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SB 192

January 28, 2002

Transportation Services Authority
2290 South Jones Blvd., Suite 110
Las Vegas, NV 89146

Attn: Ted A. Pribnow, Manager of Transportation

Ted,

In response to our recent discussion surrounding the different role(s) of the State vs. Federal Transportation authority, rules and regulations, I am providing an overview that I believe will be of benefit in your day-to-day operation.

Oversight authority for interstate motor carrier operations falls within the jurisdiction of the **FMCSA** (Federal Motor Carrier Safety Administration). A **DOT** (U.S. Department of Transportation) number is assigned for compliance and inspection purposes only.

An **ICC/MC** (Interstate Commerce Commission / Motor carrier) number is a certification* of approved motor carrier operations. Included are the following four (4) categories of authority for passenger endorsement:

1) Charter Operating Authority
   Exclusive use of a vehicle in the transport of passenger(s) to a designated location
2) Contract Authority
   Contract to transport passenger(s) to and from major facilities; e.g., airport, hotel...
3) Special Operations / Services
4) Scheduling
   Regular route

*Note: certification does not designate, describe, or limit the type of motor vehicle to be used in any or all of the aforementioned categories of authority.

Many of the motor carriers doing business in Northern Nevada do not have operating authority to contract or provide special services. Most have charter authority but others, working out of the Reno and Las Vegas airports, are breaking some of Nevada's transportation laws ... two in particular that I am aware of are: NAC706.355 (prohibits per-capita fare for charter services) and NAC706.348 (provides for airport transfer services).

These are just a few of the regulations that charter operators coming into Nevada do not fully understand. In addition, under charter authority, Alaska and Hawaii are excluded. Budget Chauffeur Drive Pty., Ltd. has interstate authority that is inclusive for operation in all 50 states, including Alaska and Hawaii.

I hope this information will be of assistance in the performance of your investigative duties with the Nevada Transportation Services Authority. If you have any questions, please do not hesitate to give me a call at (775) 885-7550.

Respectfully,

A.R. "Bob" Fairman, Owner & President
Budget Chauffeur Drive Pty., Ltd.
311 South Roop Street
Carson City, NV 89701-4741
(775) 885-7550

BEFORE THE TRANSPORTATION SERVICES AUTHORITY OF NEVADA

In re Authority Investigation into the Impact of Section 4016 of the Transportation Equity Act for the 21st Century upon Nevada Transportation Law	)	Docket No. 98-8002

NOTICE OF IMPACT OF SECTION 4016 OF TEA 21

On June 9, 1998, the President signed into law the Transportation Equity Act for the 21st Century, commonly referred to as "TEA 21". This legislation, among other things, created a preemption of some, but not all, state regulation of the charter bus industry.

At a regularly scheduled Agenda Meeting of the Transportation Services Authority of Nevada (the 'Authority") on August 12, 1998, the Authority initiated an investigatory docket to examine the impact of TEA 21 upon its existing statutes and regulations. The Authority designated this investigation as Docket No. 98-8002. In connection with this investigation, the Authority conducted workshops on September 15 and 18, 1998. At these workshops, comments were received from numerous members of the charter bus industry and the public.

Based upon input gathered at the above-referenced workshops, the Authority, at a regularly scheduled Agenda Meeting held on September 29, 1998, voted to issue this Notice of Impact of Section 4016 of TEA 21 to inform all interested and affected parties and members of the motor carrier industry of the following changes in the Authority's jurisdiction of the motor carrier industry as it related to intrastate charter bus service:

1. Section 4016 of TEA 21 reads as follows:

Section 14501(a) is amended to read as follows:

(a) MOTOR CARRIERS OF PASSENGERS –
(1) LIMITATION ON STATE LAW – No State or political subdivision thereof and no interstate agency or other political agency of 2 or more States shall enact or enforce any law, rule, regulation, standard, or other provision having the force and effect of law relating to –
(A) scheduling of interstate or intrastate transportation (including discontinuance or reduction in the level of service) provided by a motor carrier of passengers subject to jurisdiction under subchapter 1 of chapter 135 of this title on a interstate route;
(B) the implementation of any change in the rates for such transportation

or for any charter transportation except to the extent that notice, not in excess of 30 days, of changes in schedules may be required; or
(C) the authority to provide intrastate or interstate charter bus transportation.
This paragraph shall not apply to intrastate commuter bus operations.
(2) MATTERS NOT COVERED – Paragraph (1) shall not restrict the safety regulatory authority of a State with respect to motor vehicles, the authority of a State to impose highway route controls or limitations based on the size or weight of the motor vehicle, or the authority of a State to regulate carriers with regard to minimum amounts of financial responsibility relating to insurance requirements and self-insurance authorization.

2. The Conference Committee Report regarding Section 4016 clarifies that this provision does not limit a state's ability to regulate taxicab service or limousine livery service.

3. 49 C.F.R. Section 374.503 defines the term "charter" as:

"...The term "special or chartered party" means a group of passengers who, with a common purpose and under a single contract, and at a fixed charge for the vehicle in accordance with the carrier's tariff, have acquired the exclusive use of a passenger-carrying motor vehicle to travel together as a group to a specified destination or for a particular itinerary."

4. TEA 21's preemptions only apply to transportation considered to be charter operations, and do not apply to airport transfer services, special services, scenic tours, transit, or regular route intrastate transportation. Because the Conference Committee Report clarifies that TEA 21's preemptions do not apply to limousines, intrastate charter service by limousine is also not preempted. Consequently, all aspects of Nevada law applicable to these industry segments remain in full force and effect.

5. All existing certificates of public convenience and necessity to provide charter bus service remain in full force and effect. However, any geographic geographic restrictions contained therein are preempted.

6. Any carrier wishing to provide intrastate charter services by bus not holding a Ceritificate from the Authority or its jurisdictional predecessor, the Public Service Commission of Nevada, must first make application to do so pursuant to NRS 706.391 and NAC 703.165. In light of Section 4016's preemptions, applications for new Certificates shall be limited to providing information regarding operational fitness with regard to safety and insurance. Similarly, the Authority's review certificate transfer applications for intrastate charter bus service shall be limited to

operational fitness in the areas of safety and compliance with the Authority's insurance requirements.

7. The Authority's regulations concerning the transfer of a Certificate articulated in NAC 706.386 through 706.395, as well as any applications made thereunder, are similarly limited by Section 4016.

8. Pursuant to NAC 703.595(1) and successor regulations regarding the requirements of petitions for leave to intervene, the direct and substantial interest that must accompany any petition for leave to intervene in an application for charter bus authority shall be limited to the applicant's operational fitness with respect to safety and insurance coverage.

9. Unless an applicant for a charter bus Certificate requests a hearing or a petition for leave to intervene is filed and granted, the Authority shall approve or deny such an application within 60 days of an accepted filing. Should the Authority's investigatory staff be unable to complete its investigation within 60 days, it shall request an extension from the Authority of that 60 day period at a regularly scheduled Agenda Meeting.

10. Based on the language of Section 4016(a)(1)(B), Nevada law concerning tariffs and their corresponding regulations appear to be preempted, with the exception of the 30 day filing requirement mandated by Nevada law. Consequently, NRS 706.311 through 706.356, save and except NRS 706.321(1) - (3), are not applicable to charter bus operations. Certificated charter bus carriers shall maintain tariffs with the Authority and shall file a notice of tariff amendment, in a manner which conforms to the Authority's regulations regarding the formatting and presentation of tariff sheets, pursuant to NRS 706.323(3).

11. The enforcement provisions of Nevada's passenger transportation laws, including the Authority's ability to impound uncertificated vehicles as articulated in NRS 706.476, are still in full force and effect for intrastate charter bus operations. It is the policy of the Authority to vigorously enforce its jurisdiction with respect to certification, both federal and state safety regulations, insurance coverage and tariff maintenance.

12. The Authority will work with the Nevada Legislature to implement further changes in Nevada law that are deemed necessary or desirable as a result of Section 4016 of TEA 21.

13. The Authority's staff is hereby directed to produce amended application forms and instructions for intrastate charter bus Certificate applications, Certificate transfer applications and tariff filings consistent with this Notice.

This Notice has been issued pursuant to the Authority's jurisdiction contained in NRS and NAC Chapters 703. and 706.

A copy of Section 4016 of TEA 21 and materials related to this docket are on file and available for viewing by the public at the offices of the Authority, the Grant Sawyer Building, 555 East Washington Avenue, Suite 4600, Las Vegas, Nevada 89101.

By the Authority,

Sandra Lee Avants

SANDRA LEE AVANTS, Deputy Commissioner

Dated: Las Vegas, Nevada

October 5, 1998

(SEAL)

CHARTER LIMOUSINE, INC., a/k/a Carey of Florida, et al., Plaintiffs-Appellees,

v.

DADE COUNTY BOARD OF COUNTY COMMISSIONERS, acting as Dade County Aviation Authority, Defendant-Appellant,

Red Top Sedan Service, Inc., Intervenor-Appellant.

No. 79-2163.

United States Court of Appeals, Fifth Circuit.*
Unit B

June 17, 1982.

Carrier brought action against county alleging violations of the commerce clause by county's undertaking to grant an exclusive franchise to another company, which intervened in the action, for ground transportation of passengers from airport. The United States District Court for the Southern District of Florida, Sidney M. Aronovitz, J., granted injunction in favor of carrier, and county and intervening company appealed. The Court of Appeals, Jones, Circuit Judge, held that: (1) carrier's prearrangements to provide transportation services placed its operations within stream of interstate commerce, and restrictions placed upon it by county constituted an unreasonable burden upon interstate commerce, and (2) District Court did not err in setting rates which carrier was required to pay for use of the airport facilities.

Affirmed.

1. Administrative Law and Procedure ⇐796

Usually much deference is given to decisions of an administrative agency acting within scope of its authority; however, when question is one of law and does not involve expertise of an agency, Court of Appeals is not bound by that agency's decision, particularly when the decision is based on an interpretation of a judicial decision that in turn construes the Constitution or a statute.

2. Commerce ⇐82.45

Carrier's prearrangements for ground transportation of passengers from airport placed its operations within stream of interstate commerce even though they took place wholly within a single state, and thus county's undertaking to grant an exclusive franchise for ground transportation of airport passengers to another company constituted an unreasonable burden upon interstate commerce. U.S.C.A.Const.Art. 1, § 8, cl. 3.

3. Aviation ⇐228
Federal Courts ⇐28

District court did not abuse its discretion in setting rates which carrier was required to pay to county for use of airport facilities in conjunction with providing prearranged ground transportation of passengers from airport and the Johnson Anti-Injunction Act of 1934 was inapplicable since county, which had attempted to grant an exclusive franchise to another company, had violated the commerce clause. U.S.C.A.Const.Art. 1, § 8, cl. 3; 28 U.S.C.A. § 1342.

Phillip Schiff, Evan Langbein, Miami, Fla., for Red Top Sedan, etc.

Stephen P. Lee, County Atty., Miami, Fla., for Dade County.

Curasi & Davis, Richard M. Davis, Tallahassee, Fla., for plaintiffs-appellees.

Appeal from the United States District Court for the Southern District of Florida.

Before JONES, TJOFLAT and ANDERSON, Circuit Judges.

* Former Fifth Circuit case, Section 9(1) of Public Law 96-452—October 14, 1980.

JONES, Circuit Judge:

The Board of County Commissioners of Dade County, Florida, acting as the Dade County Aviation Authority, operates the Miami International Airport. The Authority undertook to grant an exclusive franchise to Red Top Sedan Service, Inc., for ground transportation of passengers from the airport to Dade and Broward counties in Florida. Charter Limousine, Inc., the plaintiff in the district court and the appellee in this Court, brought an action against the county basing jurisdiction upon 28 U.S.C.A. §§ 1331 and 1337, alleging violations of the commerce clause of the United States Constitution. Red Top intervened, and became a party defendant.

Charter obtained a decree from the district court enjoining the defendants from interfering with its prearranged ground transportation of air passengers from or into the airport. Charter is a franchisee of the Carey Corporation, a nationwide transportation system which operates franchises in various cities throughout the country to supply limousine services. Carey and its franchisees, through a complex nationwide communications system, schedule pickups of passengers arriving on interstate flights. Charter contended, and the district court held, that it was engaged in interstate commerce as defined in 49 U.S.C.A. 303(b)(7a) and 49 C.F.R. § 1047.45(a) and that the counties' total prohibition of its right of access to the airport constituted an unreasonable burden on interstate commerce. It was the contention of Charter that although the county could grant an exclusive license to Red Top to solicit passengers at the airport, it could not ban Charter completely from engaging in the transportation of passengers with prearranged reservations, who were within the stream of interstate commerce.

Dade County and Red Top urge that Charter's prearrangements and tour packages are insufficient to bring Charter's operation within the stream of interstate commerce. They cite various authorities for the proposition that through tickets and common arrangements are necessary to bring Charter's operations, which are solely within the State of Florida, within the purview of interstate commerce.

The primary issue on this appeal is how interstate commerce is defined within the context of these prearranged airport pickups. For initial determination is whether we are bound by a series of Interstate Commerce Commission cases which have held that through tickets or common arrangements are required to bring a carrier's operations within the stream of interstate commerce, and that mere prearrangements are insufficient.

The district court found that substantially all of Charter's limousine service is prearranged by interstate communication before flight arrival and pickup, and that Charter maintains no on call or at random pickup of passengers at the airport. Sixty to sixty-five percent of Charter's business is derived from reservations provided through the Carey Corporation franchise network. Twenty to twenty-five percent originates through travel agents. The majority of passengers are transported by means of vouchers received by them prior to their interstate flight, and given to the Charter drivers at the time of service. The others pay Charter with a prearranged letter confirming payment by the forwarding agent or tour operator. The district court also found that Charter had complied with Florida statutory requirements.[1] Thus, the Florida Public Service Commission acknowledged that Charter was an exempt interstate motor carrier.

Dade County and Red Top urge that the district court applied the wrong standard of interstate commerce to Charter's opera-

1. It is unlawful for any motor carrier transporting for compensation in interstate commerce in Florida for which a certificate of public convenience and necessity or a permit is required from the Interstate Commerce Commission to operate over the public highways of this state without having filed a certified copy of such interstate commerce commission authority with the Florida Public Service Commission and having obtained from the Florida Commission a certificate of registration .... F.S.A. § 323.28(2)

tions, and failed to apply the I.C.C. rulings and relevant federal court decisions. The primary I.C.C. decision dealing with these questions is *Motor Transportation of Passengers Incidental to Transportation by Aircraft*, 95 M.C.C. 526 (1964). The Commission held that "... regardless of the intentions of any passengers to continue or complete an interstate journey, a carrier of passengers solely within a state, selling no through tickets, and having no common arrangements with connecting out-of-state carriers, is not engaged in interstate or foreign commerce." This decision has been consistently followed by the Commission. See, *Portland Airport-Petition for Declaratory Order*, 118 M.C.C. 45 (1973); *James T. Kimball, Petition for Declaratory Order*, 131 M.C.C. 908 (1980). The Commission relied upon several Supreme Court and other decisions to support its interpretation of interstate commerce, including the case of *United States v. Yellow Cab*, 332 U.S. 218, 67 S.Ct. 1560, 91 L.Ed. 2010 (1947). This was a Sherman Antitrust case. The question was whether the Yellow cabs were within the stream of interstate commerce for purposes of the Sherman Act when they transported passengers after they disembarked from an interstate rail journey. The Supreme Court stated that, "... interstate commerce is an intensely practical concept drawn from the normal and accepted course of business.... What happens prior or subsequent to that [interstate] rail journey, at least in the absence of some special arrangement, is not a constituent part of the interstate movement." ... 332 U.S. at 231–2, 67 S.Ct. at 1567. The Commission also relied upon, inter alia, *Mateo v. Auto Rental Company*, 240 F.2d 831 (9th Cir. 1957), as precedent for its decision. The issue in *Mateo* was whether local auto rentals were shown to be part of the stream of interstate commerce for purposes of jurisdiction under the Fair Labor Standards Act. The Ninth Circuit Court of Appeals held that under the facts of that case, and the Fair Labor Standards Act, interstate commerce had not been shown.

[1] It is apparent that the Commission in *Motor Transportation of Passengers Incidental to Transportation by Aircraft*, supra, relied, at least in part, on judicial interpretations of the commerce clause to determine the limitations of its jurisdiction with respect to motor carriers transporting air passengers and operating solely within one state. Usually much deference is given to the decisions of an administrative agency, acting within the scope of its authority. However, when the question is one of law and does not involve the expertise of an agency, we are not bound by that agency's decision. This is particularly true when the decision of the agency is based on an interpretation of a judicial decision that in turn construes the Constitution or a statute. *H. W. Wilson Co. v. U. S.*, 580 F.2d 33 (2 Cir. 1978); see also, *Coca-Cola v. Atchison, T. & S. F. Ry. Co.*, 608 F.2d 213 (5 Cir. 1979).

In *Motor Transportation of Passengers Incidental to Transportation by Aircraft*, supra, the Commission stated that, "We see no reason to depart from the precedents established in prior decisions. Furthermore, we find no overriding necessity, rooted in the public interest, to claim the involved transportation as interstate commerce. We are already heavily burdened enough with regulatory responsibilities without casting about to extend our jurisdiction beyond that specially required by law." 95 M.C.C. at 537. By defining operations such as Charter's as intrastate commerce, the Commission did no more than attempt to narrow its jurisdiction, and avoid this troublesome area. Therefore, the Court is not bound by the decisions of the Commission on the question of law in this case.

The Supreme Court in the *Yellow Cab*, case was not laying down ironclad rules which required common arrangements or through ticketing, as contended by Dade County and Red Top. Charter's use of the interstate Carey Corporation network to accept reservations, and its voucher payment system, satisfies the special arrangement criteria stated by the Supreme Court in *Yellow Cab*. Other decisions support this view.

In *Southerland v. St. Croix Taxicab Association*, 315 F.2d 364 (3 Cir. 1963), the government of the Virgin Islands had awarded an exclusive taxi franchise to the St. Croix Taxi Association to pickup arriving air passengers and transport them to their hotels. The plaintiff, Southerland, was in the business of organizing package tours. He was told by the Virgin Islands authorities that he could not transport tourists from the airport as a part of his package tours, but must use the St. Croix Taxicab Association. The Third Circuit Court of Appeals held that the exclusive contract constituted an unreasonable restraint on interstate commerce, and stated, ... "we conclude that under the facts of this case the ... guests, whom the defendant prevented the plaintiff from transporting from the airport to their hotels, were in the stream of commerce from the time they left their homes until they returned home again. This is not a situation where the transportation from the airport to the hotel was local haulage in the sense that the travelers' interstate journey had ended at the airport at which point he could independently contract for his transportation service to his hotel by a conveyance of his own choice. On the contrary, the transportation of these individuals had been arranged for them and paid for in advance as an integral part of their all expense interstate journey ...." 315 F.2d at 369.

[2] Charter's operations are similar to those set forth in *Southerland*. See also, *Toye Bros., Yellow Cab Company v. Irby*, 437 F.2d 806 (5 Cir. 1971). It is the conclusion of this Court that Charter's prearrangements place their operations within the stream of interstate commerce, even though they take place wholly within a single state. The Court concludes, as did the district court, that the restrictions placed upon Charter by the Dade County Commission constitute an unreasonable burden upon interstate commerce.

[3] The final question posed by the appellants is whether the district court erred in setting the rates which Charter was required to pay for the use of the airport facilities. The appellants contend that 28 U.S.C.A. § 1342, the Johnson Anti-Injunction Act of 1934, prohibits the district court from enjoining the collection by Dade County of the fees which it had previously received. It appears that the statute is not applicable to this case. First, the statute contains an exception where the order of the state agency interfers with interstate commerce. The foregoing discussion indicates that the appellants have violated the commerce clause. Furthermore, the district court was sitting as an equity court in this case, and we cannot say that it abused its discretion in entering the decree which it did. The district court found that it would be confiscatory to charge Charter the user fees which had been previously set.

The judgment of the district court is AFFIRMED.

Hubert Vernon HARDIN,
Petitioner-Appellant,

v.

Louie L. WAINWRIGHT, Secretary, Department of Offender Rehabilitation, State of Florida, Respondent-Appellee.

No. 80-5568.

United States Court of Appeals,
Fifth Circuit.*
Unit B

June 17, 1982.

Prisoner appealed from a decision of the United States District Court for the Middle District of Florida, Wm. Terrell Hodges, J., denying his petition for habeas corpus relief. The Court of Appeals, God-

* Former Fifth Circuit case. Section 9(1) of Public Law 96-452—October 14, 1980.

The Transportation Services Authority

The TSA is not functioning properly and not doing all it could to protect the traveling public. It needs its areas of responsibility given to another agencies or its areas of responsibility refocused. The following are three plans to better serve the public. The worst thing the State Legislature could do is....nothing. Something needs to be done to make sure the traveling public and the businesses that the TSA regulates are protected and not abused.

The first plan:

Break up the agency. The responsibilities the TSA provides could be transferred to other state agencies. The tow trucks can be given to the Highway Patrol. The taxis limousines can be taken care of by the cities or counties. In Clark County the Taxi Cab Authority could take over the limousines. The other responsibilities can be taken care of by the Highway Patrol or other agencies, like the DMV. This would save money by the savings of salaries and agency costs to the State of Nevada.

The second plan:

Combine the responsibilities the TSA with another state agency. It was originally with the PSC, before it was split off to two agencies, the PUC and TSA. By bringing the TSA back under the PUC the two agencies will save taxpayer dollars if it is done properly and to restore the public and industry confidence in what the TSA should be doing. The Legislature passed a bill in 2001 to increase the number of PUC Commissioners from 3 to 5 at the end of this year. Have 2 TSA Commissioners move to the PUC and save the salary of one Commissioner. You would also save the salary of the Deputy Commissioner, as the PUC has a Deputy. You could eliminate the Manager of Transportation and Chief Investigator positions and have a Chief of Enforcement and a northern and southern supervisor directing the enforcement staff in both regions. Your salary savings would be hiring a supervisor in the southern region replacing the high salaried Chief Investigator.

Move the limousine responsibility in Clark County to the Taxicab Authority. Have an annual fee for the Limousines registered with the Taxicab Authority to help offset the cost of enforcement. This would provide 24/7 coverage of the Taxi and Limousine industries in Clark County. The northern area would continue to enforce and regulate the taxis and limousines, as it is now. You could then free up positions to move to areas that are understaffed.

The TSA would no longer have to pay for fees from the State Attorney General's Office due to the fact that they have in house council. The TSA/PUC should be able to handle the added authority hearings. The local justice courts and not the TSA/PUC Commissioners should hear simple violations of the NRS/NAC, just like the Nevada Highway Patrol currently issues citations. The added hearings would only be for approval/modification of authorities.

The administrative Staff could be integrated into the PUC or let go if the PUC can take over the duties with its current staffing level. The dockets and needed paperwork would flow right back into the PUC system. There is also a possibility of office savings by combining the offices of the two agencies.
To help off set the cost of the re-merger of the TSA/PUC there should be a per trip charge of 5 cents ($0.05) to all taxi trips made in Nevada, with the exception of Clark county and the TA's added per trip cost. This could generate much need funds to hire investigative staff without putting a burden on the traveling public.
With the re-merger of the TSA/PUC you will save taxpayer money and continue providing the safety and service to the public.

The third plan:

Approve SB192 with some modification. The proposed bill will cost taxpayer money and the benefit will not be worth the total expense. The easiest way to accomplish limousine driver permitting is to have the Taxi Cab Authority (TA) take over the regulation of the limousines in Clark County, as they are currently providing taxi regulation and driver permitting. The northern part of the state can handle what is currently on the road by purchasing only one, not two, new permitting devices. By shifting the limousines in Clark County to the TA you get instant 24-7 coverage of the industry and instant driver permitting. This will also eliminate duplication in Clark County of driver permitting. You can then shift some of the current TSA positions to the north to cover the Northern part of State more effectively with two shifts covering the taxi and limousines in the north. An Investigator could also be moved to the Northeastern part of the state to better cover that area. You can then shift some Administrative positions to the North to design and implement permitting for the northern area.
The TSA Commissioners should be made part time Commissioners/Administrative Hearing officers as done with the TA. They would come together once a month to approve new applications and decisions by the individual hearing officers. This would save the full salary of 3 Commissioners. The appointment of Commissioners should also be changed to have a Commissioner appointed from the Northeastern, Western and Southern areas of the State. This would help ensure the whole State of Nevada is getting proper coverage. You could then have an Administrative Manager and a Chief of Enforcement, with underlying staff of administration and enforcement.
Again, to help off set the cost of the TSA there should be a per trip charge of 5 cents ($0.05) to all taxi trips made in Nevada, with the exception of Clark county and the TA's added per trip cost. Again, this could generate much need funds to hire investigative staff without putting a burden on the traveling public.
This would balance out the enforcement of regulated passenger carriers in the State between the TA and the TSA. With the TSA having responsibility of enforcement of taxi's, limousines, tow trucks, house-hold goods and buses in the whole state. The TA would be responsible for the taxis and limousines in Clark County, which is the largest area of responsibility.

By re-focusing the TSA and TA areas of responsibility you can accomplish all this in a time of very limited funds.

Conclusion:

The Legislature needs to refocus the TSA and the area of responsibility or break-up the agency and move the areas of responsibility to other agencies. At the very least the Legislature should combine the two largest areas of passenger responsibility in Clark County under one agency, which would logically be the Taxi Cab Authority (TA), much like New York has its taxi and limousine authority. The TSA could then better concentrate on its duties for the whole state.