

Amendment No. 794

Senate Amendment to Senate Bill No. 430

(BDR 58-1072)

Proposed by: Senate Committee on Finance

Amends: Summary: No Title: Yes Preamble: No Joint Sponsorship: No Digest: Yes

Adoption of this amendment will MAINTAIN the 2/3s majority vote requirement for final passage of S.B. 430 (§§ 6, 7, 14).

ASSEMBLY ACTION				Initial and Date	SENATE ACTION				Initial and Date
Adopted	<input type="checkbox"/>	Lost	<input type="checkbox"/>	_____	Adopted	<input type="checkbox"/>	Lost	<input type="checkbox"/>	_____
Concurred In	<input type="checkbox"/>	Not	<input type="checkbox"/>	_____	Concurred In	<input type="checkbox"/>	Not	<input type="checkbox"/>	_____
Receded	<input type="checkbox"/>	Not	<input type="checkbox"/>	_____	Receded	<input type="checkbox"/>	Not	<input type="checkbox"/>	_____

EXPLANATION: Matter in (1) *blue bold italics* is new language in the original bill; (2) *green bold italic underlining* is new language proposed in this amendment; (3) ~~red strikethrough~~ is deleted language in the original bill; (4) ~~purple double strikethrough~~ is language proposed to be deleted in this amendment; (5) orange double underlining is deleted language in the original bill that is proposed to be retained in this amendment; and (6) *green bold underlining* is newly added transitory language.

BFG/BAW



Date: 5/23/2013

S.B. No. 430—Revises provisions relating to motor carriers. (BDR 58-1072)



SENATE BILL NO. 430—COMMITTEE ON TRANSPORTATION

MARCH 25, 2013

Referred to Committee on Transportation

SUMMARY—Revises provisions relating to motor carriers. (BDR 58-1072)

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

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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 motor carriers; requiring ~~operators of limousines and~~ taxicab motor carriers in certain counties to charge, collect and remit a technology fee to the Nevada Transportation Authority; ~~requiring the Nevada Transportation Authority to use the technology fee for certain purposes;~~ requiring operators of limousines to charge, collect and remit the technology fee to the Nevada Transportation Authority under certain circumstances; imposing a technology fee on taxicab trips in counties under the jurisdiction of the Taxicab Authority; ~~requiring the Taxicab Authority to~~ prescribing the use of the technology ~~fee~~ fees for certain purposes; authorizing the implementation and use of a computerized real-time data system for certain purposes; and providing other matters properly relating thereto.

Legislative Counsel's Digest:

~~The~~ Under existing law, the Nevada Transportation Authority regulates common motor carriers of passengers, which include limousines, ~~and~~ In addition, in counties with a population of less than 700,000 (currently all counties other than Clark County), the Nevada Transportation Authority regulates taxicabs. (NRS 706.151) ~~Existing law requires operators of limousines and taxicab motor carriers in such counties to pay an annual fee to the Nevada Transportation Authority. (NRS 706.465, 706.471) Section 2 of this bill requires an operator of a limousine to also charge, collect and remit to the Authority a technology fee in an amount set by the Authority that must not exceed 22 cents for each compensable limousine trip. Section 3.~~ Under existing law, the Taxicab Authority regulates taxicabs in a county whose population is 700,000 or more (currently Clark County) and in any county that has, by ordinance, placed itself under the jurisdiction of the Taxicab Authority. (NRS 706.881)

This bill requires the Nevada Transportation Authority and the Taxicab Authority to: (1) establish a technology fee; and (2) use the money generated by the technology fees to implement certain technology to assist the agencies in carrying out their duties. Sections 7 and 14 of this bill ~~require~~ require a taxicab motor carrier ~~also~~ to charge, ~~and~~ and collect ~~and remit~~ the technology fee for each compensable trip of a taxicab operated by the carrier, including a taxicab that it leases to another person. ~~Section 1.~~ Sections 5 and 13 of this bill ~~requires the Authority~~ ; (1) require the Nevada Transportation Authority and the Taxicab Authority to use the money generated by the technology fees to implement

technological improvements in safety, reliability and efficiency, including the implementation of a computerized real-time data system to assist ~~that~~ each Authority in carrying out its duties.

~~Under existing law, the Taxicab Authority regulates taxicabs in a county whose population is 700,000 or more (currently Clark County) and in any county that has, by ordinance, placed itself under the jurisdiction of the Taxicab Authority. (NRS 706.881) Existing law requires the Taxicab Authority to set a fee of not more than 20 cents on each compensable trip of a taxicab that is subject to regulation by the Taxicab Authority. (NRS 706.8826) Section 5 of this bill requires the Taxicab Authority to set a technology fee of not more than 22 cents on each such trip. Section 4 of this bill requires the Taxicab Authority to use the money appropriated to it by reason of the technology fee to implement technological improvements in safety, reliability and efficiency, including the implementation of a computerized real-time data system to assist the Taxicab Authority in carrying out its duties.] ; and (2) prescribe certain technical specifications for the computerized real-time data system implemented by those agencies. Section 18 of this bill requires the Nevada Transportation Authority and the Taxicab Authority to: (1) commence the process of implementing the computerized real-time data system not later than October 1, 2013; and (2) on or before February 1, 2015, submit a report to the Director of the Legislative Counsel Bureau for transmittal to the 78th Session of the Legislature that describes the implementation and operations of the computerized real-time data system.~~

Sections 2 and 3 of this bill provide for the use of the computerized real-time data system by common motor carriers to provide public cooperative dispatch and electronic hailing services in certain counties. Sections 2 and 3: (1) authorize a holder of a certificate of public convenience and necessity to apply to the agency regulating the certificate holder for authorization to use the computerized real-time data system to provide these services in certain counties; and (2) require the Nevada Transportation Authority and the Taxicab Authority to authorize such use. Sections 2 and 3 further require the Nevada Transportation Authority and the Taxicab Authority to: (1) authorize certificate holders who use the computerized real-time data system to provide public cooperative dispatch and electronic hailing services to impose a reasonable charge for the use of the system by a passenger; and (2) establish by regulation or order requirements for the publication of that charge. Under section 6 of this bill, if an operator of a limousine uses the computerized real-time data system to provide cooperative dispatch and electronic hailing services, the operator is required to charge, collect and remit the technology fee imposed under this bill for each compensable limousine trip within a county whose population is 700,000 or more (currently Clark County).

Sections 11 and 15 of this bill authorize: (1) the Taxicab Authority to use the computerized real-time data system to verify the validity of temporary or permanent medallions issued by the Taxicab Authority; and (2) the use of the computerized electronic real-time data system to keep an electronic version of the daily trip sheet of drivers of taxicabs.

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

Section 1. Chapter 706 of NRS is hereby amended by adding thereto the provisions set forth as sections 2 and 3 of this act.

Sec. 2. 1. In a county whose population is 700,000 or more, upon application by a holder of a certificate of public convenience and necessity, the Authority shall authorize the certificate holder to use the computerized real-time data system for the purposes of offering cooperative dispatch and electronic hailing services to the public.

2. If two or more holders of a certificate of convenience and public necessity apply to the Authority to use the computerized real-time data system for the purposes set forth in subsection 1, the Authority must establish, by regulation

or order, rules providing for the use of the computerized real-time data system by two or more holders of a certificate of convenience and public necessity for the purposes set forth in subsection 1.

3. The Authority shall:

(a) Authorize the holders of a certificate of public convenience and necessity who are authorized to use the computerized real-time data system for the purposes set forth in subsection 1 to impose a reasonable charge for the use of the computerized real-time data system by a passenger. The charge:

(1) Must be separate from any other rate, fare or charge for service;

(2) Is not required to be uniform within a county; and

(3) May be assessed in accordance with a schedule of charges based upon factors approved by the Authority.

(b) Establish, by regulation or order, requirements for the publication by holders of a certificate of public convenience and necessity of the charge or the schedule of charges for the use by a passenger of the computerized real-time data system for the purposes set forth in subsection 1.

4. As used in this section, "computerized real-time data system" means the computerized real-time data system implemented by the Authority pursuant to subsection 3 of NRS 706.1516.

Sec. 3. 1. Upon application by a certificate holder, the Taxicab Authority shall authorize the certificate holder to use the computerized real-time data system for the purposes of offering cooperative dispatch and electronic hailing services for taxicabs to the public.

2. If two or more certificate holders apply to the Taxicab Authority to use the computerized real-time data system for the purposes set forth in subsection 1, the Taxicab Authority must establish, by regulation or order, rules providing for the use of the computerized real-time data system by two or more certificate holders for the purposes set forth in subsection 1.

3. The Taxicab Authority shall:

(a) Authorize the certificate holders who are authorized to use the computerized real-time data system for the purposes set forth in subsection 1 to impose a reasonable charge for the use by a passenger of the computerized real-time data system. The charge:

(1) Must be separate from any other rate, fare or charge for taxicab service;

(2) Is not required to be uniform within a county; and

(3) May be assessed in accordance with a schedule of charges based upon factors approved by the Taxicab Authority.

(b) Establish, by regulation or order, requirements for the publication by certificate holders of the charge or the schedule of charges for the use by a passenger of the computerized real-time data system for the purposes set forth in subsection 1.

4. As used in this section, "computerized real-time data system" means the computerized real-time data system implemented by the Taxicab Authority pursuant to subsection 4 of NRS 706.8825.

Sec. 4. NRS 706.011 is hereby amended to read as follows:

706.011 As used in NRS 706.011 to 706.791, inclusive, and section 2 of this act, unless the context otherwise requires, the words and terms defined in NRS 706.013 to 706.146, inclusive, have the meanings ascribed to them in those sections.

~~[Section 1.]~~ Sec. 5. NRS 706.1516 is hereby amended to read as follows:

706.1516 1. The Nevada Transportation Authority Regulatory Account is hereby created in the State General Fund. All money collected by the Authority

pursuant to law must be deposited with the State Treasurer for credit to the Account.

2. ~~Money~~ Except as otherwise provided in subsection 3, money in the Account may be used only to defray the costs of:

(a) Maintaining staff and equipment needed to regulate adequately persons subject to the jurisdiction of the Authority.

(b) Participating in all proceedings relevant to the jurisdiction of the Authority.

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

(d) The salaries, travel expenses and subsistence allowances of the members of the Authority.

3. *All money collected by the Authority pursuant to subsection 2 of NRS 706.465 and subsection 4 of NRS 706.471 must be used to implement technological improvements in safety, reliability and efficiency ~~that~~ within a county whose population is 700,000 or more, including, without limitation, the implementation of a computerized real-time data system to assist with the administration and enforcement of the provisions of NRS 706.011 to 706.791, inclusive ~~that~~, and section 2 of this act. A computerized real-time data system implemented pursuant to this subsection must, at a minimum, satisfy the following criteria:*

(a) While a vehicle is in service within the jurisdiction of the Authority, the system must be capable of collecting in real-time from the onboard computer of the vehicle, by wireless access through the onboard diagnostic port or other means, the vehicle identification number and the operating and telemetric data for the vehicle.

(b) While a vehicle is in service within the jurisdiction of the Authority, the system must be capable of collecting in real-time, from an onboard diagnostic device capable of using a global positioning system that is installed in the vehicle or any other onboard computer software system capable of using a global positioning system that is installed in the vehicle, the location of the vehicle by latitude and longitude, a record of the time at which the vehicle is at that location and operating and telemetric data for the vehicle.

(c) The system must be capable of allowing the operator of a vehicle, while the vehicle is in service within the jurisdiction of the Authority, to register in the system, at the beginning and end of each shift, his or her identity and the number of his or her permit or certificate of public convenience and necessity.

(d) The system must be capable of allowing, in a manner prescribed by the Authority, a holder of a certificate of public convenience and necessity to digitally associate himself or herself with a vehicle for which the Authority has issued a certificate, license or other authorization.

(e) The system must be capable of presenting, in real-time to the Authority, searchable histories of the information and data described in this subsection in both a format that displays the information and data in tables and a digital map format that displays streets and highways.

(f) The system must be capable of presenting to a passenger, through an application on a mobile device or an interactive, digital display or other onboard system in the vehicle, sufficient information for the passenger to select and direct the operator of the vehicle to the passenger's desired destination by the passenger's desired route. The information must include, without limitation, sufficient information for the passenger to:

(1) Select the shortest route by time or distance to the passenger's desired destination;

(2) Select a multi-segment trip directed by the passenger;

(3) Select the least expensive route to the passenger's desired destination; and

(4) Make a digital record of the passenger's selection that is accessible during and after the trip by the passenger, the Authority, the operator and the holder of the certificate of public convenience and necessity.

(g) The system must be capable of presenting to the operator of the vehicle, through an application on a mobile device or an interactive, digital display or other onboard system in the vehicle, sufficient information for the operator to:

(1) Determine the shortest route by time or distance to the passenger's desired destination and the least expensive route to the passenger's desired destination;

(2) Follow a multi-segment, passenger-directed trip by the least expensive route to the passenger's desired destination; and

(3) Allow the passenger to make a digital record of a selection of a desired route to the passenger's destination that is accessible during and after the trip by the passenger, the Authority, the operator and the holder of the certificate of public convenience and necessity.

(h) The system must be capable of allowing a passenger to register comments and complaints with the Authority, the operator of the vehicle and the holder of the certificate of public convenience and necessity, through an application on a mobile device or an interactive digital display screen or other onboard system in the vehicle.

(i) The system must be capable of assisting the Authority in the development of additional preventive measures to detect, investigate and deter the practice of transporting a passenger to a selected destination by a route that is more expensive than necessary under the circumstances of the trip.

(j) The system must be capable of providing to the Authority reliable real-time and historic information concerning service demands, market data, vehicle usage, wait time and customer complaints and comments.

(k) The system must be capable of allowing holders of a certificate of convenience and public necessity to use the system to provide cooperative dispatch and electronic hailing services to the public pursuant to section 2 of this act.

4. The Authority shall not use the information and data collected pursuant to paragraph (a) or (b) of subsection 3 for any purpose other than the purposes set forth in those paragraphs unless the Authority has adopted regulations governing the additional use.

5. The Authority may operate the computerized real-time data system implemented pursuant to subsection 3 or enter into an agreement for the provision of such service. If the Authority enters into such an agreement, the Authority shall ensure that all the information and data collected by the computerized real-time data system is under the control of the Authority.

6. All claims against the Account must be paid as other claims against the State are paid.

~~14.1~~ ~~15.1~~ 7. The Authority must furnish upon request a statement showing the balance remaining in the Account as of the close of the preceding fiscal year.

8. As used in this section, "real time" means the transmission of information at a rate no longer than once every 6 seconds, unless the Authority authorizes a longer rate while a vehicle is experiencing a low volume of trips.

~~Sec. 2.1~~ Sec. 6. NRS 706.465 is hereby amended to read as follows:

706.465 1. An operator of a limousine shall, beginning on July 1, 2003, and on July 1 of each year thereafter, pay to the Authority a fee of \$100 for each limousine that the Authority has authorized the operator to operate.

2. *An operator of a limousine shall:*

(a) Charge and collect a technology fee in an amount set by the Authority ~~that must not exceed 22 cents per trip~~ for each compensable trip by a limousine that the Authority has authorized the operator to operate ~~for~~, if a computerized real-time data system is used for the purposes set forth in section 2 of this act; and

(b) Remit to the Authority, not later than the 10th day of each month, all technology fees collected by the operator pursuant to this subsection for the immediately preceding month.

↪ The fee charged pursuant to this subsection may only be charged within a county whose population is 700,000 or more, and may be included in the operator's tariff.

3. 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.

4. As used in this section, ~~“limousine”~~:

(a) “Computerized real-time data system” means the computerized real-time data system implemented by the Authority pursuant to subsection 3 of NRS 706.1516.

(b) “Limousine” includes:

~~(a)~~ (1) A livery limousine; and

~~(b)~~ (2) A traditional limousine.

~~Sec. 3~~ **Sec. 7.** NRS 706.471 is hereby amended to read as follows:

706.471 1. Each taxicab motor carrier shall, before commencing the operation defined in NRS 706.126 and annually thereafter, pay to the Authority for each taxicab which it operates, including each taxicab it leases pursuant to NRS 706.473, ~~for~~ an annual fee of not more than \$75 as determined by a regulation of the Authority.

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

3. The ~~initial~~ annual fee must be reduced one-twelfth for each month which has elapsed since the beginning of the calendar year in which operation is begun.

4. In addition to the annual fee provided in subsection 1, each taxicab motor carrier shall:

(a) Charge and collect a technology fee in an amount set by the Authority ~~that must not exceed 22 cents per trip~~ for each compensable trip by a taxicab which it operates, including each taxicab it leases pursuant to NRS 706.473; and

(b) Remit to the Authority, not later than the 10th day of each month, all fees collected by the operator pursuant to this subsection for the immediately preceding month.

↪ The fee charged pursuant to this subsection may only be charged within a county whose population is 700,000 or more, and may be added to the passenger fare charged as indicated on the taximeter.

5. 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. 8. NRS 706.756 is hereby amended to read as follows:

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

(a) Operates a vehicle or causes it to be operated in any carriage to which the provisions of NRS 706.011 to 706.861, inclusive, and section 2 of this act apply

without first obtaining a certificate, permit or license, or in violation of the terms thereof;

(b) Fails to make any return or report required by the provisions of NRS 706.011 to 706.861, inclusive, and section 2 of this act or by the Authority or the Department pursuant to the provisions of NRS 706.011 to 706.861, inclusive, §§, and section 2 of this act;

(c) Violates, or procures, aids or abets the violating of, any provision of NRS 706.011 to 706.861, inclusive, §§, and section 2 of this act;

(d) Fails to obey any order, decision or regulation of the Authority or the Department;

(e) Procures, aids or abets any person in the failure to obey such an order, decision or regulation of the Authority or the Department;

(f) Advertises, solicits, proffers bids or otherwise is held out to perform transportation as a common or contract carrier in violation of any of the provisions of NRS 706.011 to 706.861, inclusive, §§, and section 2 of this act;

(g) Advertises as providing:

(1) The services of a fully regulated carrier; or

(2) Towing services,

without including the number of the person's certificate of public convenience and necessity or contract carrier's permit in each advertisement;

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

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

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

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

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

(m) Refuses or fails to surrender to the Authority or Department any certificate, permit, license or identifying device which has been suspended, cancelled or revoked pursuant to the provisions of this chapter,

is guilty of a misdemeanor, and upon conviction thereof shall be punished by a fine of not less than \$100 nor more than \$1,000, or by imprisonment in the county jail for not more than 6 months, or by both fine and imprisonment.

2. Any person who, in violation of the provisions of NRS 706.386, operates as a fully regulated common motor carrier without first obtaining a certificate of public convenience and necessity or any person who, in violation of the provisions of NRS 706.421, operates as a contract motor carrier without first obtaining a permit is guilty of a misdemeanor and shall be punished:

(a) For a first offense within a period of 12 consecutive months, by a fine of not less than \$500 nor more than \$1,000. In addition to the fine, the person may be punished by imprisonment in the county jail for not more than 6 months.

(b) For a second offense within a period of 12 consecutive months and for each subsequent offense that is committed within a period of 12 consecutive months of any prior offense under this subsection, by a fine of \$1,000. In addition to the fine, the person may be punished by imprisonment in the county jail for not more than 6 months.

3. Any person who, in violation of the provisions of NRS 706.386, operates or permits the operation of a vehicle in passenger service without first obtaining a certificate of public convenience and necessity is guilty of a gross misdemeanor.

4. If a law enforcement officer witnesses a violation of any provision of subsection 2 or 3, the law enforcement officer may cause the vehicle to be towed immediately from the scene and impounded in accordance with NRS 706.476.

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

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

Sec. 9. NRS 706.881 is hereby amended to read as follows:

706.881 1. The provisions of NRS 706.8811 to 706.885, inclusive, and section 3 of this act apply to any county:

(a) Whose population is 700,000 or more; or

(b) For whom regulation by the Taxicab Authority is not required, if the board of county commissioners of the county has enacted an ordinance approving the inclusion of the county within the jurisdiction of the Taxicab Authority.

2. Upon receipt of a certified copy of such an ordinance from a county for whom regulation by the Taxicab Authority is not required, the Taxicab Authority shall exercise its regulatory authority pursuant to NRS 706.8811 to 706.885, inclusive, and section 3 of this act within that county.

3. Within any such county, the provisions of this chapter which confer regulatory authority over taxicab motor carriers upon the Nevada Transportation Authority do not apply.

Sec. 10. NRS 706.8811 is hereby amended to read as follows:

706.8811 As used in NRS 706.881 to 706.885, inclusive, and section 3 of this act, unless the context otherwise requires, the words and terms defined in NRS 706.8812 to 706.8817, inclusive, have the meanings ascribed to them in those sections.

Sec. 11. NRS 706.88183 is hereby amended to read as follows:

706.88183 1. The Taxicab Authority shall ~~establish by regulation a system for the use of radio frequency identification or other electronic means~~ implement a system to verify through the computerized real-time data system implemented pursuant to subsection 4 of NRS 706.8825 the validity of a temporary or permanent medallion ~~affixed to any taxicab within the jurisdiction of~~ issued by the Taxicab Authority.

2. As used in this section, "medallion" means the ~~metal plate issued by~~ temporary or permanent authority to operate a taxicab within the jurisdiction of the Taxicab Authority ~~to be affixed to each taxicab allocated~~ which is issued by the Taxicab Authority ~~+~~ pursuant to NRS 706.8811 to 706.885, inclusive, and section 3 of this act.

Sec. 12. NRS 706.8821 is hereby amended to read as follows:

706.8821 1. The Administrator is responsible for the control and regulation of the taxicab industry in any county to which NRS 706.881 to 706.885, inclusive, and section 3 of this act apply and for the administration of NRS 706.881 to 706.885, inclusive, ~~+~~ and section 3 of this act.

2. The Administrator shall appoint:

(a) One accountant and such auditors as are necessary to enable the Administrator to perform the Administrator's official functions properly; and

(b) Such other employees as are necessary to enable the Administrator to perform the Administrator's official functions properly.

~~Sec. 4.~~ **Sec. 13. NRS 706.8825 is hereby amended to read as follows:**

1 706.8825 1. All fees collected pursuant to NRS 706.881 to 706.885,
2 inclusive, and section 3 of this act must be deposited by the Administrator to the
3 credit of the Taxicab Authority Fund, which is hereby created as a special revenue
4 fund. The transactions for each county subject to those sections must be accounted
5 for separately within the Fund.

6 2. The interest and income earned on the money in the Fund, after deducting
7 any applicable charges, must be credited to the Fund.

8 3. The revenues received pursuant to subsection 1 of NRS 706.8826 are
9 hereby appropriated to defray the cost of regulating taxicabs in the county or the
10 city, respectively, making the deposit under that subsection.

11 4. The fees received pursuant to subsection 3 of NRS 706.8826, NRS
12 706.8827, 706.8841, 706.8848, 706.8849 and 706.885 are hereby appropriated to
13 defray the cost of regulating taxicabs in the county in which the certificate holder
14 operates a taxicab business. The technology fees received pursuant to paragraph
15 (c) of subsection 3 of NRS 706.8826 must be used to implement technological
16 improvements in safety, reliability and efficiency, including, without limitation,
17 the implementation of a computerized real-time data system to assist with the
18 regulation of the taxicabs in the county in which the certificate holder operates a
19 taxicab business. A computerized real-time data system implemented pursuant to
20 this subsection must, at a minimum, satisfy the following criteria:

21 (a) While a taxicab is in service within the jurisdiction of the Taxicab
22 Authority, the system must be capable of collecting in real-time from the onboard
23 computer of the taxicab, by wireless access through the onboard diagnostic port
24 or other means, the vehicle identification number and operating and telemetric
25 data for the vehicle.

26 (b) While a taxicab is in service within the jurisdiction of the Authority, the
27 system must be capable of collecting in real-time, from an onboard diagnostic
28 device capable of using a global positioning system that is installed in the taxicab
29 or any other onboard computer software system capable of using a global
30 positioning system that is installed in the taxicab, the location of the taxicab by
31 latitude and longitude, a record of the time at which the taxicab is at that location
32 and operating and telemetric data for the vehicle.

33 (c) The system must be capable of allowing the driver of a taxicab, while the
34 taxicab is in service within the jurisdiction of the Authority, to register in the
35 system, at the beginning and end of each shift, his or her identity and the number
36 of his or her driver's permit.

37 (d) The system must be capable of allowing, in a manner prescribed by the
38 Taxicab Authority, a certificate holder to digitally associate a taxicab with a
39 temporary or permanent medallion for the purpose of verifying the validity of a
40 temporary or permanent medallion pursuant to NRS 706.88183. As used in this
41 paragraph, "medallion" has the meaning ascribed to it in NRS 706.88183.

42 (e) The system must be capable of presenting, in real-time to the Taxicab
43 Authority, searchable histories, in both a format that displays the information
44 and data in tables and a digital map format that displays streets and highways, of:

45 (1) The information and data described in this subsection; and

46 (2) The information described in NRS 706.8844.

47 (f) The system must be capable of presenting to a passenger, through an
48 application on a mobile device or on an interactive, digital display or other
49 onboard system in the taxicab, sufficient information for the passenger to select
50 and direct the driver to the passenger's desired destination by the passenger's
51 desired route. The information must include, without limitation, sufficient
52 information for the passenger to:

(1) Select the shortest route by time or distance to the passenger's desired destination;

(2) Select a multi-segment trip directed by the passenger;

(3) Select the least expensive route to the passenger's desired destination; and

(4) Make a digital record of the passenger's selection that is accessible during and after the trip by the passenger, the Taxicab Authority, the driver and the certificate holder.

(g) The system must be capable of presenting to the driver, through an application on a mobile device or an interactive, digital display or other onboard system in the taxicab, sufficient information for the driver to:

(1) Determine the shortest route by time or distance to the passenger's desired destination and the least expensive route to the passenger's desired destination;

(2) Follow a multi-segment, passenger-directed trip by the least expensive route to the passenger's desired destination; and

(3) Allow the passenger to make a digital record of a selection of a desired route to the passenger's destination that is accessible during and after the trip by the passenger, the Taxicab Authority, the driver and the certificate holder.

(h) The system must be capable of allowing passengers to register comments and complaints with the Taxicab Authority, the driver and the certificate holder, through an application on a mobile device or an interactive digital display screen or other onboard system in the taxicab.

(i) The system must be capable of assisting the Taxicab Authority in the development of additional preventive measures to detect, investigate and deter the practice of transporting a passenger to a selected destination by a route that is more expensive than necessary under the circumstances of the trip.

(j) The system must be capable of providing to the Taxicab Authority reliable real-time and historic information concerning service demands, market data, vehicle usage, wait times and customer complaints and comments for use by the Taxicab Authority to make decisions concerning the allocation of medallions pursuant to 706.88237, 706.8824 and 706.88245.

(k) The system must be capable of allowing certificate holders to use the system to provide cooperative dispatch and electronic hailing services to the public pursuant to section 3 of this act.

5. The Taxicab Authority shall not use the information and data collected pursuant to paragraph (a) or (b) of subsection 4 for any purpose other than the purposes set forth in those paragraphs unless the Authority has adopted regulations governing the additional use.

6. The Taxicab Authority may operate the computerized real-time data system implemented pursuant to subsection 4 or enter into an agreement for the provision of such service. If the Taxicab Authority enters into such an agreement, the Taxicab Authority shall ensure that all the information and data collected by the computerized real-time data system is under the control of the Taxicab Authority.

7. Any balance remaining in the Fund does not revert to the State General Fund. The Administrator may transfer to the Aging and Disability Services Division of the Department of Health and Human Services any balance over \$200,000 and any interest earned on the Fund, within the limits of legislative authorization for each fiscal year, to subsidize transportation for elderly persons and persons with permanent disabilities in taxicabs. The money transferred to the Aging and Disability Services Division must be administered in accordance with

regulations adopted by the Administrator of the Aging and Disability Services Division pursuant to NRS 427A.070.

~~6.~~ 8. The Administrator may establish an account for petty cash not to exceed \$2,000 for the support of undercover investigation, and if the account is created, the Administrator shall reimburse the account from the Taxicab Authority Fund in the same manner as other claims against the State are paid.

9. As used in this section, "real time" means the transmission of information at a rate no longer than once every 6 seconds, unless the Taxicab Authority authorizes a longer rate while a taxicab is experiencing a low volume of trips.

~~Sec. 5.~~ Sec. 14. NRS 706.8826 is hereby amended to read as follows:

706.8826 1. The board of county commissioners of any county in which there is in effect an order for the allocation of taxicabs from a taxicab authority, and the governing body of each city within any such county, shall deposit to the credit of the Taxicab Authority Fund all of the tax revenue which is received from the taxicab business operating in the county and city, respectively.

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

3. Any certificate holder who is subject to an order of allocation by the Taxicab Authority shall pay to the Taxicab Authority :

(a) A fee of \$100 per year for each taxicab that the Taxicab Authority has allocated to the certificate holder ; ~~and a~~

(b) A fee set by the Taxicab Authority that must not exceed 20 cents per trip for each compensable trip of each of those taxicabs ~~+, which may+ ; and~~

(c) A technology fee in an amount set by the Taxicab Authority ~~that must not exceed 22 cents per trip for each compensable trip of each of those taxicabs.~~

→ The fees set forth in paragraphs (b) and (c) must be added to the meter charge.

4. The money ~~to be~~ received by the Taxicab Authority pursuant to this section must be deposited in the State Treasury to the credit of the Taxicab Authority Fund.

Sec. 15. NRS 706.8844 is hereby amended to read as follows:

706.8844 1. A certificate holder shall require the certificate holder's drivers to keep a daily trip sheet in a form to be prescribed by the Taxicab Authority, including, without limitation, in electronic form.

2. At the beginning of each period of duty the driver shall record on the driver's trip sheet:

(a) The driver's name and the number of the taxicab;

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

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

(d) The odometer reading of the taxicab.

3. During each period of duty the driver shall record on the driver's trip sheet:

(a) The time, place of origin and destination of each trip; and

(b) The number of passengers and amount of fare for each trip.

4. At the end of each period of duty the driver shall record on the driver's trip sheet:

(a) The time at which the driver ended the period of duty by means of a time clock provided by the certificate holder;

(b) The meter readings for total miles, paid miles, trips, units and extra passengers; and

(c) The odometer reading of the taxicab.

5. A certificate holder shall furnish a trip sheet form for each taxicab operated by a driver during the driver's period of duty and shall require the drivers to return their completed trip sheets at the end of each period of duty.

6. A certificate holder shall retain all trip sheets of all drivers in a safe place for a period of 3 years immediately succeeding December 31 of the year to which they respectively pertain and shall make such manifests available for inspection by the Administrator upon reasonable demand.

7. Any driver who maintains a trip sheet in a form less complete than that required by subsection 1 is guilty of a misdemeanor.

8. The Administrator shall prescribe the requirements for the use of an electronic version of a daily trip sheet. If a certificate holder requires its drivers to keep a daily trip sheet in electronic form, the certificate holder ~~shall maintain~~ may comply with the requirements of this section:

(a) By maintaining the information collected from the daily trip sheet in a secure database and ~~provide~~ providing the Administrator with access to the information in the database at regular intervals established by the Administrator and upon reasonable demand ~~++ or~~

(b) By reporting the information to the Administrator on the computerized real-time data system implemented pursuant to subsection 4 of NRS 706.8825.

Sec. 16. NRS 706.885 is hereby amended to read as follows:

706.885 1. Any person who knowingly makes or causes to be made, either directly or indirectly, a false statement on an application, account or other statement required by the Taxicab Authority or the Administrator or who violates any of the provisions of NRS 706.881 to 706.885, inclusive, and section 3 of this act is guilty of a misdemeanor.

2. The Taxicab Authority or Administrator may at any time, for good cause shown and upon at least 5 days' notice to the grantee of any certificate or driver's permit, and after a hearing unless waived by the grantee, penalize the grantee of a certificate to a maximum amount of \$15,000 or penalize the grantee of a driver's permit to a maximum amount of \$500 or suspend or revoke the certificate or driver's permit granted by the Taxicab Authority or Administrator, respectively, for:

(a) Any violation of any provision of NRS 706.881 to 706.885, inclusive, and section 3 of this act or any regulation of the Taxicab Authority or Administrator.

(b) Knowingly permitting or requiring any employee to violate any provision of NRS 706.881 to 706.885, inclusive, and section 3 of this act or any regulation of the Taxicab Authority or Administrator.

➤ If a penalty is imposed on the grantee of a certificate pursuant to this section, the Taxicab Authority or Administrator may require the grantee to pay the costs of the proceeding, including investigative costs and attorney's fees.

3. When a driver or certificate holder fails to appear at the time and place stated in the notice for the hearing, the Administrator shall enter a finding of default. Upon a finding of default, the Administrator may suspend or revoke the license, permit or certificate of the person who failed to appear and impose the penalties provided in this chapter. For good cause shown, the Administrator may set aside a finding of default and proceed with the hearing.

4. Any person who operates or permits a taxicab to be operated in passenger service without a certificate of public convenience and necessity issued pursuant to NRS 706.8827, is guilty of a gross misdemeanor. If a law enforcement officer witnesses a violation of this subsection, the law enforcement officer may cause the vehicle to be towed immediately from the scene.

5. The conviction of a person pursuant to subsection 1 does not bar the Taxicab Authority or Administrator from suspending or revoking any certificate,

1 permit or license of the person convicted. The imposition of a fine or suspension or
2 revocation of any certificate, permit or license by the Taxicab Authority or
3 Administrator does not operate as a defense in any proceeding brought under
4 subsection 1.

5 **Sec. 17. NRS 427A.070 is hereby amended to read as follows:**

6 427A.070 1. The Administrator shall:

7 (a) Subject to the approval of the Director, adopt rules and regulations:

8 (1) Necessary to carry out the purposes of this chapter; and

9 (2) Establishing a program to subsidize the transportation by taxicab of
10 elderly persons and persons with permanent disabilities from money received
11 pursuant to subsection ~~4~~ 2 of NRS 706.8825;

12 (b) Establish appropriate administrative units within the Division;

13 (c) Appoint such personnel and prescribe their duties as the Administrator
14 deems necessary for the proper and efficient performance of the functions of the
15 Division;

16 (d) Prepare and submit to the Governor, through the Director before September
17 1 of each even-numbered year for the biennium ending June 30 of such year,
18 reports of activities and expenditures and estimates of sums required to carry out
19 the purposes of this chapter;

20 (e) Make certification for disbursement of funds available for carrying out the
21 purposes of this chapter; and

22 (f) Take such other action as may be necessary or appropriate for cooperation
23 with public and private agencies and otherwise to carry out the purposes of this
24 chapter.

25 2. The Administrator may delegate to any officer or employee of the Division
26 such of the powers and duties of the Administrator as the Administrator finds
27 necessary to carry out the purposes of this chapter.

28 **Sec. 18. 1. The Nevada Transportation Authority shall commence the**
29 **process of implementing the computerized real-time data system described in**
30 **subsection 3 of NRS 706.1516, as amended by section 5 of this act, not later**
31 **than October 1, 2013.**

32 **2. The Taxicab Authority shall commence the process of implementing**
33 **the computerized real-time data system described in subsection 4 of NRS**
34 **706.8825 as amended by section 13 of this act, not later than October 1, 2013.**

35 **3. On or before February 1, 2015, the Nevada Transportation Authority**
36 **and the Taxicab Authority shall each submit a report to the Director of the**
37 **Legislative Counsel Bureau for transmittal to the next regular session of the**
38 **Legislature that describes the implementation and operation of the**
39 **computerized real-time data system described in subsection 3 of NRS**
40 **706.1516, as amended by section 5 of this act, or subsection 4 of NRS 706.8825,**
41 **as amended by section 13 of this act, as applicable.**

42 ~~[Sec. 6]~~ **Sec. 19.** This act becomes effective on July 1, 2013.