SUMMARY—Revises provisions relating to transportation for senior citizens and persons with a disability. (BDR 38-496)

FISCAL NOTE: Effect on Local Government: No.

Effect on the State: Contains Appropriation from the State General Fund not included in Executive Budget.

Effect on the State Highway Fund: No.

AN ACT relating to transportation; creating the Nevada Access to Transportation for Senior Citizens and Persons with a Disability Account; revising provisions relating to programs to subsidize transportation by taxicab for elderly persons and persons with a disability; requiring the Aging and Disability Services Division of the Department of Human Services to establish certain other programs to increase access to transportation for senior citizens and persons with a disability; requiring the preparation of certain reports; revising the manner in which the Taxicab Administrator is authorized to transfer certain funds; making an appropriation; and providing other matters properly relating thereto.

Legislative Counsel's Digest:

Existing law establishes certain programs to provide access to transportation for elderly persons and persons with a disability. Under existing law, the regional transportation commission of a county in which a sales and use tax is imposed for the purposes of public transit is authorized to

appropriate money from the tax to provide transportation or to support agencies which are providing transportation for the elderly and persons with a disability in a manner consistent with the regional transportation plan. (NRS 377A.080) Existing law and regulations also: (1) establish a program in counties in which taxicab motor carriers are regulated by the Taxicab Authority (currently only Clark County) to subsidize transportation by taxicab for elderly persons and persons with a permanent disability, which is administered by the Aging and Disability Services Division of the Department of Human Services; and (2) authorize the Taxicab Administrator to transfer any balance over $200,000 in the Taxicab Authority Fund at the end of a fiscal year, and any interest earned on that Fund, to the Division to fund this program. (NRS 427A.050, 706.881, 706.8825; NAC 706.857-706.870)

Sections 2-9 of this bill provide for the establishment and administration of the Nevada Access to Transportation for Senior Citizens and Persons with a Disability Program to expand access to transportation for persons 60 years of age or older and persons with a disability in this State. **Sections 2-6** of this bill define terms relating to the Program. **Section 7** of this bill creates the Nevada Access to Transportation for Senior Citizens and Persons with a Disability Account, which consists of: (1) an appropriation from the State General Fund of $5,000,000 for the 2027-2029 biennium, which is made by **section 12** of this bill; (2) any transfer of money to the Account from the Taxicab Fund, which **section 11** of this bill authorizes the Taxicab Administrator to make to the Account rather than to the Division; (3) any transfer of money to the Account by the Administrator of the Division under **section 13** of this bill, which requires the Administrator to transfer to the Account any balance of money transferred to the Division from the Taxicab Fund

under existing law that remain uncommitted on July 1, 2027; (4) any gift, grant or donation of money to the Account; and (5) any interest and income earned on money in the Account. **Section 7** requires the Division to use the money in the Account to administer: (1) the existing program to subsidize transportation by taxicab of elderly persons and persons with permanent disabilities; and (2) the Nevada Access to Transportation for Senior Citizens and Persons with a Disability Program, which **section 8** of this bill requires the Division to establish and administer. **Section 10** of this bill requires the Division to administer the existing program to subsidize the transportation by taxicab of elderly persons and persons with permanent disabilities within the limitations of available money in the Account.

Section 8 requires the Division, in addition to establishing the Program, to biennially: (1) prepare an assessment of needs that identifies and evaluates the particular needs of senior citizens and persons with a disability with respect to transportation; (2) establish the priorities of the Division for addressing those needs; and (3) prepare a transportation access plan that details the initiatives that the Division plans to establish or undertake to address those priorities as part of the Program. **Section 8** authorizes the Division, as part of the Program, to establish and undertake those initiatives in alignment with the transportation plan developed by the Division, which may include: (1) expanding or creating initiatives similar to the existing program to subsidize transportation by taxicab for elderly persons and persons with a permanent disability; (2) subsidizing other forms of transportation for senior citizens and persons with a disability; and (3) awarding grants of money to entities that establish or administer programs to provide free or subsidized transportation to senior citizens and persons with a disability.

Section 9 of this bill requires the Administrator of the Division to biennially: (1) prepare a report that details the expenditures made from the Account and summarizes the initiatives and activities of the programs administered by the Division to increase access to transportation for senior citizens and persons with a disability; and (2) submit that report to certain committees of the Legislature and the Nevada Silver Haired Legislative Forum.

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

Section 1. Chapter 427A of NRS is hereby amended by adding thereto the provisions set forth as sections 2 to 9, inclusive, of this act.

Sec. 2. ***As used in sections 2 to 9, inclusive, of this act, the words and terms defined in sections 3 to 6, inclusive, of this act have the meanings ascribed to them in those sections.***

Sec. 3. ***"Access to Transportation Program" means the Nevada Access to Transportation for Senior Citizens and Persons with a Disability Program established by the Division pursuant to section 8 of this act.***

Sec. 4. ***"Account" means the Nevada Access to Transportation for Senior Citizens and Persons with a Disability Account created by section 7 of this act.***

Sec. 5. ***"Person with a disability" means a person who has a physical or mental impairment that substantially limits one or more of the major life activities of the person.***

Sec. 6. *"Senior citizen" means any person who is 60 years of age or older.*

Sec. 7. *1. The Nevada Access to Transportation for Senior Citizens and Persons with a Disability Account is hereby created in the State General Fund. The Account must be administered by the Division.*

2. The interest and income earned on the money in the Account, after deducting any applicable charge, must be credited to the Account.

3. Any money remaining in the Account at the end of a fiscal year does not revert to the State General Fund, and the balance in the Account must be carried forward to the next fiscal year.

4. The Division may accept gifts, grants and donations of money from any source for deposit in the Account.

5. Subject to the limitations set forth in subsection 6, the money in the Account may only be used to administer and carry out:

(a) The program to subsidize the transportation by taxicab of elderly persons and persons with permanent disabilities established pursuant to NRS 427A.070; and

(b) To the extent that any money remains in the Account after accounting for the expenses of the program described in paragraph (a), the Access to Transportation Program established pursuant to section 8 of this act.

6. Not more than 10 percent of the total amount of money expended from the Account in a fiscal year may be used to pay or offset any operating or administrative expenses incurred by the Division for administering and carrying out the programs described in subsection 5.

Sec. 8. *1. The Division shall establish the Nevada Access to Transportation for Senior Citizens and Persons with a Disability Program to expand access to transportation for senior citizens and persons with a disability who reside in this State. The Division shall administer the Access to Transportation Program within the limitations of available money in the Account.*

2. The Division shall, not less than biennially:

(a) Prepare an assessment of needs that identifies and evaluates the particular needs of senior citizens and persons with a disability who reside in this State with respect to transportation, which may include, without limitation, an identification of:

(1) Gaps in service and other barriers preventing senior citizens and persons with a disability from accessing or otherwise using to their fullest potential any existing options for transportation available to senior citizens and persons with a disability;

(2) The particular areas or regions of this State in which senior citizens and persons with a disability are experiencing the greatest need for increased access to transportation; and

(3) The particular character and modes of transportation for which the need of senior citizens and persons with a disability is most critical, which may include, without limitation, the particular purposes for which transportation is primarily needed by senior citizens and persons with a disability and the modes of transportation that may be most effectively leveraged by the Division as part of the Access to Transportation Program to increase access to transportation for the specific purposes identified;

(b) Establish the priorities of the Division for addressing the needs identified in the assessment of needs prepared pursuant to paragraph (a); and

(c) Prepare a transportation access plan based on the priorities established pursuant to paragraph (b), which must detail the initiatives that the Division plans to establish and undertake pursuant to subsection 3 as part of the Access to Transportation Program to address the needs identified in the assessment of needs prepared pursuant to paragraph (a) in accordance with the priorities established pursuant to paragraph (b).

3. The Division may, as part of the Access to Transportation Program:

(a) Establish and undertake such initiatives as it deems necessary to carry out the purposes of the Access to Transportation Program, to the extent that such initiatives align with the transportation access plan prepared pursuant to subsection 2. Such initiatives may include, without limitation:

(1) Supplementing the program to subsidize the transportation by taxicab of elderly persons and persons with permanent disabilities established pursuant to NRS 427A.070, which may include, without limitation:

(I) Authorizing populations of senior citizens or persons with a disability who do not currently qualify to participate in the program described in subparagraph (1) to participate in that program or participate in such similar initiatives as may be established pursuant to this section as part of the Access to Transportation Program;

(II) Establishing initiatives that are similar to the program described in subparagraph (1) for areas of the State in which that program does not currently operate; and

(III) Entering into agreements with additional taxicab motor carriers and certificate holders to participate as providers in the program described in subparagraph (1) or in similar

initiatives as may be established pursuant to this section as part of the Access to Transportation Program;

(2) Establishing or funding initiatives that are similar to the program described in subparagraph (1) to subsidize or provide coupons, vouchers or other discounts for transportation provided by means other than taxicab for senior citizens and persons with a disability, including, without limitation, transportation provided by a public transit system, transportation network company, autonomous vehicle network company or provider of nonemergency medical transportation;

(3) Awarding grants of money from the Account, under such conditions as the Division may prescribe, to any public or private entity, including, without limitation, a regional transportation commission, to establish or administer a program to provide free or subsidized transportation to senior citizens or persons with a disability; and

(4) Establishing or funding any other initiative, partnership or program that will, in the determination of the Division, meaningfully improve access to transportation by senior citizens and persons with a disability in this State, based on the needs identified in the assessment of needs prepared by the Division pursuant to subsection 2.

(b) Enter into agreements or other transactions with, apply for and accept donations, gifts or grants from and cooperate with any public or private entity in furtherance of the Access to Transportation Program.

4. The Division shall adopt regulations necessary to carry out the provisions of sections 2 to 9, inclusive, of this act.

5. As used in this section:

(a) "Autonomous vehicle network company" has the meaning ascribed to it in NRS 706B.030.

(b) "Certificate holder" has the meaning ascribed to it in NRS 706.8813.

(c) "Public transit system" means a system employing motor buses, rails or any other means of conveyance, by whatever type of power, operated for public use in the conveyance of persons.

(d) "Regional transportation commission" means a regional transportation commission created and organized in accordance with chapter 277A of NRS.

(e) "Taxicab motor carrier" has the meaning ascribed to it in NRS 706.126.

(f) "Transportation network company" has the meaning ascribed to it in NRS 706A.050.

Sec. 9. *On or before July 1 of each odd-numbered year, the Administrator shall:*

1. Prepare a report:

(a) Detailing expenditures made from the Account for the immediately preceding biennium; and

(b) Summarizing the activities of the Division in the immediately preceding biennium with respect to administering the Access to Transportation Program and the program to subsidize the transportation by taxicab of elderly persons and persons with permanent disabilities established pursuant to NRS 427A.070, including, without limitation:

(1) Each initiative established or undertaken as part of the Access to Transportation Program pursuant to section 8 of this act during the immediately preceding biennium; and

(2) The extent to which the initiatives described in subparagraph (1) addressed the needs identified in the assessment of needs prepared by the Division pursuant to section 8 of this act; and

2. Transmit the report prepared pursuant to subsection 1 to the Director of the Legislative Counsel Bureau for transmittal to the:

(a) Interim Finance Committee;

(b) Joint Interim Standing Committee on Health and Human Services;

(c) Legislative Committee on Senior Citizens, Veterans and Adults With Special Needs; and

(d) Nevada Silver Haired Legislative Forum.

Sec. 10. NRS 427A.070 is hereby amended to read as follows:

427A.070 1. The Administrator shall:

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

(1) Necessary to carry out the purposes of this chapter and chapter 435 of NRS; and

(2) Establishing a program to subsidize the transportation by taxicab of elderly persons and persons with permanent disabilities ~~[from money received pursuant to subsection 5 of NRS 706.8825;]~~ ***, which the Division shall administer within the limitations of available money in the Nevada Access to Transportation for Senior Citizens and Persons with a Disability Account created by section 7 of this act;***

(b) Establish appropriate administrative units within the Division;

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

(d) Prepare and submit to the Governor, through the Director before September 1 of each even-numbered year for the biennium ending June 30 of such year, reports of activities and expenditures and estimates of sums required to carry out the purposes of this chapter and chapter 435 of NRS;

(e) Make certification for disbursement of funds available for carrying out the purposes of this chapter and chapter 435 of NRS; and

(f) Take such other action as may be necessary or appropriate for cooperation with public and private agencies and otherwise to carry out the purposes of this chapter and chapter 435 of NRS.

2. The Administrator may delegate to any officer or employee of the Division such of the powers and duties of the Administrator as the Administrator finds necessary to carry out the purposes of this chapter and chapter 435 of NRS.

Sec. 11. NRS 706.8825 is hereby amended to read as follows:

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

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

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

4. The fees received pursuant to subsection 3 of NRS 706.8826, NRS 706.8827, 706.8841, 706.8848, 706.8849 and 706.885 are hereby appropriated to defray the cost of regulating taxicabs in the county in which the certificate holder operates a taxicab business. The technology fees received pursuant to paragraph (c) of subsection 3 of NRS 706.8826 may be used to implement technological improvements in safety.

5. Any balance remaining in the Fund does not revert to the State General Fund. The Administrator may transfer to the ~~[Aging and Disability Services Division of the Department of Human Services]~~ ***Nevada Access to Transportation for Senior Citizens and Persons with a Disability Account created by section 7 of this act*** any balance over $200,000 and any interest earned on the Fund, within the limits of legislative authorization for each fiscal year**.** ~~[, to subsidize transportation for elderly persons and persons with permanent disabilities in taxicabs. The money transferred to the Aging and Disability Services Division must be administered in accordance with regulations adopted by the Administrator of the Aging and Disability Services Division pursuant to NRS 427A.070.]~~

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

Sec. 12. 1. There is hereby appropriated from the State General Fund to the Nevada Access to Transportation for Senior Citizens and Persons with a Disability Account created by section 7 of this act the sum of $5,000,000 for the purposes described in subsection 5 of section 7 of this act.

2. Any remaining balance of an appropriation made by subsection 1 must not be committed for expenditure after June 30, 2029, by the entity to which the appropriation is made or any entity to which money from the appropriation is granted or otherwise transferred in any manner, and any portion of the appropriated money remaining must not be spent for any purpose after September 21, 2029, by either the entity to which the money was appropriated or the entity to which the money was subsequently granted or transferred, and must be reverted to the State General Fund on or before September 21, 2029.

Sec. 13. As soon as practicable after July 1, 2027, the Administrator of the Aging and Disability Services Division of the Department of Human Services shall transfer to the Nevada Access to Transportation for Senior Citizens and Persons with a Disability Account created by section 7 of this act any money that was transferred to the Division from the Taxicab Authority Fund pursuant to subsection 5 of NRS 706.8825 that remains uncommitted on July 1, 2027.

Sec. 14. The provisions 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. 15. 1. This section becomes effective upon passage and approval.

2. Sections 1 to 14, inclusive, of this act become effective:

(a) Upon passage and approval for the purpose of adopting any regulations and performing any other preparatory administrative tasks that are necessary to carry out the provisions of this act; and

(b) On July 1, 2027, for all other purposes.