MINUTES OF THE
SENATE COMMITTEE ON TRANSPORTATION

Seventy-Eighth Session
March 12, 2015

The Senate Committee on Transportation was called to order by Chair Scott Hammond at 8:35 a.m. on Thursday, March 12, 2015, in Room 2135 of the Legislative Building, Carson City, Nevada. The meeting was videoconferenced to Room 4412E of the Grant Sawyer State Office Building, 555 East Washington Avenue, Las Vegas, Nevada. Exhibit A is the Agenda. Exhibit B is the Attendance Roster. All exhibits are available and on file in the Research Library of the Legislative Counsel Bureau.

COMMITTEE MEMBERS PRESENT:

Senator Scott Hammond, Chair
Senator Don Gustavson, Vice Chair
Senator Patricia Farley
Senator Mark A. Manendo
Senator Moises (Mo) Denis

STAFF MEMBERS PRESENT:

Megan Comlossy, Policy Analyst
Darcy Johnson, Counsel
Martha Barnes, Committee Secretary

OTHERS PRESENT:

Lee McGrath, Institute for Justice
Danell Wilson-Perlman, Reno Tahoe Limousine
Victor Joecks, Nevada Policy Research Institute
John Griffin, Uber
Clayton Mitchell
Kimberly Maxson-Rushton, Livery Operators Association of Las Vegas
John Leleu, Nevada Bus and Limousine Association
Lou Castro, Nevada Bus and Limousine Association
Tony Clark, 24/7; Nevada Bus and Limousine Association
Anastasia P. Boden, Pacific Legal Foundation
Andrew J. MacKay, Chair, Nevada Transportation Authority, Department of Business and Industry

Bruce Breslow, Director, Department of Business and Industry

Chair Hammond:
I am requesting Committee introduction of a bill draft request (BDR), BDR 43-1107.

BILL DRAFT REQUEST 43-1107: Revises provisions relating to motor vehicles. (Later introduced as Senate Bill 263.)

SENATOR MANENDO MOVED TO INTRODUCE BDR 43-1107.

SENATOR GUSTAVSON SECONDED THE MOTION.

THE MOTION CARRIED UNANIMOUSLY.

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I will open the hearing on Senate Bill (S.B.) 183.

SENATE BILL 183: Makes various changes relating to the Nevada Transportation Authority. (BDR 58-717)

Senator Don Gustavson (Senatorial District No. 14):
I would like to refer you to *Nevada Revised Statute* (NRS) 598A.030, Legislative declaration.:

> 1. The Legislature hereby finds that: (a) the free, open and competitive production and sale of commodities and services is necessary to the economic well-being of the citizens of the State of Nevada.

This is a clear directive which became clouded by later statutes that enabled an oligopoly allowing the actions of some to create significant negative impacts on the market and competitors.

The objective of S.B. 183 is to repair certain government policies when obtaining a certificate of public convenience and necessity (CPCN). A CPCN is approved and issued by three members of the Nevada Transportation Authority

(NTA). I will show a short video (Exhibit C), and I have provided a paper copy of "Carolyn's story," by Kyle Gillis from the Nevada Journal dated Wednesday, January 16, 2013 (Exhibit D).

In 1997, the NTA was created as a regulatory agency to deregulate electric utilities. The heavily amended A.B. No. 366 of the 69th Session created this new regulatory agency that ironically has nothing to do with utilities, and the problems began. I invite you to read the highlighted sections of the February 1999 Nevada Journal article, "Limousine Lumps," by Steven Miller for more information about how the NTA amended its way into existence (Exhibit E).

I have provided several exhibits documenting the difficulties and harm caused by Nevada's requirements to obtain a CPCN. Some of these exhibits go back to the early days when the Legislature first allowed for the creation of the NTA, and some newer exhibits document the problems that exist today.

When the Legislature first created this disarray and the press began reporting the disorders, a member of the newly created NTA rejected a chance to defend the integrity of the statutes. Instead, the agency's response in the September 30, 1998, *Las Vegas Sun* (Exhibit F) was, "If they want to sue somebody, they should sue the Legislature for the laws. It's immaterial what I think."

I bring forth exhibits, legal experts and witnesses who will report the injuries caused by the current statute. Some witnesses come forth with fear of reprisal. This is a system of man-made obstacles that chokes the competition and engulfs the progression of entrepreneurship practices, which harms the consumer and suppresses the creation of jobs.

This problem has not been unique to Nevada. In fact, several states have already made changes to their own statutes after being faced with lawsuits.

Nevada has the most restrictive rules in place. Senate Bill 183 does not disband the NTA nor the need for a CPCN. Instead, it leaves in place the statutes designed to protect public health and safety emphasized as the director's number one priority. The bill removes barriers that harm consumers and job growth.

We always hear complaints that Nevada is a gaming state lacking other industries. One look at a regulatory agency such as the NTA and it becomes clear. In a 2012 comparison of state licensing laws, the Institute for Justice, found that "Nevada is among the top tier of the most broadly and onerously licensed states." Contrary to popular belief, Nevada is not always the business friendly state we tout it to be.

It takes an expensive and tedious process, up to 18 months, just to be denied a permit to move furniture across town. You can understand why many potential start-up businesses abandon the process or never bother to begin.

The intent of S.B. 183 is to keep language that defines a proper role for the NTA in regard to public health and safety—which we can all support—and removes language designed to deny competition.

You do not need to guess if our current statute is capable of inviting blatant abuse, I invite you to view the September 19, 1998, *Las Vegas Sun* article, "Where I Stand – Mike O'Callaghan" (Exhibit G). This article clarifies how two larger established limousine service companies used the newly established law to petition the NTA to deny a permit to a quadriplegic entrepreneur. The entrepreneur had but one luxury limousine designed to accommodate wheelchairs in the passenger area. Using typical cookie-cutter legalese, an established company attempted to deny the existence of this first class limousine, designed for wheelchairs, by claiming they already offered the same service. They complained that granting a permit to the quadriplegic entrepreneur would be harmful to their business, when in fact, the petitioners later admitted they had no vehicle capable of providing wheelchair access in the passenger area of a limousine.

The examples of abuse were substantial then, and they continue today. The article, "Moving roadblocks to competition and free enterprise in Nevada" (Exhibit H) and the *Las Vegas Review-Journal* article, "Moving industry closed to competition" (Exhibit I), offer a later example of the harm being caused. One has turned into a lawsuit similar to lawsuits that have had success in other states.

In the case of *Underwood v. Mackay*, No.3:12-CV-00533-MMD-VPC, 2013 WL 3270564 (D. Nev. June 26, 2013) from the Pacific Legal Foundation (Exhibit J), the case is a follow-up to a recent case brought forth by Underwood's attorney

in *Merrifield v. Lockyer,* 547 F.3d 978 (2008). The Ninth Circuit Court of Appeals declared the government may not use its licensing laws to benefit private interests of already established companies.

These two exhibits detail the story of Maurice Underwood, a customer-pleasing, hard-working minority citizen who aspires to succeed in a business where he passionately serves his customers. In order to expand his cleaning business to a business that involves movers, he would need legal expertise and financial resources to wade through the many steps imposed on such a start-up.

Lacking personal relationships and the financial ability to hire a team of lawyers, lobbyists and accountants to guide him through the onerous delaying bureaucratic process, an entrepreneur like Maurice Underwood became trapped in an evolving application process that is so overly oppressive and domineering that it discourages and deters would-be entrepreneurs.

Thus, an otherwise talented and hopeful entrepreneur like Maurice Underwood has little other choice except to lose all hope in a process of uncertainty and either give up his dream or perhaps instead rely on the courts and this legislative body for amends.

If you read the original language adopted by statute under A.B. No. 366 of the 69th Session and review the history of how it gave origin to the NTA, you would realize it was a legislative wrong that must be corrected at the legislative level to stop the continued abuse by the NTA.

In 1998, then-District Judge Mark Gibbons publicly stated he had no authority to usurp the Nevada Legislature and was concerned about the way the Transportation Services Authority (TSA) not only established rules, but enforced them and used their ability to collect fines to chill potential competition.

Failure to strike some of the existing language as offered in S.B. 183 will only allow this abuse to continue which will multiply into more, costly lawsuits that constrain the resources of the Attorney General. The Attorney General has no choice but to defend such cases while at the same time constraining potential would-be entrepreneurs unable to jump the massive hurdles.

If I own a Starbucks in town, it should not be the business of this legislative body to restrict somebody from opening Comma Coffee in town just because he

or she would compete against me in a similar business. Any such ruling government agency should be in place to protect public health and safety not to decide if a competitor will outsell me in coffee and scones.

As an owner of a coffee shop, I would only be inspired to offer better products and services to my customers. It is exactly that type of free enterprise market that ensures continual innovation and benefits the consumer.

Lee McGrath (Institute for Justice):
I have submitted my written testimony (Exhibit K). I would like to make three points in support of S.B. 183. My three points deal first with history, second with a comparison of entry versus process regulations and third with some insights into what has happened in one state after these types of changes were enacted.

The public convenience and necessity test is a nineteenth century invention that is anachronistic today. It made sense in the nineteenth century when the federal and state governments wanted to encourage railroads to be built across the country. Entrepreneurs in Chicago, St. Paul and elsewhere needed to raise significant amounts of capital in order to purchase land, employ workers and lay track. It was the enormity of the capital requirement that justified this grant of a monopoly or an oligopoly in the development of the railroad system.

This may have made sense in the nineteenth century, but it does not make sense in the twenty-first century when our capital markets are significantly more developed. Most importantly, the modes of transportation currently being regulated in Nevada are significantly less capital-intensive. Therefore, I submit that consideration should be given to the availability of capital for entrepreneurs and how little it takes to start a household goods moving company or a limousine company and should not impose these barriers that are anachronistic.

The second point is to offer that this bill does not change process regulation, but instead changes entry regulation. The NTA will maintain the ability to judge the fitness, willingness and ability of applicants. It will continue to regulate features of the modes of transportation. Brakes and safety items will still be required. It is the difference between process regulation and entry regulations that lend themselves to this type of battle over need and false claims that are the basis for this bill and worthy of consideration.

Finally, we have had experience with the proposed changes in S.B. 183 and S.B. 184 in the state of Minnesota and the City of Minneapolis. In 2007, Minnesota removed the public convenience and necessity test, the veto process and adopted a fit, willingness and able test in which the Minnesota Department of Transportation reviewed the quality of the applicants to meet government safety regulations. The irony of all ironies is after the bill was enacted and the entry into the market was freed, the number of in-state household goods movers actually declined. It was a function of the change in the housing market and the change in economics. So getting rid of this entry requirement did not have an effect on the market, but did invite new entrants and old providers who were not competitive. At the same time, the City of Minneapolis lifted the public convenience and necessity cap on the number of taxis. The good news in Minneapolis is the number of taxi companies has grown from 10 companies in 2006, to 28 companies today. There is abundant taxi service, serving neighborhoods across the City. The number of taxicabs increased from 343 to 956, and entrepreneurs in Minneapolis offer multilingual dispatch services to meet the needs of their customers.

SENATE BILL 184: Revises provisions concerning the Nevada Transportation Authority. (BDR 58-716)

In summary, I encourage you to give serious consideration to getting rid of these artificial barriers to entry that are dated from over 100 years ago and really block the type of vibrant economic activity for your constituents to enjoy.

Chair Hammond:
An issue was brought up in testimony presented by Senator Gustavson regarding the length of the process. When I read S.B. 183, it did not seem to address the length of the process, but was directed more toward knocking down the barriers for competition. After reading the stricken portions of the language, do you believe S.B. 183 addresses your concerns?

Mr. McGrath:
Yes. The time-consuming part of a public convenience and necessity process is the publication of the application to other industry participants, thus giving them time to develop and file protests. This also adds to the time it takes for the state agency to schedule and hold a meeting. This is the time-consuming part of the process and what S.B. 183 addresses by accelerating the granting of licenses by the agency.

Senator Farley:
When obtaining a gaming license or a license to sell liquor, how long does that process take?

Mr. McGrath:
I do not have side-by-side comparisons, but the type of hearing and the protest processes are different from what is going on in the transportation area. There are hearings when someone applies for a liquor license. A strategy was implemented for in-state household goods movers in at least one state to make the process long and difficult when they were opposing the application of a new entrant, and it is something to be concerned about.

Danell Wilson-Perlman (Reno-Tahoe Limousine):
I support S.B. 183, as the passing of this bill will be a benefit to all companies that have been affected by this unfair and outdated law. My husband, Ron Perlman, and I are the owner-operators of Reno-Tahoe Limousine in Reno. We comply with all State laws: licensing, safety criteria and insurance requirements. We have submitted a legal article, "Fighting the Competitor's Veto in Nevada" (Exhibit L).

When we opened our business, Ron and I drove the cars, answered the telephones and did everything associated with the business. We now have 25 employees. We received our Nevada license in 2006, stipulating we could only operate seven vehicles intrastate. No other company in the Reno area is subject to this same limitation and the others can expand their businesses at will. When we wanted to expand our business, we had to go through the licensing procedure again and receive permission to use additional vehicles. We already own seven additional vehicles that we use for trips in California, but we wanted to move them to our Nevada fleet.

In 2012, our company applied to the NTA to expand our license in order to use those vehicles for trips in Nevada. Our competitor protested, so we had to attend a hearing. After 2 years, our application was denied by the NTA. The reason we were given was that we could not prove our market. They did not say that we were unsafe or unfit. The bottom line is we were denied because we were going to take business away from our competitor. We are not asking for any special privilege or treatment. We just want to be able to grow our business when we think it is fit to do so.

The ultimate dream and focus for us as entrepreneurs is to grow our business, which will create more jobs and have a positive impact on the economy of this State. The competitors' veto law stops us and so many others because we might take away business from our competitors. What happened to free enterprise? A very important quote from late South African President Nelson Mandela, "Your playing small does not serve the world. Who are you not to be great?"

Chair Hammond:
You spoke of the competitor veto in your testimony, I have not read anything in the bill addressing this issue. Are you addressing a de facto process allowing competitors to discuss how a new company coming into the area will affect their business?

Mrs. Perlman:
Yes.

Senator Farley:
Is it documented that the denial said you could not prove your market? The answer is yes, because I see you nodding your head. Did you receive some empirical data from the NTA utilizing experts in the market or what data did they use to make this determination?

Mrs. Perlman:
We were told we could not prove our market, then returned 6 months later with a list of ten questions our reservation agents asked the customers. If we could not service the customers who called because of the limited number of vehicles, we had to provide them with the phone number of our competitor. We then called the customers back the next day to find out who they booked and document the information for the NTA.

Senator Farley:
I want to know what expertise was used to prove the market.

Senator Denis:
Were you talking about the intervenor process?

Chair Hammond:
Yes.

Victor Joecks (Nevada Policy Research Institute):
We are in favor of S.B. 183 because government should not pick winners and losers in the economy, and it has been well documented today.

John Griffin (Uber):
I am here in support of S.B. 183 on behalf of Uber. The fundamental principles of competition, free enterprise and the economics of supply and demand have been missing in Nevada's industry for some time. The provisions of this bill seeking to eliminate the government's role in controlling the market are very good things. Too often the incumbent operators have created and exploited laws and regulations as a method to stifle competition and limit free enterprise.

The NTA's role in this area should be limited to government's normal and customary role, which is to protect consumers in the areas of health and safety. Government has a role to protect the citizenry against the tyranny of a monopoly. In this situation, the tools of government regulation and oversight have been used not to prevent monopolistic or oligopolistic practices but to actually encourage them. This bill begins to reset the statutes and regulations along the lines of appropriate government involvement in this area. For that reason, Uber is in support of S.B. 183.

Clayton Mitchell:
I am a resident of Virginia City and I have submitted my letter of support (Exhibit M). One of the big challenges we face in Virginia City is transportation, not only driving to town but also driving around town. We have steep hills, narrow streets and limited parking. Wondering about the feasibility of starting an on-and-off shuttle service—a service that had been utilized in the past, but was not currently operating—I looked at the licensing requirements. The term "common carrier" is broadly defined and includes something as simple as a 12- to 15-passenger shuttle bus operating around Virginia City.

When I read the 15-page packet I had to complete, I saw that pages 7, 8 and 9 were a list of all of the requirements. It was a huge deterrent for me to start that business. I fully support S.B. 183, but I do not think it goes far enough. There are other pieces, beyond what is being called the competitors' veto, such as invasive financial disclosure requirements and judgment of the worthiness of the business. I would remove those requirements, streamline and expedite those processes to open it up for the benefit of the public. Businesses fail or succeed on their own merit, and I do not see that as a function of government. First, for

the high barrier of entry, secondly, because of the extensive and invasive analysis requirements and third, for the squashing of competition, I urge you to support S.B. 183.

Chair Hammond:
For the record, I have written testimony from two individuals who support S.B. 183, A.R. Fairman (Exhibit N) and David Bashline (Exhibit O).

Kimberly Maxson-Rushton (Livery Operators Association of Las Vegas):
The Livery Operators Association of Las Vegas (LOA) is comprised of approximately 20 companies that vary in providing transportation services ranging from taxi, limousine, scenic tour operators, airport shuttle bus and charter bus services. The LOA is adamantly opposed to S.B. 183 because the NTA provides regulatory oversight for these services. Specifically, S.B. 183 would make significant changes to both NRS 706.151, the declaration of legislative purpose, and NRS 706.391, which provides the criteria used for the suitability of an applicant for initial entry into the market and modification or expansion of authority. Those two processes ensure competition. They ensure free entry into the market but more importantly they ensure the operators are safe and fit to provide transportation services for our Nevada citizens and the 41 million tourists who visit Nevada every year. They further ensure fair and equitable standards of operators.

For those reasons, the bill before you is not in any measure an anticompetitive bill but seeks to do nothing more than strip the NTA of its obligation and authority to oversee and ensure the safe transportation services provided by commercial carriers here in Nevada. It is important to note that in comparison to the testimony you heard earlier specific to the Institute for Justice, Nevada is not Minnesota. We are a tourist-based state that relies on tourists for our economy so we cannot take lightly the importance of the safety standards in the measures used to determine whether or not a carrier is suitable and fit to provide the transportation services they intend to provide. For those reasons, I ask you to oppose S.B. 183 and recognize the importance of the regulatory scheme as it currently exists.

Chair Hammond:
Senate Bill 183 would keep the safety requirements in place, but would eliminate the competitive issue brought forward by previous testifiers. Could you address this for the Committee?

Ms. Maxson-Rushton:
The bill, as proposed, will not prevent competitive action. The bill will eviscerate the NTA's obligation to ensure those new entrants into the market, existing carriers seeking to expand, are not otherwise safe. The Declaration of Purpose talks about the obligation to provide for fair and impartial regulation to promote safety and adequate economic factors. Economic factors are meant to determine whether or not the industry is robust and allowed to expand. The objective is to allow the industry to grow by allowing new entrants into the market.

Chair Hammond:
Could you explain why the applicant has to prove the market and why it is a factor in the competition?

Ms. Maxson-Rushton:
Specifically, under the NRS 706.391, one of the controlling criteria is the market as noted by a previous testifier. That criteria was the result of an independent legislative study conducted by Dr. Keith Schwer, Professor, University of Nevada, Las Vegas in 2004 (Exhibit P). That independent study determined an industry such as the commercial transportation—limousines, airport transfers, special services fell under the office of the NTA. When there is oversaturation of the market without corresponding business to serve, carriers cannot demonstrate financial viability. They are not compensable.

If a company is not compensable, it is unable to provide the requirements relative to the safety standards. By statute, all carriers must maintain 20 percent equity which is a legislative determination consistent with Dr. Schwer's finding, that an applicant or carrier who is able to maintain the 20 percent equity can also maintain the high standards of safety required for common carriers; insurance costs, maintenance of vehicles, maintenance of employees with proper background checks, to ensure the traveling public is safe when they enter a commercial vehicle.

Chair Hammond:
I had a chance to read the report last night. Do you want to maintain the ability to determine a company is solid by ensuring public safety for the riding public? Do you think companies may cut back on public safety if they do not have the financial ability to meet all of the safety requirements? Having read through this 2004 research document many things have changed since then. One of the

arguments made by the authors of that paper stated it is a public necessity because the typical person does not have the wherewithal to research the best routes in a new city, the best pricing in the new city so the reason for regulating the industry is to assist the consumer. That idea has changed a great deal since 2004.

When I go to a city, my 15-year-old son gets on his phone and brings up MapQuest to find three different routes to our destination and then says this is the shortest route the taxi should be taking. He can also find the best rates on his cell phone. I understand the importance of making sure there is an economic viability for someone who is applying for a CPCN. We need to maintain public safety to continue having tourists visit Nevada. We still need to determine what can be done to invite more competition. I want to really examine the bill to find a way to help the competitive nature of the industry and yet maintain public safety.

Ms. Maxson-Rushton:
There is a significant component of the bill that otherwise defeats the intent. Specifically, the language is found in section 2, subsection 3 whereby it states that competition may not be used as a factor for determining whether or not an applicant is successful, and that applies to new applicants or those who seek to modify or expand their authority. That prohibits the NTA from utilizing competition as a factor for denying an application. As a former chair and practitioner in front of the NTA, there has never been an instance in which a competitor's veto was the basis for the decision rendered by the NTA.

Applicants are afforded an investigation period and analysis akin to other privileged licenses. They are afforded a hearing in which the company has the right to be represented by counsel. Staff participates and the intervenor participates if there is one present. The intervenor process is construed by regulation not by statute. There are also corresponding regulations that prohibit an intervenor from unduly delaying or burdening the process by causing the process to be so expensive to the applicant; it defeats the intent. To this day there have been no incidents when the NTA has allowed something like that to happen. The competitor's veto is a misnomer. Applicants that are not successful do not meet the statutory criteria.

Senator Farley:
If competition is not a factor, does the NTA deny an application because the applicant was unable to prove the market? If that is the case, what criteria does the NTA use to determine the applicant could not prove the market? As a business owner, if I am planning to spend money by buying a car, I am betting on that investment and have proved the market prior to spending the money. Otherwise, I would be out of business very quickly. I want to know what knowledge the NTA uses—better than the business owner who is putting up the money—to determine the market need. How can you know better than the business owner who is already participating in that market and has already been certified by the NTA as being a good business person.

The job performed by the NTA to ensure the safety and fitness of the public has been phenomenal. The market piece is what I do not understand.

Ms. Maxson-Rushton:
The market standard is utilized to determine financial viability. It is akin to other administrative agencies such as the contractors' board, in which license applicants are required to sit for an examination to determine whether or not they understand the specifics of the laws and regulatory obligations. In the contractors' world, a company must also post a bond consistent with what the contractor's intended work will be. The bond is intended to ensure you are financially able to cover all of your obligations. That is what the market standard is for. It determines if there is a market for the proposed services and, thereafter, whether or not that market will support or become compensable for that operator. The NTA wants the applicant to demonstrate the number of vehicles they want to use and the type of authority under which they will operate.

Senator Farley:
I respectfully disagree. The bond is there in case I made a bad call and was not correct about my judgment on spending and pursuing my business.

Ms. Maxson-Rushton:
That is the same thing, relative to the market.

Senator Farley:
I would not be denied by the contractors' board if I wanted to pursue homebuilders or commercial construction. I have a cap because of my

financials, but the contractors' board is not telling me not to buy another piece of equipment, not to chase a home builder and not to chase homeowners direct. The board is not in my business telling me when I can expand and when I cannot, because they do not know. I know because I made the investment and if I am credible with the contractors' board and in good financial standing, it should be my decision. I deal with public safety all of the time because I am in homebuilding, in people's homes and in commercial construction. Public safety is huge in my industry as well.

Senator Denis:
As a representative of an association, do you track national trends in this industry?

Ms. Maxson-Rushton:
In some instances, we do. What we look at in terms of the overall industry is specific to Nevada. We look at Nevada because it is a unique state. We do look at trends in other jurisdictions specific to growth and carrier regulations but not to the extent that I could offer any expertise or specificity.

Senator Denis:
A comment was made during the testimony that we have the toughest standards in the Country. I wanted to know if that is accurate in your opinion?

Ms. Maxson-Rushton:
I believe the standards in Nevada are fair and fit. Are they higher than other standards, I would say no. They are likely consistent because public transportation services and commercial transportation services are recognized as requiring a high regulatory standard. There are very few states that have deregulated any type of commercial transportation. In the taxi industry, it is a utility but it all costs when dealing with transportation of the public and you must ensure the safety of the public.

Senator Denis:
You said our circumstances are unique. Is that because of the tourism and gaming industries that you feel we have to ensure we have a safe system?

Ms. Maxson-Rushton:
Yes. We deal with tourists on a regular basis. We have large events in Las Vegas in which carriers operate vehicles with a seating capacity of 60-plus

passengers. For these reasons, we cannot minimize the importance of the insurance, not the high barriers to enter into the market that pertain to safety and insurance.

Senator Denis:
Is there fraud in this industry?

Ms. Maxson-Rushton:
I cannot speak to your question, but part of the market determination is because the applicant intends to perform the services for which they are applying. Sometimes when individuals enter the Nevada market, they are not familiar with the Nevada scheme or they have ideas about the type of service they want to provide. They could apply for a limousine service whereby the services are more akin to a taxi. This market helps demonstrate there is a business for the proposed services, but also ensures the applicant is applying for the appropriate authority.

John Leleu (Nevada Bus and Limousine Association):
I am here with the president and vice president of the Nevada Bus and Limousine Association (NBLA) who will speak to the practical effect of S.B. 183. I am available to answer any technical questions the Committee may have in reference to the bill.

Lou Castro (Nevada Bus and Limousine Association):
The NBLA is a trade organization consisting of 20 small to midsize motor carrier businesses. Bell Limousine, Frias Transportation Management, Western Limousine Service, Desert Cab and AWG Ambassador are recognized as industry leaders who speak for themselves and are comparatively large companies. Virtually all of our members are family-owned, mom-and-pop businesses with fewer than 25 vehicles. While the transportation market share clearly belongs to the Livery Owners Association, the NBLA was formed 16 months ago to give a voice to everyone else. We are the small businesses everyone claims they want to protect and grow.

I have been in the business for about 15 years and began as a chauffeur. I now own a company with 19 vehicles. I have been able to grow my business fairly easily. I am here today to oppose S.B. 183 on behalf of the NBLA and its members. The NBLA supports the NTA. The NTA is our agency and we think they are doing a fantastic job. The motor carrier industry in Nevada is almost

entirely based upon tourist customers. Fluctuation in tourism has a tremendous impact on the NBLA members who, given their small size, are particularly sensitive to ebbs and flows of the market.

Sudden drops in the market caused by industry events have catastrophic effects on the thin margins of our members. For example, should a carrier be involved in a motor vehicle accident caused by failure to properly inspect the vehicle's brakes, the resulting dip in business for the entire industry created by bad press and the consumers' distrust of the industry is more directly felt by our members. It is here the NTA provides our members the most value. The NTA sets a standard for the industry to ensure consistent, safe and reliable services for the public and protects us from dips in the market caused by industry negligence and misconduct.

Senate Bill 183 seeks to remove the NTA's mandate to protect the industry from competition and the NBLA members welcome competition and generally support the concept of a free market. We do not believe S.B. 183 targets the proper issue, the intervenor process. To reach its goal, the intervenor process allows a certificated carrier to challenge the applications for new or expanding motor carrier businesses based on a number of different criteria, including safety and competition. The NBLA supports intervention on the applications for safety or the reasons it believes market shares and competitions are irrelevant to the inquiry and should be expressively prohibited from analysis and the vetting process of an applicant.

As such, the NBLA believes S.B. 183 does not squarely address or cure the issue at hand, and while the NBLA fully supports the NTA and is supportive of the concept of removing competition from the analysis on a new or expanding business, the NBLA must oppose this bill as written. Furthermore, this type of deregulation will allow transportation network companies into our industry and create an unsafe environment and marketplace for our tourists. We look forward to working with Senator Gustavson and members of the industry toward a bill which enhances the industry as a whole and one the NBLA can support.

Chair Hammond:
The intent of the bill is to root out the anticompetitive nature of the process and you alluded to the fact that you agreed with the intent. You agree that if there is a block of entry into the market, you would like it to be removed. However, you talked about the intervenor process by stating it gets to the nature of

whether or not there is a market and to the issue of safety. I believe the bill will still allow the NTA to maintain safety regulations and check to ensure safety factors exist to protect the public. The competitor portion of the bill is when the intervenor comes in to say this applicant might affect its business as the margins are already thin; why should you be able to tell another competitor not to enter the market as it will affect your business?

Mr. Leleu:
The bill has a good heart and is pointed in the right direction. However, the bill does not address the enabling language that allows the intervention process.

Chair Hammond:
So, we need to figure out how to add that language.

Mr. Leleu:
The bill only seeks to remove the legislative mandate. You can remove the mandate, but if you keep the enabling language in the statute, it is still there. The regulation can operate under the enabling language as it has in the past. The bill needs to be perfected.

Chair Hammond:
Would you be willing to work with the sponsor of S.B. 183 to ensure we address that problem?

Mr. Leleu:
Yes.

Senator Denis:
How do you feel about the process? Does the process take too long?

Mr. Castro:
I feel the process the NTA uses is fair. I have had great success working with the NTA, and it has been a pleasure. The only problem I have is in the intervention process. Our competition should not be able to intervene on an expansion. If you are in talks with Coca Cola and they like what you do, you should be able to add five more vehicles to your service to take care of Coca Cola. The competition can say no, I work with them; that is where I have a problem with the bill.

Senator Denis:
Have you gone through the process of expanding?

Mr. Castro:
No, I have not.

Senator Denis:
Are you still operating under the original license?

Mr. Castro:
Yes.

Senator Denis:
How long did it take for you to get through the process?

Mr. Castro:
We opened with two busses and the process took about 6 months. When we added limousines, the process took 1 year, but we were already working on adding the limousines when we submitted our bus request. We were allowed to grow systematically. We opened in 2008 when the market was not that good and grew responsibly.

Senator Farley:
Safety and fitness are requirements that should not be removed, and the NTA should continue to monitor new applicants. The NTA should not have the right to tell me no if I am financially capable of making a decision to expand my business. I would encourage some sort of cleanup language.

Tony Clark (24/7; Nevada Bus and Limousine Association):
I received my first certificate in 2001, and started my business with two vehicles. I have been through the process from the beginning to the end. The NBLA supports the NTA and their actions of governing our industry and the safety and welfare of our business. I agree there are some issues with competition, but one of the things the bill does not cover is funding. The NTA is currently struggling to cover illegal operations because the agency does not have enough funding to be on the street 24 hours a day.

If S.B. 183 is passed as written, you would allow more people into the market, but no additional governing or oversight of the market. It will allow all the illegal

and shady operators to infiltrate the industry. Profitability will suffer and affect the smaller companies as more illegal operators will emerge without the oversight of the NTA.

I have been through the intervening process and actually withdrew because it was such a difficult process. I bought three companies so I could grow my business. It is considerably more expensive than just buying vehicles, but that is what I did over the past 14 years. With that in mind, the NBLA is opposed to this bill because it is not protecting the industry and the safety standards. I have heard the safety standards will all still be in the law, but without enforcement it does not mean anything. There is no money to enforce the existing rules already in the statute. We would be allowing more people to get into the system without any checks and balances and then go out and conduct business. I fear this would worsen the industry and allow more chances to be taken with public safety. I heard a previous testifier make a comparison to opening a coffee stand, but no one is going to die over a coffee stand. If one large bus or one large limousine has an accident due to a safety issue and the information travels across America that Las Vegas is not safe, it will hurt our industry. I am for competition and changing the rules, but S.B. 183 does not do it.

I have been through the bumps and bruises, but the NTA is still our best effort to keep the safety standards in effect; they need more funding for enforcement before we consider making any changes. We cannot support the bill in its current form. I would be willing to work with Senator Gustavson to make the changes to eliminate the intervening process so a company could apply for more vehicles on a sound basis in order to expand. The bill needs to be amended to protect the existing small companies in the industry.

Chair Hammond:
You touched on the one issue many of the Committee members are struggling with relative to the anti-competition language. You talked about the regulations, but they do not mean anything if they are not enforced to protect the public safety.

Senator Denis:
You mentioned you began with two vehicles and grew your business by buying other companies so you did not have to go through the process of expanding because the licenses were already in place.

Mr. Clark:
I started the process, but was told I would not make it and it would take a long time because I could not prove enough competition. I felt the same way as Senator Farley, how could the NTA tell me I could not be successful when I had already proved I could be successful? Unfortunately, the system is set up with intervenors, the time it takes to get through the process and displaying my business in front of my competitors was a deterrent and made it tough to grow my business. I found companies that were suffering or not doing a good job and I bought them. I bought three companies to grow. I have never expanded my business because of the difficulty of the process, instead I bought other small companies in order to grow my business. Right now I have about 40 cars and 100 employees, and I have been in business for 14 years.

As the vice president of the NBLA, I can tell you most of our members have fewer than 10 cars. Others look to me for leadership because I have been through the battles on the streets. Throughout the 14 years I have been in business, safety is very important. We fear some illegal operator or courtesy vehicle will come in and kill someone and it will reflect badly on our industry. It will hurt our records and increase our insurance rates because the industry is unsafe.

My company operates the larger custom vehicles that hold more passengers, the 20-passenger Hummers, the party busses and the custom 10-packs. There have always been special niches in our market, and I have worked with the consumer to be wanted and needed even when I was told I was not needed. I would like to see the expansion process be made easier, but not at the risk of giving up safety. The NTA is fair when conducting inspections, but they do not have enough employees to go through the whole industry. I see illegal companies operating at night and the unsafe use of courtesy vehicles when there is no enforcement. I believe before you can expand the market, you have to control the market from a safety standpoint.

Anastasia P. Boden (Pacific Legal Foundation):
The Pacific Legal Foundation routinely challenges occupational laws that do not protect the public, but serve only to stifle economic opportunity and competition. Indeed, we have challenged the competitor's veto process as it is on the books. We have a pending lawsuit on behalf of Ron and Danell Perlman.

To provide clarification for Senator Farley about the criteria the NTA uses to evaluate whether or not someone has proven the market, it is the burden of the applicant to prove there is a market to sustain their services. It is usually an entrepreneur's perception there is a reason that causes them to seek entering the market. It is something that likely cannot be proven in advance. There are no criteria.

There is no way to prove the market. How would Pepsi Cola have proven there was a need for them in the market when Coca Cola already existed? How would Starbucks have proven there was a need in the market when there were already millions of coffee shops across the Country? How would Apple have proven there was a desire for MAC computers when people were perfectly happy with PCs? Not only is it impossible to prove in advance, but it has nothing to do with public safety.

For example, nobody would assert if there is no market for a restaurant that it begins skimping on health and safety regulations. The health and safety regulations stay in place and businesses must comply, and if there is no market they will go out of business.

I am testifying in an informational capacity about the constitutionality of the law as written because we are challenging this law on a constitutional basis as outlined in my handout (Exhibit Q, original is on file in the Research Library). The U.S. Constitution protects the right of entrepreneurs to earn a living in an honest occupation and it restricts the government's ability to burden that right. The U.S. Supreme Court has said that the due process clause of the 14th Amendment means that any licensing requirement must bear a rational relationship to ensuring the licensee's fitness.

Of course, CPCN laws like Nevada's allow competitors to protest applications for new businesses and allow the government to deny applications for new businesses for reasons wholly unrelated to an applicant's fitness.

Just last year in Kentucky, a federal district court struck down a CPCN law that is nearly identical to Nevada's because it was found to be unrelated to protecting health and safety.

The purported reason for these laws is outdated. This is a relic of the late nineteenth century when these laws were originally applied to railroads and

ended up protecting investments in railroads (Exhibit R). The rationale for them, then does not apply today. The laws reflect outdated notions of destructive competition. Nowadays it is universally recognized that competition produces efficient outcomes.

I have provided evidence in my handout, Exhibit Q, about how states have eliminated CPCN laws and shown improved quality of services. They have shown increased services, lower prices, complaints have decreased and innovation has increased. Reviewing the evidence where states have made changes, the results have been beneficial rather than detrimental.

When the laws are used in practice, they are purportedly related to safety, but evidence from lawsuits filed in other states with these laws show otherwise. In Missouri between 2005 and 2010, every single application for a moving company was protested by an existing firm. All 106 objections were based on the argument that the new firm would compete. Not one alleged that the applicant was unskilled or would be dangerous to public safety nor was there any evidence that the state denied an application on the basis of public safety.

When an applicant amended its application to request permission to operate in a more rural part of the state and present less of a competitive threat, the existing companies withdrew their protests, which undermines any argument that the protesting firms are concerned about public safety. Any argument that these laws have to do with health and safety are fallacious. By their own terms they are not related to health and safety but explicitly anticompetitive. It sets up incentives for businesses to protest without regard to public safety, and the NTA is essentially required to deny an application merely because the new business will compete. This is unfair and contrary to how most people define the American dream, and it is unconstitutional.

Senator Manendo:
Are there pending lawsuits in Nevada?

Ms. Boden:
There are two pending lawsuits in Nevada. There is one lawsuit on behalf of Maurice Underwood, Exhibit J, and another lawsuit on behalf of Ron and Danell Perlman, Exhibit L, in U.S. District Court of Nevada.

Chair Hammond:
It is important for the Committee to understand the processes of the NTA. You might talk about the length of the application process and you may have statistics about the intervenor process. What do you mean by market and what do you expect from the applicants?

Andrew J. MacKay (Chair, Nevada Transportation Authority, Department of Business and Industry):
In the document submitted by the Pacific Legal Foundation, Exhibit J, referencing the Maurice Underwood case, page 2 under Nevada's War Against Competition, states, "That is why there are today only 43 licensed moving businesses in the entire state, and only two in Reno, the state's second largest metropolitan area."

That statement is false. I can tell you we have more than six moving companies right in the Reno-Sparks area, and there may be more than that. To address the time frame for an application with respect to moving companies, going back to the year 2000, we have never been able to find even one instance where the NTA had a filing of a company that is seeking to file for new authority to provide moving services or an expansion of an existing authority in which an intervention was ever filed. Nevada is dramatically different from Missouri.

More importantly, no intervention has ever been filed in Nevada against a moving company because the NTA has never denied an application from an applicant to provide moving services in the State. The fact that there is a competitor's veto in that arena, is a red herring and is not true. Speaking specifically to the moving services: an applicant filed an application and the applicant was licensed approximately a year to 18 months ago and operates upwards of 12 or 15 vehicles. This was an individual with experience being licensed by the State Gaming Control Board and understood privileged licensing. The applicants did not have an attorney represent them, and they completed the process in 6 months.

The gentleman from the Institute for Justice is correct regarding the time frame when an application sits dormant. After filing an application with the Authority, by law, the request needs to be publicly noticed and is noticed in the geographical area in which it is presented. An application for a fully regulated carrier such as limousines, movers, taxis outside Clark County, scenic tour operators—anything other than tow operators and charter bus operators—would

take about 9 months. However, the vast majority of the applicants appearing before the NTA do not have legal counsel represent them. The NTA staff assists the applicants through the process, so there is somewhat of a delay.

Chair Hammond:
When you say it delays the process, can you tell me by how much? You said the application process could take 9 months, would it be longer with your staff assisting the applicant?

Mr. MacKay:
The 9-month time frame is for all applications with or without counsel representation. Oftentimes, the individuals who do not have experts assist them with the process are the mom-and-pop businesses with one- or two-car operations. The Legislature has made the process difficult primarily to ensure companies are safe and financially viable.

To address the question from Senator Farley regarding the application on which the Perlmans were denied an expansion, everything they stated on the record was accurate with respect to the time frames. The application was delayed because they had asked for a certain number of vehicles and then amended the application to decrease the number. I was the hearing officer in that matter. We had hearings over a lengthy period of time, 4 hours for one meeting and 3 hours for another. The application was denied after I evaluated all of the evidence. There was an intervenor, but the intervenor had no effect on my decision making or the application process. The basis for the denial was due to lack of substantiation of a market. Substantiation of the market ties to financial viability. Will the applicants' proposed service be compensable, will the market pay for it? The market witnesses that appeared at the hearing indicated and gave an idea in terms of what the applicant would generate for business. No one could ever indicate what that amount was so that was the basis of the market.

The NTA is neutral, we have to follow the four corners of the document. When we have applicants come in and oftentimes the market could be an individual or a business, they say we are going to provide 20 hours a month of charter service. That is the market. It is something tangible you can get your hands around.

Senator Farley:
Using your analysis of the market, all business owners should ask a government entity before they embark on a business venture or spend a dime. Under that theory, I should go to the contractors' board and say I think by watching the permits pulled, that the home builders market is going to grow by this amount; therefore, can I increase my business by this much? What you said is far from the business community. It might be better for the NTA to have applicants post a bond to show they were financially able to withstand a year of business is one thing, but to tell someone they cannot prove a market is like saying to Starbucks there are plenty of places that serve coffee. It is like saying to restaurants, we have plenty of Asian food restaurants and plenty of variety on the market and do not need you here. I cannot understand where that thinking or the authority even comes from other than to be anticompetitive. I know you are doing a wonderful job of protecting the safety, but the crux of the matter is the competition piece. Where do you get information to say these people are wrong?

Mr. MacKay:
Your comments are completely fair Senator Farley. I was the hearing officer on the first application for the Perlmans. With respect to a market, we are following the language in statute. The applicant must meet the provisions of NRS 391, and the burden of proof is placed on the applicant. Anecdotal or physical evidence is used to weigh the facts prior to a determination. The NTA does not like denying applications, but we perform the analysis and move forward.

To address the competitor's veto regarding the perception that if an intervention or protest is filed, the application is going to fail: the NTA has been in district court several times for granting new or expanded operating authorities. Generally, we are defending the decision to grant those licenses and the moving party are the intervenors. The courts are affirming those decisions by the NTA time and time again. The only time the NTA has been overturned with respect to a licensing decision, either approving or denying, ironically, was a case where the NTA recommended and granted an extension of authority. The district court ultimately reversed the decision based on some procedural problems.

It is ironic there is a perception regarding the competitor's veto when the competitors who use that veto are the ones who are generally taking the

NTA to court. Relative to the federal lawsuits: there is one regarding the Perlmans that includes a moving company out of Sacramento, California, that is part of that lawsuit. Nobody knows who the people are from the Sacramento moving company, and there has never been any interaction with the NTA from that entity.

With respect to the lawsuit brought forward by Maurice Underwood, the NTA prevailed at the U.S. District Court level, and Mr. Underwood appealed the decision. The suit was appealed to the Ninth Circuit Court of Appeals and the decision was made for oral arguments to be heard sometime in May.

Bruce Breslow (Director, Department of Business and Industry):
I was a TSA Commissioner for 6 years before it was changed to the NTA, and I was installed to increase competition.

Chair Hammond:
I am not sure what we are going to do with S.B. 184 as we may not have time to hear the bill in its entirety.

Senator Denis:
How much time does the process take? I am trying to understand how much of the process is the safety portion versus the market portion. One of the comments made was if you took out the market portion of the process, it would be much faster.

Mr. MacKay:
The process time varies in terms of what the applicant is requesting. Oftentimes we will see a delay in the process due to safety concerns. Maybe something has arisen because of a criminal background investigation due to the application process. There is no dispute there is a market for the applicant; however, the applicant has a record needing to be vetted in a prehearing conference.

There are times when an individual will apply, for instance the application for Charter Limousine Service, and be delayed because the way they were planning to conduct business. Charter was planning to go out and hustle rides. Charter Limousine Service would act as a de facto taxi service on demand. There are various ways for an application to be denied. Oftentimes, we see individuals wanting to operate as another business, and there is no sense of urgency in order to push the application through the process.

Senator Denis:
Is there a guarantee if we eliminate the market portion of the law that it will make the process any faster?

Mr. MacKay:
It would make the process faster for those applications in which there is a delay based upon a market. What the overall effect would be on other applications, I do not know.

Senator Denis:
Based on the type of application, might it save time for some but not for all?

Chair Hammond:
The tariff rates are different among motor carriers. Who sets the tariff rates? Is it the NTA or is it the individual entities?

Mr. MacKay:
The NTA does not set rates. There is a uniform rate that is assessed. The Taxicab Authority for Las Vegas does set rates because it is tantamount to a public utility, so everyone is the same. The respective carriers set their tariff rates that are ultimately approved by the NTA. What the NTA does with respect to evaluating a tariff rate is to ensure the rate is generally within the range of rates.

You do not want to have an entity say it is planning to provide services for $10 an hour to provide charter limousine services when it has a fleet of 10 stretch vehicles. There would be no conceivable way to pay the bills with that and what it leads to is price gouging, which is predatory in nature, as the director indicated. The NTA's approach is with respect to anything outside of the tow car industry for nonconsensual tows. The consumers have control over who and what they want to do. The NTA allows broad latitude on the rates. We have carriers that charge for a basic sedan; some that will charge $30 an hour, while others charge $55 an hour.

Chair Hammond:
Do the moving companies have different rates or is there an industry rate?

Mr. MacKay:
Within the moving industry, some carriers will prepare an estimate based on going up and down the stairs five times, so they will have a stair charge. Some carriers do not have a stair charge, so their rate might be lower. The NTA ultimately evaluates and approves those rates so there is transparency for the public. If customers feel as though they have been gouged, they can go to the authority and show what they paid to see if it matches the approved rates.

Chair Hammond:
Over a period of time, how many applications has the NTA received and ultimately denied?

Mr. MacKay:
There have been 11 applications denied by the NTA within a 6-year period. The NTA received 344 applications for new or expanded authority of all types.

Chair Hammond:
Is there anything in this bill that would affect public safety if we eliminated it?

Mr. MacKay:
There is definitely one area that would cause concern, section 2, subsection 5 of S.B. 183 says an applicant for charter bus authority would not be subject to a criminal background investigation. That language needs to be looked at, and it has nothing to do with competition. These are entities that transport large numbers of passengers. These vehicles carry 16 passengers all the way to 65 passengers. The Legislature would want to make sure the NTA vets these entities and individuals. The entities and individuals would have less of a burden than the drivers themselves. The drivers would still be subject to an FBI criminal background investigation, yet the principals and key employees would not.

Mr. Breslow:
The NTA is one of the agencies under the Department of Business and Industry, and I have a unique perspective after serving as a commissioner under the late Governor Kenny Guinn. There is another portion of S.B. 183 to address language, section 2, subsection 2, paragraph (d) which would change language that says, "The proposed operation or the proposed modification will benefit and protect the safety and convenience of the traveling and shipping public and the motor carrier business in this State." This language is being eliminated, and it is a standard the NTA uses consistently. The proposed language states, "the

proposed modification is not inconsistent with the safety and convenience of the traveling and shipping public." How would the NTA define inconsistent? The language being eliminated was strong and we would like it to remain.

Chair Hammond:
Would it work to leave the language alone in that section? We will check with our counsel to be sure and include your concerns.

Mr. Breslow:
There is no competition veto or a competitor veto. There is no such thing. There is an intervenor process that was created by the Legislature. When I was a commissioner and when Kimberley Maxson-Rushton was a commissioner, it was troubling when someone applied to have one vehicle and multiple intervenors came in. That is why the commissioners put restrictions on each intervention. Entities cannot intervene just because they do not like the application. If an entity intervenes and there is a specific cause because of a safety issue, we may grant them limited intervenor status, not wholesale intervenor status.

The late Governor Kenny Guinn told me to keep the markets open. We have always been troubled with some of the legislation, but it is our job to enforce the law. It has been challenged in the past. When I was a commissioner, the Institute for Justice challenged the constitutionality of Nevada laws and lost. The laws stand up, and whether or not the Committee thinks they are outdated, it is the job of the NTA to enforce the laws until they are changed.

Does the law stifle competition? The Legislature needs to make that decision. If an entity has to prove a market, that is something put there by the Legislature. No one has been denied based solely on the market, but it opens up the process for a lot of stalling, delay, debate, challenges and to prove the market. If someone wants to have X number of cars and has the financial viability and can afford to make sure of having a safe fleet, the fleet can be maintained and safety laws followed. The issues of competition I will leave in the hands of this Committee.

Chair Hammond:
We will take your suggestions into consideration. We can probably look at this particular bill and see what we can do with it to address the intent of the sponsor.

Senator Gustavson:
There were many good questions here today, and it was a wise decision to hear the issues for and against this bill. I want everyone to know what the bill does and does not do. The bill does not affect the safety and health of the industry, but it does address the anti-competition portion of the NTA authority.

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Chair Hammond:
For the record the Committee is in receipt of three letters of opposition to S.B. 183; from A. Jonathan Schwartz (Exhibit S), James R. Gleich (Exhibit T) and Justin M. Clouser (Exhibit U). I will put all of the parties together to help us put forward a good bill. We will schedule S.B. 184 for another time.

There being no further business to come before the Committee today, we are adjourned at 10:27 a.m.

RESPECTFULLY SUBMITTED:

_____
Martha Barnes,
Committee Secretary

APPROVED BY:

_____
Senator Scott Hammond, Chair

DATE:_____

EXHIBIT SUMMARY				
Bill	**Exhibit**		**Witness or Agency**	**Description**
	A	1		Agenda
	B	5		Attendance Roster
S.B. 183	C		Senator Don Gustavson	Video; Carolyn's Story
S.B. 183	D	1	Senator Don Gustavson	Nevada Journal; Carolyn's Story
S.B. 183	E	4	Senator Don Gustavson	Nevada Journal; Limousine Lumps
S.B. 183	F	2	Senator Don Gustavson	Las Vegas Sun; Renegade LV limo owner loses bid for licensing
S.B. 183	G	2	Senator Don Gustavson	Las Vegas Sun; Mike O'Callaghan: First-class transportation for people in wheelchairs
S.B. 183	H	1	Senator Don Gustavson	Moving roadblocks to competition and free enterprise in Nevada
S.B. 183	I	1	Senator Don Gustavson	Las Vegas Review Journal; Moving industry closed to competition
S.B. 183	J	12	Senator Don Gustavson	Pacific Legal Foundation Article: Fighting the Nevada Mover Cartel
S.B. 183	K	3	Lee U. McGrath	Written testimony
S.B. 183	L	12	Danell Perlman	Pacific Legal Foundation Article: Fighting the Competitor's Veto in Nevada
S.B. 183	M	3	Clayton Mitchell	Letter of Support
S.B. 183	N	1	Senator Scott Hammond	A. R. Fairman Written testimony
S.B. 183	O	2	Senator Scott Hammond	David Bashline Written testimony

S.B. 183	P	16	Kimberly Maxson-Rushton	2004 Study of limousines in Clark County, Nevada By R. Keith Schwer
S.B. 183	Q		Anastasia P. Boden	Handout Booklet
S.B. 183	R	5	Anastasia P. Boden	Consumer Protection Article: Con Job
S.B. 183	S	1	Senator Scott Hammond	Letter of opposition by A. Jonathon Schwartz
S.B. 183	T	1	Senator Scott Hammond	Letter of opposition by James R. Gleich
S.B. 183	U	2	Senator Scott Hammond	Letter of opposition by Justin M. Clouser

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