum}~~ of not less than ~~[\$300 nor more than \$500.]~~ *\$1,000*. The
16 penalty may be recovered in a civil action upon the complaint of the
17 *transportation services* authority or department , *as appropriate*, in any
18 court of competent jurisdiction.

19 2. Each day's refusal or failure is a separate offense, and is subject to
20 the penalty prescribed in this section.

21 3. *If, after a hearing, the transportation services authority finds that*
22 *a person to whom a certificate has been issued has refused or failed to*
23 *produce a record or allow an inspection in violation of this section, the*
24 *transportation services authority may, upon 5 days' written notice,*
25 *suspend the certificate.*

26 **Sec. 103.** NRS 706.766 is hereby amended to read as follows:

27 706.766 1. It is unlawful for any ~~{fully regulated carrier or}~~ operator
28 of a tow car to charge, demand, collect or receive a greater or less
29 compensation for any service performed by it within this state or for any
30 service in connection therewith than is specified in its fare, rates, joint
31 rates, charges or rules and regulations on file with the *transportation*
32 *services* authority, or to demand, collect or receive any fare, rate or charge
33 not specified. The rates, tolls and charges named therein are the lawful
34 rates, tolls and charges until they are changed as provided in this chapter.

35 2. It is unlawful for any ~~{fully regulated carrier or}~~ operator of a tow
36 car to grant any rebate, concession or special privilege to any person which,
37 directly or indirectly, has or may have the effect of changing the rates, tolls,
38 charges or payments.

39 3. Any violation of the provisions of this section subjects the violator
40 to the penalty prescribed in NRS 706.761.

41 **Sec. 104.** NRS 706.771 is hereby amended to read as follows:

42 706.771 1. Any person or any agent or employee thereof, who
43 violates any provision of this chapter, any lawful regulation of the

1 **transportation services** authority or any lawful tariff on file with the
2 **transportation services** authority or who fails, neglects or refuses to obey
3 any lawful order of the **transportation services** authority or any court order
4 for whose violation a civil penalty is not otherwise prescribed is liable to a
5 penalty of not more than \$10,000 for any violation. The penalty may be
6 recovered in a civil action upon the complaint of the **transportation**
7 **services** authority in any court of competent jurisdiction.

8 2. If the **transportation services** authority does not bring an action to
9 recover the penalty prescribed by subsection 1, the **transportation services**
10 authority may impose an administrative fine of not more than \$10,000 for
11 any violation of a provision of this chapter or any rule, regulation or order
12 adopted or issued by the **transportation services** authority ~~for department~~
13 pursuant to the provisions of this chapter. A fine imposed by the
14 **transportation services** authority may be recovered by the **transportation**
15 **services** authority only after notice is given and a hearing is held pursuant
16 to the provisions of chapter 233B of NRS.

17 3. All administrative fines imposed and collected by the **transportation**
18 **services** authority pursuant to subsection 2 are payable to the state treasurer
19 and must be credited to ~~for a separate account to be used by the authority to~~
20 ~~enforce the provisions of this chapter.~~ **the state highway fund.**

21 4. A penalty or fine recovered pursuant to this section is not a cost of
22 service for purposes of rate making.

23 **Sec. 105.** NRS 706.776 is hereby amended to read as follows:

24 706.776 1. The owner or operator of a motor vehicle to which any
25 provisions of ~~[NRS 706.011 to 706.861, inclusive,]~~ **this chapter** apply
26 carrying passengers or property on any highway in the State of Nevada
27 shall not require or permit any driver of the motor vehicle to drive it in any
28 one period longer than the time permitted for that period by the order of the
29 **appropriate taxicab** authority or the department.

30 2. In addition to other persons so required, the labor commissioner
31 shall enforce the provisions of this section.

32 **Sec. 106.** NRS 706.779 is hereby amended to read as follows:

33 706.779 The **transportation services** authority and its inspectors may,
34 upon halting a person for a violation of the provisions of NRS 706.386 , ~~for~~
35 ~~706.421,]~~ move his vehicle or cause it to be moved to the nearest garage or
36 other place of safekeeping until it is removed in a manner which complies
37 with the provisions of this chapter.

38 **Sec. 107.** NRS 706.781 is hereby amended to read as follows:

39 706.781 In addition to all the other remedies provided by NRS
40 ~~[706.011]~~ **706.151** to 706.861, inclusive, **and section 11 of this act**, for the
41 prevention and punishment of any violation of the provisions thereof and of
42 all orders of the **transportation services** authority or the department, the
43 **transportation services** authority or the department may compel

1 compliance with the provisions of NRS ~~[706.011]~~ **706.151** to 706.861,
2 inclusive, **and section 11 of this act**, and with the orders of the
3 **transportation services** authority or the department by proceedings in
4 mandamus, injunction or by other civil remedies.

5 **Sec. 108.** NRS 706.881 is hereby amended to read as follows:

6 706.881 ~~[1.]~~ **The provisions of** NRS ~~[706.8811]~~ **706.88185** to
7 706.885, inclusive, **and sections 12 to 21, inclusive, of this act**, apply to
8 ~~any county:~~

9 ~~—(a) Whose population is 400,000 or more; or~~

10 ~~—(b) For whom regulation by the taxicab authority is not required if its~~
11 ~~board of county commissioners has enacted an ordinance approving the~~
12 ~~inclusion of the county within the jurisdiction of the taxicab authority.~~

13 ~~—2.— Upon receipt of a certified copy of such an ordinance from a county~~
14 ~~for whom regulation by the taxicab authority is not required, the taxicab~~
15 ~~authority shall exercise its regulatory authority pursuant to NRS 706.8811~~
16 ~~to 706.885, inclusive, within that county.~~

17 ~~—3.— Within any such county, the provisions of this chapter which confer~~
18 ~~regulatory authority over taxicab motor carriers upon the transportation~~
19 ~~services authority do not apply.]~~ **the business of transporting passengers**
20 **by taxicabs and limousines.**

21 **Sec. 109.** NRS 706.88185 is hereby amended to read as follows:

22 706.88185 1. When ~~[the]~~ **a** taxicab authority has reason to believe
23 that any provision of NRS 706.881 to 706.885, inclusive, **and sections 12**
24 **to 21, inclusive, of this act**, is being violated, the taxicab authority shall
25 investigate the alleged violation. After a hearing, the taxicab authority may
26 issue an order requiring that the certificate holder cease and desist from any
27 action that is in violation of NRS 706.881 to 706.885, inclusive ~~[~~
28 ~~—2.— The]~~, **and sections 12 to 21, inclusive, of this act.**

29 **2. A** taxicab authority shall enforce an order issued pursuant to
30 subsection 1 in accordance with the provisions of NRS 706.881 to 706.885,
31 inclusive ~~[~~, **and sections 12 to 21, inclusive, of this act.**

32 **Sec. 110.** NRS 706.8819 is hereby amended to read as follows:

33 706.8819 1. ~~[The]~~ **A** taxicab authority shall conduct hearings and
34 make final decisions in the following matters:

35 (a) Applications to adjust, alter or change the rates, charges or fares for
36 taxicab **or limousine** service;

37 (b) Applications for certificates of public convenience and necessity to
38 operate a taxicab **or limousine** service;

39 (c) Applications requesting authority to transfer any existing interest in a
40 certificate of public convenience and necessity or in a corporation that
41 holds a certificate of public convenience and necessity to operate a taxicab
42 **or limousine** business;

(d) Applications to change the total number of allocated taxicabs in a county ~~{to which NRS 706.881 to 706.885, inclusive, apply;}~~ *subject to the jurisdiction of the taxicab authority;* and

(e) Appeals from final decisions of ~~{the}~~ *a* taxicab administrator made pursuant to NRS 706.8822.

2. An appeal from the final decision of ~~{the}~~ *a* taxicab authority must be made to the transportation services authority.

Sec. 111. NRS 706.882 is hereby amended to read as follows:

706.882 1. The director of the department of business and industry shall appoint a taxicab administrator *for each of the taxicab authorities* from a list of three names submitted to him by *each of* the taxicab ~~{authority. The}~~ *authorities respectively. Each* administrator serves at the pleasure of the director ~~{The administrator}~~ *and* is in the unclassified service of the state.

2. ~~{The}~~ *A* taxicab authority may remove ~~{the}~~ *its* administrator for good cause shown.

3. Except as otherwise provided in NRS 284.143, ~~{the}~~ *a* taxicab administrator shall devote his entire time and attention to the business of his office and shall not pursue any other business or occupation or hold any other office of profit.

Sec. 112. NRS 706.8821 is hereby amended to read as follows:

706.8821 1. ~~{The}~~ *An* administrator *of a taxicab authority* is responsible for the control and regulation of the taxicab *and limousine* industry in any county ~~{to which NRS 706.881 to 706.885, inclusive, apply}~~ *subject to the jurisdiction of the taxicab authority* and for the administration of NRS 706.881 to 706.885, inclusive ~~{~~ *—2.—The} *, and sections 12 to 21, inclusive, of this act.**

2. *An* administrator shall appoint:

(a) One accountant and such auditors as are necessary to enable the administrator to perform his official functions properly; and

(b) Such other employees as are necessary to enable the administrator to perform his official functions properly.

Sec. 113. NRS 706.8822 is hereby amended to read as follows:

706.8822 ~~{The}~~ *An* administrator shall conduct administrative hearings and make final decisions, subject to appeal by any aggrieved party to the *appropriate* taxicab authority, in the following matters:

1. Any violation relating to the issuance of or transfer of license plates for motor carriers required by either the taxicab authority or the department of motor vehicles and public safety;

2. Complaints against certificate holders;

3. Complaints against taxicab *or limousine* drivers;

1 4. Applications for, or suspension or revocation of, drivers' permits
2 which may be required by the administrator; and

3 5. Imposition of monetary penalties.

4 **Sec. 114.** NRS 706.88235 is hereby amended to read as follows:

5 706.88235 1. Whenever ~~the~~ a taxicab authority or ~~the~~ its
6 administrator is authorized or required by law to conduct a hearing, the
7 administrator may issue subpoenas requiring the attendance of witnesses
8 before the *taxicab* authority or the administrator, respectively, together
9 with all books, memoranda, papers and other documents relative to the
10 matters for which the hearing is called and take depositions within or
11 without the state, as the circumstances of the case may require.

12 2. The district court in and for the county in which any hearing is being
13 conducted may compel the attendance of witnesses, the giving of testimony
14 and the production of books and papers as required by any subpoena issued
15 by the administrator.

16 3. In case of the refusal of any witness to attend or testify or produce
17 any papers required by the subpoena, the administrator may report to the
18 district court in and for the county in which the hearing is pending by
19 petition, setting forth:

20 (a) That due notice has been given of the time and place of attendance of
21 the witness or the production of the books and papers;

22 (b) That the witness has been subpoenaed in the manner prescribed in
23 this section; and

24 (c) That the witness has failed and refused to attend or produce the
25 papers required by subpoena before the taxicab authority or the
26 administrator in the hearing named in the subpoena, or has refused to
27 answer questions propounded to him in the course of the hearing,
28 and asking an order of the court compelling the witness to attend and testify
29 or produce the books or papers before the *taxicab* authority or the
30 administrator.

31 4. The court, upon petition of the administrator shall enter an order
32 directing the witness to appear before the court at a time and place to be
33 fixed by the court in the order, the time to be not more than 10 days ~~from~~
34 *after* the date of the order, and then and there show cause why he has not
35 attended or testified or produced the books or papers. A certified copy of
36 the order must be served upon the witness. If it appears to the court that the
37 subpoena was regularly issued by the administrator, the court may
38 thereupon enter an order that the witness appear before the *taxicab*
39 authority or the administrator at the time and place fixed in the order and
40 testify or produce the required books or papers, and upon failure to obey
41 the order the witness must be dealt with as for contempt of court.

1 **Sec. 115.** NRS 706.88237 is hereby amended to read as follows:

2 706.88237 ~~{The}~~ **A** taxicab authority may:

3 1. Determine the circumstances that require a temporary increase in the
4 number of taxicabs *or limousines subject to its jurisdiction* allocated
5 pursuant to NRS 706.8824; and

6 2. Allocate a temporary increase in the number of *such* taxicabs *or*
7 *limousines* pursuant to NRS 706.88245 when the circumstances require the
8 increase.

9 **Sec. 116.** NRS 706.8824 is hereby amended to read as follows:

10 706.8824 1. ~~{It}~~ *Except as otherwise provided in section 15 of this*
11 *act, in* determining whether circumstances require the establishment of a
12 system of allocations or a change in existing allocations ~~{It}~~ *for taxicabs or*
13 *limousines subject to the jurisdiction of a taxicab authority*, the taxicab
14 authority shall consider the interests, welfare, convenience, necessity and
15 well-being of the customers of taxicabs ~~{It}~~ *or limousines, as appropriate.*

16 2. Whenever circumstances require the establishment of a system of
17 allocations, ~~{the}~~ *a* taxicab authority shall allocate the number of taxicabs
18 *or limousines, as appropriate*, among the certificate holders in the county
19 in a manner which reflects the number of taxicabs *or limousines, as*
20 *appropriate*, operated by each certificate holder during the 5 years
21 immediately preceding the date of establishment of *the system of*
22 *allocations by* the taxicab authority in the county.

23 3. Whenever circumstances require an increase in the existing
24 allocations ~~{, the}~~ *in addition to the automatic increases in allocations*
25 *provided by section 15 of this act, a* taxicab authority shall allocate the
26 additional taxicabs *or limousines, as appropriate*, equally among all the
27 certificate holders who apply from the area to be affected by the allocation.

28 4. Unless a certificate holder puts the additionally allocated taxicabs *or*
29 *limousines, as appropriate*, into service within 30 days after the effective
30 date of the increased allocation, the increased allocation to that certificate
31 holder is void.

32 5. ~~{The}~~ **A** taxicab authority may attach to the exercise of the rights
33 granted by the allocation any terms and conditions which in its judgment
34 the public interest may require. The taxicab authority may limit:

35 (a) The geographical area from which service is offered or provided.

36 (b) The hours of service. Such a limitation must not reduce hours of
37 service to less than 12 consecutive hours in a 24-hour period.

38 If a limitation is placed on an allocation, taxicabs *or limousines, as*
39 *appropriate*, must be marked in a distinctive manner that indicates the
40 limitation.

41 6. ~~{The}~~ **A** taxicab authority shall review annually:

42 (a) The existing allocation of taxicabs ~~{It}~~ *and limousines;* and

(b) The rates, charges or fares of the certificate holders in its jurisdiction.

7. Notwithstanding any provision of this section or section 15 of this act to the contrary, if a system of allocations for limousines has been established, a taxicab authority shall allow each person to whom a certificate of public convenience and necessity has been issued by the taxicab authority for the operation of limousines to operate not more than one limousine pursuant to that certificate. Upon issuance of the certificate, the certificate holder becomes subject to all other provisions relating to allocations that are set forth in this section and section 15 of this act.

Sec. 117. NRS 706.88245 is hereby amended to read as follows:

706.88245 1. In determining whether circumstances require a temporary increase in the number of taxicabs *or limousines subject to its jurisdiction* allocated pursuant to NRS 706.8824, ~~the~~ a taxicab authority shall consider the interests, welfare, convenience, necessity and well-being of the customers of taxicabs ~~or~~ *or limousines, as appropriate.*

2. Whenever circumstances require a temporary increase in the number of taxicabs *or limousines subject to its jurisdiction* allocated pursuant to NRS 706.8824, ~~the~~ a taxicab authority shall allocate the temporary increase equally among the certificate holders *who are taxicab motor carriers or limousine motor carriers, as appropriate, subject to the jurisdiction of the taxicab authority* in the area to be affected by the allocation.

3. ~~The~~ A taxicab authority shall determine:

(a) The number of additional taxicabs *or limousines* to be allocated;

(b) The hours of operation of the additional taxicabs ~~or~~ *or limousines;*
and

(c) The duration of the temporary allocation.

4. ~~The~~ A taxicab authority may adopt regulations governing temporary increases in the allocation of taxicabs *or limousines subject to its jurisdiction* pursuant to this section.

Sec. 118. NRS 706.8825 is hereby amended to read as follows:

706.8825 1. ~~Amended~~ *There are hereby created as special revenue funds:*

(a) The taxicab authority regulatory fund for the taxicab authority for southern Nevada; and

(b) The taxicab authority regulatory fund for the taxicab authority for northern Nevada.

2. *Except as otherwise provided in this section, all* fees collected pursuant to NRS 706.881 to 706.885, inclusive, *and sections 12 to 21, inclusive, of this act,* must be deposited with the state treasurer to the credit of the *appropriate* taxicab authority *regulatory* fund . ~~It, which is hereby~~

1 ~~created as a special revenue fund.~~ The transactions for each county *that is*
2 subject to ~~those sections~~ *the jurisdiction of a taxicab authority* must be
3 accounted for separately within the *appropriate* fund.

4 ~~[2.]~~ 3. The interest and income earned on the money in ~~the~~ a fund,
5 after deducting any applicable charges, must be credited to the fund.

6 ~~[3.]~~ 4. *Money collected by a taxicab authority for a fine or penalty*
7 *that is imposed on a taxicab motor carrier or limousine motor carrier by*
8 *the taxicab authority must be deposited into the state general fund.*

9 5. The revenues received pursuant to subsection 1 of NRS 706.8826
10 are hereby appropriated to defray the cost of regulating taxicabs *and*
11 *limousines* in the county or the city, respectively, making the deposit under
12 that subsection.

13 ~~[4.]~~ 6. The fees received pursuant to subsection 3 of NRS 706.8826,
14 NRS 706.8827, 706.8841 and 706.8848 to 706.885, inclusive, are hereby
15 appropriated to defray the cost of regulating taxicabs *and limousines* in the
16 county in which the certificate holder operates a taxicab *or limousine*
17 business.

18 ~~[5.]~~ 7. Any balance remaining in ~~the~~ a *taxicab authority regulatory*
19 fund does not revert to the state general fund. The administrator *of a*
20 *taxicab authority* may transfer to the aging services division of the
21 department of human resources any balance over \$200,000 and any interest
22 earned on the ~~fund,~~ *taxicab authority regulatory fund for that taxicab*
23 *authority*, within the limits of legislative authorization for each fiscal year,
24 to subsidize transportation for the elderly and the permanently handicapped
25 in taxicabs. The money transferred to the aging services division must be
26 administered in accordance with regulations adopted by the administrator
27 of the aging services division pursuant to NRS 427A.070.

28 ~~[6.]~~ 8. The administrator *of a taxicab authority* may establish an
29 account for petty cash not to exceed \$1,000 for the support of undercover
30 investigation and, if the account is created, the administrator shall
31 reimburse the account from the *appropriate* taxicab authority *regulatory*
32 fund in the same manner as other claims against the state are paid.

33 **Sec. 119.** NRS 706.8826 is hereby amended to read as follows:

34 706.8826 1. The board of county commissioners of any county in
35 which there is in effect an order for the allocation of taxicabs *or limousines*
36 from a taxicab authority, and the governing body of each city within any
37 such county, shall deposit with the state treasurer to the credit of the
38 *appropriate* taxicab authority *regulatory* fund all ~~of~~ the tax revenue
39 which is received from the taxicab *and limousine* business operating in the
40 county and city, respectively.

41 2. For the purpose of calculating the amount due to the state under
42 subsection 1, the tax revenue of a county does not include any amount
43 which represents a payment for the use of county facilities or property.

1 3. ~~{Any}~~ A certificate holder who is subject to ~~{an order of allocation~~
2 ~~by the}~~ a taxicab authority shall pay to ~~{the}~~ *that* taxicab authority \$100 per
3 year for each taxicab ~~{that the taxicab authority has allocated to}~~ *and \$500*
4 *per year for each limousine which* the certificate holder *operates pursuant*
5 *to his certificate of public convenience and necessity* and , *if the*
6 *certificate holder is a taxicab motor carrier*, a fee set by the taxicab
7 authority that must not exceed ~~{15}~~ *20* cents per trip for each compensable
8 trip of each of those taxicabs, which may be added to the meter charge. The
9 money so received by the taxicab authority must be paid to the state
10 treasurer for deposit in the state treasury to the credit of the *appropriate*
11 taxicab authority *regulatory* fund.

12 **Sec. 120.** NRS 706.8827 is hereby amended to read as follows:

13 706.8827 1. A person shall not engage in the taxicab *or limousine*
14 business unless he:

15 (a) Holds a certificate of public convenience and necessity from the
16 *previously exiting* public service commission of Nevada issued before
17 July 1, 1981, which has not been transferred, revoked or suspended by ~~{the}~~
18 *a* taxicab authority; ~~{or}~~

19 (b) *Holds a certificate of public necessity of public convenience and*
20 *necessity from the transportation services authority issued before July 1,*
21 *1999, which has not been transferred, revoked or suspended by a taxicab*
22 *authority; or*

23 (c) Currently holds a certificate of public convenience and necessity
24 from ~~{the}~~ *a* taxicab authority as provided in this section.

25 2. Upon the filing of an application for a certificate of public
26 convenience and necessity, the taxicab authority *with which the*
27 *application was filed* shall fix a time and place for a hearing thereon. The
28 taxicab authority shall issue the certificate if it finds that:

29 (a) The applicant is fit, willing and able to perform the services of a
30 taxicab motor carrier ~~{}~~ *or a limousine motor carrier;*

31 (b) The proposed operation will be consistent with the legislative
32 policies set forth in NRS 706.151;

33 (c) The granting of the certificate will not unreasonably and adversely
34 affect other carriers operating in the territory for which the certificate is
35 sought;

36 (d) The holders of existing certificates will not meet the needs of the
37 territory for which the certificate is sought if the certificate is not granted;
38 and

39 (e) The proposed service will benefit the public and the taxicab *or*
40 *limousine* business , *as appropriate*, in the territory to be served.

41 3. The applicant for a certificate has the burden of proving to the
42 taxicab authority that the proposed operation will meet the requirements of
43 subsection 2. The taxicab authority shall not find that the potential creation

1 of competition in a territory which may be caused by the granting of a
2 certificate, by itself, will unreasonably and adversely affect other carriers
3 operating in the territory for the purposes of paragraph (c) of subsection 2.

4 4. The applicant must submit an application fee of \$200, which must
5 not be refunded, with his application. The applicant must also pay those
6 amounts which are billed to him by the **taxicab** authority for reasonable
7 costs incurred by it in conducting an investigation or hearing regarding the
8 applicant.

9 5. ~~{The}~~ A taxicab authority may attach to the exercise of the rights
10 granted by the certificate any terms and conditions which in its judgment
11 the public interest may require.

12 6. ~~{The}~~ A taxicab authority may dispense with the hearing on the
13 application if, upon the expiration of the time fixed in the notice of the
14 hearing, no protest against the granting of the certificate has been filed by
15 or on behalf of any person.

16 7. Any person who has been denied a certificate of public convenience
17 and necessity after a hearing may not file a similar application with ~~{the}~~ a
18 taxicab authority covering the same type of service and over the same route
19 or routes or in the same territory for which the certificate of public
20 convenience and necessity was denied except after the expiration of 180
21 days ~~{from}~~ after the date the certificate was denied.

22 **Sec. 121.** NRS 706.8829 is hereby amended to read as follows:

23 706.8829 1. A certificate holder shall maintain a uniform system of
24 accounts in which all business transacted by the certificate holder is
25 recorded. The accounts must be:

26 (a) Kept in a form prescribed by the taxicab authority ~~{}~~ **which has**
27 **jurisdiction over the certificate holder;**

28 (b) Before May 15 of each year, submitted to the taxicab authority in an
29 annual report in the form and detail prescribed by the taxicab authority;

30 (c) Retained for a period of 3 years after their receipt back from the
31 taxicab authority; and

32 (d) Supplemented with such additional information as the taxicab
33 authority may require.

34 2. ~~{The}~~ A taxicab authority may examine the books, accounts, records,
35 minutes and papers of a certificate holder at any reasonable time to
36 determine their correctness and whether they are maintained in accordance
37 with the regulations adopted by the taxicab authority.

38 3. If a certificate holder fails to comply with any provision of this
39 section in a timely manner, the administrator ~~{}~~ **of the taxicab authority**
40 **which has jurisdiction over the certificate holder,** after hearing, may
41 impose a fine of not more than \$1,000, commence proceedings to suspend
42 or revoke the certificate of public convenience and necessity of the
43 certificate holder, or both impose a fine and commence such proceedings.

1 **Sec. 122.** NRS 706.883 is hereby amended to read as follows:

2 706.883 1. A certificate holder shall maintain at his principal place of
3 business:

4 (a) A record of the make and serial number of each taxicab ~~and~~ **and**
5 **limousine;**

6 (b) A maintenance record for each taxicab ~~and~~ **and limousine;** and

7 (c) A copy of the medical certificates of each of his drivers.

8 2. The records of a certificate holder ~~shall~~ **must** be open for
9 inspection by the administrator ~~of~~ **of the taxicab authority which has**
10 **jurisdiction over the certificate holder** at any reasonable time.

11 **Sec. 123.** NRS 706.8833 is hereby amended to read as follows:

12 706.8833 1. The color scheme, insignie and design of the cruising
13 lights of each taxicab must conform to those approved for the certificate
14 holder pursuant to regulations of the **taxicab** authority ~~of~~

15 ~~2. The~~ **which has jurisdiction over the certificate holder.**

16 2. **A taxicab** authority shall approve or disapprove the color scheme,
17 insignie and design of the cruising lights of the taxicabs of a certificate
18 holder in any county ~~subject to its jurisdiction,~~ **and shall ensure that the**
19 **color scheme and insignie of one certificate holder are readily**
20 **distinguishable from the color schemes and insignia of other certificate**
21 **holders operating in the same county.**

22 **Sec. 124.** NRS 706.8834 is hereby amended to read as follows:

23 706.8834 1. ~~Any~~ **Except as otherwise provided in this section, a**
24 **certificate holder shall not permit a vehicle to be used as a taxicab if it has**
25 **been in operation as a taxicab for more than 4 model years or 52 months,**
26 **whichever period is longer.**

27 2. ~~Any~~ **Except as otherwise provided in this section, any** vehicle
28 **which a certificate holder acquires for use as a taxicab must:**

29 (a) Be new; or

30 (b) Register not more than 30,000 miles on the odometer.

31 3. **A taxicab authority may, upon good cause shown, exempt any city,**
32 **town or other area specifically identified by the taxicab authority which**
33 **is located within the county subject to the jurisdiction of the taxicab**
34 **authority from any provision of this section.**

35 **Sec. 125.** NRS 706.8836 is hereby amended to read as follows:

36 706.8836 1. A certificate holder shall equip each of his taxicabs with
37 a taximeter and shall make provisions when installing the taximeter to
38 allow sealing by the administrator ~~of~~ **of the taxicab authority which has**
39 **jurisdiction over the certificate holder.**

40 2. The administrator **of a taxicab authority** shall approve the types of
41 taximeters which may be used on a taxicab ~~subject to the jurisdiction of~~ **subject to the jurisdiction of**
42 **the taxicab authority.** All **such** taximeters must conform to a 2-percent
43 **plus or minus tolerance on the fare recording, must be equipped with a**

1 signal device plainly visible from outside of the taxicab, must be equipped
2 with a device which records fares and is plainly visible to the passenger and
3 must register upon plainly visible counters the following items:

- 4 (a) Total miles;
- 5 (b) Paid miles;
- 6 (c) Number of units;
- 7 (d) Number of trips; and
- 8 (e) Number of extra passengers or extra charges.

9 3. The administrator *of a taxicab authority* shall inspect each
10 taximeter before its use in a taxicab *subject to the jurisdiction of the*
11 *taxicab authority*, and shall, if the taximeter conforms to the standards
12 specified in subsection 2, seal the taximeter.

13 4. The administrator *of a taxicab authority* may reinspect ~~the~~ *such a*
14 taximeter at any reasonable time.

15 **Sec. 126.** NRS 706.8837 is hereby amended to read as follows:

16 706.8837 A certificate holder shall not permit a taxicab *or limousine*
17 to be operated in passenger service unless it meets all ~~the~~ the following
18 standards:

19 1. The steering mechanism is in good mechanical working order.

20 2. The vehicle does not have any apparent loose knuckles, bolts or gear
21 trains.

22 3. The door hinges and latches are in good mechanical working order
23 and all doors operate easily and close securely.

24 4. Interior or exterior advertising does not obscure the driver's view in
25 any direction.

26 5. The windows are clear and free from cracks or chips in excess of 3
27 inches in length and are composed of approved, nonshatterable safety glass.

28 6. The brakes are in good mechanical working order and when pressed
29 are not less than 1 3/4 inches from the floorboard.

30 7. The exhaust system, gaskets, tail pipes and mufflers are in good
31 condition and exhaust fumes do not penetrate the interior of the vehicle.

32 8. The vehicle is equipped with four adequate and safe tires. Recapped
33 tires may be used. Regrooved tires may not be used.

34 9. The speedometer is properly installed, maintained in good working
35 order and exposed to view.

36 10. The interior of the vehicle is clean, free from torn upholstery and
37 from damaged or broken seats.

38 11. The headlights, taillights, stoplights and turn signals are in good
39 mechanical working order.

40 12. The horn and two windshield wipers are in good mechanical
41 working order.

42 13. ~~The~~ *If the vehicle is a taxicab, the* taximeter is working properly,
43 is not disconnected and has its covers and gears intact.

1 14. An air pollution control system is functioning in accordance with
2 federal, state and local laws which were applicable to the type of vehicle at
3 the time of its manufacture.

4 **Sec. 127.** NRS 706.8838 is hereby amended to read as follows:

5 706.8838 A certificate holder shall not permit a taxicab *or limousine*
6 to be operated in passenger service for a period of more than 24 hours
7 unless it meets all ~~the~~ the following standards:

8 1. The vehicle is structurally sound and operates with a minimum of
9 noise and vibration.

10 2. The vehicle does not have cracked, broken or badly dented fenders
11 and is painted so as to provide reasonable protection against structural
12 deterioration.

13 3. ~~The~~ *If the vehicle is a taxicab, the* vehicle does not have shades or
14 curtains which can be manipulated to shield the occupants or driver from
15 exterior observation or to obstruct vision through the rear view windows.

16 4. The vehicle is washed once a week, the interior is swept, dusted and
17 vacuumed once a day and the vehicle is in a clean and sanitary condition.

18 5. The floor mat is made of rubber or a similar nonabsorbent, washable
19 material, is easily removable and is not torn.

20 **Sec. 128.** NRS 706.8839 is hereby amended to read as follows:

21 706.8839 1. The administrator *of a taxicab authority* may inspect a
22 taxicab *or limousine subject to the jurisdiction of the taxicab authority* at
23 any reasonable time.

24 2. If the administrator finds that a taxicab *or limousine* is in a
25 condition which violates NRS 706.8837, he shall remove the vehicle from
26 service, ~~shall~~ place an out-of-service sticker on the windshield and ~~shall~~
27 notify the certificate holder of the defect. The vehicle ~~shall~~ *must* remain
28 out of service until the defect has been remedied and the administrator upon
29 reinspection has approved the vehicle and removed the out-of-service
30 sticker.

31 3. If the administrator finds that a taxicab is in a condition which
32 violates NRS 706.8838, he shall notify the certificate holder of the
33 improper condition and, after a reasonable time, shall reinspect the vehicle.
34 If upon reinspection the violation has not been corrected, the vehicle ~~shall~~
35 *must* be removed from service until it is reinspected and approved, as
36 provided in subsection 2.

37 **Sec. 129.** NRS 706.88395 is hereby amended to read as follows:

38 706.88395 1. A vehicle used as a taxicab, limousine or other
39 passenger vehicle in passenger service must be impounded by the
40 administrator *of a taxicab authority* if a certificate of public convenience
41 and necessity has not been issued authorizing its operation ~~by the~~ *by the*
42 *taxicab authority*. A hearing must be held by the administrator ~~no~~ *not*
43 later than the conclusion of the second normal business day after

1 impoundment, weekends and holidays excluded. As soon as practicable
2 after impoundment, the administrator shall notify the registered owner of
3 the vehicle:

4 (a) That the registered owner of the vehicle must post a bond in the
5 amount of \$20,000 to ensure his presence at all proceedings held pursuant
6 to this section;

7 (b) Of the time set for the hearing; and

8 (c) Of his right to be represented by counsel during all phases of the
9 proceedings.

10 2. The administrator shall hold the vehicle until the registered owner of
11 the vehicle appears and:

12 (a) Proves that he is the registered owner of the vehicle;

13 (b) Proves that he holds a valid certificate of public convenience and
14 necessity;

15 (c) Proves that the vehicle meets all required standards of the *taxicab*
16 authority; and

17 (d) Posts a bond in the amount of \$20,000 with the administrator.

18 The administrator shall return the vehicle to its registered owner when the
19 owner meets the requirements of this subsection and pays all costs of
20 impoundment.

21 3. If the registered owner is unable to meet the requirements of
22 paragraph (b) or (c) of subsection 2, the administrator may assess an
23 administrative fine against the registered owner for each such violation in
24 the amount of \$5,000. The maximum amount of the administrative fine that
25 may be assessed against a registered owner for a single impoundment of his
26 vehicle pursuant to this section is \$10,000. The administrator shall return
27 the vehicle after any administrative fine imposed pursuant to this subsection
28 and all costs of impoundment have been paid.

29 **Sec. 130.** NRS 706.8841 is hereby amended to read as follows:

30 706.8841 1. The administrator *of a taxicab authority* shall issue a
31 driver's permit to qualified persons who wish to be employed by certificate
32 holders as ~~taxicab drivers~~ *drivers of taxicabs or limousines based in any*
33 *county that is subject to the jurisdiction of the taxicab authority.* Before
34 issuing a driver's permit, the administrator shall:

35 (a) Require the applicant to submit a set of his fingerprints, which must
36 be forwarded to the Federal Bureau of Investigation to ascertain whether
37 the applicant has a criminal record and the nature of any such record, and
38 shall further investigate the applicant's background; and

39 (b) Require proof that the applicant:

40 (1) Has been a resident of the state for 30 days before his application
41 for a permit;

42 (2) Can read and orally communicate in the English language; and

1 (3) Has a valid license issued under NRS 483.325 which authorizes
2 him to drive a taxicab *or limousine* in this state.

3 2. The administrator may refuse to issue a driver's permit if the
4 applicant has been convicted of:

5 (a) A felony, other than a felony for a sexual offense, in the State of
6 Nevada or any other state, territory or nation within 5 years before the date
7 of the application, or a felony involving any sexual offense at any time; or

8 (b) Driving under the influence of intoxicating beverages, dangerous
9 drugs or controlled substances within 3 years before the date of the
10 application.

11 3. The administrator may refuse to issue a driver's permit if the
12 administrator, after the background investigation of the applicant,
13 determines that the applicant is morally unfit or if the issuance of the
14 driver's permit would be detrimental to public health, welfare or safety.

15 4. A taxicab *or limousine* driver shall pay to the administrator, in
16 advance, \$20 for an original driver's permit and ~~[\$5]~~ *\$15* for a renewal.

17 **Sec. 131.** NRS 706.8843 is hereby amended to read as follows:

18 706.8843 1. A certificate holder shall not employ a driver unless the
19 driver has obtained and has on his person:

20 (a) A valid driver's license for the State of Nevada obtained under the
21 provisions of NRS 483.010 to 483.630, inclusive;

22 (b) A copy of a physician's certificate obtained pursuant to NRS
23 706.8842; and

24 (c) A driver's permit issued by the administrator pursuant to rules and
25 regulations of the *appropriate* taxicab authority.

26 2. A certificate holder shall, at the time he employs a driver, provide
27 the driver with a complete copy of the rules and regulations described in
28 NRS 706.8844 to 706.8849, inclusive, and such other rules and regulations
29 as may be adopted by the taxicab authority ~~[H]~~ *which has jurisdiction over*
30 *the certificate holder*, and require the driver to sign a statement that he has
31 received a copy of the regulations and has read and familiarized himself
32 with the contents thereof.

33 **Sec. 132.** NRS 706.8844 is hereby amended to read as follows:

34 706.8844 1. A certificate holder shall require his drivers to keep a
35 daily trip sheet in a form to be prescribed by the taxicab authority ~~[H]~~ *which*
36 *has jurisdiction over the certificate holder*.

37 2. At the beginning of each period of duty the driver shall record on his
38 trip sheet:

39 (a) His name and the number of his taxicab;

40 (b) The time at which he began his period of duty by means of a time
41 clock provided by the certificate holder;

42 (c) The meter readings for total miles, paid miles, trips, units, extra
43 passengers and extra charges;

and

- 1 (d) The odometer reading of the taxicab.
- 2 3. During his period of duty the driver shall record on his trip sheet:
- 3 (a) The time, place of origin and destination of each trip; and
- 4 (b) The number of passengers and amount of fare for each trip.
- 5 4. At the end of each period of duty the driver shall record on his trip
- 6 sheet:
- 7 (a) The time at which he ended his period of duty by means of a time
- 8 clock provided by the certificate holder;
- 9 (b) The meter readings for total miles, paid miles, trips, units and extra
- 10 passengers; and
- 11 (c) The odometer reading of the taxicab.
- 12 5. A certificate holder shall furnish a trip sheet form for each taxicab
- 13 operated by a driver during his period of duty and shall require his drivers
- 14 to return their completed trip sheets at the end of each period of duty.
- 15 6. A certificate holder shall retain all trip sheets of all drivers in a safe
- 16 place for a period of 3 years immediately succeeding December 31 of the
- 17 year to which they respectively pertain and shall make such manifests
- 18 available for inspection by the administrator upon reasonable demand.
- 19 7. Any driver who maintains a trip sheet in a form less complete than
- 20 that required by subsection 1 is guilty of a misdemeanor.
- 21 **Sec. 133.** NRS 706.8847 is hereby amended to read as follows:
- 22 706.8847 1. A driver *of a taxicab* shall not refuse or neglect to
- 23 transport any orderly person to that person's destination if:
- 24 (a) That person requests the driver to transport him; and
- 25 (b) The requested destination is within the area allocated to the
- 26 certificate holder who employs the driver.
- 27 2. Subsection 1 does not apply if the driver can show ~~beyond a~~
- 28 ~~reasonable doubt~~ *to the satisfaction of the taxicab authority which has*
- 29 *jurisdiction over the driver* that:
- 30 (a) He has good reason to fear for his personal safety;
- 31 (b) The taxicab has been previously engaged by another person; or
- 32 (c) He is forbidden by law or regulation to carry the person requesting
- 33 transportation.
- 34 **Sec. 134.** NRS 706.8848 is hereby amended to read as follows:
- 35 706.8848 1. If a driver violates any provision of NRS 706.8844 to
- 36 706.8847, inclusive, *and sections 12 to 21, inclusive, of this act*, the
- 37 administrator *of the taxicab authority which has jurisdiction over the*
- 38 *certificate holder which employs the driver* may impose the following
- 39 sanctions:
- 40 (a) First offense: Warning notice or a fine of not more than \$100, or
- 41 both warning and fine.
- 42 (b) Second offense: 1 to 3 days' suspension of a driver's permit or a fine
- 43 of not more than \$200, or both suspension and fine.

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

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

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

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

11 3. ~~{The}~~ *An* administrator shall conduct a hearing ~~{prior to}~~ *before*
12 suspension or revocation of a driver's permit or imposing a fine under this
13 section or NRS 706.8849.

14 **Sec. 135.** NRS 706.885 is hereby amended to read as follows:

15 706.885 1. Any person who knowingly makes or causes to be made,
16 either directly or indirectly, a false statement on an application, account or
17 other statement required by ~~{the}~~ *a* taxicab authority or the administrator *of*
18 *the taxicab authority* or who violates any of the provisions of NRS
19 706.881 to 706.885, inclusive, *and sections 12 to 21, inclusive, of this act,*
20 is guilty of a misdemeanor.

21 2. ~~{The}~~ *A* taxicab authority or *its* administrator may at any time, for
22 good cause shown and upon at least 5 days' notice to the grantee of any
23 certificate or driver's permit ~~{}~~ *by the taxicab authority or administrator,*
24 and after a hearing unless waived by the grantee, penalize the grantee of a
25 certificate to a maximum amount of \$15,000 or penalize the grantee of a
26 driver's permit to a maximum amount of \$500 or suspend or revoke the
27 certificate or driver's permit granted by it or him, respectively, for:

28 (a) Any violation of any provision of NRS 706.881 to 706.885,
29 inclusive, *and sections 12 to 21, inclusive, of this act,* or any regulation of
30 the taxicab authority or administrator.

31 (b) Knowingly permitting or requiring any employee to violate any
32 provision of NRS 706.881 to 706.885, inclusive, *and sections 12 to 21,*
33 *inclusive, of this act,* or any regulation of the taxicab authority or
34 administrator.

35 If a penalty is imposed on the grantee of a certificate pursuant to this
36 section, the taxicab authority or *its* administrator may require the grantee to
37 pay the costs of the proceeding, including investigative costs and attorney's
38 fees.

39 3. When a driver or certificate holder fails to appear at the time and
40 place stated in the notice for the hearing, the administrator shall enter a
41 finding of default. Upon a finding of default, the administrator may suspend
42 or revoke the license, permit or certificate of the person who failed to
43 appear and impose the penalties provided in this chapter. For good cause

1 shown, the administrator may set aside a finding of default and proceed
2 with the hearing.

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

9 5. The conviction of a person pursuant to subsection 1 does not bar the
10 taxicab authority or *its* administrator from suspending or revoking any
11 certificate, permit or license of the person convicted. The imposition of a
12 fine or suspension or revocation of any certificate, permit or license by the
13 taxicab authority or *its* administrator does not operate as a defense in any
14 proceeding brought under subsection 1.

15 **Sec. 136.** NRS 232.510 is hereby amended to read as follows:

16 232.510 1. The department of business and industry is hereby
17 created.

18 2. The department consists of a director and the following:

19 (a) Consumer affairs division.

20 (b) Division of financial institutions.

21 (c) Housing division.

22 (d) Manufactured housing division.

23 (e) Real estate division.

24 (f) Division of unclaimed property.

25 (g) Division of agriculture.

26 (h) Division of minerals.

27 (i) Division of insurance.

28 (j) Division of industrial relations.

29 (k) Office of labor commissioner.

30 (l) Taxicab authority ~~H~~ *for southern Nevada and taxicab authority for*
31 *northern Nevada.*

32 (m) Nevada athletic commission.

33 (n) Office of the Nevada attorney for injured workers.

34 (o) State predatory animal and rodent committee.

35 (p) Transportation services authority.

36 (q) Any other office, commission, board, agency or entity created or
37 placed within the department pursuant to a specific statute, the budget
38 approved by the legislature or an executive order, or an entity whose
39 budget or activities have been placed within the control of the department
40 by a specific statute.

1 **Sec. 137.** NRS 232.520 is hereby amended to read as follows:

2 232.520 The director:

3 1. Shall appoint a chief or executive director, or both of them, of each
4 of the divisions, offices, commissions, boards, agencies or other entities of
5 the department, unless the authority to appoint such a chief or executive
6 director, or both of them, is expressly vested in another person, board or
7 commission by a specific statute. In making the appointments, the director
8 may obtain lists of qualified persons from professional organizations,
9 associations or other groups recognized by the department, if any. The
10 chief of the consumer affairs division is the commissioner of consumer
11 affairs, the chief of the division of financial institutions is the commissioner
12 of financial institutions, the chief of the housing division is the
13 administrator of the housing division, the chief of the manufactured housing
14 division is the administrator of the manufactured housing division, the chief
15 of the real estate division is the real estate administrator, the chief of the
16 division of unclaimed property is the administrator of unclaimed property,
17 the chief of the division of agriculture is the administrator of the division of
18 agriculture, the chief of the division of minerals is the administrator of the
19 division of minerals, the chief of the division of insurance is the insurance
20 commissioner, the chief of the division of industrial relations is the
21 administrator of the division of industrial relations, the chief of the office of
22 labor commissioner is the labor commissioner, the chief of the taxicab
23 authority *for southern Nevada* is the taxicab administrator, *the chief of the*
24 *taxicab authority for northern Nevada is the taxicab administrator*, the
25 chief of the transportation services authority is the ~~chairman~~
26 *commissioner* of the authority and the chief of any other entity of the
27 department has the title specified by the director, unless a different title is
28 specified by a specific statute.

29 2. Is responsible for the administration of all provisions of law relating
30 to the jurisdiction, duties and functions of all divisions and other entities
31 within the department. The director may, if he deems it necessary to carry
32 out his administrative responsibilities, be considered as a member of the
33 staff of any division or other entity of the department for the purpose of
34 budget administration or for carrying out any duty or exercising any power
35 necessary to fulfill the responsibilities of the director pursuant to this
36 subsection. Nothing contained in this subsection may be construed as
37 allowing the director to preempt any authority or jurisdiction granted by
38 statute to any division or other entity within the department or as allowing
39 the director to act or take on a function that would be in contravention of a
40 rule of court or a statute.

41 3. Has authority to:

42 (a) Establish uniform policies for the department, consistent with the
43 policies and statutory responsibilities and duties of the divisions and other

1 entities within the department, relating to matters concerning budgeting,
2 accounting, planning, program development, personnel, information
3 services, dispute resolution, travel, workplace safety, the acceptance of gifts
4 or donations, the management of records and any other subject for which a
5 uniform departmental policy is necessary to ensure the efficient operation
6 of the department.

7 (b) Provide coordination among the divisions and other entities within
8 the department, in a manner which does not encroach upon their statutory
9 powers and duties, as they adopt and enforce regulations, execute
10 agreements, purchase goods, services or equipment, prepare legislative
11 requests and lease or utilize office space.

12 (c) Define the responsibilities of any person designated to carry out the
13 duties of the director relating to financing, industrial development or
14 business support services.

15 4. May, within the limits of the financial resources made available to
16 him, promote, participate in the operation of, and create or cause to be
17 created, any nonprofit corporation, pursuant to chapter 82 of NRS, which
18 he determines is necessary or convenient for the exercise of the powers and
19 duties of the department. The purposes, powers and operation of the
20 corporation must be consistent with the purposes, powers and duties of the
21 department.

22 5. For any bonds which he is otherwise authorized to issue, may issue
23 bonds the interest on which is not exempt from federal income tax or
24 excluded from gross revenue for the purposes of federal income tax.

25 6. May, except as otherwise provided by specific statute, adopt by
26 regulation a schedule of fees and deposits to be charged in connection with
27 the programs administered by him pursuant to chapters 348A and 349 of
28 NRS. Except as so provided, the amount of any such fee or deposit must
29 not exceed 2 percent of the principal amount of the financing.

30 7. May designate any person within the department to perform any of
31 the duties or responsibilities, or exercise any of the authority, of the
32 director on his behalf.

33 8. May negotiate and execute agreements with public or private entities
34 which are necessary to the exercise of the powers and duties of the director
35 or the department.

36 9. May establish a trust account in the state treasury for the purpose of
37 depositing and accounting for money that is held in escrow or is on deposit
38 with the department for the payment of any direct expenses incurred by the
39 director in connection with any bond programs administered by the
40 director. The interest and income earned on money in the trust account, less
41 any amount deducted to pay for applicable charges, must be credited to the
42 trust account. Any balance remaining in the account at the end of a fiscal

43 year

may

be:

1 (a) Carried forward to the next fiscal year for use in covering the
2 expense for which it was originally received; or

3 (b) Returned to any person entitled thereto in accordance with
4 agreements or regulations of the director pertaining to such bond programs.

5 **Sec. 138.** NRS 268.097 is hereby amended to read as follows:

6 268.097 1. Except as otherwise provided in subsections 2 and 3, *and*
7 *sections 20 and 21 of this act*, notwithstanding the provisions of any local,
8 special or general law, after July 1, 1963, the governing body of any
9 incorporated city in this state, whether incorporated by general or special
10 act, or otherwise, may not supervise or regulate any taxicab motor carrier as
11 defined in NRS 706.126 which is under the supervision and regulation of
12 ~~the transportation services authority pursuant to law.~~ *a taxicab authority.*

13 2. The governing body of any incorporated city in this state, whether
14 incorporated by general or special act, or otherwise, may fix, impose and
15 collect a license tax on and from a taxicab motor carrier for revenue
16 purposes only.

17 3. The governing body of any incorporated city in any county in which
18 the provisions of NRS ~~706.8811~~ *706.88185* to 706.885, inclusive, *and*
19 *sections 12 to 21, inclusive, of this act* do not apply, whether incorporated
20 by general or special act, or otherwise, may regulate by ordinance the
21 qualifications required of employees or lessees of a taxicab motor carrier in
22 a manner consistent with the regulations adopted by the transportation
23 services authority.

24 **Sec. 139.** NRS 289.320 is hereby amended to read as follows:

25 289.320 An employee of the transportation services authority whom it
26 designates as an inspector or as manager of transportation is a peace officer
27 and has police power for the enforcement of the provisions of:

28 1. ~~Chapters 706 and 712~~ *Chapter 706* of NRS and all regulations of
29 the transportation services authority or the department of motor vehicles
30 and public safety pertaining thereto; and

31 2. Chapter 482 of NRS and NRS 483.230, 483.350 and 483.530 to
32 483.620, inclusive, for the purposes of carrying out the provisions of
33 chapter 706 of NRS.

34 **Sec. 140.** NRS 362.120 is hereby amended to read as follows:

35 362.120 1. The department shall, from the statement and from all
36 obtainable data, evidence and reports, compute in dollars and cents the
37 gross yield and net proceeds of the period covered by the statement.

38 2. The gross yield must include the value of any mineral extracted
39 which was:

40 (a) Sold;

41 (b) Exchanged for any thing or service;

42 (c) Removed from the state in a form ready for use or sale; or

(d) Used in a manufacturing process or in providing a service, during the period covered by the statement.

3. The net proceeds are ascertained and determined by subtracting from the gross yield the following deductions for costs incurred during that period, and none other:

(a) The actual cost of extracting the mineral.

(b) The actual cost of transporting the mineral to the place or places of reduction, refining and sale.

(c) The actual cost of reduction, refining and sale.

(d) The actual cost of marketing and delivering the mineral and the conversion of the mineral into money.

(e) The actual cost of maintenance and repairs of:

(1) All machinery, equipment, apparatus and facilities used in the mine.

(2) All milling, refining, smelting and reduction works, plants and facilities.

(3) All facilities and equipment for transportation except those that are under the jurisdiction of the public utilities commission of Nevada . ~~for the transportation services authority.~~

(f) The actual cost of fire insurance on the machinery, equipment, apparatus, works, plants and facilities ~~mentioned~~ set forth in paragraph (e).

(g) Depreciation of the original capitalized cost of the machinery, equipment, apparatus, works, plants and facilities ~~mentioned~~ set forth in paragraph (e). The annual depreciation charge consists of amortization of the original cost in a manner prescribed by regulation of the Nevada tax commission. The probable life of the property represented by the original cost must be considered in computing the depreciation charge.

(h) All money expended for premiums for industrial insurance, and the actual cost of hospital and medical attention and accident benefits and group insurance for all employees.

(i) All money paid as contributions or payments under the unemployment compensation law of the State of Nevada, as contained in chapter 612 of NRS, all money paid as contributions under the Social Security Act of the Federal Government, and all money paid to either the State of Nevada or the Federal Government under any amendment to either or both of the statutes ~~mentioned~~ set forth in this paragraph.

(j) The actual cost of developmental work in or about the mine or upon a group of mines when operated as a unit.

(k) All money paid as royalties by a lessee or sublessee of a mine or well, or by both, in determining the net proceeds of the lessee or sublessee, or

both.

1 4. Royalties deducted by a lessee or sublessee constitute part of the net
2 proceeds of the minerals extracted, upon which a tax must be levied against
3 the person to whom the royalty has been paid.

4 5. Every person acquiring property in the State of Nevada to engage in
5 the extraction of minerals and who incurs any of the expenses ~~mentioned~~
6 *set forth* in subsection 3 shall report those expenses and the recipient of any
7 royalty to the department on forms provided by the department.

8 6. The several deductions ~~mentioned~~ *set forth* in subsection 3 do not
9 include any expenditures for salaries, or any portion of salaries, of any
10 person not actually engaged in:

- 11 (a) The working of the mine;
- 12 (b) The operating of the mill, smelter or reduction works;
- 13 (c) The operating of the facilities or equipment for transportation;
- 14 (d) Superintending the management of any of those operations; or
- 15 (e) The State of Nevada, in office, clerical or engineering work
16 necessary or proper in connection with any of those operations.

17 **Sec. 141.** NRS 373.117 is hereby amended to read as follows:

18 373.117 1. A regional transportation commission may establish or
19 operate a public transit system consisting of regular routes and fixed
20 schedules to serve the public.

21 2. A regional transportation commission may lease vehicles to or from
22 or enter into other contracts with a private operator for the provision of
23 such a system.

24 3. In a county whose population is less than 400,000, such a system
25 may also provide service which includes:

- 26 (a) Minor deviations from regular routes and fixed schedules on a
27 recurring basis to serve the public transportation needs of passengers. The
28 deviations must not exceed one-half mile from the regular routes.
- 29 (b) The transporting of persons upon request without regard to regular
30 routes or fixed schedules, if the service is provided by a common motor
31 carrier . ~~{which has a certificate of public convenience and necessity issued~~
32 ~~by the transportation services authority pursuant to NRS 706.386 to~~
33 ~~706.411, inclusive, and the service is subject to the rules and regulations~~
34 ~~adopted by the transportation services authority for a fully regulated~~
35 ~~carrier.}~~

36 4. Notwithstanding the provisions of chapter 332 of NRS or NRS
37 625.530, a regional transportation commission may utilize a turnkey
38 procurement process to select a person to design, build, operate and
39 maintain, or any combination thereof, a fixed guideway system, including,
40 without limitation, any minimum operable segment thereof. The
41 commission shall determine whether to utilize turnkey procurement for a
42 fixed guideway project before the completion of the preliminary
43 engineering phase of the project. In making that determination, the

1 commission shall evaluate whether turnkey procurement is the most cost
2 effective method of constructing the project on schedule and in satisfaction
3 of its transportation objectives.

4 5. Notwithstanding the provisions of chapter 332 of NRS, a regional
5 transportation commission may utilize a competitive negotiation
6 procurement process to procure rolling stock for a fixed guideway project.
7 The award of a contract under such a process must be made to the person
8 whose proposal is determined to be the most advantageous to the
9 commission, based on price and other factors specified in the procurement
10 documents.

11 6. If a commission develops a fixed guideway project, the department
12 of transportation is hereby designated to serve as the oversight agency to
13 ensure compliance with the federal safety regulations for rail fixed
14 guideway systems set forth in 49 C.F.R. Part 659.

15 7. As used in this section:

16 (a) ~~["Fully regulated carrier" means a common carrier or contract carrier~~
17 ~~of passengers or household goods who is required to obtain from the~~
18 ~~transportation services authority a certificate of public convenience and~~
19 ~~necessity or a contract carrier's permit and whose rates, routes and services~~
20 ~~are subject to regulation by the transportation services authority.~~

21 ~~—(b)—~~ "Minimum operable segment" means the shortest portion of a fixed
22 guideway system that is technically capable of providing viable public
23 transportation between two end points.

24 ~~[(e)]~~ (b) "Public transit system" means a system employing motor buses,
25 rails or any other means of conveyance, by whatever type of power,
26 operated for public use in the conveyance of persons.

27 ~~[(d)]~~ (c) "Turnkey procurement" means a competitive procurement
28 process by which a person is selected by a regional transportation
29 commission, based on evaluation criteria established by the commission, to
30 design, build, operate and maintain, or any combination thereof, a fixed
31 guideway system, or a portion thereof, in accordance with performance
32 criteria and technical specifications established by the commission.

33 **Sec. 142.** NRS 377A.140 is hereby amended to read as follows:

34 377A.140 ~~[1.—Except as otherwise provided in subsection 2, a]~~ A
35 public transit system in a county whose population is 400,000 or more may,
36 in addition to providing local transportation within the county and the
37 services described in NRS 377A.130, provide:

38 ~~[(a)]~~ 1. Programs to reduce or manage motor vehicle traffic; and

39 ~~[(b)]~~ 2. Any other services for a public transit system which are
40 requested by the general public,
41 if those additional services are included and described in a long-range plan
42 adopted pursuant to 23 U.S.C. § 134 and 49 U.S.C. § 5303.

1 ~~[(2.— Before a regional transportation commission may provide for an~~
2 ~~on-call public transit system in an area of the county, the commission must~~
3 ~~receive a determination from the transportation services authority that:~~

4 ~~—(a) There are no common motor carriers of passengers who are~~
5 ~~authorized to provide on-call operations for transporting passengers in that~~
6 ~~area; or~~

7 ~~—(b) Although there are common motor carriers of passengers who are~~
8 ~~authorized to provide on-call operations for transporting passengers in the~~
9 ~~area, the common motor carriers of passengers do not wish to provide, or~~
10 ~~are not capable of providing, those operations.~~

11 ~~—3.— As used in this section:~~

12 ~~—(a) “Common motor carrier of passengers” has the meaning ascribed to~~
13 ~~it in NRS 706.041.~~

14 ~~—(b) “On-call public transit system” means a system established to~~
15 ~~transport passengers only upon the request of a person who needs~~
16 ~~transportation.]~~

17 **Sec. 143.** NRS 392.330 is hereby amended to read as follows:

18 392.330 1. In addition to the purposes authorized by NRS 392.320, a
19 board of trustees may use transportation ~~{funds}~~ **money** of the school
20 district for:

21 (a) Arranging and paying for transportation, in accordance with
22 subsection 2, by motor vehicles or otherwise, by contract or such other
23 arrangement as the board of trustees finds most economical, expedient and
24 feasible and for the best interests of the school district.

25 (b) Purchasing tickets at reduced rates for the transportation of pupils,
26 including, without limitation, homeless pupils, on public buses for use by
27 pupils enrolled in middle school, junior high school and high school to
28 travel to and from school.

29 2. Transportation may be arranged and contracted for by a board of
30 trustees with:

31 (a) Any railroad company holding a certificate of public convenience
32 and necessity issued by the public utilities commission of Nevada ~~{or}~~, **a**
33 bus company or other ~~{licensed}~~ common carrier **. {holding a certificate of**
34 **public convenience and necessity issued by the transportation services**
35 **authority.}**

36 (b) The owners and operators of private automobiles or other private
37 motor vehicles, including parents of pupils who attend school and are
38 entitled to transportation. When required by the board of trustees, every
39 such private automobile or other private motor vehicle regularly
40 transporting pupils must be insured in the amount required by regulation of
41 the state board against the loss and damage described in subsection 2 of
42 NRS 392.320.

1 **Sec. 144.** NRS 427A.070 is hereby amended to read as follows:

2 427A.070 1. The administrator shall:

3 (a) Subject to the approval of the director, adopt rules and regulations:

4 (1) Necessary to carry out the purposes of this chapter; and

5 (2) Establishing a program to subsidize the transportation by taxicab
6 of the elderly and the permanently handicapped from money received
7 pursuant to subsection ~~5~~ 7 of NRS 706.8825;

8 (b) Establish appropriate administrative units within the division;

9 (c) Appoint such personnel and prescribe their duties as he deems
10 necessary for the proper and efficient performance of the functions of the
11 division;

12 (d) Prepare and submit to the governor, through the director before
13 September 1 of each even-numbered year for the biennium ending June 30
14 of such year, reports of activities and expenditures and estimates of sums
15 required to carry out the purposes of this chapter;

16 (e) Make certification for disbursement of funds available for carrying
17 out the purposes of this chapter; and

18 (f) Take such other action as may be necessary or appropriate for
19 cooperation with public and private agencies and otherwise to carry out the
20 purposes of this chapter.

21 2. The administrator may delegate to any officer or employee of the
22 division such of his powers and duties as he finds necessary to carry out the
23 purposes of this chapter.

24 **Sec. 145.** NRS 481.053 is hereby amended to read as follows:

25 481.053 1. The governor shall appoint the peace officers' standards
26 and training committee.

27 2. The committee consists of seven members, one appointed from
28 Clark County, one from Washoe County, three from any other counties, one
29 from category II peace officers and one from category III peace officers.
30 Members serve terms of 2 years ~~from~~ after the date of appointment.
31 Members serve without compensation but are entitled to the per diem
32 allowance and travel expenses provided by law for state officers and
33 employees generally.

34 3. The governor shall make the appointments from recommendations
35 submitted by Clark County, Washoe County, professional organizations of
36 sheriffs and police chiefs of this state, category II peace officers and
37 category III peace officers.

38 4. The committee shall:

39 (a) Meet at the call of the chairman, who must be elected by the
40 members of the committee.

41 (b) Provide for and encourage the training and education of peace
42 officers in order to improve the system of criminal justice.

1 (c) Adopt regulations establishing minimum standards for the
2 certification and decertification, recruitment, selection and training of peace
3 officers.

4 (d) Make necessary inquiries to determine whether agencies of the state
5 and of local governments are complying with standards set forth in its
6 regulations.

7 (e) Carry out the duties required of the committee pursuant to NRS
8 432B.610 and 432B.620.

9 5. Regulations adopted by the committee:

10 (a) Apply to all agencies of the state and of local governments which
11 employ persons as peace officers;

12 (b) Must require that all peace officers receive training in the handling
13 of cases involving abuse or neglect of children or missing children; and

14 (c) May require that training be carried on at institutions which it
15 approves in those regulations.

16 6. The director may adopt regulations necessary for the operation of
17 the committee and the enforcement of laws administered by the committee.

18 7. As used in this section:

19 (a) “Category II peace officer” means:

20 (1) The bailiff of the supreme court;

21 (2) The bailiffs of the district courts, justices’ courts and municipal
22 courts whose duties require them to carry weapons and make arrests;

23 (3) Constables and their deputies whose official duties require them to
24 carry weapons and make arrests;

25 (4) Inspectors employed by the transportation services authority who
26 exercise those powers of enforcement conferred by ~~{chapters 706 and 712}~~
27 ~~chapter 706~~ of NRS;

28 (5) Parole and probation officers;

29 (6) Special investigators who are employed full time by the office of
30 any district attorney or the attorney general;

31 (7) Investigators of arson for fire departments who are specially
32 designated by the appointing authority;

33 (8) The assistant and deputies of the state fire marshal;

34 (9) The brand inspectors of the division of agriculture of the
35 department of business and industry who exercise the powers of
36 enforcement conferred in chapter 565 of NRS;

37 (10) Investigators for the state forester firewarden who are specially
38 designated by him and whose primary duties are the investigation of arson;

39 (11) School police officers employed by the board of trustees of any
40 county school district;

41 (12) Agents of the state gaming control board who exercise the
42 powers of enforcement specified in NRS 289.360, 463.140 or 463.1405,
43 except those agents whose duties relate primarily to auditing, accounting,

1 the collection of taxes or license fees, or the investigation of applicants for
2 licenses;

3 (13) Investigators and administrators of the bureau of enforcement of
4 the registration division of the department of motor vehicles and public
5 safety who perform the duties specified in subsection 3 of NRS 481.048;

6 (14) Officers and investigators of the section for the control of
7 emissions from vehicles of the registration division of the department of
8 motor vehicles and public safety who perform the duties specified in
9 subsection 3 of NRS 481.0481;

10 (15) Legislative police officers of the State of Nevada;

11 (16) The personnel of the capitol police division of the department of
12 motor vehicles and public safety appointed pursuant to subsection 2 of
13 NRS 331.140;

14 (17) Parole counselors of the division of child and family services of
15 the department of human resources;

16 (18) Juvenile probation officers and deputy juvenile probation
17 officers employed by the various judicial districts in Nevada or by a
18 department of family, youth and juvenile services established pursuant to
19 NRS 62.1264 whose official duties require them to enforce court orders on
20 juvenile offenders and make arrests;

21 (19) Field investigators of ~~the~~ a taxicab authority;

22 (20) Security officers employed full time by a city or county whose
23 official duties require them to carry weapons and make arrests; and

24 (21) The chief of a department of alternative sentencing created
25 pursuant to NRS 211A.080 and the assistant alternative sentencing officers
26 employed by that department.

27 (b) “Category III peace officer” means peace officers whose authority is
28 limited to correctional services, and includes the superintendents and
29 correctional officers of the department of prisons.

30 **Sec. 146.** NRS 482.3963 is hereby amended to read as follows:

31 482.3963 1. An owner of a vehicle who leases it to a carrier and
32 operates the vehicle pursuant to that lease may apply to the department for
33 a temporary permit to operate the vehicle if the vehicle:

34 (a) Is not subject to the provisions of NRS 482.390 and 482.395;

35 (b) Is not currently registered in this state, another state or a foreign
36 country; and

37 (c) Is operated at the vehicle’s unladen weight.

38 2. The department shall charge \$10 for such a temporary permit, in
39 addition to all other applicable fees and taxes.

40 3. Such a temporary permit must:

41 (a) Bear the date of its expiration;

42 (b) Expire at 5 p.m. on the 15th day after its date of issuance;

1 (c) Be affixed to the vehicle in a manner prescribed by the department;
2 and

3 (d) Be removed and destroyed upon its expiration or upon the issuance
4 of a certificate of registration for the vehicle, whichever occurs first.

5 4. As used in this section, “carrier” means a common motor carrier of
6 passengers as defined in NRS 706.041, a common motor carrier of property
7 as defined in NRS 706.046, a contract motor carrier as defined in NRS
8 706.051, ~~for~~ a private motor carrier of property as defined in NRS 706.111
9 ~~for~~, *a taxicab motor carrier as defined in NRS 706.126, or a limousine*
10 *motor carrier as defined in section 5 of this act.*

11 **Sec. 147.** NRS 483.160 is hereby amended to read as follows:

12 483.160 1. “School bus” means every motor vehicle owned by or
13 under the control of a public or governmental agency or a private school
14 and regularly operated for the transportation of children to or from school
15 or a school activity or privately owned and regularly operated for
16 compensation for the transportation of children to or from school or a
17 school activity.

18 2. “School bus” does not include a passenger car operated under a
19 contract to transport children to and from school, a common carrier or
20 commercial vehicle under the jurisdiction of the Surface Transportation
21 Board ~~for the transportation services authority~~ when such a vehicle is
22 operated in the regular conduct of its business in interstate or intrastate
23 commerce within the State of Nevada.

24 **Sec. 148.** NRS 484.148 is hereby amended to read as follows:

25 484.148 1. “School bus” means every motor vehicle owned by or
26 under the control of a public or governmental agency or a private school
27 and regularly operated for the transportation of children to or from school
28 or a school activity or privately owned and regularly operated for
29 compensation for the transportation of children to or from school or a
30 school activity.

31 2. “School bus” does not include a passenger car operated under a
32 contract to transport children to and from school, a common carrier or
33 commercial vehicle under the jurisdiction of the Surface Transportation
34 Board ~~for the transportation services authority~~ when such *a* vehicle is
35 operated in the regular conduct of its business in interstate or intrastate
36 commerce within the State of Nevada.

37 **Sec. 149.** NRS 487.038 is hereby amended to read as follows:

38 487.038 1. Except as otherwise provided in subsections 3 and 4, the
39 owner or person in lawful possession of any real property may, after giving
40 notice pursuant to subsection 2, utilize the services of any ~~tow-car~~
41 operator *of a tow car* subject to the jurisdiction of the transportation
42 services authority to remove any vehicle parked in an unauthorized manner
43 on that property to the nearest public garage or storage yard if:

1 (a) A sign is displayed in plain view on the property declaring public
2 parking to be prohibited or restricted in a certain manner; and

3 (b) The sign shows the telephone number of the police department or
4 sheriff's office.

5 2. Oral notice must be given to the police department or sheriff's
6 office, whichever is appropriate, indicating:

7 (a) The time the vehicle was removed;

8 (b) The location from which the vehicle was removed; and

9 (c) The location to which the vehicle was taken.

10 3. Any vehicle which is parked in a space designated for the
11 handicapped and is not properly marked for such parking may be removed
12 if notice is given to the police department or sheriff's office pursuant to
13 subsection 2, whether or not a sign is displayed pursuant to subsection 1.

14 4. The owner or person in lawful possession of residential real property
15 upon which a single-family dwelling is located may, after giving notice
16 pursuant to subsection 2, utilize the services of any ~~["tow-car"]~~ operator of a
17 **tow car** subject to the jurisdiction of the transportation services authority to
18 remove any vehicle parked in an unauthorized manner on that property to
19 the nearest public garage or storage yard, whether or not a sign is displayed
20 pursuant to subsection 1.

21 5. All costs incurred, under the provisions of this section, for towing
22 and storage must be borne by the owner of the vehicle, as that term is
23 defined in NRS 484.091.

24 6. The provisions of this section do not limit or affect any rights or
25 remedies which the owner or person in lawful possession of real property
26 may have by virtue of other provisions of the law authorizing the removal
27 of a vehicle parked on that property.

28 **Sec. 150.** NRS 565.040 is hereby amended to read as follows:

29 565.040 1. The administrator may declare any part of this state a
30 brand inspection district.

31 2. After the creation of any brand inspection district as authorized by
32 this chapter all animals within any such district are subject to brand
33 inspection in accord with the terms of this chapter before:

34 (a) Consignment for slaughter within any district;

35 (b) Any transfer of ownership by sale or otherwise; or

36 (c) Removal from the district if the removal is not authorized pursuant
37 to a livestock movement permit issued by the division.

38 3. Whenever a brand inspection district is created by the division
39 pursuant to the provisions of this chapter, the administrator shall adopt and
40 issue regulations defining the boundaries of the district, the fees to be
41 collected for brand inspection, and prescribing such other rules or methods
42 of procedure not inconsistent with the provisions of this chapter as he
43 deems

wise.

1 4. Any regulations issued pursuant to the provisions of this section
2 must be published at least twice in some newspaper having a general
3 circulation in the brand inspection district created by the regulations, ~~and~~
4 ~~copies of the regulations must be mailed to all common carriers of record~~
5 ~~with the transportation services authority operating in the brand inspection~~
6 ~~district,]~~ which publication and notification constitutes legal notice of the
7 creation of the brand inspection district. The expense of advertising and
8 notification must be paid from the livestock inspection account.

9 **Sec. 151.** NRS 599B.010 is hereby amended to read as follows:

10 599B.010 As used in this chapter, unless the context otherwise
11 requires:

12 1. “Chance promotion” means any plan in which premiums are
13 distributed by random or chance selection.

14 2. “Commissioner” means the commissioner of consumer affairs.

15 3. “Consumer” means a person who is solicited by a seller or salesman.

16 4. “Division” means the consumer affairs division of the department of
17 business and industry.

18 5. “Donation” means a promise, grant or pledge of money, credit,
19 property, financial assistance or other thing of value given in response to a
20 solicitation by telephone, including, but not limited to, a payment or
21 promise to pay in consideration for a performance, event or sale of goods
22 or services. The term does not include volunteer services, government
23 grants or contracts or a payment by members of any organization of
24 membership fees, dues, fines or assessments or for services rendered by the
25 organization to those persons, if:

26 (a) The fees, dues, fines, assessments or services confer a bona fide
27 right, privilege, professional standing, honor or other direct benefit upon
28 the member; and

29 (b) Membership in the organization is not conferred solely in
30 consideration for making a donation in response to a solicitation.

31 6. “Goods or services” means any property, tangible or intangible, real,
32 personal or mixed, and any other article, commodity or thing of value.

33 7. “Premium” includes any prize, bonus, award, gift or any other
34 similar inducement or incentive to purchase.

35 8. “Recovery service” means a business or other practice whereby a
36 person represents or implies that he will, for a fee, recover any amount of
37 money that a consumer has provided to a seller or salesman pursuant to a
38 solicitation governed by the provisions of this chapter.

39 9. “Salesman” means any person:

40 (a) Employed or authorized by a seller to sell, or to attempt to sell,
41 goods or services by telephone;

42 (b) Retained by a seller to provide consulting services relating to the
43 management or operation of the seller’s business; or

(c) Who communicates on behalf of a seller with a consumer:

(1) In the course of a solicitation by telephone; or

(2) For the purpose of verifying, changing or confirming an order, except that a person is not a salesman if his only function is to identify a consumer by name only and he immediately refers the consumer to a salesman.

10. Except as otherwise provided in subsection 11, “seller” means any person who, on his own behalf, causes or attempts to cause a solicitation by telephone to be made through the use of one or more salesmen or any automated dialing announcing device under any of the following circumstances:

(a) The person initiates contact by telephone with a consumer and represents or implies:

(1) That a consumer who buys one or more goods or services will receive additional goods or services, whether or not of the same type as purchased, without further cost, except for actual postage or common carrier charges;

(2) That a consumer will or has a chance or opportunity to receive a premium;

(3) That the items for sale are gold, silver or other precious metals, diamonds, rubies, sapphires or other precious stones, or any interest in oil, gas or mineral fields, wells or exploration sites or any other investment opportunity;

(4) That the product offered for sale is information or opinions relating to sporting events;

(5) That the product offered for sale is the services of a recovery service; or

(6) That the consumer will receive a premium , or goods or services if he makes a donation;

(b) The solicitation by telephone is made by the person in response to inquiries from a consumer generated by a notification or communication sent or delivered to the consumer that represents or implies:

(1) That the consumer has been in any manner specially selected to receive the notification or communication or the offer contained in the notification or communication;

(2) That the consumer will receive a premium if the recipient calls the person;

(3) That if the consumer buys one or more goods or services from the person, the consumer will also receive additional or other goods or services, whether or not the same type as purchased, without further cost or at a cost that the person represents or implies is less than the regular price of the goods or services;

1 (4) That the product offered for sale is the services of a recovery
2 service; or

3 (5) That the consumer will receive a premium or goods or services if
4 he makes a donation; or

5 (c) The solicitation by telephone is made by the person in response to
6 inquiries generated by advertisements that represent or imply that the
7 person is offering to sell any:

8 (1) Gold, silver or other metals, including coins, diamonds, rubies,
9 sapphires or other stones, coal or other minerals or any interest in oil, gas
10 or other mineral fields, wells or exploration sites, or any other investment
11 opportunity;

12 (2) Information or opinions relating to sporting events; or

13 (3) Services of a recovery service.

14 11. “Seller” does not include:

15 (a) A person licensed pursuant to chapter 90 of NRS when soliciting
16 offers, sales or purchases within the scope of his license.

17 (b) A person licensed pursuant to chapter 119A, 119B, 624, 645 or
18 696A of NRS when soliciting sales within the scope of his license.

19 (c) A person licensed as an insurance broker, agent or solicitor when
20 soliciting sales within the scope of his license.

21 (d) Any solicitation of sales made by the publisher of a newspaper or
22 magazine or by an agent of the publisher pursuant to a written agreement
23 between the agent and publisher.

24 (e) A broadcaster soliciting sales who is licensed by any state or federal
25 authority, if the solicitation is within the scope of the broadcaster’s license.

26 (f) A person who solicits a donation from a consumer when:

27 (1) The person represents or implies that the consumer will receive a
28 premium or goods or services with an aggregated fair market value of 2
29 percent of the donation or \$50, whichever is less; or

30 (2) The consumer provides a donation of \$50 or less in response to
31 the solicitation.

32 (g) A charitable organization which is registered or approved to conduct
33 a lottery pursuant to chapter 462 of NRS.

34 (h) A public utility ~~for~~, *taxicab* motor carrier *or limousine motor*
35 *carrier* which is regulated pursuant to chapter 704 or 706 of NRS, or ~~by~~
36 an affiliate of such a utility or ~~motor~~ carrier, if the solicitation is within
37 the scope of its certificate or ~~license~~ *permit*.

38 (i) A utility which is regulated pursuant to chapter 710 of NRS, or ~~by~~
39 an affiliate of such a utility.

40 (j) A person soliciting the sale of books, recordings, video cassettes,
41 software for computer systems or similar items through:

1 (1) An organization whose method of sales is governed by the
2 provisions of Part 425 of Title 16 of the Code of Federal Regulations
3 relating to the use of negative option plans by sellers in commerce;

4 (2) The use of continuity plans, subscription arrangements,
5 arrangements for standing orders, supplements, and series arrangements
6 pursuant to which the person periodically ships merchandise to a consumer
7 who has consented in advance to receive the merchandise on a periodic
8 basis and has the opportunity to review the merchandise for at least 10 days
9 and return it for a full refund within 30 days after it is received; or

10 (3) An arrangement pursuant to which the person ships merchandise
11 to a consumer who has consented in advance to receive the merchandise
12 and has the opportunity to review the merchandise for at least 10 days and
13 return it for a full refund within 30 days after it is received.

14 (k) A person who solicits sales by periodically publishing and delivering
15 a catalog to consumers if the catalog:

16 (1) Contains a written description or illustration of each item offered
17 for sale and the price of each item;

18 (2) Includes the business address of the person;

19 (3) Includes at least 24 pages of written material and illustrations;

20 (4) Is distributed in more than one state; and

21 (5) Has an annual circulation by mailing of not less than 250,000.

22 (l) A person soliciting without the intent to complete and who does not
23 complete, the sales transaction by telephone but completes the sales
24 transaction at a later face-to-face meeting between the solicitor and the
25 consumer, if the person, after soliciting a sale by telephone, does not cause
26 another person to collect the payment from or deliver any goods or services
27 purchased to the consumer.

28 (m) Any commercial bank, bank holding company, subsidiary or
29 affiliate of a bank holding company, trust company, savings and loan
30 association, credit union, industrial loan company, personal property
31 broker, consumer finance lender, commercial finance lender, or insurer
32 subject to regulation by an official or agency of this state or of the United
33 States, if the solicitation is within the scope of the certificate or license held
34 by the entity.

35 (n) A person holding a certificate of authority issued pursuant to chapter
36 452 of NRS when soliciting sales within the scope of the certificate.

37 (o) A person licensed pursuant to chapter 689 of NRS when soliciting
38 sales within the scope of his license.

39 (p) A person soliciting the sale of services provided by a community
40 antenna television company subject to regulation pursuant to chapter 711 of
41 NRS.

42 (q) A person soliciting the sale of agricultural products, if the
43 solicitation is not intended to and does not result in a sale of more than

1 \$100 that is to be delivered to one address. As used in this paragraph,
2 “agricultural products” has the meaning ascribed to it in NRS 587.290.

3 (r) A person who has been operating, for at least 2 years, a retail
4 business establishment under the same name as that used in connection with
5 the solicitation of sales by telephone if, on a continuing basis:

6 (1) Goods are displayed and offered for sale or services are offered
7 for sale and provided at the person’s business establishment; and

8 (2) At least 50 percent of the person’s business involves the buyer
9 obtaining such goods or services at the person’s business establishment.

10 (s) A person soliciting only the sale of telephone answering services to
11 be provided by the person or his employer.

12 (t) A person soliciting a transaction regulated by the Commodity Futures
13 Trading Commission, if:

14 (1) The person is registered with or temporarily licensed by the
15 Commission to conduct that activity pursuant to the Commodity Exchange
16 Act, ~~18~~ 7 U.S.C. §§ 1 et seq. ; ~~19~~ and

17 (2) The registration or license has not expired or been suspended or
18 revoked.

19 (u) A person who contracts for the maintenance or repair of goods
20 previously purchased from the person:

21 (1) Making the solicitation; or

22 (2) On whose behalf the solicitation is made.

23 (v) A person to whom a license to operate an information service or a
24 nonrestricted gaming license, which is current and valid, has been issued
25 pursuant to chapter 463 of NRS when soliciting sales within the scope of
26 his license.

27 (w) A person who solicits a previous customer of the business on whose
28 behalf the call is made if the person making the call:

29 (1) Does not offer the customer any premium in connection with the
30 sale;

31 (2) Is not selling an investment or an opportunity for an investment
32 that is not registered with any state or federal authority; and

33 (3) Is not regularly engaged in telephone sales.

34 (x) A person who solicits the sale of livestock.

35 (y) An issuer which has a class of securities that is listed on the New
36 York Stock Exchange, the American Stock Exchange or the National
37 Market System of the National Association of Securities Dealers
38 Automated Quotation System.

39 (z) A subsidiary of an issuer that qualifies for exemption pursuant to
40 paragraph (y) if at least 60 percent of the voting power of the shares of the
41 subsidiary is owned by the issuer.

1 **Sec. 152.** NRS 706.018, 706.021, 706.056, 706.072, 706.1512,
2 706.1514, 706.158, 706.168, 706.266, 706.282, 706.356, 706.371,
3 706.391, 706.396, 706.421, 706.426, 706.431, 706.436, 706.442, 706.443,
4 706.471, 706.476, 706.6411, 706.749, 706.8811, 706.8812, 706.8813,
5 706.8814, 706.8816, 706.8817, 706.8818, 706.8828, 712.010, 712.020,
6 712.030, 712.040, 712.050, 712.060, 712.070, 712.080 and 712.090 are
7 hereby repealed.

8 **Sec. 153.** Any regulations relating to liability insurance adopted by the
9 transportation services authority pursuant to NRS 706.291, 706.303 or
10 706.305, or the taxicab authority created pursuant to former NRS
11 706.8818, remain in force until amended by the department of motor
12 vehicles and public safety. On and after July 1, 1999, such regulations must
13 be enforced by the department of motor vehicles and public safety.

14 **Sec. 154.** On July 1, 1999, the transportation services authority and
15 the taxicab authority created pursuant to former NRS 706.8818 shall
16 forward to the department of motor vehicles and public safety all liability
17 insurance policies, certificates of insurance, bonds of a surety company and
18 other surety which have been filed with the transportation services authority
19 and the taxicab authority created pursuant to former NRS 706.8818.

20 **Sec. 155.** 1. Except to the extent of any inconsistency with the
21 provisions of chapter 706 of NRS, any regulation adopted by the
22 transportation services authority remains in effect in the counties which
23 were not otherwise subject to the jurisdiction of the taxicab authority
24 created pursuant to former NRS 706.8818 until the date on which the
25 regulations adopted by the taxicab authority for northern Nevada pursuant
26 to section 157 of this act become effective. The regulations of the
27 transportation services authority must be enforced by the taxicab authority
28 for northern Nevada during the period between July 1, 1999, and the date
29 on which the regulations adopted by the taxicab authority for northern
30 Nevada pursuant to section 157 of this act become effective.

31 2. Any contracts or other agreements entered into on or before June 30,
32 1999, by the transportation services authority relating to the taxicab or
33 limousine business are binding upon the taxicab authority which has
34 jurisdiction over the taxicabs or limousines that are subject to the
35 provisions of the contracts or other agreements. Such contracts and
36 agreements may be enforced by the taxicab authority for northern Nevada.

37 **Sec. 156.** 1. Except to the extent of any inconsistency with the
38 provisions of chapter 706 of NRS, any regulation adopted by the taxicab
39 authority created pursuant to former NRS 706.8818 remains in force in the
40 county which was subject to the jurisdiction of that taxicab authority until
41 the date on which the regulations adopted by the taxicab authority for
42 southern Nevada pursuant to section 157 of this act become effective. The
43 regulations of the taxicab authority created pursuant to former NRS

1 706.8818 must be enforced by the taxicab authority for southern Nevada
2 during the period between July 1, 1999, and the date on which the
3 regulations adopted by the taxicab authority for southern Nevada pursuant
4 to section 157 of this act become effective.

5 2. Any contracts or other agreements entered into on or before June 30,
6 1999, by the taxicab authority created pursuant to former NRS 706.8818
7 are binding upon the taxicab authority for southern Nevada. Such contracts
8 and agreements may be enforced by the taxicab authority for southern
9 Nevada.

10 **Sec. 157.** Not later than October 1, 1999, the taxicab authority for
11 southern Nevada and the taxicab authority for northern Nevada shall adopt
12 such regulations as are necessary to carry out the provisions of NRS
13 706.881 to 706.885, inclusive, and sections 12 to 21, inclusive, of this act.

14 **Sec. 158.** The board of county commissioners for each county
15 required to enact an ordinance pursuant to sections 20 and 21 of this act,
16 relating to the regulation of taxicab motor carriers and limousine motor
17 carriers that are based and primarily operate within the jurisdiction of the
18 board of county commissioners shall enact such an ordinance not later than
19 October 1, 1999. The ordinance must become effective on October 1, 1999.

20 **Sec. 159.** 1. Notwithstanding any specific statute to the contrary, the
21 terms of office of all members of the taxicab authority created pursuant to
22 NRS 706.8818 expire on June 30, 1999.

23 2. Not later than July 1, 1999, the governor shall appoint five persons
24 as members of the taxicab authority for southern Nevada, whose terms
25 commence on July 1, 1999. Notwithstanding the provisions of section 12 of
26 this act to the contrary, for the initial terms of the members of the taxicab
27 authority for southern Nevada, the governor shall appoint:

28 (a) Three members to 4-year terms; and

29 (b) Two members to 3-year terms.

30 **Sec. 160.** 1. Not later than July 1, 1999, the governor shall appoint
31 three persons as members of the taxicab authority for northern Nevada,
32 whose terms commence on July 1, 1999.

33 2. Notwithstanding the provisions of section 13 of this act to the
34 contrary, for the initial terms of the members of the taxicab authority for
35 northern Nevada, the governor shall appoint, in addition to the appointment
36 of the sheriff of a county whose population is 100,000 or more but less than
37 400,000:

38 (a) One member to a 4-year term; and

39 (b) One member to a 3-year term.

40 **Sec. 161.** On October 1, 1999, the state controller shall transfer all
41 assets and liabilities from the taxicab authority fund abolished pursuant to
42 section 118 of this act to the taxicab authority regulatory fund for southern
43 Nevada created pursuant to section 118 of this act.

1 **Sec. 162.** The taxicab authority created pursuant to NRS 706.8818 and
2 the transportation services authority shall cooperate fully and take all
3 reasonable steps before July 1, 1999, to ensure that the provisions of this
4 act are carried out in an orderly fashion.

5 **Sec. 162.5.** The amendatory provisions of section 15.5 of this act do
6 not apply to offenses that were committed before July 1, 1999.

7 **Sec. 163.** 1. This section and sections 159, 160 and 162 of this act
8 become effective upon passage and approval.

9 2. Sections 1 to 75, inclusive, 77 to 142, inclusive, 144 to 158,
10 inclusive, 161, 162.5 and 164 of this act become effective on July 1, 1999.

11 3. Sections 76 and 143 of this act become effective at 12:01 a.m. on
12 July 1, 1999.

13 **Sec. 164.** Sections 17, 18 and 19 of this act expire by limitation on the
14 date on which the provisions of 42 U.S.C. § 666 requiring each state to
15 establish procedures under which the state has authority to withhold or
16 suspend, or to restrict the use of professional, occupational and recreational
17 licenses of persons who:

18 1. Have failed to comply with a subpoena or warrant relating to a
19 proceeding to determine the paternity of a child or to establish or enforce
20 an obligation for the support of a child; or

21 2. Are in arrears in the payment for the support of one or more
22 children,

23 are repealed by the Congress of the United States.

LEADLINES OF REPEALED SECTIONS

706.018 “Authority” defined.

706.021 “Broker” defined.

706.056 “Converter gear dolly” defined.

706.072 “Fully regulated carrier” defined.

**706.1512 Authority: Designation of chairman by governor;
executive officer; members in unclassified service of state.**

**706.1514 Authority: Power of majority of members; exercise of
power and conduct of business by majority of members; hearings.**

**706.158 Inapplicability of provisions governing brokers to motor
clubs and charitable organizations.**

**706.168 Supervision of motor carriers separate from supervision
of brokers.**

**706.266 Intrastate motor carriers required to furnish information
to authority.**

- 706.282 Duty of fully regulated carrier that advertises to provide to person who publishes or distributes advertisement of certain information regarding natural person who requested advertisement; duty of person who publishes or distributes advertisement of fully regulated carrier to provide certain information to authority.**
- 706.356 Certain free transportation prohibited.**
- 706.371 Powers of authority to regulate contract motor carriers.**
- 706.391 Hearing on application; conditions for issuance; power of authority to dispense with hearing.**
- 706.396 Effect of denial of certificate.**
- 706.421 Contract motor carrier must obtain permit from commission.**
- 706.426 Application for permit: Contents and form.**
- 706.431 Conditions for issuance or denial of permit; approval of contract entered into after issuance of permit.**
- 706.436 Effect of denial of permit.**
- 706.442 Requirements.**
- 706.443 Enforcement of provisions of NRS 706.442 by authority; regulations.**
- 706.471 Annual fee; penalty and interest.**
- 706.476 Impoundment by authority of vehicle in unauthorized use as taxicab; notice and hearing; administrative fine.**
- 706.6411 Procedure; limitation on transfer of stock of corporate motor carriers other than operators of tow cars.**
- 706.749 Permit for employer transporting employees between place of work and homes or central areas for parking; requirements.**
- 706.8811 Definitions.**
- 706.8812 “Administrator” defined.**
- 706.8813 “Certificate holder” defined.**
- 706.8814 “Driver” defined.**
- 706.8816 “Taxicab” defined.**
- 706.8817 “Taximeter” defined.**
- 706.8818 Appointment, number, qualifications and compensation of members; principal office; regulations.**
- 706.8828 Insurance.**
- 712.010 Short title.**
- 712.020 Legislative declaration.**
- 712.030 “Storage of household goods and effects” defined.**
- 712.040 Permit for warehouse required.**
- 712.050 Requirements for permit; grounds for revocation; fee; penalty.**

- 712.060 Inspection by transportation services authority.**
- 712.070 Rules and regulations of transportation services authority.**
- 712.080 Disciplinary proceedings; judicial review.**
- 712.090 Penalty.**

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