

Amendment No. 484

Senate Amendment to Senate Bill No. 288	(BDR 58-935)
Proposed by: Senate Committee on Growth and Infrastructure	
Amendment Box: Replaces Amendment No. 227.	
Amends: Summary: No Title: Yes Preamble: No Joint Sponsorship: No Digest: Yes	

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

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



SENATE BILL NO. 288—SENATOR D. HARRIS

MARCH 22, 2021

Referred to Committee on Growth and Infrastructure

SUMMARY—Revises provisions relating to transportation network companies.
(BDR 58-935)

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

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

AN ACT relating to transportation; authorizing a **monitored autonomous vehicle provider to enter into an agreement with a** transportation network company ~~{to enter into an agreement with a monitored autonomous vehicle provider to allow the company to use a monitored autonomous vehicle that is owned and operated by the monitored autonomous vehicle provider}~~ to provide transportation services ~~{}~~ **through the digital network or software application of the company;** imposing certain requirements on a transportation network company **and monitored autonomous vehicle provider** relating to the provision of transportation services by ~~{the company using}~~ a monitored autonomous vehicle ~~{}~~ **provider;** authorizing a transportation network company to charge a fare for such services ~~{}~~ **on behalf of a monitored autonomous vehicle provider;** prohibiting a local governmental entity from imposing certain taxes or fees relating to such services; **revising provisions relating to transportation network company insurance;** and providing other matters properly relating thereto.

Legislative Counsel's Digest:

Existing law provides for the permitting and regulation of transportation network companies by the Nevada Transportation Authority. (Chapter 706A of NRS) Existing law defines "transportation network company" to mean an entity that uses a digital network or software application to connect a passenger to a driver who can provide transportation services to a passenger. (NRS 706.050) This bill revises various provisions of existing law governing transportation network companies for the purpose of authorizing ~~{such companies, under certain circumstances, to use}~~ a monitored autonomous vehicle **provider** to provide transportation services to a passenger ~~{who has arranged for such services}~~ **through the digital network or software application of {the} a transportation network company {} in the same manner and generally subject to the same requirements as a driver.**

Section 2 of this bill defines "monitored autonomous vehicle" generally to mean an autonomous vehicle in which a safety engineer is physically present at all times during the operation of the vehicle to ensure the safety of such operations. ~~{Section 22 of this bill provides that a monitored autonomous vehicle is not a fully autonomous vehicle for the~~

purposes of provisions of existing law governing autonomous vehicle network companies.] Section 3 of this bill defines “monitored autonomous vehicle provider” as a person who: (1) owns and operates a monitored autonomous vehicle; and (2) enters into an agreement with a transportation network company to receive connections to potential passengers and related services from the transportation network company in exchange for the payment of a fee to the transportation network company.

Section 5 of this bill authorizes a transportation network company to enter into an agreement with one or more monitored autonomous vehicle providers to ~~allow~~ receive connections to potential passengers from the company ~~to use a monitored autonomous vehicle of the provider to provide transportation services.~~ in exchange for the payment of a fee to the company. Section 5 also provides that a safety engineer employed by a monitored autonomous vehicle provider who has entered into such an agreement is authorized to accept compensation for his or her services only from the monitored autonomous vehicle provider by which he or she is employed.

Section 13.3 of this bill provides that the provisions of this bill relating to monitored autonomous vehicle providers and monitored autonomous vehicles do not apply to an autonomous vehicle network company or a fully autonomous vehicle operated by such a company. Section 13.6 of this bill provides that a monitored autonomous vehicle operated by a monitored autonomous vehicle provider is not a commercial vehicle.

Section 14 of this bill prohibits, with certain exceptions, a transportation network company from controlling, directing or managing a monitored autonomous vehicle provider or a monitored autonomous vehicle operated by such a provider. Section 14.5 of this bill prohibits a monitored autonomous vehicle provider from providing transportation services unless the transportation network company with which the provider is affiliated holds a permit issued by the Authority.

Section 15 of this bill ~~provides that~~ authorizes a transportation network company that holds a permit issued by the Authority to ~~operate a transportation network company~~ authorizes a holder who has entered into an agreement pursuant to section 5 to provide transportation services to passengers using take certain actions with respect to a monitored autonomous vehicle ~~that is owned and operated by a monitored autonomous vehicle~~ provider. Sections 12 and 13 of this bill, respectively, revise the definitions of “transportation network company” and “transportation services” to reflect the authority of a monitored autonomous vehicle provider to provide transportation services pursuant to an agreement with a transportation network company. ~~to provide transportation services using a monitored autonomous vehicle as provided by section 15.~~

~~Existing law prohibits, with certain exceptions, a transportation network company from controlling, directing or managing a driver or the motor vehicle operated by a driver. (NRS 706A.090) Section 14 of this bill authorizes a transportation network company that has entered into an agreement with a monitored autonomous vehicle provider pursuant to section 5 to control, direct or manage a monitored autonomous vehicle of the provider.~~

~~Section 6 of this bill prohibits a transportation network company from using a monitored autonomous vehicle to provide transportation services unless, in addition to certain other requirements, the vehicle is owned and operated by a monitored autonomous vehicle provider with whom the company has entered an agreement pursuant to section 5.]~~

Section 19 of this bill requires a transportation network company to maintain certain records concerning accidents and other incidents involving monitored autonomous vehicle providers. Section 19.3 of this bill authorizes a transportation network company to disclose certain information concerning passengers to a monitored autonomous vehicle provider. Section ~~8~~ 19.6 of this bill requires a transportation network company ~~that has entered into an agreement pursuant to section 5~~ to submit certain reports to the Authority concerning motor vehicle crashes involving monitored autonomous ~~vehicles.~~ Section 10 of this bill requires such a transportation network company to maintain certain insurance for tort liabilities arising out of the provision of transportation services using a monitored autonomous vehicle. Section 19 of this bill requires such a transportation network company to maintain certain records concerning accidents and other incidents involving monitored autonomous vehicles.] vehicle providers.

Section ~~7~~ 17.5 of this bill requires a transportation network company, when ~~using~~ a monitored autonomous vehicle ~~to provide~~ provider provides transportation services, to provide the license plate number of the monitored autonomous vehicle to a passenger before

he or she enters the vehicle. ~~[Section 9 of this bill prohibits a transportation network company from engaging in certain activities relating to the provision of transportation services using a monitored autonomous vehicle.]~~

Section 16 of this bill revises provisions of existing law governing fares charged by a transportation network company for the purpose of authorizing a transportation network company to charge a fare for transportation services provided by ~~[the company using]~~ a monitored autonomous vehicle ~~[.]~~ **provider on behalf of the provider.** (NRS 706A.170)

Section 16.5 of this bill imposes certain requirements relating to the condition and inspection of a monitored autonomous vehicle used to provide transportation services.

Sections 17 and 18 of this bill revise provisions of existing law which impose certain requirements on the provision of transportation services by a driver to apply such requirements to the provision of transportation services by a ~~[transportation network company using a]~~ monitored autonomous vehicle ~~[.]~~ **provider.** (NRS 706A.190, 706A.210)

~~[Existing law]~~ **Section 20 of this bill** authorizes the Authority to impose certain penalties on a transportation network company **or monitored autonomous vehicle provider** for ~~for a~~ violation of the terms of a permit or the provisions of existing law governing transportation network companies if the Authority determines that the violation is willful and endangers public safety. (NRS 706A.300) Section 20 of this bill specifies that, to impose such a penalty, the violation is required to endanger public safety in a manner unrelated to certain provisions of existing law governing autonomous vehicles. **certain violations.**

Section 21 of this bill prohibits a local governmental entity from imposing any tax or fee on a monitored autonomous vehicle **provider or a monitored autonomous vehicle** used by **such** a ~~[transportation network company]~~ **provider** to provide transportation services or on the transportation services provided using such a vehicle.

Existing law requires a transportation network company or driver to continuously provide, during any period in which the driver is providing transportation services, transportation network company insurance for the payment of tort liabilities arising from the operation of a motor vehicle by a driver. (NRS 690B.470) Existing law imposes various requirements relating to such transportation network company insurance. (NRS 690B.400-690B.495) Sections 22.2, 22.3, 22.5 and 22.7-22.9 of this bill impose, with certain exceptions, these same requirements on a monitored autonomous vehicle provider and a transportation network company affiliated with a monitored autonomous vehicle provider.

~~[Section]~~ **Sections 11 , 22.4 and 22.6** of this bill ~~[makes a]~~ **make** conforming ~~[change]~~ **changes** to indicate the proper placement of new provisions in the Nevada Revised Statutes.

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

Section 1. Chapter 706A of NRS is hereby amended by adding thereto the provisions set forth as sections 2 to 10, inclusive, of this act.

Sec. 2. *“Monitored autonomous vehicle” means an autonomous vehicle, as defined in NRS 482A.030, in which a safety engineer is physically present at all times during the operation of the vehicle to ensure the safety of such operations.*

Sec. 3. *“Monitored autonomous vehicle provider” means a person who ~~[has entered]~~ :*

1. Owns and operates a monitored autonomous vehicle; and

2. Enters into an agreement with a transportation network company to ~~[follow the]~~ receive connections to potential passengers and related services from a transportation network company ~~[to use a monitored autonomous vehicle that is owned and operated by the person to provide transportation services to passengers who arrange for such services through the digital network or software application of the]~~ in exchange for the payment of a fee to the transportation network company.

1 Sec. 4. "Safety engineer" means a person employed by a monitored
2 autonomous vehicle provider to remain physically present in a monitored
3 autonomous vehicle at all times during the operation of the vehicle to ensure the
4 safety of such operations.

5 Sec. 5. 1. A transportation network company may enter into an
6 agreement with one or more monitored autonomous vehicle providers to ~~follow~~
7 receive connections to potential passengers from the company ~~to use a~~
8 ~~monitored autonomous vehicle which is owned and operated by the provider to~~
9 ~~provide transportation services to passengers who arrange for such services~~
10 ~~through the digital network or software application of~~ in exchange for the
11 payment of a fee by the monitored autonomous vehicle provider to the company.

12 2. A safety engineer employed by a monitored autonomous vehicle provider
13 which has entered into an agreement with a transportation network company
14 pursuant to subsection 1 may only accept compensation for his or her services
15 from the monitored autonomous vehicle provider by which he or she is employed.

16 Sec. 6. ~~[1. A transportation network company shall not provide~~
17 ~~transportation services to a passenger using a monitored autonomous vehicle~~
18 ~~unless the monitored autonomous vehicle is~~

19 ~~— (a) Owned and operated by a monitored autonomous vehicle provider with~~
20 ~~whom the transportation network company has entered an agreement pursuant to~~
21 ~~section 5 of this act; and~~

22 ~~— (b) In compliance with the requirements of chapter 482A of NRS.~~

23 ~~2. A transportation network company shall inspect or cause to be inspected~~
24 ~~every monitored autonomous vehicle used to provide transportation services~~
25 ~~before using the monitored autonomous vehicle to provide transportation services~~
26 ~~and not less than once each year thereafter.~~

27 ~~3. The inspection required by subsection 2 must ensure the proper~~
28 ~~functioning and safety of the monitored autonomous vehicle pursuant to chapter~~
29 ~~482A of NRS and any applicable federal law or regulation.] (Deleted by~~
30 ~~amendment.)~~

31 Sec. 7. ~~[For each instance in which a transportation network company uses~~
32 ~~a monitored autonomous vehicle to provide transportation services to a~~
33 ~~passenger, the company shall provide to the passenger, before the passenger~~
34 ~~enters the monitored autonomous vehicle, the license plate number of the~~
35 ~~monitored autonomous vehicle. The information required by this section must be~~
36 ~~provided to the passenger.~~

37 ~~— 1. On an Internet website maintained by the company; or~~

38 ~~— 2. Within the digital network or software application service of the~~
39 ~~company.] (Deleted by amendment.)~~

40 Sec. 8. ~~[1. Each transportation network company that has entered into an~~
41 ~~agreement with a monitored autonomous vehicle provider pursuant to section 5~~
42 ~~of this act shall provide to the Authority reports containing information relating~~
43 ~~to motor vehicle crashes which occurred in this State while the company was~~
44 ~~providing transportation services using a monitored autonomous vehicle. The~~
45 ~~reports required by this subsection must contain the information identified in~~
46 ~~subsection 2 and be submitted.~~

47 ~~— (a) For all crashes that occur during the first 6 months that the company~~
48 ~~operates within this State, not later than 7 months after the date the company was~~
49 ~~issued a permit.~~

50 ~~— (b) For all crashes that occur during the first 12 months that the company~~
51 ~~operates within this State, not later than 13 months after the date the company~~
52 ~~was issued a permit.~~

~~2. The reports submitted pursuant to subsection 1 must include, for the period of time specified in subsection 1:~~

~~(a) The number of motor vehicle crashes which occurred in this State involving a monitored autonomous vehicle that provides transportation services on behalf of the transportation network company;~~

~~(b) The highest, lowest and average amount paid by the transportation network company for bodily injury or death to one or more persons that occurred as a result of such a crash; and~~

~~(c) The highest, lowest and average amount paid by the transportation network company for damage to property that occurred as a result of such a crash.~~

~~3. Except as otherwise provided in this subsection, any records provided to the Authority are confidential and must not be disclosed other than to employees of the Authority. The Authority shall collect the reports submitted by transportation network companies pursuant to subsection 1 and determine whether the limits of coverage required pursuant to section 10 of this act are sufficient. The Authority shall submit a report stating whether the limits of coverage required pursuant to section 10 of this act are sufficient and containing the information, in an aggregated format which does not reveal the identity of any person, submitted by transportation network companies pursuant to subsection 1 since the last report of the Authority pursuant to this subsection:~~

~~(a) To the Legislative Commission on or before December 1 of each odd-numbered year;~~

~~(b) To the Director of the Legislative Counsel Bureau for transmittal to the Legislature on or before December 1 of each even-numbered year.] (Deleted by amendment.)~~

~~Sec. 9. [1. With respect to a passenger's destination when using a monitored autonomous vehicle provided by a transportation network company, a transportation network company shall not:~~

~~(a) Deceive or attempt to deceive any passenger who rides or desires to ride in the 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.~~

~~2. The Authority shall not consider any action taken by a monitored autonomous vehicle which is consistent with its operational design domain, as defined in NRS 482A.046, or technological capabilities as a violation of subsection 1.~~

~~3. As used in this section, "longer route to the passenger's destination" means any route other than that which would result in the lowest fare to the passenger.] (Deleted by amendment.)~~

~~Sec. 10. [Each transportation network company that has entered into an agreement with a monitored autonomous vehicle provider pursuant to section 5 of this act shall maintain insurance provided by an insurance company licensed by the Division of Insurance of the Department of Business and Industry and approved to do business in this State or a broker licensed pursuant to chapter 685A of NRS, procured directly from a nonadmitted insurer, as defined in NRS 685A.0375, or a program of self-insurance which meets criteria established by the Authority in an amount of \$1,500,000 or more for bodily injury to or death of one or more persons and injury to or destruction of property of others in any one accident or motor vehicle crash that occurs while providing transportation~~

~~services using a monitored autonomous vehicle pursuant to this chapter.]~~
(Deleted by amendment.)

Sec. 10.5. NRS 706A.010 is hereby amended to read as follows:

706A.010 It is hereby declared to be the purpose and policy of the Legislature in enacting this chapter to ensure the safety, reliability and cost-effectiveness of the transportation services provided by drivers and monitored autonomous vehicle providers affiliated with transportation network companies in this State.

Sec. 11. NRS 706A.020 is hereby amended to read as follows:

706A.020 As used in this chapter, unless the context otherwise requires, the words and terms defined in NRS 706A.030 to 706A.060, inclusive, and sections 2, 3 and 4 of this act have the meanings ascribed to them in those sections.

Sec. 12. NRS 706A.050 is hereby amended to read as follows:

706A.050 "Transportation network company" or "company" means an entity that uses a digital network or software application service to connect a passenger to

~~a~~ ~~or~~ driver or monitored autonomous vehicle provider who can provide transportation services to the passenger ~~or~~

~~2. A monitored autonomous vehicle used by the company to provide transportation services to the passenger.]~~

Sec. 13. NRS 706A.060 is hereby amended to read as follows:

706A.060 "Transportation services" means the transportation by a driver or monitored autonomous vehicle provider of one or more passengers between points chosen by the passenger or passengers and prearranged through the use of the digital network or software application service of a transportation network company. The term includes only the period beginning when a driver or a ~~[transportation network company]~~ monitored autonomous vehicle provider accepts a request by a passenger for transportation through the digital network or software application service of a transportation network company and ending when the last such passenger fully disembarks from the motor vehicle operated by the driver ~~[or the monitored autonomous vehicle used by the transportation network company.]~~ operated by the monitored autonomous vehicle provider.

Sec. 13.3. 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 or monitored autonomous vehicle provider who has entered into an agreement with such a company and a vehicle or monitored autonomous vehicle operated by such a driver or monitored autonomous vehicle provider are exempt from:

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

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

to the extent that the services provided by the company, ~~or~~ driver or monitored autonomous vehicle provider are within the scope of the permit.

3. The provisions of this chapter relating to monitored autonomous vehicles and monitored autonomous vehicle providers do not apply to an autonomous vehicle network company which has been issued a permit pursuant to NRS 706B.130 or to a fully autonomous vehicle operated by such a company.

Sec. 13.6. NRS 706A.080 is hereby amended to read as follows:

706A.080 Nothing in this chapter shall be construed to deem a motor vehicle operated by a driver to provide transportation services or a monitored autonomous

1 vehicle operated by a monitored autonomous vehicle provider to provide
2 transportation services to be a commercial motor vehicle.

3 **Sec. 14.** NRS 706A.090 is hereby amended to read as follows:

4 706A.090 ~~[[]]~~ Except as otherwise provided in this chapter and the
5 regulations adopted pursuant thereto or by a written contract between a
6 transportation network company and a driver ~~[[]]~~ or monitored autonomous vehicle
7 provider, a company shall not control, direct or manage ~~[[]]~~ ;

8 1. A driver or the motor vehicle operated by a driver ~~[[]]~~ ; or

9 2. A ~~transportation network company that has entered into an agreement~~
10 ~~with a~~ monitored autonomous vehicle provider ~~[pursuant to section 5 of this act~~
11 ~~may control, direct or manage a~~ or any monitored autonomous vehicle ~~[that is~~
12 ~~owned and] operated by ~~the~~ a monitored autonomous vehicle provider.~~

13 **Sec. 14.5.** NRS 706A.110 is hereby amended to read as follows:

14 706A.110 1. A transportation network company shall not engage in
15 business in this State unless the company holds a valid permit issued by the
16 Authority pursuant to this chapter.

17 2. A driver or monitored autonomous vehicle provider shall not provide
18 transportation services unless the company with which the driver or monitored
19 autonomous vehicle provider is affiliated holds a valid permit issued by the
20 Authority pursuant to this chapter.

21 3. The Authority is authorized and empowered to regulate, pursuant to the
22 provisions of this chapter, all transportation network companies ~~and~~ drivers and
23 monitored autonomous vehicle providers who operate or wish to operate within
24 this State. Except as otherwise provided in NRS 706.88396, the Authority shall not
25 apply any provision of chapter 706 of NRS to a transportation network company ~~a~~
26 ~~for a~~ driver or monitored autonomous vehicle provider who operates within the
27 provisions of this chapter and the regulations adopted pursuant thereto.

28 **Sec. 15.** NRS 706A.130 is hereby amended to read as follows:

29 706A.130 1. Upon receipt of a completed application and upon a
30 determination by the Authority that an applicant meets the requirements for the
31 issuance of a permit to operate a transportation network company, the Authority
32 shall issue to the applicant within 30 days a permit to operate a transportation
33 network company in this State.

34 2. In accordance with the provisions of this chapter, a permit issued pursuant
35 to this section:

36 (a) Authorizes a transportation network company to connect one or more
37 passengers through the use of a digital network or software application service to a
38 driver or monitored autonomous vehicle provider who can provide transportation
39 services.

40 (b) Authorizes a transportation network company to make its digital network or
41 software application service available to one or more drivers or monitored
42 autonomous vehicle providers to receive connections to potential passengers from
43 the company in exchange for the payment of a fee by the driver or monitored
44 autonomous vehicle provider to the company.

45 (c) ~~[[Authorizes a transportation network company that has entered into an~~
46 ~~agreement with a monitored autonomous vehicle provider pursuant to section 5~~
47 ~~of this act to use a monitored autonomous vehicle which is owned and operated~~
48 ~~by the provider to provide transportation services to one or more passengers who~~
49 ~~arrange for such services through the digital network or software application of~~
50 ~~the company.~~

51 ~~—(d)~~ Except as otherwise provided in NRS 706.88396, does not authorize a
52 transportation network company or any driver or monitored autonomous vehicle

1 provider to engage in any activity otherwise regulated pursuant to chapter 706 of
2 NRS other than the activity authorized by this chapter.

3 3. Nothing in this chapter prohibits the issuance of a permit to operate a
4 transportation network company to a person who is regulated pursuant to chapter
5 706 of NRS if the person submits an application pursuant to NRS 706A.120 and
6 meets the requirements for the issuance of a permit.

7 **Sec. 16.** NRS 706A.170 is hereby amended to read as follows:

8 706A.170 1. In accordance with the provisions of this chapter, a
9 transportation network company which holds a valid permit issued by the Authority
10 pursuant to this chapter may ~~on~~ for

11 ~~(a) On~~ behalf of a driver ~~or~~ or monitored autonomous vehicle provider.
12 charge a fare for transportation services provided to a passenger by the driver ~~or~~
13 ~~(b) Charge a fare for transportation services provided to a passenger by the~~
14 ~~company using a monitored autonomous vehicle.~~ or monitored autonomous
15 vehicle provider.

16 2. If a fare is charged, the company must disclose the rates charged by the
17 company and the method by which the amount of a fare is calculated:

18 (a) On an Internet website maintained by the company; or

19 (b) Within the digital network or software application service of the company.

20 3. If a fare is charged, the company must offer to each passenger the option to
21 receive, before the passenger enters the motor vehicle of a driver ~~or~~ or ~~the~~
22 monitored autonomous vehicle ~~fused by the company,~~ of a monitored
23 autonomous vehicle provider, an estimate of the amount of the fare that will be
24 charged to the passenger.

25 4. A transportation network company may accept payment of a fare only
26 electronically. A transportation network company ~~or~~ or driver or monitored
27 autonomous vehicle provider shall not solicit or accept cash as payment of a fare.

28 5. A transportation network company shall not impose any additional charge
29 for a driver or monitored autonomous vehicle provider who provides
30 transportation services ~~whether provided by a driver or by the company using a~~
31 ~~monitored autonomous vehicle, provided~~ to a person with a physical disability
32 because of the disability.

33 6. The Authority may adopt regulations establishing a maximum fare that
34 may be charged during an emergency, as defined in NRS 414.0345.

35 **Sec. 16.5.** NRS 706A.180 is hereby amended to read as follows:

36 706A.180 1. A transportation network company shall not allow a driver or
37 monitored autonomous vehicle provider to be connected to potential passengers
38 using the digital network or software application service of the company if the
39 motor vehicle operated by the driver or the monitored autonomous vehicle
40 operated by the monitored autonomous vehicle provider to provide transportation
41 services:

42 (a) Is not in compliance with all federal, state and local laws concerning the
43 operation and maintenance of the motor vehicle ~~or~~ or monitored autonomous
44 vehicle.

45 (b) Has less than four doors.

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

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

49 2. A transportation network company shall inspect or cause to be inspected
50 every motor vehicle used by a driver to provide transportation services and every
51 monitored autonomous vehicle used by a monitored autonomous vehicle provider
52 to provide transportation services before allowing the driver to use the motor
53 vehicle or the monitored autonomous vehicle provider to use the monitored

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

Sec. 17. NRS 706A.190 is hereby amended to read as follows:

706A.190 1. A transportation network company shall adopt a policy which prohibits discrimination against a passenger or potential passenger on account of national origin, religion, age, disability, sex, race, color, sexual orientation or gender identity or expression.

2. A driver or monitored autonomous vehicle provider shall not discriminate against a passenger or potential passenger on account of national origin, religion, age, disability, sex, race, color, sexual orientation or gender identity or expression.

3. A transportation network company shall provide to each passenger an opportunity to indicate whether the passenger requires transportation in a motor vehicle or monitored autonomous vehicle that is wheelchair accessible. If the company cannot provide the passenger with transportation services in a motor vehicle or monitored autonomous vehicle that is wheelchair accessible, the company must direct the passenger to an alternative provider or means of transportation that is wheelchair accessible, if available.

Sec. 17.5. NRS 706A.200 is hereby amended to read as follows:

706A.200 1. For each instance in which a driver or monitored autonomous vehicle provider provides transportation services to a passenger, the transportation network company which connected the passenger to the driver or monitored autonomous vehicle provider shall provide to the passenger, before the passenger enters the motor vehicle of a driver ~~or~~ or the monitored autonomous vehicle of a monitored autonomous vehicle provider, as applicable:

(a) ~~or~~ A photograph of the driver who will provide the transportation services and the license plate number of the motor vehicle operated by the driver ~~or~~ ; or

(b) The license plate number of the monitored autonomous vehicle operated by the monitored autonomous vehicle provider.

2. The information required by ~~this section~~ subsection 1 must be provided to the passenger:

~~(a)~~ (a) On an Internet website maintained by the company; or

~~(b)~~ (b) Within the digital network or software application service of the company.

Sec. 18. NRS 706A.210 is hereby amended to read as follows:

706A.210 A transportation network company which connected a passenger to a driver or a monitored autonomous vehicle provider shall, within a reasonable period following the provision of transportation services by the driver or the ~~company~~ monitored autonomous vehicle provider to the passenger, transmit to the passenger an electronic receipt, which must include, without limitation:

1. A description of the point of origin and the destination of the transportation services;

2. The total time for which transportation services were provided;

3. The total distance traveled; and

4. An itemization of the fare, if any, charged for the transportation services.

1 **Sec. 19.** NRS 706A.230 is hereby amended to read as follows:

2 706A.230 1. A transportation network company shall maintain the
3 following records relating to the business of the company for a period of at least 3
4 years after the date on which the record is created:

5 (a) Trip records;

6 (b) Driver records and vehicle inspection records;

7 (c) Monitored autonomous vehicle provider records and monitored
8 autonomous vehicle inspection records;

9 (d) Records of each complaint and the resolution of each complaint; and

10 ~~[(d)]~~ (e) Records of each accident or other incident that involved a driver or
11 monitored autonomous vehicle provider and was reported to the transportation
12 network company. ~~[(e)]~~

13 ~~[(e)] For a transportation network company that has entered into an~~
14 ~~agreement with a monitored autonomous vehicle provider pursuant to section 5~~
15 ~~of this act, records of each accident or other incident that involved a monitored~~
16 ~~autonomous vehicle and was reported to the transportation network company.]~~

17 2. Each transportation network company shall make its records available for
18 inspection by the Authority upon request and only as necessary for the Authority to
19 investigate complaints. This subsection does not require a company to make any
20 proprietary information available to the Authority. Except as otherwise provided in
21 subsection 3, any records provided to the Authority are confidential and must not be
22 disclosed other than to employees of the Authority.

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

32 **Sec. 19.3.** NRS 706A.250 is hereby amended to read as follows:

33 706A.250 1. Except as otherwise provided in this section, a transportation
34 network company shall not disclose to any person the personally identifiable
35 information of a passenger who received services from the company unless:

36 (a) The disclosure is otherwise required by law;

37 (b) The company determines that disclosure is required to protect or defend the
38 terms of use of the services or to investigate violations of those terms of use; or

39 (c) The passenger consents to the disclosure.

40 2. A transportation network company may disclose to a driver or monitored
41 autonomous vehicle provider the name and telephone number of a passenger for
42 the purposes of facilitating correct identification of the passenger and facilitating
43 communication between the driver or monitored autonomous vehicle provider and
44 the passenger.

45 **Sec. 19.6.** NRS 706A.270 is hereby amended to read as follows:

46 706A.270 1. Each transportation network company shall provide to the
47 Authority reports containing information relating to motor vehicle crashes
48 involving drivers or monitored autonomous vehicle providers affiliated with the
49 company which occurred in this State while the driver or monitored autonomous
50 vehicle provider was providing transportation services or logged into the digital
51 network or software application service of the company and available to receive
52 requests for transportation services. The reports required by this subsection must
53 contain the information identified in subsection 2 and be submitted:

1 (a) For all crashes that occurred during the first 6 months that the company
2 operates within this State, on or before the date 7 months after the company was
3 issued a permit.

4 (b) For all crashes that occurred during the first 12 months that the company
5 operates within this State, on or before the date 13 months after the company was
6 issued a permit.

7 2. The reports submitted pursuant to subsection 1 must include, for the period
8 of time specified in subsection 1:

9 (a) The number of motor vehicle crashes which occurred in this State involving
10 such a driver ~~or~~ or monitored autonomous vehicle provider;

11 (b) The highest, lowest and average amount paid for bodily injury or death to
12 one or more persons that occurred as a result of such a crash; and

13 (c) The highest, lowest and average amount paid for damage to property that
14 occurred as a result of such a crash.

15 3. The Authority shall collect the reports submitted by transportation network
16 companies pursuant to subsection 1 and determine whether the limits of coverage
17 required pursuant to NRS 690B.470 are sufficient. The Authority shall submit a
18 report stating whether the limits of coverage required pursuant to NRS 690B.470
19 are sufficient and containing the information, in an aggregated format which does
20 not reveal the identity of any person, submitted by transportation network
21 companies pursuant to subsection 1 since the last report of the Authority pursuant
22 to this subsection:

23 (a) To the Legislative Commission on or before December 1 of each odd-
24 numbered year.

25 (b) To the Director of the Legislative Counsel Bureau for transmittal to the
26 Nevada Legislature on or before December 1 of each even-numbered year.

27 **Sec. 19.9. NRS 706A.280 is hereby amended to read as follows:**

28 706A.280 1. A driver or autonomous vehicle provider shall not solicit or
29 accept a passenger or provide transportation services to any person unless the
30 person has arranged for the transportation services through the digital network or
31 software application service of the transportation network company.

32 2. With respect to a passenger's destination, a driver or monitored
33 autonomous vehicle provider shall not:

34 (a) Deceive or attempt to deceive any passenger who rides or desires to ride in
35 the driver's motor vehicle ~~or~~ or the monitored autonomous vehicle provider's
36 monitored autonomous vehicle.

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

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

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

43 3. A driver or monitored autonomous vehicle provider shall not, at the time
44 the driver or monitored autonomous vehicle provider picks up a passenger, refuse
45 or neglect to provide transportation services to any orderly passenger unless the
46 driver or monitored autonomous vehicle provider can demonstrate to the
47 satisfaction of the Authority that:

48 (a) ~~The~~ For a driver, the driver has good reason to fear for the driver's
49 personal safety; ~~or~~

50 (b) For a monitored autonomous vehicle provider, the monitored
51 autonomous vehicle provider or safety engineer has good reason to fear for the
52 personal safety of the safety engineer in the monitored autonomous vehicle
53 picking up the person requesting transportation services; or

1 (c) The driver **or monitored autonomous vehicle provider** is prohibited by law
2 or regulation from carrying the person requesting transportation services.

3 **Sec. 20.** NRS 706A.300 is hereby amended to read as follows:

4 706A.300 1. If the Authority determines that a transportation network
5 company, ~~for~~ driver **or monitored autonomous vehicle provider** has violated the
6 terms of a permit issued pursuant to this chapter or any provision of this chapter or
7 any regulations adopted pursuant thereto, the Authority may, depending on whether
8 the violation was committed by the company, the driver, ~~for~~ both **the company**
9 **and the driver or both the company and the monitored autonomous vehicle**
10 **provider.**

11 (a) If the Authority determines that the violation is willful and endangers
12 public safety ~~in a manner unrelated to the provisions of chapter 482A of NRS,~~
13 suspend or revoke the permit issued to the transportation network company;

14 (b) If the Authority determines that the violation is willful and endangers
15 public safety ~~in a manner unrelated to the provisions of chapter 482A of NRS,~~
16 impose against the transportation network company an administrative fine in an
17 amount not to exceed \$100,000 per violation;

18 (c) Prohibit a person from operating as a driver ~~for~~ **or monitored autonomous**
19 **vehicle provider;** or

20 (d) Impose any combination of the penalties provided in paragraphs (a), (b)
21 and (c).

22 2. To determine the amount of an administrative fine imposed pursuant to
23 paragraph (b) or (d) of subsection 1, the Authority shall consider:

24 (a) The size of the transportation network company;

25 (b) The severity of the violation;

26 (c) Any good faith efforts by the transportation network company to remedy
27 the violation;

28 (d) The history of previous violations by the transportation network company;
29 and

30 (e) Any other factor that the Authority determines to be relevant.

31 3. Notwithstanding the provisions of NRS 193.170, a person who violates any
32 provision of this chapter is not subject to any criminal penalty for such a violation.

33 **Sec. 21.** NRS 706A.310 is hereby amended to read as follows:

34 706A.310 1. Except as otherwise provided in subsection 2, a local
35 governmental entity shall not:

36 (a) Impose any tax or fee on ~~for transportation~~;

37 **(1) A transportation** network company operating within the scope of a
38 valid permit issued by the Authority pursuant to this chapter ~~for~~;

39 **(2) A** driver who has entered into an agreement with ~~such~~ a
40 **transportation network** company **described in subparagraph (1)** or a vehicle
41 operated by such a driver or for transportation services provided by such a driver ~~for~~
42 **; or**

43 **(3) A monitored autonomous vehicle** ~~used by a~~ **provider who has**
44 **entered into an agreement with a transportation network company described in**
45 **subparagraph (1) or a monitored autonomous vehicle operated by such a**
46 **monitored autonomous vehicle provider or for transportation services provided by**
47 ~~the company using~~ **such a monitored autonomous vehicle** ~~for~~ **provider.**

48 (b) Require a transportation network company operating within the scope of a
49 valid permit issued by the Authority pursuant to this chapter to obtain from the
50 local government any certificate, license or permit to operate within that scope or
51 require a driver **or mounted autonomous vehicle provider** who has entered into an
52 agreement with such a company to obtain from the local government any
53 certificate, license or permit to provide transportation services.

(c) Impose any other requirement upon a transportation network company, ~~for~~ ~~a~~ driver or monitored autonomous vehicle provider which is not of general applicability to all persons who operate a motor vehicle within the jurisdiction of the local government.

2. Nothing in this section:

(a) Prohibits a local governmental entity from requiring a transportation network company, ~~for~~ ~~a~~ driver or monitored autonomous vehicle provider to obtain from the local government a business license or to pay any business license fee in the same manner that is generally applicable to any other business that operates within the jurisdiction of the local government.

(b) Prohibits an airport or its governing body from requiring a transportation network company, ~~for~~ ~~a~~ driver or monitored autonomous vehicle provider to:

(1) Obtain a permit or certification to operate at the airport;

(2) Pay a fee to operate at the airport; or

(3) Comply with any other requirement to operate at the airport.

(c) Exempts a vehicle operated by a driver or monitored autonomous vehicle provider from any tax imposed pursuant to NRS 354.705, 371.043 or 371.045.

3. The provisions of this chapter do not exempt any person from the requirement to obtain a state business license issued pursuant to chapter 76 of NRS. A transportation network company shall notify each driver and monitored autonomous vehicle provider of the requirement to obtain a state business license issued pursuant to chapter 76 of NRS and the penalties for failing to obtain a state business license.

~~Sec. 22. [NRS 706B.040 is hereby amended to read as follows:
706B.040 "Fully autonomous vehicle" has the meaning ascribed to it in NRS 482A.036 [], except the term does not include a monitored autonomous vehicle, as defined in section 2 of this act.] (Deleted by amendment.)~~

Sec. 22.1. Chapter 690B of NRS is hereby amended by adding thereto the provisions set forth as sections 22.2 and 22.3 of this act.

Sec. 22.2. "Monitored autonomous vehicle provider" has the meaning ascribed to it in section 3 of this act.

Sec. 22.3. 1. A monitored autonomous vehicle provider shall ensure that proof of coverage under a policy of transportation network company insurance is contained within the monitored autonomous vehicle of the monitored autonomous vehicle provider at all times when the monitored autonomous vehicle provider is logged into the digital network or software application service of the transportation network company, available to receive requests for transportation services or providing transportation services.

2. If the monitored autonomous vehicle of a monitored autonomous vehicle provider is involved in an accident or motor vehicle crash, the monitored autonomous vehicle provider shall ensure that any law enforcement officer and any party with whom the monitored autonomous vehicle is involved in the accident or motor vehicle crash is provided with:

(a) Proof of coverage under a policy of transportation network company insurance; and

(b) A disclosure as to whether the monitored autonomous vehicle provider was logged into the digital network or software application service of the transportation network company, available to receive requests for transportation services or providing transportation services at the time of the accident or motor vehicle crash.

3. As used in this section, "monitored autonomous vehicle" has the meaning ascribed to it in section 2 of this act.

Sec. 22.4. NRS 690B.400 is hereby amended to read as follows:

690B.400 As used in NRS 690B.400 to 690B.495, inclusive, and sections 22.2 and 22.3 of this act, the words and terms defined in NRS 690B.410 to 690B.430, inclusive, and section 22.2 of this act have the meanings ascribed to them in those sections.

Sec. 22.5. NRS 690B.425 is hereby amended to read as follows:

690B.425 “Transportation network company insurance” means a policy of insurance that includes coverage specifically for the use of a vehicle by a driver or monitored autonomous vehicle provider pursuant to NRS 690B.400 to 690B.495, inclusive and sections 22.2 and 22.3 of this act.

Sec. 22.6. NRS 690B.450 is hereby amended to read as follows:

690B.450 The provisions of NRS 690B.400 to 690B.495, inclusive, and sections 22.2 and 22.3 of this act do not apply to a person who is regulated pursuant to chapter 704 or 706 of NRS unless the person holds a permit issued pursuant to NRS 706A.130.

Sec. 22.7. NRS 690B.470 is hereby amended to read as follows:

690B.470 1. Every transportation network company ~~or~~ driver or monitored autonomous vehicle provider shall continuously provide, during any period in which the driver or monitored autonomous vehicle provider is providing transportation services, transportation network company insurance provided by an insurance company licensed by the Division of Insurance of the Department of Business and Industry and approved to do business in this State or a broker licensed pursuant to chapter 685A of NRS or procured directly from a nonadmitted insurer, as defined in NRS 685A.0375:

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

(b) In an amount of not less than \$50,000 for bodily injury to or death of one person in any one accident or motor vehicle crash that occurs while the driver or monitored autonomous vehicle provider is logged into the digital network or software application service of the transportation network company and available to receive requests for transportation services but is not otherwise providing transportation services;

(c) Subject to the minimum amount for one person required by paragraph (b), in an amount of not less than \$100,000 for bodily injury to or death of two or more persons in any one accident or motor vehicle crash that occurs while the driver or monitored autonomous vehicle provider is logged into the digital network or software application service of the transportation network company and available to receive requests for transportation services but is not otherwise providing transportation services; and

(d) In an amount of not less than \$25,000 for injury to or destruction of property of others in any one accident or motor vehicle crash that occurs while the driver or monitored autonomous vehicle provider is logged into the digital network or software application service of the transportation network company and available to receive requests for transportation services but is not otherwise providing transportation services,
↳ for the payment of tort liabilities arising from the maintenance or use of the motor vehicle.

2. The transportation network company insurance required by subsection 1 may be provided through one or a combination of insurance policies provided by the transportation network company ~~or~~ the driver, ~~or~~ the monitored autonomous vehicle provider, both ~~or~~ the transportation network company and

the driver or both the transportation network company and the monitored autonomous vehicle provider.

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

(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~~ the monitored autonomous vehicle provider, both ~~or~~ the transportation network company and the driver or both the transportation network company and the monitored autonomous vehicle provider, if the transportation network company insurance otherwise satisfies the requirements of NRS 485.185 or 485.186, as appropriate.

5. 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. 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. An insurer who provides transportation network company insurance has a duty to defend and indemnify the driver or monitored autonomous vehicle provider and the transportation network company.

8. 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. 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. 22.8. NRS 690B.480 is hereby amended to read as follows:

690B.480 1. A policy of insurance for the operation of a motor vehicle required pursuant to NRS 485.185 or 485.186, as appropriate, is not required to include transportation network company insurance. An insurer providing a policy which excludes transportation network company insurance does not have a duty to defend or indemnify a driver or monitored autonomous vehicle provider for any claim arising during any period in which the driver or monitored autonomous vehicle provider is logged into the digital network or software application service of the transportation network company, available to receive requests for transportation services or providing transportation services.

2. An insurer who provides a policy of insurance for the operation of a motor vehicle required pursuant to NRS 485.185 or 485.186, as appropriate, may include transportation network company insurance in such a policy. An insurer may charge an additional premium for the inclusion of transportation network company insurance in such a policy.

3. An insurer who:

(a) Defends or indemnifies a driver or monitored autonomous vehicle provider for a claim arising during any period in which the driver or monitored autonomous vehicle provider is logged into the digital network or software application service of the transportation network company, available to receive requests for transportation services or providing transportation services; and

(b) Excludes transportation network company insurance from the policy of insurance for the operation of a motor vehicle provided to the driver ~~or~~ monitored autonomous vehicle provider,

has the right of contribution against other insurers who provide coverage to the driver or monitored autonomous vehicle provider to satisfy the coverage required by NRS 690B.470 at the time of the loss.

Sec. 22.9. NRS 690B.490 is hereby amended to read as follows:

690B.490 In any investigation relating to tort liability arising from the operation of a motor vehicle, each transportation network company, ~~and~~ driver ~~or~~ and monitored autonomous vehicle provider, and each insurer providing transportation network company insurance to a transportation network company, ~~or~~ driver ~~or~~ or monitored autonomous vehicle provider who is involved in the underlying incident shall cooperate with any other party to the incident and any other insurer involved in the investigation and share information, including, without limitation:

1. The date and time of an accident or motor vehicle crash involving a driver ~~or~~ or monitored autonomous vehicle provider.

2. The dates and times that the driver or monitored autonomous vehicle provider involved in an accident or motor vehicle crash logged into the digital network or software application service of the transportation network company for a period of 12 hours immediately preceding and 12 hours immediately following the accident or motor vehicle crash.

3. The dates and times that the driver or monitored autonomous vehicle provider involved in an accident or motor vehicle crash logged out of the digital network or software application service of the transportation network company for a period of 12 hours immediately preceding and 12 hours immediately following the accident or motor vehicle crash.

4. A clear description of the coverage, exclusions and limits provided under any policy of transportation network company insurance which applies.

Sec. 23. 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. 24. This act becomes effective on July 1, 2021.