

ASSEMBLY BILL NO. 423—ASSEMBLYWOMAN BILBRAY-AXELROD

MARCH 25, 2021

Referred to Committee on Growth and Infrastructure

SUMMARY—Revises provisions relating to transportation network companies. (BDR 58-948)

FISCAL NOTE: Effect on Local Government: May have Fiscal Impact.
Effect on the State: Yes.

~

EXPLANATION – Matter in *bolded italics* is new; matter between brackets ~~omitted material~~ is material to be omitted.

AN ACT relating to transportation; authorizing the Taxicab Authority to enforce laws relating to transportation network companies and drivers for such companies; requiring a driver who provides transportation services in affiliation with a transportation network company to hold a driver's permit; requiring the impounding of a vehicle used to provide transportation services in violation of provisions relating to transportation network companies; requiring a vehicle used to provide transportation services in affiliation with a transportation network company to be registered to a driver; revising requirements for drivers affiliated with a transportation network company; revising provisions relating to records of transportation network companies; requiring a transportation network company to provide certain insurance for all drivers affiliated with the company; and providing other matters properly relating thereto.

Legislative Counsel's Digest:

- 1 Existing law requires the Nevada Transportation Authority to adopt regulations
- 2 governing the operation in this State of a transportation network company and each
- 3 driver who enters into an agreement with a transportation network company to
- 4 receive connections to potential passengers and provide transportation services.
- 5 (NRS 706A.100) **Section 10** of this bill additionally requires the Authority to
- 6 enforce the laws of this State relating to transportation network companies and such
- 7 drivers. **Sections 1 and 8** of this bill confer enforcement jurisdiction upon the
- 8 Taxicab Authority over a person who is a driver for a transportation network
- 9 company during any period in which the person provides transportation services in



the county where the Taxicab Authority has jurisdiction. **Sections 3 and 11** of this bill require a driver to obtain a driver's permit before providing transportation services in affiliation with a transportation network company. **Section 7** of this bill requires the Nevada Transportation Authority or the Administrator of the Taxicab Authority, as applicable, to impound a vehicle operated by a person to provide transportation services as a driver if the person has not entered into an agreement with a transportation network company.

Existing law prohibits provisions relating to transportation network companies from being construed to deem a motor vehicle operated by a driver to provide transportation services as a commercial motor vehicle. (NRS 706A.080) **Section 9** of this bill eliminates that provision and instead requires a motor vehicle operated by a driver to provide transportation services to be registered to the driver as owner or long-term lessor.

Existing law requires a driver to obtain a state business license and provide proof thereof to a transportation network company within 6 months after the company allows the driver to be connected to potential passengers using the digital network or software application service of the company. (NRS 706A.160) **Section 11** instead requires a driver to obtain a state business license, a driver's permit and any applicable license, permit or certificate from any local government or airport before being connected to potential passengers using the digital network or software application service of the company.

Existing law prohibits a transportation network company from allowing a driver to be connected to potential passengers using the digital network or software application service of the company unless the motor vehicle of the driver satisfies certain requirements. (NRS 706A.180) **Section 12** of this bill additionally: (1) prohibits a driver from providing transportation services using a motor vehicle that fails to satisfy certain requirements; and (2) requires a motor vehicle used to provide transportation services to have a decal affixed to the front and rear bumpers of the motor vehicle.

Existing law requires a transportation network company to maintain certain records and authorizes the Nevada Transportation Authority to inspect the records of a transportation network company only as necessary to investigate complaints. (NRS 706A.230) **Section 13** of this bill: (1) eliminates provisions restricting the ability of the Authority to access records only as necessary to investigate complaints; (2) requires each transportation network company to make its records available in such a format as the Authority prescribes; (3) authorizes the Authority to monitor the compliance of transportation network companies and drivers with the laws of this State; and (4) authorizes the Authority to perform audits of transportation network companies.

Existing law prohibits a driver from soliciting or accepting a passenger or providing transportation services unless the transportation services are arranged through the digital network or software application service of a transportation network company. (NRS 706A.280) **Section 14** of this bill additionally prohibits a driver from providing transportation services unless the driver is the person identified as the driver to the passenger in the digital network or software application service of a transportation network company.

Existing law requires each transportation network company or driver to continuously provide certain insurance coverage for activities relating to the provision of transportation services. Existing law further requires a transportation network company to continuously provide certain insurance coverage effective if the insurance provided by a driver lapses or is insufficient. (NRS 690B.470) **Section 15** of this bill instead requires each transportation network company to continuously provide certain insurance coverage for all drivers affiliated with the transportation network company. **Section 15** also increases the amount of required



64 insurance coverage and revises the circumstances in which such coverage must be
65 effective.

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

1 **Section 1.** NRS 706.8818 is hereby amended to read as
2 follows:

3 706.8818 1. The Taxicab Authority, consisting of five
4 members appointed by the Governor, is hereby created. Except as
5 otherwise provided in NRS 232A.020, the term of each member is 3
6 years and no member may serve for more than 6 years. No more
7 than three members may be members of the same political party,
8 and no elected officer of the State or any political subdivision is
9 eligible for appointment.

10 2. Each member of the Taxicab Authority is entitled to receive
11 a salary of not more than \$80, as fixed by the Authority, for each
12 day actually employed on work of the Authority.

13 3. While engaged in the business of the Taxicab Authority,
14 each member and employee of the Authority is entitled to receive
15 the per diem allowance and travel expenses provided for state
16 officers and employees generally.

17 4. The Taxicab Authority shall maintain its principal office in
18 the county or area of the State where it performs most of its
19 regulatory activity.

20 5. The Taxicab Authority may adopt appropriate regulations
21 for the administration and enforcement of NRS 706.881 to 706.885,
22 inclusive, and, as it may deem necessary, for the conduct of the
23 taxicab business and for the qualifications of and the issuance of
24 permits to taxicab drivers, not inconsistent with the provisions of
25 NRS 706.881 to 706.885, inclusive. The regulations may include
26 different provisions to allow for differences among the counties to
27 which NRS 706.881 to 706.885, inclusive, apply. Local law
28 enforcement agencies and the Nevada Highway Patrol, upon request
29 of the Authority, may assist in enforcing the provisions of NRS
30 706.881 to 706.885, inclusive, and regulations adopted pursuant
31 thereto.

32 6. Except to the extent of any inconsistency with the provisions
33 of NRS 706.881 to 706.885, inclusive, every regulation and order
34 issued by the Nevada Transportation Authority remains effective in
35 a county to which those sections apply until modified or rescinded
36 by the Taxicab Authority, and must be enforced by the Taxicab
37 Authority.

38 7. The Taxicab Authority may issue a written administrative
39 citation to a person who is a driver for a transportation network



1 company during any period in which the person provides
2 transportation services pursuant to chapter 706A of NRS in a county
3 where the Taxicab Authority has jurisdiction pursuant to NRS
4 706.881 as follows:

5 (a) The enforcement jurisdiction of the Taxicab Authority over a
6 person who is a driver for a transportation network company ~~is~~
7 ~~limited to enforcement of~~ *includes, without limitation,* the
8 provisions of ~~[subsection 1 of]~~ NRS *706A.080, 706A.180,*
9 *706A.190,* 706A.280 ~~[, except that such jurisdiction does not~~
10 ~~include enforcement of any violation or other matter which requires~~
11 ~~the Taxicab Authority to review or investigate the digital network or~~
12 ~~software application service of the transportation network company~~
13 ~~through which the driver is connected to potential passengers.]~~
14 *and 706A.290.*

15 (b) A written administrative citation issued by the Taxicab
16 Authority to a person who is a driver for a transportation network
17 company must be adjudicated by the ~~[Nevada Transportation]~~
18 *Taxicab* Authority pursuant to the provisions of ~~[chapter 706A of]~~
19 NRS ~~[] 706.881 to 706.885, inclusive, in the same manner as a~~
20 *citation for a taxicab.*

21 (c) *The Taxicab Authority may impound a vehicle pursuant to*
22 *the provisions of section 7 of this act.*

23 **Sec. 2.** Chapter 706A of NRS is hereby amended by adding
24 thereto the provisions set forth as sections 3 to 7, inclusive, of this
25 act.

26 **Sec. 3. 1.** *A person shall not provide transportation services*
27 *as a driver unless the person holds a valid driver's permit issued*
28 *by the Authority pursuant to this chapter.*

29 **2.** *A person who desires to provide transportation services as*
30 *a driver in this State must submit to the Authority an application*
31 *for the issuance of a driver's permit. The application must be in*
32 *the form required by the Authority and must include such*
33 *information as the Authority, by regulation, determines is*
34 *necessary to prove the person meets the requirements of this*
35 *chapter for the issuance of a driver's permit.*

36 **3.** *Before issuing a driver's permit, the Authority shall:*

37 (a) *Require the applicant for a driver's permit to submit a*
38 *complete set of his or her fingerprints, which the Authority shall*
39 *forward to the Central Repository for Nevada Records of Criminal*
40 *History for submission to the Federal Bureau of Investigation to*
41 *ascertain whether the applicant has a criminal record and the*
42 *nature of any such record, and may further investigate the*
43 *background of the applicant; and*

44 (b) *Require proof that the applicant:*



(1) Is a resident of this State or a state that adjoins the county in which the applicant has applied for a driver's permit; and

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

4. The Authority may refuse to issue a driver's permit if:

(a) The applicant has been convicted of:

(1) A felony relating to the provision of transportation services;

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

(3) A violation of NRS 484C.110, 484C.120 or 484C.430 or any law of any other jurisdiction that prohibits the same or similar conduct within 3 years before the date of the application; or

(4) A violation of NRS 484C.130 or any law of any other jurisdiction that prohibits the same or similar conduct.

(b) After further investigation into the applicant's background, if any, the Authority determines that the issuance of the driver's permit would be detrimental to public health, welfare or safety.

5. A driver's permit is valid for 1 year and may be renewed.

6. An applicant shall pay to the Authority:

(a) A fee for the processing of fingerprints which is to be established by the Authority and which may not exceed the fee charged by the Central Repository for Nevada Records of Criminal History and the Federal Bureau of Investigation for processing the fingerprints.

(b) For an original driver's permit, a fee not to exceed \$50.

(c) For the renewal of a driver's permit, a fee not to exceed \$10.

Sec. 4. 1. In addition to any other requirements set forth in this chapter, an applicant for the issuance or renewal of a driver's permit pursuant to section 3 of this act shall:

(a) Include the social security number of the applicant in the application submitted to the Authority.

(b) Submit to the Authority the statement prescribed by the Division of Welfare and Supportive Services of the Department of Health and Human Services pursuant to NRS 425.520. The statement must be completed and signed by the applicant.

2. The Authority shall include the statement required pursuant to subsection 1 in:

(a) The application or any other forms that must be submitted for the issuance or renewal of the driver's permit; or

(b) A separate form prescribed by the Authority.



3. A driver's permit may not be issued or renewed by the Authority if the applicant:

(a) Fails to submit the statement required pursuant to subsection 1; or

(b) Indicates on the statement submitted pursuant to subsection 1 that the applicant is subject to a court order for the support of a child and is not in compliance with the order or a plan approved by the district attorney or other public agency enforcing the order for the repayment of the amount owed pursuant to the order.

4. If an applicant indicates on the statement submitted pursuant to subsection 1 that the applicant is subject to a court order for the support of a child and is not in compliance with the order or a plan approved by the district attorney or other public agency enforcing the order for the repayment of the amount owed pursuant to the order, the Authority shall advise the applicant to contact the district attorney or other public agency enforcing the order to determine the actions that the applicant may take to satisfy the arrearage.

Sec. 5. 1. If the Authority receives a copy of a court order issued pursuant to NRS 425.540 that provides for the suspension of all professional, occupational and recreational licenses, certificates and permits issued to a person who is the holder of a driver's permit, the Authority shall deem the driver's permit issued to that person to be suspended at the end of the 30th day after the date on which the court order was issued unless the Authority receives a letter issued to the holder of the driver's permit by the district attorney or other public agency pursuant to NRS 425.550 stating that the holder of the driver's permit has complied with the subpoena or warrant or has satisfied the arrearage pursuant to NRS 425.560.

2. The Authority shall reinstate a driver's permit that has been suspended by a district court pursuant to NRS 425.540 if the Authority receives a letter issued by the district attorney or other public agency pursuant to NRS 425.550 to the person whose driver's permit was suspended stating that the person whose driver's permit was suspended has complied with the subpoena or warrant or has satisfied the arrearage pursuant to NRS 425.560.

Sec. 6. 1. The Authority shall develop and implement a process by which a person with a criminal history may petition the Authority to review the criminal history of the person to determine if the person's criminal history will disqualify the person from obtaining a driver's permit pursuant to section 3 of this act.

2. Not later than 90 days after a petition is submitted to the Authority pursuant to subsection 1, the Authority shall inform the



1 *person of the determination of the Authority of whether the*
2 *person's criminal history will disqualify the person from obtaining*
3 *a driver's permit. The Authority is not bound by its determination*
4 *of disqualification or qualification and may rescind such a*
5 *determination at any time.*

6 3. *The Authority may provide instructions to a person who*
7 *receives a determination of disqualification to remedy the*
8 *determination of disqualification. A person may resubmit a*
9 *petition pursuant to subsection 1 not earlier than 6 months after*
10 *receiving instructions pursuant to this subsection if the person*
11 *remedies the determination of disqualification.*

12 4. *A person with a criminal history may petition the Authority*
13 *at any time, including, without limitation, before obtaining any*
14 *education or paying any fee required to obtain a driver's permit*
15 *from the Authority.*

16 5. *A person may submit a new petition to the Authority not*
17 *earlier than 2 years after the final determination of the initial*
18 *petition submitted to the Authority.*

19 6. *The Authority may impose a fee of up to \$50 upon the*
20 *person to fund the administrative costs in complying with the*
21 *provisions of this section. The Authority may waive such fees or*
22 *allow such fees to be covered by funds from a scholarship or*
23 *grant.*

24 7. *The Authority may post on its Internet website:*

25 (a) *The requirements to obtain a driver's permit from the*
26 *Authority; and*

27 (b) *A list of crimes, if any, that would disqualify a person from*
28 *obtaining a driver's permit from the Authority.*

29 8. *The Authority may request the criminal history record of a*
30 *person who petitions the Authority for a determination pursuant to*
31 *subsection 1. To the extent consistent with federal law, if the*
32 *Authority makes such a request of a person, the Authority shall*
33 *require the person to submit his or her criminal history record*
34 *which includes a report from:*

35 (a) *The Central Repository for Nevada Records of Criminal*
36 *History; and*

37 (b) *The Federal Bureau of Investigation.*

38 9. *A person who petitions the Authority for a determination*
39 *pursuant to subsection 1 shall not submit false or misleading*
40 *information to the Authority.*

41 10. *The Authority shall, on or before the 20th day of January,*
42 *April, July and October, submit to the Director of the Legislative*
43 *Counsel Bureau in an electronic format prescribed by the*
44 *Director, a report that includes:*



(a) The number of petitions submitted to the Authority pursuant to subsection 1;

(b) The number of determinations of disqualification made by the Authority pursuant to subsection 1;

(c) The reasons for such determinations; and

(d) Any other information that is requested by the Director or which the Authority determines would be helpful.

11. The Director shall transmit a compilation of the information received pursuant to subsection 10 to the Legislative Commission quarterly, unless otherwise directed by the Commission.

Sec. 7. 1. A vehicle operated by a person to provide transportation services as a driver must be impounded by the Authority or the Administrator of the Taxicab Authority, as applicable, if the person has not entered into an agreement with a transportation network company pursuant to this chapter. A hearing must be held by the Authority or Administrator, as applicable, not later than the conclusion of the second normal business day after impoundment, weekends and holidays excluded. As soon as practicable after impoundment, the Authority shall notify the registered owner of the vehicle:

(a) That the registered owner of the vehicle may post a bond in the amount of \$20,000 to ensure the registered owner's presence at all proceedings held pursuant to this section;

(b) Of the time set for the hearing; and

(c) Of the registered owner's right to be represented by counsel during all phases of the proceedings.

2. The Authority or the Administrator, as applicable, shall hold the vehicle until the registered owner of the vehicle appears and:

(a) Posts a bond in the amount of \$20,000 with the Authority; or

(b) Proves that:

(1) The person is the registered owner of the vehicle;

(2) The person has a decal issued pursuant to NRS 706A.180; and

(3) The vehicle meets all required standards of the Authority.

↪ The Authority or Administrator, as applicable, shall return the vehicle to its registered owner when the owner meets the requirements of paragraph (a) or (b) and pays all costs of impoundment.

3. If the registered owner is unable to meet the requirements of subparagraph (2) or (3) of paragraph (b) of subsection 2, the Authority or Administrator, as applicable, may assess an



administrative fine against the registered owner for each such violation in the amount of \$5,000. The maximum amount of the administrative fine that may be assessed against a registered owner for a single impoundment of the registered owner's vehicle pursuant to this section is \$10,000. The Authority or Administrator, as applicable, shall return the vehicle after any administrative fine imposed pursuant to this subsection and all costs of impoundment have been paid.

Sec. 8. NRS 706A.075 is hereby amended to read as follows:

706A.075 1. Except as otherwise provided in subsection 2, the provisions of this chapter do not exempt any person from any law governing the operation of a motor vehicle upon the highways of this State.

2. A transportation network company which holds a valid permit issued by the Authority pursuant to this chapter, a driver who has entered into an agreement with such a company and a vehicle operated by such a driver are exempt from:

(a) The provisions of chapter 704 of NRS relating to public utilities; and

(b) Except as otherwise provided in NRS *706.8818 and 706.88396*, the provisions of chapter 706 of NRS,

↳ to the extent that the services provided by the company or driver are within the scope of the permit.

Sec. 9. NRS 706A.080 is hereby amended to read as follows:

706A.080 ~~[Nothing in this chapter shall be construed to deem]~~

1. Except as otherwise provided in subsection 2, a motor vehicle operated by a driver to provide transportation services ~~[to be a commercial motor vehicle.]~~ must be registered to the driver as owner or long-term lessor pursuant to the provisions of chapter 482 of NRS.

2. A motor vehicle which is not registered to a driver as owner or long-term lessor pursuant to chapter 482 of NRS may be operated by the driver for a period of not more than 3 weeks only if:

(a) The motor vehicle registered to the driver and normally used by the driver to provide transportation services requires repair or is otherwise inoperable; and

(b) The motor vehicle which is not registered to the driver is inspected by the Authority to ensure that it complies with the requirements of this chapter and the regulations adopted pursuant thereto.

Sec. 10. NRS 706A.100 is hereby amended to read as follows:

706A.100 The Authority shall *enforce the provisions of this chapter and* adopt such regulations as are necessary to carry out the provisions of this chapter.



Sec. 11. NRS 706A.160 is hereby amended to read as follows:

706A.160 1. A transportation network company may enter into an agreement with one or more drivers to receive connections to potential passengers from the company in exchange for the payment of a fee by the driver to the company.

2. Before a transportation network company allows a person to be connected to potential passengers using the digital network or software application service of the company pursuant to an agreement with the company, the company must:

(a) Require the person to submit an application to the company, which must include, without limitation:

(1) The name, age and address of the applicant.

(2) A copy of the driver's license of the applicant.

(3) *A copy of the driver's permit issued pursuant to section 3 of this act.*

(4) A record of the driving history of the applicant.

~~[(4)]~~ (5) A description of the motor vehicle of the applicant and a copy of the motor vehicle registration.

~~[(5)]~~ (6) Proof that the applicant has complied with the requirements of NRS 485.185.

(b) At the time of application and not less than once every 3 years thereafter, conduct or contract with a third party to conduct an investigation of the criminal history of the applicant, which must include, without limitation:

(1) A review of a commercially available database containing criminal records from each state which are validated using a search of the primary source of each record.

(2) A search of a database containing the information available in the sex offender registry maintained by each state.

(c) At the time of application and not less than once every year thereafter, obtain and review a complete record of the driving history of the applicant.

3. A transportation network company may enter into an agreement with a driver if:

(a) The applicant is at least 19 years of age.

(b) The applicant possesses a valid driver's license issued by the Department of Motor Vehicles unless the applicant is exempt from the requirement to obtain a Nevada driver's license pursuant to NRS 483.240.

(c) *The applicant possesses a valid driver's permit issued pursuant to section 3 of this act.*

(d) The applicant provides proof that the motor vehicle operated by him or her is registered with the Department of Motor Vehicles unless the applicant is exempt from the requirement to register the motor vehicle in this State pursuant to NRS 482.385.



~~[(d)]~~ (e) The applicant provides proof that the motor vehicle operated by him or her is operated and maintained in compliance with all applicable federal, state and local laws.

~~[(e)]~~ (f) The applicant provides proof that he or she currently is in compliance with the provisions of NRS 485.185.

~~[(f)]~~ (g) In the 3 years immediately preceding the date on which the application is submitted, the applicant has not been found guilty of three or more violations of the motor vehicle laws of this State or any traffic ordinance of any city or town, the penalty prescribed for which is a misdemeanor.

~~[(g)]~~ (h) In the 3 years immediately preceding the date on which the application is submitted, the applicant has not been found guilty of any violation of the motor vehicle laws of this State or any traffic ordinance of any city or town, the penalty prescribed for which is a gross misdemeanor or felony.

~~[(h)]~~ (i) In the 7 years immediately preceding the date on which the application is submitted, the applicant has not been found guilty of any violation of federal, state or local law prohibiting driving or being in actual physical control of a vehicle while under the influence of intoxicating liquor or a controlled substance.

~~[(i)]~~ (j) In the 7 years immediately preceding the date on which the application is submitted, the applicant has not been found guilty of any crime involving an act of terrorism, an act of violence, a sexual offense, fraud, theft, damage to property of another or the use of a motor vehicle in the commission of a felony.

~~[(j)]~~ (k) The name of the applicant does not appear in the database searched pursuant to subparagraph (2) of paragraph (b) of subsection 2.

4. A driver shall, ~~[not later than 6 months after]~~ *before* a transportation network company allows the driver to be connected to potential passengers using the digital network or software application service of the company pursuant to an agreement with the company and annually thereafter, on or before the anniversary date of that agreement, provide to the company verification that the driver ~~[holds]~~ :

(a) *Holds* a valid state business license pursuant to chapter 76 of NRS. Such verification may consist of the business identification number assigned by the Secretary of State to the driver upon compliance with the provisions of chapter 76 of NRS.

(b) *Holds a business license and has paid the business license fee required by any local governmental entity pursuant to NRS 706A.310 in the jurisdiction of which the driver will provide transportation services.*



(c) *Holds a permit or certificate and has paid any fee required by an airport pursuant to NRS 706A.310 at which the driver will provide transportation services.*

(d) *Holds a driver's permit issued pursuant to section 3 of this act.*

5. A transportation network company shall terminate an agreement with any driver who:

(a) Fails to submit to the transportation network company a change in his or her address, driver's license or motor vehicle registration within 30 days after the date of the change.

(b) Fails to immediately report to the transportation network company any change in his or her driving history or criminal history.

(c) Refuses to authorize the transportation network company to obtain and review an updated complete record of his or her driving history not less than once each year and an investigation of his or her criminal history not less than once every 3 years.

(d) Is determined by the transportation network company to be ineligible for an agreement pursuant to subsection 3 on the basis of any updated information received by the transportation network company.

(e) Fails to comply with the provisions of subsection 4.

Sec. 12. NRS 706A.180 is hereby amended to read as follows:

706A.180 1. A transportation network company shall not allow a driver to be connected to potential passengers using the digital network or software application service of the company, *and a driver shall not provide transportation services*, if the motor vehicle operated by the driver to provide transportation services:

(a) Is not in compliance with all federal, state and local laws concerning the operation and maintenance of the motor vehicle.

(b) Has less than four doors.

(c) Is designed to carry more than eight passengers, including the driver.

(d) Is a farm tractor, mobile home, recreational vehicle, semitractor, semitrailer, trailer, bus, motorcycle or tow car.

(e) Does not have a decal issued by the Authority affixed to the front and rear bumpers of the motor vehicle.

2. A transportation network company shall inspect or cause to be inspected every motor vehicle used by a driver to provide transportation services before allowing the driver to use the motor vehicle to provide transportation services and not less than once each year thereafter.

3. The inspection required by subsection 2 must include, without limitation, an inspection of the foot and emergency brakes, steering, windshield, rear window, other glass, windshield wipers,



1 headlights, tail lights, turn indicator lights, braking lights, front seat
2 adjustment mechanism, doors, horn, speedometer, bumpers, muffler,
3 exhaust, tires, rear view mirrors and safety belts of the vehicle
4 which ensures the proper functioning of each component.

5 *4. The Authority shall issue a decal to be affixed to a motor*
6 *vehicle pursuant to paragraph (e) of subsection 1 only if the driver*
7 *of the motor vehicle holds:*

8 *(a) A valid state business license issued pursuant to chapter 76*
9 *of NRS;*

10 *(b) Any business license required by any local governmental*
11 *entity pursuant to NRS 706A.310 in the jurisdiction in which the*
12 *driver will provide transportation services; and*

13 *(c) Any permit or certificate required by an airport pursuant to*
14 *NRS 706A.310 at which the driver will provide transportation*
15 *services.*

16 *5. Any decal issued pursuant to subsection 4 must be clearly*
17 *visible from a distance of not less than 50 feet.*

18 **Sec. 13.** NRS 706A.230 is hereby amended to read as follows:

19 706A.230 1. A transportation network company shall
20 maintain the following records relating to the business of the
21 company for a period of at least 3 years after the date on which the
22 record is created:

23 (a) Trip records;

24 (b) Driver records and vehicle inspection records;

25 (c) Records of each complaint and the resolution of each
26 complaint; and

27 (d) Records of each accident or other incident that involved a
28 driver and was reported to the transportation network company.

29 2. Each transportation network company shall make its records
30 available for inspection by the Authority upon request and ~~{only as}~~
31 ~~in such a format as is~~ necessary for the Authority to ~~{investigate}~~ :

32 *(a) Investigate* complaints ~~[. This subsection does not require a~~
33 ~~company to make any proprietary information available to the~~
34 ~~Authority.] ;~~

35 *(b) Monitor the compliance of the transportation network*
36 *company and the drivers who provide transportation services in*
37 *affiliation with the transportation network company with the*
38 *provisions of this chapter and the regulations adopted pursuant*
39 *thereto; and*

40 *(c) Perform such audits of the company as the Authority*
41 *determines to be necessary.*

42 ➡ Except as otherwise provided in subsection 3, any records
43 provided to the Authority are confidential and must not be disclosed
44 other than to employees of the Authority.



3. The Authority shall disclose to the Secretary of State the name of each driver and such other information as the Secretary of State determines necessary to enforce the provisions of chapter 76 of NRS. If the Secretary of State obtains any confidential information pursuant to this subsection, the Secretary of State, and any employee of the Secretary of State engaged in the administration of chapter 76 of NRS or charged with the custody of any records or files relating to the administration of chapter 76 of NRS, shall maintain the confidentiality of that information in the same manner and to the same extent as provided by law for the Authority.

Sec. 14. NRS 706A.280 is hereby amended to read as follows:

706A.280 1. A driver shall not solicit or accept a passenger or provide transportation services to any person unless the person has arranged for the transportation services through the digital network or software application service of the transportation network company.

2. With respect to a passenger's destination, a driver shall not:

(a) Deceive or attempt to deceive any passenger who rides or desires to ride in the driver's motor vehicle.

(b) Convey or attempt to convey any passenger to a destination other than the one directed by the passenger.

(c) Take a longer route to the passenger's destination than is necessary, unless specifically requested to do so by the passenger.

(d) Fail to comply with the reasonable and lawful requests of the passenger as to speed of travel and route to be taken.

3. A driver shall not, at the time the driver picks up a passenger, refuse or neglect to provide transportation services to any orderly passenger unless the driver can demonstrate to the satisfaction of the Authority that:

(a) The driver has good reason to fear for the driver's personal safety; or

(b) The driver is prohibited by law or regulation from carrying the person requesting transportation services.

4. A driver shall not solicit or accept a passenger or provide transportation services to any person unless the driver is the driver identified to the passenger pursuant to the provisions of NRS 706A.200.

Sec. 15. NRS 690B.470 is hereby amended to read as follows:

690B.470 1. Every transportation network company ~~for driver]~~ shall continuously provide, ~~[during any period in which the driver is providing transportation services.]~~ *for all drivers affiliated with the transportation network company,* transportation network company insurance provided by an insurance company licensed by the Division of Insurance of the Department of Business and



1 Industry and approved to do business in this State or a broker
2 licensed pursuant to chapter 685A of NRS or procured directly from
3 a nonadmitted insurer, as defined in NRS 685A.0375:

4 (a) In an amount of not less than \$1,500,000 for bodily injury to
5 or death of one or more persons and injury to or destruction of
6 property of others in any one accident or motor vehicle crash that
7 occurs while ~~the~~ a driver is providing transportation services;

8 (b) In an amount of not less than ~~[\$50,000]~~ \$250,000 for bodily
9 injury to or death of one person in any one accident or motor vehicle
10 crash that occurs while ~~the~~ a driver is ~~logged into the digital~~
11 ~~network or software application service of the transportation~~
12 ~~network company and available to receive requests for~~
13 ~~transportation services but is~~ not ~~otherwise~~ actively providing
14 transportation services;

15 (c) Subject to the minimum amount for one person required by
16 paragraph (b), in an amount of not less than ~~[\$100,000]~~ \$500,000
17 for bodily injury to or death of two or more persons in any one
18 accident or motor vehicle crash that occurs while ~~the~~ a driver is
19 ~~logged into the digital network or software application service of~~
20 ~~the transportation network company and available to receive~~
21 ~~requests for transportation services but is~~ not ~~otherwise~~ actively
22 providing transportation services; and

23 (d) In an amount of not less than ~~[\$25,000]~~ \$50,000 for injury to
24 or destruction of property of others in any one accident or motor
25 vehicle crash that occurs while ~~the~~ a driver is ~~logged into the~~
26 ~~digital network or software application service of the transportation~~
27 ~~network company and available to receive requests for~~
28 ~~transportation services but is~~ not ~~otherwise~~ actively providing
29 transportation services,

30 ➤ for the payment of tort liabilities arising from the maintenance or
31 use of the motor vehicle.

32 2. The transportation network company insurance required by
33 subsection 1 may be provided through one or a combination of
34 insurance policies provided by the transportation network company .
35 ~~for the driver, or both.~~

36 3. ~~[Every transportation network company shall continuously~~
37 ~~provide, during any period in which the driver is providing~~
38 ~~transportation services, transportation network company insurance~~
39 ~~provided by an insurance company licensed by the Division of~~
40 ~~Insurance of the Department of Business and Industry and approved~~
41 ~~to do business in this State or a broker licensed pursuant to chapter~~
42 ~~685A of NRS or procured directly from a nonadmitted insurer, as~~
43 ~~defined in NRS 685A.0375, which meets the requirements of~~
44 ~~subsection 1 as primary insurance if the insurance provided by the~~
45 ~~driver:~~



~~—(a) Lapses; or~~

~~—(b) Fails to meet the requirements of subsection 1.~~

~~—4.]~~ Notwithstanding the provisions of NRS 485.185 and 485.186 which require the owner or operator of a motor vehicle to provide insurance, transportation network company insurance shall be deemed to satisfy the requirements of NRS 485.185 or 485.186, as appropriate, ~~[regardless of whether the insurance is provided by the transportation network company or the driver, or both,]~~ if the transportation network company insurance otherwise satisfies the requirements of NRS 485.185 or 485.186, as appropriate.

~~[5.]~~ 4. In addition to the coverage required pursuant to subsection 1, a policy of transportation network company insurance may include additional coverage, including, without limitation, coverage for medical payments, coverage for uninsured or underinsured motorists, comprehensive coverage and collision coverage.

~~[6.]~~ 5. An insurer who provides transportation network company insurance shall not require a policy of insurance for the operation of a motor vehicle required pursuant to NRS 485.185 or 485.186, as appropriate, to deny a claim before the transportation network company insurance provides coverage for a claim.

~~[7.]~~ 6. An insurer who provides transportation network company insurance has a duty to defend and indemnify the driver and the transportation network company.

~~[8.]~~ 7. An insurer who provides transportation network company insurance which includes comprehensive coverage or collision coverage for the operation of a motor vehicle against which a lienholder holds a lien shall issue any payment for a claim under such coverage:

(a) Directly to the person who performs repairs upon the vehicle; or

(b) Jointly to the owner of the vehicle and the lienholder.

~~[9.]~~ 8. A transportation network company that provides transportation network company insurance for a motor vehicle is not deemed to be the owner of the motor vehicle.

Sec. 16. The provisions of subsection 1 of NRS 218D.380 do not apply to any provision of this act which adds or revises a requirement to submit a report to the Legislature.

Sec. 17. Notwithstanding the provisions of NRS 218D.430 and 218D.435, a committee, other than the Assembly Standing Committee on Ways and Means and the Senate Standing Committee on Finance, may vote on this act before the expiration of the period prescribed for the return of a fiscal note in NRS 218D.475. This section applies retroactively from and after March 22, 2021.

Sec. 18. 1. This act becomes effective on October 1, 2021.



1 2. Sections 4 and 5 of this act expire by limitation on the date
2 on which the provisions of 42 U.S.C. § 666 requiring each state to
3 establish procedures under which the state has authority to withhold
4 or suspend, or to restrict the use of professional, occupational and
5 recreational licenses of persons who:

6 (a) Have failed to comply with a subpoena or warrant relating to
7 a proceeding to determine the paternity of a child or to establish or
8 enforce an obligation for the support of a child; or

9 (b) Are in arrears in the payment for the support of one or more
10 children,

11 ➤ are repealed by the Congress of the United States.

