

ASSEMBLY BILL NO. 518—COMMITTEE ON TRANSPORTATION

MARCH 24, 2003

Referred to Committee on Transportation

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

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

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

1 WHEREAS, In Southern Nevada an excessive number of
2 limousines may negatively affect the integrity and viability of the
3 limousine industry and may negatively affect the taxi industry, as
4 well as cause conflict between taxi and limousine drivers and
5 companies which could negatively impact the tourism industries;
6 now, therefore

7
8 THE PEOPLE OF THE STATE OF NEVADA, REPRESENTED IN
9 SENATE AND ASSEMBLY, DO ENACT AS FOLLOWS:



* A B 5 1 8 R 3 *

1 **Section 1.** 1. Except as otherwise provided in subsection 2,
2 for the period beginning on June 1, 2003, and ending on July 1,
3 2004, the Transportation Services Authority shall not accept the
4 submission or filing of any application for the modification of a
5 certificate of public convenience and necessity issued to a fully
6 regulated carrier of passengers for the operation of a livery or
7 traditional limousine if the application for modification is to
8 increase the number of limousines to be operated pursuant to the
9 certificate of public convenience and necessity in a county whose
10 population is 400,000 or more.

11 2. The Transportation Services Authority:

12 (a) Shall process each application for any new or modified
13 certificate of public convenience and necessity that is received by
14 the Authority before June 1, 2003, in the order in which it was
15 received.

16 (b) Except as otherwise provided in this paragraph, during the
17 period beginning on June 1, 2003, and ending on July 1, 2004, shall
18 accept the submission and filing of applications for a new certificate
19 of public convenience and necessity for the operation of a livery or
20 traditional limousine in a county whose population is 400,000 or
21 more. Applications submitted and filed as described in this
22 paragraph must be processed in the ordinary course of business and
23 without undue delay. The Authority shall not, during that period:

24 (1) Accept the submission and filing of more than one
25 application by any one applicant.

26 (2) Approve the operation of more than two livery or
27 traditional limousines per each such application.

28 3. An unlimited certificate of public convenience and necessity
29 for the operation of a livery or traditional limousine issued to a fully
30 regulated carrier of passengers by the Transportation Services
31 Authority is void and revoked for the period from June 1, 2003, to
32 July 1, 2004, to the extent that the carrier has not, before June 1,
33 2003, registered in this state each authorized limousine covered by
34 the certificate of public convenience and necessity.

35 4. As used in this section:

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

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

41 (1) Was a light truck, as that term is defined in 49 C.F.R. §
42 523.5, at the time of its manufacture; or

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



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1 The term does not include a limousine for which the operator is not
2 required to obtain a certificate of public convenience and necessity
3 from the Transportation Services Authority.

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

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

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

12 **Sec. 2.** 1. The Legislative Commission shall direct a study of
13 issues relating to the allocation of limousines.

14 2. The study must consider:

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

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

22 (c) Such other issues regarding the regulation of limousines as
23 the Commission deems appropriate.

24 3. The Commission may apply for any available grants and
25 accept gifts, grants or donations to assist the Commission in
26 conducting the study.

27 4. The Commission may contract with or enter into an
28 agreement with a public or private agency that has the experience
29 necessary to conduct a study of the type described in subsection 2.

30 5. The Commission shall, on or before April 30, 2004, submit
31 the final results of the study to the Transportation Services
32 Authority. The Commission shall submit a report of the results of
33 the study and any recommendations for legislation to the 73rd
34 Session of the Nevada Legislature.

35 **Sec. 3.** 1. On or before May 28, 2004, the Legislative
36 Commission shall, based upon information gathered during the
37 study described in section 2 of this act, provide to the Transportation
38 Services Authority the recommendation of the Commission as to
39 whether the Authority should establish by regulation a system of
40 allocations for limousines.

41 2. The Authority shall consider the recommendation of the
42 Commission and if the Authority determines, based upon
43 information gathered during the study, that it would be advisable to
44 establish a system of allocations for limousines, the Authority may,
45 except as otherwise provided in subsection 3, adopt regulations in



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1 accordance with chapter 233B of NRS establishing a system of
2 allocations for limousines. If established, such a system must set
3 forth the number of limousines that may be operated by a person
4 who holds a certificate of public convenience and necessity for the
5 operation of a livery or traditional limousine, as applicable.

6 3. On or before June 15, 2004, the Authority shall publicly
7 announce whether it will establish by regulation a system of
8 allocations for limousines.

9 4. As used in this section:

10 (a) "Livery limousine" has the meaning ascribed to it in section
11 1 of this act.

12 (b) "Traditional limousine" has the meaning ascribed to it in
13 section 1 of this act.

14 **Sec. 4.** The provisions of this act do not limit, prohibit, restrict
15 or otherwise affect the consideration of or processing of any
16 application for:

17 1. A new certificate of public convenience and necessity; or

18 2. The modification of a certificate of public convenience and
19 necessity,

20 that is filed with or submitted to the Transportation Services
21 Authority before June 1, 2003.

22 **Sec. 5.** This act becomes effective upon passage and approval.

