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COMMENTS SUBMITTED BY:

JOHN CARDINALLI
SUNSHINE TAXI, INC.

RE: S.B. 192

PLEASE ACCEPT AND CONSIDER MY COMMENTS REGARDING S.B.192. IT IS MY CONCERN THAT WITHOUT CLARIFICATION OF LANGUAGE, TAXI AND TRANSPORTATION COMPANIES (SUCH AS MYSELF) CAN BE FACED WITH UNNECESSARY AND REDUNDANT EXPENSES.

Sec. 6. 1. A member or the Deputy of the Authority shall issue a driver's permit to each qualified person who wishes to be a driver of a fully regulated carrier of passengers and who complies with the requirements for the issuance of a driver's permit.

2. Before a member or the Deputy of the Authority may issue a driver's permit to an applicant, the member or Deputy shall:

(a) Require the applicant to submit a complete set of his fingerprints and written permission authorizing the Authority to forward the fingerprints to the Central Repository for Nevada Records of Criminal History for submission to the Federal Bureau of Investigation to ascertain whether the applicant has a criminal record and the nature of any such record, and shall further investigate the applicant's background; and

COMMENT: SPECIFIC LANGUAGE SHOULD BE ADDED THAT WOULD ALLOW A DRIVER'S PERMIT TO BE ISSUED IF A DRIVER WAS PROCESSED BY ANY OTHER LAW ENFORCEMENT OR GOVERNMENT AGENCY (INCLUDING BONIFIED AGENCIES FROM OF OTHER STATES) .

(b) Require proof that the applicant has a valid and appropriate license issued pursuant to NRS 483.340 which authorizes the applicant to drive in this state the vehicle that he will be driving for the fully regulated carrier of passengers.

COMMENT: TAXICAB COMPANIES OPERATING AJACENT TO OTHER STATES WILL HAVE PROBLEMS WITH THIS WORDING IF A DRIVER LIVES OUTSIDE NEVADA.

3. A member or the Deputy of the Authority may refuse to issue a driver's permit to an applicant if the applicant has been convicted of:

(a) A felony, other than a sexual offense, in this state or any other jurisdiction within the 5 years immediately preceding the date on which he filed his application;

(b) A felony involving any sexual offense in this state or any other jurisdiction at any time before the date on which he filed his application; or

(c) A violation of NRS 484.379 or 484.3795, or a law in another jurisdiction that prohibits the same or similar conduct, within the 3 years immediately preceding the date on which he filed his application.

4. A member or the Deputy of the Authority may refuse to issue a driver's permit to an applicant who has been convicted of an offense involving moral turpitude.

5. A driver's permit issued pursuant to this section is valid for 1 year and may be renewed.

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SUBMITTED BY: Bob Fairman

6. A person must pay to the Authority:

(a) A fee of \$50 for the issuance of an original driver's permit.

(b) A fee of \$50 for the renewal of a driver's permit.

Sec. 9. 1. A fully regulated carrier of passengers shall not accept an application for employment from or enter into a lease with a person who wishes to be a driver of the fully regulated carrier of passengers unless the person submits to the carrier a physician's certificate which complies with the provisions of this section and which is issued by a physician who is licensed to practice medicine in this state.

COMMENT: SINCE A PHYSICIAN MUST COMPLY WITH the Federal Motor Carrier Safety Regulations, 49 C.F.R. §§ 391.41 et seq., A LICENSED PHYSICIAN FROM ANY STATE SHOULD BE ACCEPTABLE.

2. A physician shall issue a physician's certificate and two copies thereof to a person who wishes to be a driver of a fully regulated carrier of passengers if the physician finds that the person meets the applicable health requirements established by the Federal Motor Carrier Safety Regulations, 49 C.F.R. §§ 391.41 et seq.

3. A physician's certificate that is issued pursuant to this section must:

(a) State that the physician has examined the person and has found that the person meets the applicable health requirements established by the Federal Motor Carrier Safety Regulations, 49 C.F.R. §§ 391.41 et seq.; and

(b) Be signed and dated by the physician issuing the certificate.

4. A physician's certificate that is issued pursuant to this section expires 2 years after the date on which it was issued and may be renewed.

Sec. 10. 1. A fully regulated carrier of passengers shall not employ, enter into a lease with, or require or allow a person to be a driver of the fully regulated carrier of passengers and a person shall not operate as a driver of a fully regulated carrier of passengers unless:

(a) The person has obtained and has on his person:

(1) A driver's license issued to the person by this state pursuant to NRS 483.010 to 483.630, inclusive;

COMMENT: SHOULD READ "A VALID DRIVERS' LICENSE".

(2) A driver's permit issued to the person by a member or the Deputy of the Authority pursuant to section 6 of this act; and

(3) A copy of the physician's certificate issued to the person by a physician pursuant to section 9 of this act; and

(b) If the person intends to operate as a driver of a taxicab motor carrier, the person has met any additional qualifications that have been established by ordinance pursuant to NRS 268.097.

2. At the time that a fully regulated carrier of passengers employs or enters into a lease with a person to be a driver of the fully regulated carrier of passengers, the carrier shall:

(a) Provide the person with a complete copy of NRS 706.011 to 706.791, inclusive, and sections 2 to 11, inclusive, of this act, and any regulations adopted pursuant thereto; and

(b) Require the person to sign a statement acknowledging that he has received a complete copy of NRS 706.011 to 706.791, inclusive, and sections 2 to 11, inclusive, of this act, and any regulations adopted pursuant thereto, and has read and familiarized himself with the provisions included therein.

Sec. 34. NRS 706.8841 is hereby amended to read as follows:

706.8841 1. The Administrator shall issue a driver's permit to qualified persons who wish to be employed by certificate holders as taxicab drivers~~{ }~~ and who comply with the requirements for the issuance of a driver's permit.

2. Before issuing a driver's permit, the Administrator shall:

(a) Require the applicant to submit a complete set of his fingerprints~~{, which must be forwarded}~~ and written permission authorizing the Administrator to forward the fingerprints to the Central Repository for Nevada Records of Criminal History for submission to the Federal Bureau of Investigation to ascertain whether the applicant has a criminal record and the nature of any such record, and shall further investigate the applicant's background; and

(b) Require proof that the applicant:

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

COMMENT: WORDING REGARDING EXCLUSIVE NEVADA RESIDENCY SHOULD BE ELIMINATED.

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

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

COMMENT: NEVADA ONLY DRIVERS' LICENSE LANGUAGE SHOULD BE ELIMINATED.

~~{2-}~~ 3. The Administrator may refuse to issue a driver's permit if the applicant has been convicted of:

(a) A felony, other than a felony involving any sexual offense, in this state or any other jurisdiction within 5 years before the date of the application;

(b) A felony involving any sexual offense in this state or any other jurisdiction at any time before the date of the application; or

(c) A violation of NRS 484.379 or 484.3795, or a law of any other jurisdiction that prohibits the same or similar conduct, within 3 years before the date of the application.

~~{3-}~~ 4. The Administrator may refuse to issue a driver's permit if the Administrator, after the background investigation of the applicant, determines that the applicant is morally unfit or if the issuance of the driver's permit would be detrimental to public health, welfare or safety.

~~{4-}~~ 5. A taxicab driver shall pay to the Administrator, in advance, \$20 for an original driver's permit and \$5 for a renewal.