

BRIAN SANDOVAL
Governor

BRUCE BRESLOW
Director



RONALD GROGAN
Administrator

JENNIFER De ROSE
Deputy Administrator

STAN OLSEN
Chairman

Members
DEAN COLLINS
BRUCE AGUILERA, ESQ.
JAMES E. CAMPOS
ROGER THOMPSON

STATE OF NEVADA
DEPARTMENT OF BUSINESS AND INDUSTRY
TAXICAB AUTHORITY

PUBLIC BOARD MEETING NOTICE AND AGENDA

Date and Time of Meeting: Thursday, July 21, 2016
9:00 a.m.

Place of Meeting: Taxicab Authority Hearing Room
2080 E. Flamingo Road, Suite 114
Las Vegas, Nevada 89119

This meeting has been properly noticed and posted at the following locations:

Nevada State Library & Archives, 100 North Stewart Street, Carson City, NV 89701
Carson City Library, 900 North Roop Street, Carson City NV 89701
Churchill County Library, 553 South Main Street, Fallon, NV 89406
Clark County District Library, 833 Las Vegas Boulevard North, Las Vegas, NV 89101
Douglas County Library, 1625 Library Lane, Minden, NV 89423
Elko County Library, 720 Court Street, Elko, NV 89801
Esmeralda County Library, Corner of Crook & 4th Streets, PO Box 430, Goldfield, NV 89013
Eureka Branch Library, 80 South Monroe Street, Eureka, NV 89316
Humboldt County Library, 85 East 5th Street, Winnemucca, NV 89445
Lander County Library, 625 South Broad Street, Battle Mountain, NV 89820
Lincoln County Library, 63 Main Street, Pioche, NV 89043
Lyon County Library, 20 Nevin Way, Yerington, NV 89447
Mineral County Public Library, 110 1st Street, Hawthorne, NV 89415
Pershing County Library, 1125 Central Avenue, Lovelock, NV 89419
Storey County Public Library, 95 South R Street, Virginia City, NV 89440
Tonopah Public Library, 167 Central Street, Tonopah, NV 89049
Washoe County Library, 301 South Center Street, Reno, NV 89501
White Pine County Library, 950 Campton Street, Ely, NV 89301
State of Nevada Taxicab Authority 2090 E. Flamingo Road, Suite 200 Las Vegas, Nevada 89119
Clark County School District 2832 E. Flamingo Road Las Vegas, Nevada 89121
Las Vegas City Hall 495 S. Main Street Las Vegas, Nevada 89101
Clark County Commissioners 500 S. Grand Central Parkway Las Vegas, Nevada 89101
Grant Sawyer Building 555 E. Washington Avenue Las Vegas, Nevada 89101
Nevada Taxicab Authority Website www.taxi.state.nv.us
State of Nevada Website <https://notice.nv.gov>
Nevada State Legislature website <http://www.leg.state.nv.us/>

The State of Nevada Taxicab Authority is pleased to make reasonable accommodations for members of the public who are disabled and wish to attend the meeting. If special arrangements for the meeting are necessary, please notify the State of Nevada Taxicab Authority, in writing, at 2090 E. Flamingo Road, Suite 200, Las Vegas, Nevada 89119 or by calling (702) 668-4000 at least 24 hours prior to the date of the meeting.

Members of the public may request the supporting material for this meeting from *Amy McMahan, Nevada Taxicab Authority, 2090 E. Flamingo Road, Suite 200, Las Vegas, Nevada 89119, (702) 668-4083, email: ammcmahan@taxi.state.nv.us.*

In accordance with Nevada's Open Meeting Law, the Authority may consider agenda items taken out of order. The Authority may combine two or more agenda items for consideration. The Authority may remove an item from the agenda or delay discussion relating to an item on the agenda at any time. The Authority may continue the meeting as deemed necessary. The Authority, at its discretion, may take public comment during times other than the designated Public Comment agenda items. The Authority reserves the right to limit public comment to three minutes. Comment may not be restricted based on viewpoint. Prior to the commencement and conclusion of a contested case or a quasi-judicial proceeding that may affect the due process rights of an individual, the board may refuse to consider public comment. See NRS 233B.126.

Persons wishing to intervene must file the appropriate pleading in accordance with the procedures of N.A.C. 706.894, and serve their petitions to intervene on all appropriate persons, pursuant to N.A.C. 706.921, no later than **Wednesday, July 6, 2016 at 3:00 P.M.** Pursuant to NRS 241.030(1), The State of Nevada Taxicab Authority may conduct a closed meeting to consider the character, allegations of misconduct, professional competence, or physical and mental health of a person.

ALL CELLULAR TELEPHONES AND PAGERS ARE TO BE TURNED OFF OR SET TO SILENT NOTIFICATION MODE DURING THE PROCEEDINGS.

AGENDA

1. **Call to Order.**
2. **Pledge of Allegiance to the Flag.**
3. **Compliance with Open Meeting Law.**
4. **Public Comment** - Members of the public are invited to comment on items on the meeting agenda or on items not contained therein. No action may be taken upon a matter raised during Public Comment until the matter itself has been specifically included on an agenda as an item for possible action. Because of time considerations, speakers are urged to avoid repetition of comments made by previous speakers.
5. **Approval of the June 23, 2016 Board Meeting Minutes - *FOR POSSIBLE ACTION***
6. **Discussion with Maria Soto, Traffic Manager for LVCVA, Regarding Recent Taxicab Service.**
7. **Discussion with Freddie Kirtley, Assistant Director, Landside Operations, McCarran International Airport, Regarding Recent Taxicab Service.**
8. **Discussion with Jeff White, Security Manager, Sands Expo, Regarding Recent Taxicab Service.**
9. **Lease Regulations, LCB File No. R003-16** – The purpose of the rulemaking adoption hearing is to receive comments from all interested persons regarding the adoption of certain regulations to Chapter 706 of Nevada Administrative Code for the purposes of implementing Senate Bill No. 376, chapter 447, Statutes of Nevada 2015, at page 2595. The proposal has been designated as File No. R003-16 by the Nevada Legislative Counsel Bureau. Please see the Notice of Intent to Act Upon a Regulation and Notice of Hearing for the Adoption of Regulations (attached and incorporated herein by reference) for further details regarding this item. – ***FOR POSSIBLE ACTION***
10. **Lease Regulations, LCB File No. R003-16** – Discussion and potential adoption of certain regulations as more fully described in Agenda Item 9 listed above and the Notice of Intent to Act Upon a Regulation and Notice of Hearing for the Adoption of Regulations (attached and incorporated herein by reference). – ***FOR POSSIBLE ACTION***

11. Staff Report

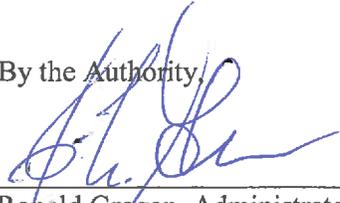
- a. Administrator's Report
- b. Chief Investigator's Report
- c. Stats for June 2016
- d. Future Agenda Items

12. Report of Legal Counsel

13. Public Comment – Members of the public are invited to comment on items on the meeting agenda or on items not contained therein. No action may be taken upon a matter raised during Public Comment until the matter itself has been specifically included on an agenda as an item for possible action. Because of time considerations, speakers are urged to avoid repetition of comments made by previous speakers.

14. Adjournment (Action)

By the Authority,



Ronald Grogan, Administrator
Nevada Taxicab Authority

Dated: June 17, 2016
Las Vegas, Nevada



Stan Olsen, Chairman
Nevada Taxicab Authority Board

Dated: June 17, 2016
Las Vegas, Nevada

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Telephone (702) 668-4000 • Fax (702) 668-4001
<http://taxi.state.nv.us>

PROPOSED REGULATION OF THE NEVADA TAXICAB AUTHORITY

LCB File No. R003-16

DEPARTMENT OF BUSINESS AND INDUSTRY

NOTICE OF INTENT TO ACT UPON A REGULATION
and

NOTICE OF HEARING FOR THE ADOPTION OF REGULATIONS

The Taxicab Authority will hold a public hearing at 9:00 a.m., on July 21, 2016, at:

***Taxicab Authority Hearing Room
2080 E. Flamingo Road, Suite 114
Las Vegas, Nevada 89119***

The purpose of this hearing is to receive comments from all interested persons regarding the adoption of regulations to the Nevada Administrative Code implementing Senate Bill 376 of the 78th (2015) Nevada Legislative Session. The proposed regulations have been designated as File No. R003-16 by the Nevada Legislative Counsel Bureau.

The following information is provided pursuant to the requirements of 233B.0603:

1. The proposed adoption of regulations to the Nevada Administrative Code is necessary to create procedures for Senate Bill 376 of the 78th (2015) Nevada Legislative Session that permits certificate holders to lease taxicabs to independent contractors in Southern Nevada in counties regulated by the Taxicab Authority. The proposed regulations are related to:
 - a) Establishing provisions governing when and the manner in which a certificate holder may participate in leasing its taxicabs to independent contractors [Senate Bill 376 of the 78th (2015) Nevada Legislative Session];
 - b) Establishing provisions governing who may qualify as independent contractors permitted to lease taxicabs and their responsibilities during lease periods [Senate Bill 376 of the 78th (2015) Nevada Legislative Session];
 - c) Establishing regulations regarding the issuance of lease medallions to taxicab owners and their responsibilities during lease periods [Senate Bill 376 of the 78th (2015) Nevada Legislative Session];
 - d) Establishing procedures for the submission and approval of lease agreements and/or templates prior to parties entering into such agreements [Senate Bill 376 of the 78th (2015) Nevada Legislative Session];
 - e) Establishing provisions governing security deposits [Senate Bill 376 of the 78th (2015) Nevada Legislative Session];

- f) Establishing provisions regarding the applicability of existing laws and regulations to independent contractors and taxicab owners during lease periods [Senate Bill 376 of the 78th (2015) Nevada Legislative Session].
2. The proposed regulations will vary in its impact to existing certificate holders and independent contractors. There are many variables such as the number of independent contractors interested in leasing, the duration of the lease(s), and cost of lease(s) that make it difficult to project what percentage of independent contractors will lease taxicabs pursuant to Senate Bill 376 of the 78th (2015) Nevada Legislative Session. Similarly, certificate holders have their own separate variables to consider including their responsibilities towards benefit coverage, insurance, cost of maintenance, and the cost of ensuring independent contractors satisfy the terms of their agreements. Some certificate holders have expressed having no interest in leasing while others remain open to the possibility of participating in leasing. As these factors will affect who will participate and to what extent, the proposed regulations will have varying economic effects on businesses they regulate.

Immediate effects include providing current certificate holders and independent contractors flexibility in defining their business relationships. Independent contractors now have the opportunity to simultaneously drive for various carriers; define when and how long they will drive, and further control how much profit is to be generated. Benefits to certificate holders include having another way to generate profit, potentially limiting liability for driver transgressions, and limiting certificate holder obligations to provide benefits. Leasing provides certificate holders yet another way to compete for drivers in the industry.

Long term effects of leasing remains unknown. This will depend on how many drivers and carriers decide to participate and to what extent they participate. As discussed above, both parties must consider many variables in order to determine whether leasing benefits them or whether this type of business relationship is viable within Clark County.

The proposed regulation will benefit the riding public in Clark County because of the increased number of taxis available to people desiring to get their destinations. Taxi availability will no longer be limited by a certificate holder's decision on the number of drivers to deploy during the day and night. Instead, drivers of leased taxicabs may supplement and provide needed rides to the public.

3. The Taxicab Authority determined the proposed regulations' impact on small businesses by asking for and accepting both verbal and written comments from the public, the industry, and affected businesses since November 24, 2015 by providing notice pursuant to Open Meeting Laws that specifically sought business and public input, and by requesting comments during its workshops on December 18, 2016 and May 16, 2016. The Taxicab Authority will continue to accept statements about small business impact before, during, and after its Board Meeting on July 21, 2016.
 4. The Taxicab Authority anticipates incurring minimal cost, if any, to enforce lease regulations in Clark County. Taxicab Authority Investigators already have the required knowledge, training, and means to conduct enforcement. No additional training or equipment is needed. Leasing regulations mainly change the employment relationship between taxicab owners and drivers but do not affect the manner in which Investigators enforce.



5. The Taxicab Authority is not aware of any overlap or duplication of the proposed regulations with any regulations of other state, local, or federal governmental agencies.
6. The proposed regulations are not required pursuant to federal law.
7. The proposed regulations are not more stringent than any federal regulation that regulates the same activity.
8. The proposed lease regulations do not establish a new fee nor increases a current fee.

Persons interested in commenting on the proposed lease regulations may appear at the scheduled Taxicab Authority Board meeting on July 21, 2016 or submit their written comments, data, views or arguments to the Nevada Taxicab Authority, Attn: Janette Speer, Nevada Taxicab Authority, 2090 East Flamingo Road, 200, Las Vegas, NV 89119, (702) 688-4029, jspeer@taxi.state.nv.us. Written submissions must be received by the Taxicab Authority no later than **5:00 p.m., on July 18, 2016**. If no person who is directly affected by the proposed revisions appears to request time to make an oral presentation, the Taxicab Authority Board may proceed immediately to act upon any written submissions.

A copy of this notice and the regulation to be adopted will be on file at the Nevada State Library, 100 North Stewart Street, Carson City, Nevada 89701 for inspection by members of the public during normal business hours. Additional copies of the notice and regulation to be adopted will be available at the Taxicab Authority Office located at 2090 East Flamingo Road, 200, Las Vegas, NV 89119, and in all counties in which an office of the agency is not maintained, at the main public library, for inspection and copying by members of the public during business hours. This notice and text of the proposed regulation are also available in the State of Nevada Register of Administrative Regulations, which is prepared and published monthly by the Legislative Counsel Bureau pursuant to NRS 233B.0653, and on the Internet at www.leg.state.nv.us. This notice and the text of the proposed regulation will also be mailed to members of the public upon request. A reasonable fee may be charged for copies if it is deemed necessary.

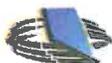
Pursuant to NRS 233B.0654(2), upon adoption of any regulation, the agency, if requested to do so by an interested person, either before adoption or within 30 days thereafter, shall issue a concise statement of the principal reasons for and against its adoption, and incorporate therein its reasons for overruling the consideration urged against its adoption.

This notice of hearing has been sent to all persons on the Taxicab Authority's mailing list for administrative regulations, and posted at the following locations,

Nevada State Library & Archives, 100 North Stewart Street, Carson City, NV 89701
Carson City Library, 900 North Rook Street, Carson City NV 89701
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FINAL SMALL BUSINESS IMPACT STATEMENT

The Taxicab Authority established that its proposed regulations creating procedures for taxicab leasing pursuant to Senate Bill 376 of the 78th (2015) Nevada Legislative Session do not create a negative economic impact on small businesses. Arriving at its conclusion, the Taxicab Authority posted notice to specific locations consistent with open meeting laws; emailed and/or mailed notice to local persons, companies, and businesses inside and outside the taxicab industry; and asked attendees several times at both workshops to address any impact on small businesses. No comments have been received.

On November 24, 2015, the Taxicab Authority asked the public, the industry, and affected businesses for comments addressing whether the lease regulations would negatively impact small businesses. The Taxicab Authority noticed parties on the Taxicab Authority's mailing list for administrative regulations and posted at locations consistent with Nevada statute. It asked parties to submit written comments by December 2, 2015. The Taxicab Authority received no written responses or concerns as of the deadline date.

During its workshops on December 18, 2015 and May 16, 2016, the Taxicab Authority asked attendees several times to address any negative impact created by the lease regulations on small businesses. Attendees offered no comments. The Taxicab Authority announced that it would continue to accept both verbal and written comments about negative business impact throughout the regulation adoption process. It has not received any comments to date.

Finally, the public and businesses will have additional time to submit verbal or written comments addressing negative business impact prior to, during, and after the adoption hearing before the Taxicab Authority Board scheduled for July 21, 2016. Any comments received during this board meeting will be addressed by the Taxicab Authority.

Having received no comments from the public and businesses establishes that lease regulations do not create a significant economic burden on small businesses to date.

I certify that, to the best of my knowledge and belief, the information contained in this statement is prepared properly and is accurate.

By the Authority,

A handwritten signature in blue ink, appearing to read "Ronald Grogan", written over a horizontal line.

Ronald Grogan, Administrator
Nevada Taxicab Authority
Las Vegas, Nevada

Dated: June 16, 2016

signs to a property owner which display the name, address and telephone number of the operator of a tow car is not remuneration for the purposes of this section.

(Added to NAC by Pub. Service Comm'n, eff. 9-1-87; A by Transportation Serv. Auth. by R080-00, 7-26-2000; A by Nev. Transportation Auth. by R075-08, 9-18-2008)

OPERATION OF TAXICABS UNDER JURISDICTION OF TAXICAB AUTHORITY

NAC 706.450 Definitions. (NRS 706.8818) As used in NAC 706.450 to 706.990, inclusive, unless the context otherwise requires:

1. "Administrator" means the Taxicab Administrator or his or her authorized agent.
2. "Authority" means the Taxicab Authority created by NRS 706.8818.
3. "Certificate" means a certificate of public convenience and necessity issued by the Authority.
4. "Medallion" means the metal plate issued by the Authority which is affixed to a taxicab authorizing it to be operated within the jurisdiction of the Authority.
5. "Permit" means the document supplied by the Authority authorizing a person to drive a taxicab within the jurisdiction of the Authority for a period of 1 year.
6. "Temporary permit" means the document supplied by the Authority authorizing a person to drive a taxicab within the jurisdiction of the Authority for less than 1 year.

(Supplied in codification; A by Taxicab Auth., 10-13-88; 11-22-95; R103-01, 1-24-2002; R121-01, 1-24-2002; R064-02, 7-31-2002; R109-05, 2-23-2006)

NAC 706.453 Certificate: Qualifications of applicant; investigation. (NRS 706.8818, 706.8827)

1. The burden of proof by clear and convincing evidence is upon the applicant to satisfy the Authority of his or her suitability to receive a certificate. The applicant must demonstrate:

(a) His or her financial ability to provide continuous service, including sufficient equity capital to acquire the necessary property and equipment, but not less than the amount of equity capital required by NAC 706.473.

(b) He or she has no record of a conviction of a felony or crime involving moral turpitude.

(c) He or she is not associated with, controls, is controlled by or exercises common control with, an unsuitable person.

(d) He or she has sufficient experience or has employed persons with sufficient experience properly to manage a taxicab company.

(e) His or her good moral character.

2. The Authority reserves the right to conduct an investigation before issuing a certificate or a permit. Upon determining that an investigation is necessary, the Authority will notify the applicant of the estimated cost of the investigation. The Authority will not commence the investigation until the applicant has paid one-half of the estimated cost.

[Taxicab Auth., Gen. Order No. 3 Rule 103, eff. 4-18-71; A 8-16-78]—(NAC A 10-13-88; R064-02, 7-31-2002)

NAC 706.462 Criteria for multiple licenses. (NRS 706.8818)

1. The Authority will consider the acquisition of another company or companies by an operator with an existing certificate if after the acquisition of the new company the combined medallions will not exceed 49 percent of the total number of medallions in the industry.

2. In every instance in which a certificate holder seeks approval for the transfer of another certificate to his or her control, the Authority will consider whether such multiple licensing is in the best interests of the State of Nevada, having due regard for public convenience and the general welfare of the inhabitants of these areas and of the traveling public.

3. In making this determination, the following factors may be considered:

(a) Has there been an adequate period of performance by the applicant by which the Authority could conclude that existing operations are effective and therefore warrant further extension?

(b) Will the proposed transfer promote safe, adequate, economical and efficient service and foster sound economic conditions in the taxicab industry?

(c) Will the proposed transfer result in unjust discrimination, undue preference or advantage, or unfair or destructive competitive practices?

(d) Any other index or criteria deemed by the Authority to have effect on multiple licensing and upon the public convenience and general welfare of the public.

[Taxicab Auth., Gen. Order No. 3 Rule 109, eff. 6-19-74; A 8-16-78]—(NAC A 10-13-88)

NAC 706.465 Transfer of interest in certificate or in corporation holding certificate. (NRS 706.8818)

1. An interest in a certificate or in a corporation holding a certificate may not be transferred without first making application to and securing approval of the Authority.

2. A nonrefundable fee of \$200 must accompany an application for a transfer of any interest in a certificate or in a corporation holding a certificate.

3. The Authority reserves the right to make an investigation before approving a transfer. Upon determining that an investigation is necessary, the Authority will notify the applicant of the estimated cost of the investigation. The Authority will not commence the investigation until the applicant has paid one-half of the estimated cost of the investigation.

[Taxicab Auth., Gen. Order No. 3 Rule 104, eff. 4-18-71]—(NAC A 10-13-88)

NAC 706.471 Rates, charges and fares. (NRS 706.8818)

1. Only the Authority may set, adjust, alter or change the rates, charges or fares for service by a taxicab.

2. A hearing concerning rates, charges or fares may be initiated by the Authority or upon application of any certificate holder.

3. Except upon a showing that the public interest requires otherwise, the rates, charges or fares of all holders of a certificate in a county will be uniform.

[Taxicab Auth., Gen. Order No. 3 Rule 108, eff. 3-18-71]—(NAC A 6-13-86; 10-13-88)

NAC 706.473 Certificate holders: Equity capital. (NRS 706.8818)

1. Each certificate holder shall maintain an investment of not less than 20 percent equity capital in his or her operations and include proof of that investment in his or her annual report filed with the Authority.

2. A certificate holder who fails to maintain adequate equity capital as required by subsection 1 shall, not later than 3 months after receiving notice from the Authority of that failure, file a plan with the Authority to maintain such equity capital within the next 12 months.

3. Within 15 months after receiving notice from the Authority that he or she has failed to maintain adequate equity capital, a certificate holder must have an investment of not less than 20 percent equity capital in his or her operations.

4. The Authority may revoke the certificate of a certificate holder who fails to comply with the provisions of this section.

(Added to NAC by Taxicab Auth. by R064-02, eff. 7-31-2002)

NAC 706.474 Certificate holders: Change of address; list of supervisory employees. (NRS 706.8818)

1. All certificate holders are required to notify the Administrator any time they change the location of their business.

2. Certificate holders shall furnish to the Administrator a current list of supervisory or responsible persons in their employ which includes a schedule indicating when they are available. The persons on this list must be authorized to act for the certificate holder in dealing with the Authority.

[Taxicab Auth., Gen. Order No. 3 Rule 203, eff. 3-18-71]—(NAC A 10-13-88)

NAC 706.476 Certificate holders: Notification of Administrator of complaint concerning driver. (NRS 706.8818) If a certificate holder receives a complaint concerning a driver that alleges a violation of any of the provisions of this chapter or chapter 706 of NRS, the certificate holder shall notify the Administrator of the complaint not later than 2 working days after receiving the complaint.

(Added to NAC by Taxicab Auth. by R064-02, eff. 7-31-2002)

NAC 706.477 Certificate holders: Notice of dismissal of drivers. (NRS 706.8818) Each certificate holder shall, within 2 working days, inform the Administrator of the dismissal of any driver

and the reason therefor. Within 5 working days after the end of each month, each certificate holder shall provide the Authority with a list of all drivers whose employment was terminated during the month.

[Taxicab Auth., Gen. Order No. 3 Rule 205, eff. 3-18-71]—(NAC A 10-13-88; R064-02, 7-31-2002)

NAC 706.478 Certificate holders: Dispatch log. (NRS 706.8818) A certificate holder shall maintain a log for each taxicab dispatched for service by a radio call. The log must include:

1. The date and time the call requesting transportation was received;
2. The name of the person or location requesting transportation;
3. The unit designation of the taxicab dispatched; and
4. The date and time the designated unit was dispatched for the requested transportation.

(Added to NAC by Taxicab Auth. by R064-02, eff. 7-31-2002)

NAC 706.479 Certificate holders: Confidentiality of financial reports and records submitted to Authority. (NRS 706.8818) The annual financial report submitted by a certificate holder pursuant to the provisions of NRS 706.8829 and any financial records or other documents submitted by a certificate holder pursuant to an audit conducted by the Authority are confidential and may be disclosed only to:

1. A member of the Authority;
2. An authorized employee of the Authority who needs the records for purposes relating to the administration of NRS 706.881 to 706.885, inclusive; or
3. A person or governmental entity that is authorized to obtain the records pursuant to an order issued by a court of competent jurisdiction.

(Added to NAC by Taxicab Auth. by R109-05, eff. 2-23-2006)

NAC 706.480 Commencement of operations; interruption of service. (NRS 706.8818)

1. A certificate holder shall begin operations within 30 days after the certificate is issued.
2. The holder of a certificate shall provide regular service 24 hours per day, 7 days per week. If an interruption in service occurs and is likely to continue more than 12 hours, immediate notice must be given to the Authority of the character, course and probable duration of the interruption.

[Taxicab Auth., Gen. Order No. 3 Rules 101 & 102, eff. 3-18-71; A 5-8-74]—(NAC A 1-25-85; 10-13-88)

NAC 706.481 Violent crime against driver on duty: Notification of certificate holders; dissemination of information concerning crime; participation in secret witness program. (NRS 706.8818)

1. If a driver is the victim of a violent crime while on duty, the Administrator will notify all certificate holders concerning the commission of the crime, including all relevant details pertaining thereto.

2. Upon notification, a certificate holder shall immediately disseminate the information concerning the crime to all drivers and dispatch operators employed by him or her.

3. If funding is provided by certificate holders for the payment of monetary rewards under a secret witness program, pursuant to which a witness to a crime may provide information concerning the crime without divulging his or her identity, all certificate holders shall display an emblem, approved by the Administrator, on the outside passenger door of each of their taxicabs and may display the emblem on the card holder inside those taxicabs indicating their participation in the program.

(Added to NAC by Taxicab Auth., eff. 11-22-95)

NAC 706.483 Accidents. (NRS 706.8818) Whenever a taxicab is involved in an accident, the Authority must be notified immediately and the cab inspected by the Authority or its designee.

[Taxicab Auth., Gen. Order No. 3 Rule 107, eff. 4-18-71]—(NAC A 10-13-88)

NAC 706.486 Taxicabs: Color scheme, insigne, cruising light design, unit designation numbers; information placard. (NRS 706.8818, 706.8833)

1. Each certificate holder shall:
 - (a) Equip his or her taxicabs with a cruising light approved by the Administrator attached to the top of the taxicab which must be illuminated during the hours of darkness. The light must not be confused with the signal lights described in NAC 706.501.
 - (b) Display in bold block letters, not less than 6 inches in height, the unit number of each taxicab, on the sides of both front fenders and on the left of the rear trunk lid of the taxicab in plain view, in a color contrasting with the color of the taxicab.
 - (c) Display his or her telephone number and the unit number of the taxicab within each taxicab in a location plainly visible to all passengers.
 - (d) Obtain approval from the Administrator for the color scheme, insigne, cruising light design and assignment of unit designation numbers to ensure that they do not conflict with those of another certificate holder.
 - (e) Affix inside each taxicab, in a conspicuous place, a bracket or holder that would accommodate a 5-inch by 7-inch driver's permit and an authority rate card.
 - (f) Display inside each taxicab, in a conspicuous place, a placard at least 5 inches by 7 inches in size in substantially the following form:

IMPORTANT

You are riding in a (name of taxicab company) vehicle.
Please note the company name and unit number of this vehicle.
This information is important if you leave property in this vehicle
or wish to file a complaint or commendation with the
Nevada Taxicab Authority at (702) 486-6532.

2. Any taxicab found to be in violation of this section by the Authority will be placed out of service and not put back in service until inspection and approval by the Authority.
[Taxicab Auth., Gen. Order No. 3 Rule 301, eff. 4-18-71; A 5-8-74; 8-16-78]—(NAC A 10-13-88; 9-6-96; R064-02, 7-31-2002)

NAC 706.487 Taxicabs: Modification of color scheme or insigne. (NRS 706.8818, 706.8833)

1. A certificate holder shall not:
 - (a) Modify the color scheme or insigne of any taxicab unless the certificate holder first secures written approval for the modification from the Administrator in accordance with the provisions of this section.
 - (b) Operate any taxicab on which the color scheme or insigne has been modified without first securing written approval for the modification from the Administrator in accordance with the provisions of this section or for which approval has been withdrawn by the Administrator pursuant to this section.
 - (c) Request more than six modifications of the color scheme of its taxicabs at one time.
2. If a certificate holder wishes to modify temporarily the color scheme or insigne of any taxicab, the certificate holder must file a written application with the Administrator. The application must include:
 - (a) A description of the proposed temporary modification.
 - (b) Three colored copies or photographs of the proposed temporary modification.
 - (c) A description of the materials and procedures that will be used to achieve the proposed temporary modification.
 - (d) A copy of any written contract related to the proposed temporary modification.
 - (e) Any additional information that the Administrator deems necessary to evaluate the application.
3. The Administrator shall approve or deny an application filed pursuant to this section within 30 days after receipt of the application. If no action is taken within the 30-day period, the application shall be deemed denied.
4. The Administrator may approve an application filed pursuant to this section subject to satisfaction of all the following conditions:
 - (a) Only the number of taxicabs equal to 20 percent or less of the total number of medallions issued to the certificate holder are temporarily modified at any given time, unless fewer than five taxicabs constitute more than 20 percent of those taxicabs, in which case the certificate holder may

temporarily modify more than five taxicabs. For the purposes of this paragraph, a medallion issued for a special event must not be included when calculating the total number of medallions issued to the certificate holder.

(b) The temporary modification of the taxicab does not last for more than 6 months.

(c) The color scheme and insigne of any taxicab that is temporarily modified remains sufficiently distinct from the approved color scheme and insigne or temporary modification of another certificate holder.

(d) The information required pursuant to NRS 706.8835 remains clearly visible at all times on any taxicab that is temporarily modified.

(e) The temporary modification of the taxicab does not create a risk to the health, safety or welfare of the traveling public, as determined by the Administrator.

5. If an application filed pursuant to this section is approved, not less than 7 days before the temporary modification of any taxicab, the certificate holder shall provide the Administrator with the following information for the taxicab that will be temporarily modified:

(a) The unit designation number of the taxicab.

(b) The dates on which the temporary modification of the taxicab will begin and end.

6. The Administrator may withdraw the approval of the temporary modification of any taxicab if the Administrator determines that:

(a) The temporary modification is not sufficiently distinct from the approved color scheme and insigne of another certificate holder;

(b) The materials used in the temporary modification have deteriorated to the extent that the color scheme or insigne is no longer neat in appearance; or

(c) The temporary modification creates a risk to the health, safety or welfare of the traveling public.

7. The Administrator will not approve more than 12 applications for the modification of the color scheme and insigne of the taxicabs of a certificate holder in a calendar year.

(Added to NAC by Taxicab Auth. by R103-01, eff. 1-24-2002; A by R110-03, 10-1-2003)

NAC 706.489 Taxicabs: Display of medallions. (NRS 706.8818) A certificate holder shall not permit a cab to be put into operation unless the medallion issued by the Administrator is prominently displayed on the left rear fender of the cab.

[Taxicab Auth., Gen. Order No. 3 Rule 202, eff. 4-18-71]

NAC 706.492 Taxicabs: Mechanical standards and special equipment. (NRS 706.8818) A certificate holder shall not permit a taxicab to be operated in passenger service unless the taxicab meets all of the following standards in addition to those prescribed by NRS 706.8837:

1. The front suspension system is in good repair and proper working order.

2. The engine, transmission and drive train, including mounts, are in good repair and proper working order and, during normal operation, do not die, miss, backfire or show noticeable loss of power.

3. The engine, transmission, drive train or accessories must not emit loud noises so as to be disturbing to the passengers or distracting to the driver.

4. The taxicab is equipped with an air filter or adequate flame arrester covering the air intake of the carburetor.

5. The taxicab does not pull to the left or right or tend to drift under normal driving conditions.

6. The engine, transmission, radiator or accessories do not allow a noticeable quantity of fluid to leak.

7. The engine does not emit excessive smoke from either the exhaust or crankcase.

8. All windows are operable, free of obstruction and the driver's view is not impaired in any direction.

9. The brake lining is of sufficient thickness to prevent the metal portion of the brake shoe or pad from coming in contact with the brake drum or disc. Under normal braking conditions, the taxicab does not pull to the left or right or unusual locking of wheels does not occur.

10. Heating and air-conditioning systems are mandatory equipment on all taxicabs operating in this State and are required to provide reasonable comfort to passengers at their request and must conform to reasonable standards of efficiency.

11. The taxicab must be equipped with:

- (a) A mirror on the outside of the front door on the passenger's side;
- (b) Operable trunk lid supports or a trunk rod or bar, one end of which is permanently affixed to the vehicle;
- (c) Straps to tie down the trunk;
- (d) Windows that have not been tinted more than the manufacturer's specifications for the vehicle;
- (e) Seat belts that are maintained in a clean and operable condition at all times;
- (f) Automatic locks which control all doors and which are operable at the driver's door; and
- (g) A trunk release which is operable from inside the trunk.

[Taxicab Auth., Gen. Order No. 3 Rule 307, eff. 4-18-71; A 5-8-74; A and renumbered as Rule 306, 8-16-78]—(NAC A 10-13-88; 11-22-95; R064-02, 7-31-2002)

NAC 706.495 Taxicabs: Two-way radios; requests by telephone for service. (NRS 706.8818)

1. The two-way radio in each taxicab of a certificate holder must be turned on and audible at all times.

2. A certificate holder shall provide reasonable service to persons who make telephone requests for service if that service is within the limits of the holder's certificate.

[Taxicab Auth., Gen. Order No. 3 Rule 303, eff. 4-18-71; A 8-16-78; 6-11-80]—(NAC A 10-13-88)

NAC 706.496 Taxicabs: Transportation for elderly persons and persons with permanent disabilities. (NRS 706.8818, 706.88182)

1. The Administrator shall establish, maintain and make known a telephone number for elderly persons and persons with permanent disabilities to register complaints regarding transportation by taxicab.

2. Each certificate holder shall inquire of a person who requests transportation by taxicab within the area allocated to the certificate holder whether he or she is an elderly person or a person with a permanent disability.

3. Each certificate holder shall inform a person who requests transportation by taxicab within the area allocated to the certificate holder and who identifies himself or herself as an elderly person or a person with a permanent disability of the:

- (a) Estimated time of arrival of the requested taxicab; and
- (b) Telephone number maintained by the Administrator pursuant to subsection 1.

4. Each certificate holder shall:

- (a) Create a record indicating the date and time of each call received from a person who identifies himself or herself as an elderly person or a person with a permanent disability; and
- (b) Provide the record to the Authority monthly, on or before the 10th day of the month following the month in which the record is created.

5. For the purposes of this section, a person shall be deemed to:

- (a) Be "elderly" if the person is 60 years of age or older.
- (b) Have a "permanent disability" if the person is permanently disabled by a physical or mental condition that materially limits or contributes to limiting his or her activities or functioning.

(Added to NAC by Taxicab Auth. by R121-01, eff. 1-24-2002)

NAC 706.497 Taxicabs: Registration and control by certificate holder; arrangements with driver. (NRS 706.8818)

1. Any vehicle operated as a taxicab must be registered to a certificate holder.

2. A certificate holder may not enter into any lease, commission arrangement or other agreement concerning any taxicab registered to the certificate holder unless he or she maintains full and complete control of the taxicab at all times.

3. A certificate holder may not enter into a:

- (a) Contract for sale;
- (b) Conditional sale;
- (c) Chattel mortgage; or
- (d) Lease,

↪ with an employee of the certificate holder concerning any taxicab registered to the certificate holder.

4. A taxicab driver must be a certificate holder or the employee of a certificate holder.
(Added to NAC by Taxicab Auth., eff. 10-13-88)

NAC 706.501 Taximeters: Design; lights. (NRS 706.8818, 706.8836)

1. Electronic meters must have all phases of the "LED" or "LCD" digits working properly.
2. The face of the taximeter must be of sufficient transparency that the fare recording device can be read by passengers and must be free of any obstruction. All meters purchased after January 1, 1989, must have the numerals displayed in a color which can be read from outside the taxicab.
3. Every certificate holder shall equip its taxicabs with one or more amber lights on top of the taxicab which are plainly visible. These lights must connect to a contact switch attached to the taximeter and must automatically illuminate when the taximeter is not in operation. These lights must operate independently from the cruising lights and are considered as part of the meter.
4. Every electronic taximeter must be connected to an amber light located in the rear window of the taxicab and the light must be visible through all windows of the taxicab. This light must be visible during the daylight from a distance of 100 feet. The light must automatically illuminate when the taximeter is not in operation and is considered part of the meter.

[Taxicab Auth., Gen. Order No. 3 Rule 305, eff. 4-18-71; A and renumbered as Rule 304, 8-16-78]
—(NAC A 10-13-88)

NAC 706.504 Taximeters: Inspection and seal. (NRS 706.8818, 706.8836)

1. A certificate holder shall not place a taxicab in passenger service at any time unless the taximeter has been inspected and sealed by the Authority at both the taximeter and transmission.
2. If a certificate holder removes a seal affixed by the Authority, he or she will return the broken seal to the Authority upon inspection.
3. Any taxicab found by the Authority to have:
 - (a) A defective or inaccurate taximeter;
 - (b) A taximeter that shows signs of having been tampered with; or
 - (c) A taximeter with either seal removed,

↪ must be placed out of service and will not be put back into service until inspected and approved by the Authority.

[Taxicab Auth., Gen. Order No. 3 Rule 306, eff. 4-18-71; A 5-8-74; Renumbered as Rule 305, 8-16-78]

NAC 706.507 Trip charges. (NRS 706.8818)

1. After a taximeter has been adjusted to reflect the trip charge, it must not be put back in service until it has been sealed by the Authority.
2. The amounts collected by the trip charge are due and payable to the Authority monthly, on or before the 10th day of the month following the month in which they are collected.
3. On or before the 10th day of each month, a return for the preceding month must be filed with the Authority in such form as the Authority prescribes.
4. A return or remittance not delivered to the office of the Authority on or before the 10th day of the month in which it is due is delinquent.
5. If a return or remittance is delinquent, a penalty of 10 percent and interest at the rate of 12 percent per annum must be added to the amount owed.
6. If a return or remittance is delinquent for more than 10 days, the Authority may revoke or suspend the holder's certificate.

[Taxicab Auth., Gen. Order No. 4, eff. 7-1-71]—(NAC A 1-25-85; 10-13-88)

NAC 706.510 Trip sheets. (NRS 706.8818)

1. The Administrator may confiscate a daily trip sheet at any time for good cause after first furnishing the certificate holder or driver with a duplicate or substitute copy of the sheet.
2. A simple receipt for a confiscated trip sheet is sufficient if the sheet is confiscated more than 10 days after the date of the sheet.

[Taxicab Auth., Gen. Order No. 3 Rule 206, eff. 3-18-71; A 5-8-74; 8-16-78; 6-11-80]

NAC 706.513 Drivers: Permits. (NRS 706.8818, 706.8841)

1. No person may operate a taxicab within the jurisdiction of the Authority without having first obtained a permit from the Administrator.
2. Permits issued by the Authority remain the property of the Authority and must be returned to the Authority when a driver changes companies, leaves the industry or upon demand of the Authority. [Taxicab Auth., Gen. Order No. 3 Rule 409, eff. 3-18-71]—(NAC A 10-13-88)

NAC 706.516 Drivers: Fitness. (NRS 706.8818, 706.8841)

1. Pursuant to NRS 706.8841, an applicant for a driver's permit may not be considered by the Administrator to be fit, willing and able if he or she has:
 - (a) Been convicted of any felony within the past 5 years.
 - (b) Been convicted of driving under the influence of intoxicating liquor or drugs within the past 3 years.
 - (c) Been convicted of any offense involving the sale of narcotics, dangerous drugs or controlled substances.
 - (d) Been found by the Administrator after sufficient background investigation, to be morally unfit or the Administrator finds that issuance of a permit to the applicant would be detrimental to the public health, welfare or safety.
 2. An applicant for a driver's permit may be considered by the Administrator to be morally unfit or the Administrator may consider that the issuance of a permit to the applicant would be detrimental to the public health, welfare or safety if:
 - (a) The applicant has been involved in and found to be the driver responsible for any accident resulting in the death of or injury to another.
 - (b) The applicant's past driving record shows that he or she is an habitual reckless or negligent driver.
 - (c) The applicant is a frequent violator of the traffic laws.
 - (d) The applicant has committed an offense in another state within the past 3 years which, if committed in this State, would be grounds for revocation of his or her driver's license or driver's permit.
 - (e) The applicant has failed on at least two occasions to keep his or her written promise to appear in court for any offense.
 - (f) The applicant has been convicted of any sexual offense or any offense involving moral turpitude.
 - (g) The applicant has been convicted of any offense involving the possession of narcotics, dangerous drugs or controlled substances.
- [Taxicab Auth., Gen. Order No. 3 Rule 401, eff. 4-18-71; A 5-8-74; 12-19-75; 8-16-78]—(NAC A 10-13-88)

NAC 706.519 Drivers: Physical qualifications. (NRS 706.8818)

1. In addition to the requirements of NRS 706.8842, an applicant must:
 - (a) Meet the requirements of the Federal Motor Carrier Safety Regulations, 49 C.F.R. 391.41 to 391.49, inclusive.
 - (b) Provide to the Administrator a copy of a health certificate valid for at least 2 years. If the health certificate expires before the proposed date of expiration of the applicant's permit, the applicant must obtain a new health certificate and provide a copy to the Administrator before issuance of the permit.
2. This section applies both to new applicants and applicants for renewal. [Taxicab Auth., Gen. Order No. 3 Rule 402, eff. 4-18-71]—(NAC A 10-13-88; R064-02, 7-31-2002)

NAC 706.522 Drivers: Temporary permits. (NRS 706.8818)

1. The Administrator may issue a temporary permit to an applicant for a driver's permit to allow time for the background investigation and the processing of a permanent permit. If during that time the Administrator finds the applicant unfit, he or she shall deny the permit and recall the temporary permit.

2. Temporary permits are void after their expiration date. Holders of temporary permits are subject to all laws and regulations and temporary permits are subject to suspension or revocation.
[Taxicab Auth., Gen. Order No. 3 Rules 403 & 404, eff. 4-18-71; A 5-8-74]

NAC 706.525 Drivers: Annual permits. (NRS 706.8818, 706.8841)

1. If the Administrator determines that an applicant meets all the requirements of NRS 706.8841 and 706.8842 and the regulations of the Authority, he or she shall issue an annual permit. Annual permits are valid for 1 year after the date of application, unless suspended or revoked.

2. Annual permits, if they have expired, are not renewable.

[Taxicab Auth., Gen. Order No. 3 Rules 405 & 406, eff. 3-18-71]—(NAC A 1-25-85; 10-13-88)

NAC 706.528 Drivers: Renewal, reapplication and replacement of permits; waiver or extension of requirements for renewal. (NRS 706.8818, 706.8841)

1. A permit holder may, on or within 30 days before the expiration date of his or her permit, renew it upon making application therefor, providing proof of completion of an annual program for driver training specified by the Administrator and paying the prescribed fee, subject to the requirements set forth in NAC 706.453 to 706.555, inclusive. After the expiration date, a holder must make an application for a new permit and is subject to the same laws and regulations and fees as a new applicant, unless before the expiration date the Administrator for good cause grants a waiver or extension of the requirements for renewal.

2. Upon the loss of a permit, the holder shall immediately notify the Administrator and shall not operate a taxicab until the fee for a lost permit has been paid and a duplicate permit issued.

[Taxicab Auth., Gen. Order No. 3 Rules 407 & 408, eff. 3-18-71; A 5-8-74]—(NAC A 10-13-88; 11-22-95)

NAC 706.531 Drivers: Display of permits. (NRS 706.8818)

1. A driver shall display his or her permit to the left of the rate schedule in the bracket or holder provided for that purpose at all times while on duty.

2. The permit must be displayed in an upright position and facing the passenger for an unobstructed view and so it may be easily read.

[Taxicab Auth., Gen. Order No. 3 Rule 410, eff. 3-18-71; A 8-16-78]—(NAC A 10-13-88)

NAC 706.534 Drivers: Failure to possess valid permit. (NRS 706.8818)

1. Any person who is found by the Administrator to be operating a taxicab without having in his or her possession a valid driver's permit is in violation of NAC 706.513.

2. A taxicab, found by the Administrator to be operated by a driver without a valid driver's permit, may be taken out of service until put back in service by a driver who has a valid permit.

3. Any driver in possession of an altered or defaced permit will not be considered to be in possession of a valid driver's permit.

4. Any driver who is found by the Administrator to have committed any violation of an applicable law or regulation while his or her permit is expired, is subject to hearing and appropriate disciplinary action.

[Taxicab Auth., Gen. Order No. 3 Rule 411, eff. 3-18-71; A 5-8-74; 8-16-78]—(NAC A 10-13-88)

NAC 706.535 Drivers: Notice to Authority of change of name or address or conviction of certain offenses. (NRS 706.8818)

1. The holder of a permit shall provide written notice to the Authority not later than 10 working days after:

(a) There is any change of name or home or mailing address of the holder of the permit; or

(b) He or she is convicted of an offense described in paragraph (a), (b) or (c) of subsection 1 of NAC 706.516 within the periods prescribed in that subsection.

2. The Authority shall revoke the permit of any person who fails to provide written notice to the Authority of any conviction described in paragraph (b) of subsection 1 within the periods prescribed in subsection 1 of NAC 706.516.

(Added to NAC by Taxicab Auth. by R064-02, eff. 7-31-2002)

NAC 706.537 Drivers: Training. (NRS 706.8818)

1. All applicants for a driver's permit must enroll in and successfully complete a defensive driving, driver orientation and safety course approved by the Authority before being issued a driver's permit. All applicants for the renewal of a permit must enroll in and successfully complete an annual course on driver safety which has been approved by the Authority.

2. Any driver who fails to comply with the requirements of this section is subject to suspension of his or her driver's permit.

[Taxicab Auth., Gen. Order No. 3 Rule 412, eff. 5-8-74; A 8-16-78]—(NAC A 10-13-88; 11-22-95)

NAC 706.540 Drivers: Standards of appearance and dress. (NRS 706.8818, 706.8845)

1. Certificate holders shall submit to the Authority a proposed standard of dress and appearance for its drivers. Upon approval by the Authority, each certificate holder will be responsible for maintaining those standards of dress and appearance for its drivers.

2. A driver who fails to meet the standards of dress set by his or her employer as approved by the Authority shall be considered by the Authority to be in violation of subsections 1 and 2 of NRS 706.8845.

[Taxicab Auth., Gen. Order No. 3 Rule 207, eff. 4-18-71]—(NAC A 10-13-88)

NAC 706.543 Drivers: Standards of conduct. (NRS 706.8818, 706.8845) During a driver's period of duty, he or she shall, in addition to the requirements of NRS 706.8845:

1. Not engage in verbal arguments or acts of physical violence.

2. Refrain from backing into position in any taxicab stand.

3. Refrain from loading passengers at any establishment where a taxicab stand has been established unless the driver has been through the rotation of the stand. This provision does not apply if there are no cabs on the stand.

4. Not permit more than two passengers in the front seat of the driver's taxicab and not permit more than five passengers in his or her taxicab at any one time.

5. Not knowingly operate a taxicab equipped with a faulty or inaccurate taximeter, or that shows signs of having been tampered with.

6. Not operate a taxicab in which the taximeter is not sufficiently illuminated or the face obscured to the extent that the entire fare recording device cannot be easily seen by the passenger.

7. Not operate a taxicab in which the taximeter does not have a properly attached seal as affixed by the Administrator.

8. Not operate a taxicab that does not have properly affixed a valid medallion as issued by the Administrator.

9. Not operate a taxicab when any illness or physical or mental disorder may impair his or her safe operation of a taxicab.

10. Not operate a taxicab while taking drugs that may impair his or her ability safely to operate a taxicab.

11. Keep a complete and accurate trip sheet as prescribed in NAC 706.510 and 706.549 and NRS 706.8844.

12. Not display or distribute any advertising within or on the driver's taxicab which has not been authorized by his or her employer.

[Taxicab Auth., Gen. Order No. 3 Rule 501, eff. 4-18-71; A 8-16-78]—(NAC A 10-13-88; R064-02, 7-31-2002)

NAC 706.544 Drivers: Reasons to fear for personal safety. (NRS 706.8818, 706.8847) For the purpose of NRS 706.8847, a driver has good reason to fear for his or her personal safety in transporting a person if, without limitation:

1. The person refuses to state with specificity the person's intended destination or requests a change of destination to an inexact location;

2. The person acts in a disorderly manner, including the use of:

(a) Hostile or offensive gestures; or

(b) Indecent or offensive language; or

3. The driver has a reasonable suspicion that the person is concealing a weapon or other dangerous object under the person's clothing.

(Added to NAC by Taxicab Auth., eff. 11-22-95)

NAC 706.546 Drivers: Conditions of employment. (NRS 706.8818)

1. No certificate holder may allow a driver to operate a taxicab under any of the following conditions:

(a) When the driver's license of the taxicab driver is not in his or her possession or has been suspended or revoked by the Department of Motor Vehicles, until proof of reinstatement of driving privileges has been furnished to the Administrator;

(b) When a driver's permit has been denied or revoked by the Administrator or is under suspension as ordered by the Administrator;

(c) During the time that a driver shows temporary or permanent inability to meet the standards of NRS 706.8842;

(d) When a driver is intoxicated or shows signs of having been drinking;

(e) When a driver shows obvious effects of having taken drugs;

(f) When a driver does not meet the prescribed minimum standards of dress and appearance as set forth by the certificate holder; or

(g) When a driver does not possess a valid permit issued by the Administrator which authorizes him or her to be employed by the certificate holder.

2. In case of unforeseen circumstances, a driver having a valid permit issued by the Authority who has not exceeded the hours of service established by NAC 706.549 may drive a period of duty for another company using the same dispatch facilities.

3. A driver who has driven more than 10 periods of duty for a company within a 30-day period must be carried as a permanent driver of that company.

[Taxicab Auth., Gen. Order No. 3 Rule 201, eff. 4-18-71; A 5-8-74]—(NAC A 10-13-88; R064-02, 7-31-2002)

NAC 706.549 Drivers: Hours of service. (NRS 706.8818)

1. A driver of a taxicab shall not work a period of duty longer than 12 consecutive hours except when under a charter or a trip, the charter or trip having commenced within a reasonable period before the end of the driver's period of duty.

2. Under no circumstances may a driver work longer than 16 hours within a 24-consecutive hour period.

3. A driver who has completed a period of duty of 8 hours or more must not be knowingly permitted or required to resume driving unless the driver has been off duty for at least 8 consecutive hours.

4. A certificate holder shall not knowingly require or permit any driver of a taxicab to work longer than 12 consecutive hours, except as provided in subsection 1.

5. Each certificate holder shall provide an appropriate, accurate and operable time clock. The time clock must be approved by the Authority before its use, and the certificate holder shall require its drivers to time stamp their trip sheets at the beginning and end of each of their periods of duty.

[Taxicab Auth., Gen. Order No. 3 Rule 204, eff. 4-18-71; A 3-28-76; 8-16-78]—(NAC A 10-13-88; R064-02, 7-31-2002)

NAC 706.550 Drivers: Provision of receipt to passenger. (NRS 706.8818) At the end of each trip, the driver shall, upon request, provide his or her passenger with a receipt that includes:

1. The amount of the fare as indicated on the taximeter;

2. The name of the certificate holder who owns the vehicle in which the passenger was transported; and

3. The permit number of the driver.

(Added to NAC by Taxicab Auth. by R064-02, eff. 7-31-2002)

NAC 706.551 Drivers: Search of vehicle after trip; disposition of property found. (NRS 706.8818) Each driver shall conduct a search of the interior of his or her taxicab at the termination of each trip. If the driver discovers any property of a passenger in the taxicab, the driver shall

immediately report the property discovered to the driver's employer and, as soon as practicable, deliver the property to his or her employer. The employer shall maintain the property in his or her possession and dispose of the property in the manner provided by law.

(Added to NAC by Taxicab Auth. by R064-02, eff. 7-31-2002)

NAC 706.552 Drivers: Prohibited and required acts. (NRS 706.8818, 706.8849) A taxicab driver shall, in addition to the requirements of NRS 706.8849:

1. Ensure that the electronic taximeter of his or her taxicab is engaged while the taxicab is on hire.
2. Not solicit passengers by voice or action.
3. Not accept, directly or indirectly, a gratuity or any form of compensation from any person for diverting or attempting to divert a prospective customer from any commercial establishment.
4. Not knowingly operate a taxicab that is unsafe for passenger service.
5. Upon changing employment from one certificate holder to another, present to the Administrator the taxicab driver's permit and a referral slip from his or her new employer for issuance of a permit. Before commencing employment, a taxicab driver must present his or her taxicab driver's permit to his or her employer.
6. Except as otherwise provided in NAC 706.546, not operate a taxicab within the jurisdiction of the Authority for other than the company listed on his or her driver's permit.
7. Report immediately any inoperable or defective taximeters to the certificate holder or the certificate holder's representative.
8. Not divert or attempt to divert a prospective customer from any commercial establishment.
9. Except as authorized by the taxicab driver's employer or the Authority, not permit any person, other than himself or herself, within his or her taxicab unless that person is a passenger who is actually being transported and is paying a fare.

[Taxicab Auth., Gen. Order No. 3 Rule 505, eff. 4-18-71; A 5-8-74; A and renumbered as Rule 503, 8-16-78]—(NAC A 10-13-88; R064-02, 7-31-2002)

NAC 706.553 Issuance of referral for employment. (NRS 706.8818) A certificate holder shall not issue a referral for employment to an applicant until the applicant has provided the certificate holder with a copy of the physician's certificate required by NRS 706.8842 or a waiver as prescribed by 49 C.F.R. 391.41 et seq., and proof that the applicant is lawfully entitled to remain and work in the United States.

(Added to NAC by Taxicab Auth. by R064-02, eff. 7-31-2002)

NAC 706.555 Drivers: Use of taxicab for crime. (NRS 706.8818) A taxicab driver must not willfully, knowingly or intentionally use his or her taxicab, or the taxicab driver's employment to facilitate the commission of a crime, or permit the use of his or her taxicab by another, as a means of facilitating the commission of a crime.

[Taxicab Auth., Gen. Order No. 3 Rule 506, eff. 4-18-71; A and renumbered as Rule 504, 8-16-78]—(NAC A 10-13-88)

UNIFORM SYSTEM OF ACCOUNTS FOR TAXICAB COMPANIES

General Provisions

NAC 706.558 Definitions. As used in NAC 706.558 to 706.855, inclusive, unless the context otherwise requires, the words and terms defined in NAC 706.561 to 706.648, inclusive, have the meanings ascribed to them in those sections.

(Supplied in codification)

NAC 706.561 "Accounts" defined. (NRS 706.8818, 706.8829) "Accounts" means the accounts prescribed in this system of accounts.

[Taxicab Auth., Uniform System of Accounts Reg. Definitions § 1, eff. 12-24-70]

NAC 706.564 "Actually issued" defined. (NRS 706.8818, 706.8829) "Actually issued," as applied to securities issued or assumed by the company, means those sold to bona fide purchasers for

a valuable consideration, those issued as dividends on stock and those issued in accordance with contractual requirements direct to trustees of sinking funds.

[Taxicab Auth., Uniform System of Accounts Reg. Definitions § 2, eff. 12-24-70]

NAC 706.567 “Actually outstanding” defined. (NRS 706.8818, 706.8829) “Actually outstanding,” as applied to securities issued or assumed by the company, means those which have been actually issued and are neither retired nor held by or for the company. Securities held by trustees must be considered as actually outstanding.

[Taxicab Auth., Uniform System of Accounts Reg. Definitions § 3, eff. 12-24-70]

NAC 706.570 “Amortization” defined. (NRS 706.8818, 706.8829) “Amortization” means the gradual extinguishment of an amount in an account by distributing such amount over a fixed period, over the life of the asset or liability to which it applies, or over the period during which the benefit is anticipated to be realized.

[Taxicab Auth., Uniform System of Accounts Reg. Definitions § 4, eff. 12-24-70]

NAC 706.573 “Associated companies” defined. (NRS 706.8818, 706.8829)

1. “Associated companies” means companies or persons that directly or indirectly, through one or more intermediaries, control, or are controlled by, or are under common control with the accounting company.

2. For the purposes of this section, “control,” “controlling,” “controlled by” and “under common control with” means the possession, directly or indirectly, of the power to direct or cause the direction of the management and policies of a company, whether that power is exercised through one or more intermediary companies, or alone, or in conjunction with, or pursuant to an agreement, and whether that power is established through a majority or minority ownership or voting of securities, common directors, officers or stockholders, voting trusts, holding trusts, associated companies, contract or any other direct or indirect means.

[Taxicab Auth., Uniform System of Accounts Reg. Definitions § 5, eff. 12-24-70]

NAC 706.576 “Book cost” defined. (NRS 706.8818, 706.8829) “Book cost” means the amount at which property is recorded in accounts without deduction of related provisions for accrued depreciation, amortization, or for other purposes.

[Taxicab Auth., Uniform System of Accounts Reg. Definitions § 6, eff. 12-24-70]

NAC 706.579 “Company” defined. (NRS 706.8818, 706.8829)

1. “Company” means any sole proprietorship, firm, copartnership, corporation, association, or joint-stock association.

2. The term includes any trustee, receiver, assignee or personal representative operating a taxicab service under the jurisdiction of the Authority.

[Taxicab Auth., Uniform System of Accounts Reg. Definitions § 8, eff. 12-24-70]

NAC 706.582 “Contingent assets” defined. (NRS 706.8818, 706.8829) “Contingent assets” means a possible source of value to the company dependent upon the fulfillment of conditions regarded as uncertain.

[Taxicab Auth., Uniform System of Accounts Reg. Definitions § 9, eff. 12-24-70]

NAC 706.585 “Contingent liabilities” defined. (NRS 706.8818, 706.8829) “Contingent liabilities” means items which may, under certain conditions, become obligations of the company but which are neither direct nor assumed liabilities at the date of the balance sheet.

[Taxicab Auth., Uniform System of Accounts Reg. Definitions § 10, eff. 12-24-70]

NAC 706.588 “Cost” defined. (NRS 706.8818, 706.8829) “Cost” means the amount of money actually paid for property or services, or the value of any consideration other than cash, determined on a cash basis.

[Taxicab Auth., Uniform System of Accounts Reg. Definitions § 11, eff. 12-24-70]

NAC 706.591 “Cost of disposition” defined. (NRS 706.8818, 706.8829) “Cost of disposition” means the cost of demolishing, dismantling, tearing down or otherwise removing company property, including the cost of transportation and incidental handling.

[Taxicab Auth., Uniform System of Accounts Reg. Definitions § 12, eff. 12-24-70]

NAC 706.594 “Current assets” defined. (NRS 706.8818, 706.8829) “Current assets” means:

1. Cash;
2. Those assets which are readily convertible into cash or are held for current use in operations;
3. Current claims against others, payment of which is reasonably assured; and
4. Amounts accruing to the company which are subject to current settlement, except such items for which accounts other than those designated as current assets are provided.

[Taxicab Auth., Uniform System of Accounts Reg. part Current Assets, eff. 12-24-70; A 11-16-79]

NAC 706.597 “Date of disposal” defined. (NRS 706.8818, 706.8829) “Date of disposal,” as applied to property, means the date when property is disposed of.

[Taxicab Auth., Uniform System of Accounts Reg. Definitions § 13, eff. 12-24-70]

NAC 706.600 “Debt expense” defined. (NRS 706.8818, 706.8829) “Debt expense” means all expenses in connection with the issuance and initial sale of evidence of debt, such as fees for drafting mortgages and trust deeds, fees and taxes for issuing or recording evidences of debt, cost of engraving and printing bonds and certificates of indebtedness, fees paid trustees, specific costs of obtaining governmental authority, fees for legal service, fees and commissions paid underwriters, brokers, and salesmen for marketing evidences of debt, fees and expenses of listing on exchanges, and other similar costs.

[Taxicab Auth., Uniform System of Accounts Reg. Definitions § 14, eff. 12-24-70]

NAC 706.603 “Depreciation” defined. (NRS 706.8818, 706.8829) “Depreciation,” as applied to operating property, means the loss in service value not restored by current maintenance, incurred in connection with the consumption or prospective retirement of property in the course of service from the causes which are known to be in current operation and against which the company is not protected by insurance. Among the causes to be given consideration are wear and tear, decay, action of the elements, inadequacy, obsolescence, changes in the art, changes in demand and the requirements of public authorities.

[Taxicab Auth., Uniform System of Accounts Reg. Definitions § 15, eff. 12-24-70; A 11-16-79]

NAC 706.606 “Discount” defined. (NRS 706.8818, 706.8829) “Discount,” as applied to the securities issued or assumed by the company, means the excess of the par (the stated value of no-par stocks) or the face value of the securities plus interest or dividends accrued at the date of the sale over the cash value of the consideration received from their sale.

[Taxicab Auth., Uniform System of Accounts Reg. Definitions § 16, eff. 12-24-70]

NAC 706.609 “Functional division” defined. (NRS 706.8818, 706.8829) “Functional division” means the division of overall activities engaged in by an operating company into identifiable and separable supporting activities, such as dispatching activities, shop and garage activities, cab operating activities, general and administrative activities and other activities.

[Taxicab Auth., Uniform System of Accounts Reg. Definitions § 17, eff. 12-24-70]

NAC 706.612 “Investment advances” defined. (NRS 706.8818, 706.8829) “Investment advances” means advances, represented by notes or bank account only, with respect to which it is mutually agreed or intended between the creditor and debtor that the advances may be settled by the issuance of securities or not be subject to current settlement.

[Taxicab Auth., Uniform System of Accounts Reg. Definitions § 18, eff. 12-24-70]

NAC 706.615 “Net book cost” defined. (NRS 706.8818, 706.8829) “Net book cost,” when applied to property, means the book cost less related depreciation or amortization reserves.

[Taxicab Auth., Uniform System of Accounts Reg. Definitions § 19, eff. 12-24-70; A 11-16-79]

NAC 706.618 “Nominally issued” defined. (NRS 706.8818, 706.8829) “Nominally issued,” as applied to securities issued or assumed by the company, means those which have been signed, certified, or otherwise executed, and placed with the proper officer for sale and delivery, or pledged, or otherwise placed in some special fund of the company, but which have not been sold, or issued direct to trustees of sinking funds in accordance with contractual requirements.

[Taxicab Auth., Uniform System of Accounts Reg. Definitions § 20, eff. 12-24-70]

NAC 706.621 “Nominally outstanding” defined. (NRS 706.8818, 706.8829) “Nominally outstanding,” as applied to securities issued or assumed by the company, means those which, after being actually issued, have been reacquired by or for the company under circumstances which require them to be considered as held alive and not retired. Securities held by trustees must be considered as actually outstanding.

[Taxicab Auth., Uniform System of Accounts Reg. Definitions § 21, eff. 12-24-70]

NAC 706.624 “Original cost” defined. (NRS 706.8818, 706.8829) “Original cost,” as applied to company property, means the cost of property at the time of acquisition.

[Taxicab Auth., Uniform System of Accounts Reg. Definitions § 22, eff. 12-24-70; A 11-16-79]

NAC 706.627 “Outside labor” defined. (NRS 706.8818, 706.8829) “Outside labor” means labor services performed for the company by any person who is not an employee, partner or owner of the company.

[Taxicab Auth., Uniform System of Accounts Reg. Definitions § 23, eff. 12-24-70]

NAC 706.630 “Premium” defined. (NRS 706.8818, 706.8829) “Premium,” as applied to the securities issued or assumed by the company, means the excess of the cash value of the consideration received from their sale over the sum of their par (the stated value of no-par stocks) or face value and interest or dividends accrued at the date of sale.

[Taxicab Auth., Uniform System of Accounts Reg. Definitions § 25, eff. 12-24-70]

NAC 706.633 “Property disposed” and “property retired” defined. (NRS 706.8818, 706.8829) “Property disposed” or “property retired,” as to company property, means property which has been removed, sold, abandoned, destroyed or which for any cause has been withdrawn from service.

[Taxicab Auth., Uniform System of Accounts Reg. Definitions § 26, eff. 12-24-70]

NAC 706.636 “Replacement asset” and “replacement property” defined. (NRS 706.8818, 706.8829) “Replacement asset” or “replacement property” means an asset or property which will perform substantially the same functions or serve a purpose similar in nature to the asset or property disposed of.

[Taxicab Auth., Uniform System of Accounts Reg. Definitions § 27, eff. 12-24-70]

NAC 706.639 “Salvage value” defined. (NRS 706.8818, 706.8829) “Salvage value” means:

1. The amount received for property retired or disposed of, less the cost of disposition.
2. An arbitrary value set up for accounting purposes on resalable, usable or depreciable property.

[Taxicab Auth., Uniform System of Accounts Reg. Definitions § 28, eff. 12-24-70; A 11-16-79]

NAC 706.642 “Service life” defined. (NRS 706.8818, 706.8829) “Service life” means the period of time between the date when property is placed in service and the date of its retirement from service.

[Taxicab Auth., Uniform System of Accounts Reg. Definitions § 29, eff. 12-24-70]

NAC 706.645 “Service value” defined. (NRS 706.8818, 706.8829) “Service value” means the difference between the book cost and the salvage value of property owned by the company.

[Taxicab Auth., Uniform System of Accounts Reg. Definitions § 30, eff. 12-24-70]

NAC 706.648 “Straight-line method” defined. (NRS 706.8818, 706.8829) “Straight-line method,” as applied to depreciation accounting, means the plan under which the service value of property is charged to depreciation expense and credited to depreciation reserves through equal periodic charges as nearly as may be during its service life.

[Taxicab Auth., Uniform System of Accounts Reg. Definitions § 31, eff. 12-24-70]

NAC 706.651 Records required. (NRS 706.8818, 706.8829)

1. Each company must keep its books of account and all other books, records and memoranda which support the entries in its books of account and be able to furnish readily full information as to any item included in any account. Each entry must be supported by such detailed information as will permit ready identification, analysis and verification of all relevant facts.

2. The books and records must include not only accounting records in a limited technical sense, but all other records, such as trip sheets, minute books, stock books, reports, correspondence, memoranda and other records which may be useful in developing the history of or facts regarding any transaction.

3. Trip sheets, invoices, cancelled checks, ledgers, inventory records, minute books, reports, correspondence, memoranda and other documents, not currently in use, must be stored in such orderly and systematic manner as will permit ready review or reference to any particular dated trip sheet or other record for at least 3 years.

4. In addition to prescribed accounts, clearing accounts, temporary, or experimental accounts and subdivisions of any accounts, may be kept, provided the integrity of the prescribed accounts is not impaired.

5. All amounts included in the accounts prescribed for operating revenue deductions must be just and reasonable and any payments or accruals by the company in excess of just and reasonable charges must be included in the account for miscellaneous other expenses described in subsection 4 of NAC 706.852.

6. The Authority may at any time call for additional detailed information from the company to be obtained from the books and records required to be maintained by the company under NAC 706.558 to 706.855, inclusive, when in the judgment of the Authority such additional information is necessary for regulatory purposes.

7. The arrangement or sequence of the accounts prescribed is not controlling for the arrangement or sequence in report forms which may be prescribed by the Authority.

[Taxicab Auth., Uniform System of Accounts Reg. Gen. Instructions § 1, eff. 12-24-70; A 11-16-79]

NAC 706.654 Accounting method and period. (NRS 706.8818, 706.8829)

1. Each entry in the uniform system of accounts for taxicab operations must be made by the “double-entry” method of bookkeeping and each account must be maintained on an “accrual basis.” If bills covering such transactions have not been received or rendered, the amounts must be estimated and accruals based on these estimates or orders must be recorded. Appropriate adjustments must be made when phone bills, utility bills or other bills are received.

2. Each company shall keep its books on a monthly basis so that for each month all applicable transactions are entered in the books of the company.

3. Each company shall close its books for regulatory purposes at the end of each calendar year.

[Taxicab Auth., Uniform System of Accounts Reg. Gen. Instructions § 2, eff. 12-24-70; A 11-16-79]

NAC 706.657 Accounting method: Interpretation. (NRS 706.8818, 706.8829) To maintain uniformity of accounting, companies shall submit questions of doubtful interpretation to the Authority for consideration and decision.

[Taxicab Auth., Uniform System of Accounts Reg. Gen. Instructions § 3, eff. 12-24-70]

NAC 706.660 Item lists. (NRS 706.8818, 706.8829) Lists of “items” appearing in the texts of the accounts or in NAC 706.558 to 706.855, inclusive, are for the purpose of more clearly indicating the application of the prescribed accounting. The lists are intended to be representative, but not exhaustive.

[Taxicab Auth., Uniform System of Accounts Reg. Gen. Instructions § 4, eff. 12-24-70]

NAC 706.663 Functional divisions of accounts. (NRS 706.8818, 706.8829) Functional divisions of accounts have been set up in NAC 706.558 to 706.855, inclusive, and all such accounts must be used if applicable to the company's operations.

[Taxicab Auth., Uniform System of Accounts Reg. Gen. Instructions § 5, eff. 12-24-70]

NAC 706.666 Inventory requirements. (NRS 706.8818, 706.8829)

1. Physical inventories must be taken on the last day of each calendar year, or in lieu thereof, during the last week of the calendar year, of all materials and supplies which affect the operational, repair or maintenance activities of the company, such as fuel, oil, tires, batteries, radio tubes, shop parts and small tools. An adjustment to the proper expense account must be made for the difference between the inventories taken at the end of the calendar year and the inventories recorded for the beginning of the calendar year. If any bills have not been received or recorded for items considered in the year-end inventory, proper accrual entries must be made at a realistic estimated cost value. The adjustments must reflect proper expenses for the ending of the current year.

2. Inventories of all materials and supplies must be segregated in accordance with the functional divisions so that expenses may be allocated properly.

[Taxicab Auth., Uniform System of Accounts Reg. Gen. Instructions § 6, eff. 12-24-70; A 11-16-79]

NAC 706.669 Fixed assets. (NRS 706.8818, 706.8829) The accounts must include the original cost of all property which:

1. Is owned by the company and devoted to the company's taxicab operations;
2. Has an estimated service life of more than 1 year; and
3. Had an original cost of over \$100.

[Taxicab Auth., Uniform System of Accounts Reg. Gen. Instructions § 7, eff. 12-24-70; A 11-16-79]

NAC 706.672 Depreciable assets. (NRS 706.8818, 706.8829)

1. To insure that all records for preparing financial reports forwarded to the Taxicab Authority are maintained on a comparable basis, the requirements regarding depreciation for reporting and regulatory purposes are shown in the following table:

(a) Method: The straight-line method is the only allowable method of computing annual depreciation charges to operations.

(b) Service Lives and Salvage Values:

(1) Operating Depreciable Assets:

Category	Service Life	Salvage Value
Taxicabs	48 months	none
Air conditioners (if separate)	48 months	none
Fuel conversion kits	48 months	none
Taximeters, new	60 months	none
Taximeters, used	36 months	none

(2) Dispatching Depreciable Assets:

Category	Service Life	Salvage Value
New: Radios	60 months	none
Telephonic equipment	60 months	none
Transmitters	60 months	none

Category	Service Life	Salvage Value
New: Radio and telephonic test equipment	60 months	none
Used: Radios	36 months	none
Telephonic equipment	36 months	none
Transmitters	36 months	none
Radio and telephonic test equipment	36 months	none

(3) Shop and Garage Depreciable Assets:

Category	Service Life	Salvage Value
Automotive equipment—new	48 months	none
Automotive equipment—used	36 months	none
Shop equipment—new	84 months	none
Shop equipment—used	36 months	none
Fuel conversion plant—new	84 months	none
Fuel conversion plant—used	36 months	none
Body shop equipment—new	84 months	none
Body shop equipment—used	36 months	none

(4) General and Administrative Depreciable Assets:

Category	Service Life	Salvage Value
Office equipment—new	84 months	none
Office equipment—used	36 months	none
Furniture and fixtures—new	120 months	none
Furniture and fixtures—used	60 months	none
Office and buildings—original	360 months	none
Office and buildings—additions	360 months	none
Office and buildings—air-conditioning	84 months	none
Leasehold improvements	Length of lease— unless life of asset warrants a shorter amortization period	none

2. The requirements for depreciable assets as shown in the table do not preclude the company from using longer or shorter service lives, higher or lower salvage values, or another method of calculating depreciation for any purposes other than recording amounts and reporting under the uniform system of accounts.

[Taxicab Auth., Uniform System of Accounts Reg. Gen. Instructions § 8, eff. 12-24-70; A 11-16-79]—(NAC A 10-13-88)

NAC 706.675 Gain or loss on dispositions. (NRS 706.8818, 706.8829)

1. Account 596, Gain or Loss on Disposal of All Automotive Equipment, must include all gains or losses as appropriate on the disposition of taxicabs of the company devoted to its taxicab operations.

2. This account must be maintained with sufficient detail and description, supported by appropriate records, of each item included so as to permit ready identification, analysis and verification of all facts relative to each asset disposed of.

[Taxicab Auth., Uniform System of Accounts Reg. Gen. Instructions § 9, eff. 12-24-70; A 11-16-79]—(NAC A 10-13-88)

NAC 706.678 Payroll and payroll costs. (NRS 706.8818, 706.8829)

1. Salaries, wages, or other compensation, including reasonable salaries paid to officers and proprietors, and payroll costs applicable to such compensation, must be maintained on a functional division basis and charged as applicable to the payroll and payroll cost accounts set up under the functional divisions in this uniform system of accounts.

2. When an employee, including the officer or proprietor, who normally performs services in one functional division, performs services during the employee's working period in other functional divisions, his or her compensation and payroll costs for that period must be allocated on a time basis and charged to the applicable and appropriate division accounts. Subsections 1 to 5, inclusive, of NAC 706.822 describe the method applicable to payroll and payroll costs of shop and garage employees for maintenance and repairs only.

3. Salaries, wages or other compensation, including reasonable salaries paid to officers and proprietors and payroll costs charged to operating revenue deductions must be supported by a monthly "Payroll and Payroll Cost Distribution Summary" detailing all particulars including FICA, FUTA, NUC and SIIS costs charged to each functional account.

[Taxicab Auth., Uniform System of Accounts Reg. Gen. Instructions § 10, eff. 12-24-70; A 11-16-79]—(NAC A 10-13-88)

Accounts

NAC 706.681 Current assets: Items not to be included. (NRS 706.8818, 706.8829) Any item, the amount or collectibility of which is not reasonably assured, must not be included in the group of accounts designated as current assets, unless an adequate provision for possible loss has been made.

[Taxicab Auth., Uniform System of Accounts Reg. part Current Assets, eff. 12-24-70; A 11-16-79]

NAC 706.684 Current assets: Account for cash on hand. (NRS 706.8818, 706.8829) The account for cash on hand includes all undeposited money, in cash or checks, as of the close of business at the year's end. Proper credit must be made to the accounts for which this money was received, such as taxicab fares, accounts receivable—trade, advertising revenue, and payments on loans or accounts other than trade.

[Taxicab Auth., Uniform System of Accounts Reg. §§ 101& 102, eff. 12-24-70; A and renumbered as § 102, 11-16-79]

NAC 706.687 Current assets: Account for cash in banks. (NRS 706.8818, 706.8829) The account for cash in banks includes all money on deposit in a banking institution to the credit of the company. Special cash deposits for payment of interest, dividends, payroll taxes or other special purposes must be included in this account in separate subdivisions which specify the purpose for which each special deposit is made.

[Taxicab Auth., Uniform System of Accounts Reg. § 103, eff. 12-24-70; A 11-16-79]

NAC 706.690 Current assets: Account for petty cash. (NRS 706.8818, 706.8829)

1. The account for petty cash includes all money used to facilitate disbursements for small expenditures and to avoid the drawing of many small checks. It also includes any money used for check-cashing accommodations. Responsibility for this account must be assigned to a designated officer or employee or to other designated persons. Proper entries must be kept for complete identification and verification.

2. This account must not include any advances or loans to stockholders, directors, officers, partners, employees or agents. Such advances or loans are to be included in the accounts described in NAC 706.696.

[Taxicab Auth., Uniform System of Accounts Reg. §§ 101& 102, eff. 12-24-70; A and renumbered as § 101, 11-16-79]

NAC 706.693 Current assets: Account for accounts receivable—trade. (NRS 706.8818, 706.8829)

1. The account for accounts receivable—trade includes any amounts that may be due the company arising from or attributable to the company's taxicab operations, for which payment has not been received.

2. Records must be maintained, showing the balances due from each person or company. The sum of these individual balances must be in agreement with the total of this account.

[Taxicab Auth., Uniform System of Accounts Reg. § 120, eff. 12-24-70; A 11-16-79]

NAC 706.696 Current assets: Accounts for employees' and officers' accounts receivable. (NRS 706.8818, 706.8829)

1. The account for accounts receivable—employees includes any amounts that may be due the company from its employees, exclusive of officers, for which payment has not been received.

2. The account for accounts receivable—officers includes any amounts that may be due the company from its officers, proprietors or partners, for which payment has not been received.

[Taxicab Auth., Uniform System of Accounts Reg. §§ 123& 124, eff. 12-24-70; A 11-16-79]

NAC 706.699 Current assets: Account for notes receivable. (NRS 706.8818, 706.8829)

1. The account for notes receivable includes the book cost, not includable elsewhere, of all collectible obligations in the form of notes, drafts and similar evidences of money due the company.

2. Complete information must be maintained in this account for each note, including the maker of the note, payor, payee, date of issuance, date of maturity, interest rate and penalties. This information must clearly indicate the amounts due from each person or company.

3. The face amount of notes receivable discounted, sold or transferred without releasing the company as endorser must be credited to a separate subdivision of this account and appropriate disclosure must be made in financial statements of any contingent liability arising from those transactions.

[Taxicab Auth., Uniform System of Accounts Reg. § 140, eff. 12-24-70; A 11-16-79]

NAC 706.702 Current assets: Account for other accounts receivable. (NRS 706.8818, 706.8829) The account for other accounts receivable includes any amounts that may be due the company that are not attributable to the company's taxicab operations, for which payment has not been received. This account must clearly indicate how much is due from each company or person.

[Taxicab Auth., Uniform System of Accounts Reg. § 122, eff. 12-24-70; A 11-16-79]

NAC 706.705 Current assets: Account for bad debts. (NRS 706.8818, 706.8829) Provision for any actual or probable losses under the accounts described in NAC 706.693 to 706.702, inclusive, must be credited to the account for bad debts with a corresponding charge to the account for bad debts described in subsection 5 of NAC 706.831 or the account for miscellaneous other expenses described in subsection 4 of NAC 706.852.

[Taxicab Auth., Uniform System of Accounts Reg. § 121, eff. 12-24-70; A 11-16-79]

NAC 706.708 Current assets: Account for inventory supplies. (NRS 706.8818, 706.8829)

1. The account for inventory supplies includes the inventories of all gasoline and other fuel in storage tanks at the end of the calendar year, using the lower of cost or market method to compute value.

2. This account must also include the inventories at the end of the calendar year of all oil on hand as well as tires, batteries, radio parts, shop parts and small tools, computing value at the lower of cost or market.

3. Appropriately entitled subaccounts must be maintained for materials and supplies related to each of the functional divisions maintained by the company, for example, operating, dispatching, shop and garage and general.

4. The differences between the opening inventories at the beginning of the calendar year and the year-end inventories must be recorded as adjustments to the following accounts for operating expense described in subsection 6 of NAC 706.816:

- (a) Account for fuel.
- (b) Account for oil.
- (c) Account for tires.
- (d) Account for repairs and maintenance.

[Taxicab Auth., Uniform System of Accounts Reg. § 175, eff. 12-24-70; A 11-16-79]

NAC 706.711 Current assets: Account for prepaid expenses. (NRS 706.8818, 706.8829)

1. The account for prepaid expenses includes amounts representing prepayments, for example, insurance, rents, taxes and other items, and must be maintained and supported in such manner as to disclose the amount of each class of prepayments. Subaccounts may be maintained for this purpose.

2. Where prepayments are made, this account must be charged with the full amount of prepayment and subsequently credited with each portion that will ratably distribute the prepayment to expense over the benefited period. A portion ratably credited to prepaid expense must be charged to the appropriate functional accounts for operating expense.

[Taxicab Auth., Uniform System of Accounts Reg. § 190, eff. 12-24-70; A 11-16-79]

NAC 706.714 Current assets: Account for refundable deposits. (NRS 706.8818, 706.8829)

The account for refundable deposits includes all refundable deposits with federal, state, county or municipal authorities as well as fiscal agents or others for the fulfillment of obligations.

[Taxicab Auth., Uniform System of Accounts Reg. § 191, eff. 12-24-70]

NAC 706.717 Current assets: Account for miscellaneous current assets. (NRS 706.8818, 706.8829) The account for miscellaneous current assets includes the book cost of all other current assets not provided for elsewhere, appropriately described and supported so as to show the nature of each asset included in the account.

[Taxicab Auth., Uniform System of Accounts Reg. § 192, eff. 12-24-70; A 11-16-79]

NAC 706.720 Accounts for fixed assets. (NRS 706.8818, 706.8829)

1. Accounts for fixed assets include the original cost of property owned by the company which is devoted to the company's taxicab operations, having an estimated service life of more than 1 year and a cost of \$100 or more.

2. The cost of additions to and improvements of property leased from others, which are also includable in these accounts, must be recorded in subdivisions separate and distinct from those relating to owned property. Such additions or improvements must be included in the account for leasehold improvements described in NAC 706.729.

3. When the consideration given for property is other than cash, the value of the consideration must be determined on a cash basis. In the entry recording such a transaction, the actual consideration must be properly described to make it easily identifiable. The company must be prepared to furnish the Authority with details regarding the method used by the company to determine the cash value.

4. When property is purchased under a plan involving deferred payments, no charge may be made to the asset accounts for interest, insurance or other expenditures occasioned solely by that form of payment.

5. Upon a disposition or abandonment of any of these assets, the applicable asset account must be credited in the amount at which the asset was recorded and the amount must be debited as appropriate to the account for gain or loss on disposal of automotive equipment described in subsection 14 of NAC 706.816, or the account for gain on sale of assets, except automotive equipment described in subsection 4 of NAC 706.849.

[Taxicab Auth., Uniform System of Accounts Reg. § 200, eff. 12-24-70; A 11-16-79]

NAC 706.723 Fixed assets: Land account. (NRS 706.8818, 706.8829)

1. The land account includes the cost of all land devoted to the company's taxicab operations. In addition to the original price of the land, this account must include all costs incidental to the purchase

when acquired, if paid by the purchaser, such as agent's commissions, escrow fees, title fees, liens satisfied to clear title and prorated tax expense.

2. Where special assessments for public improvements provide for deferred payments, the full amount of the assessments must be charged to the appropriate land account and the unpaid balance must be carried in an appropriate liability account. Interest on unpaid balances must be charged to the interest account. If any part of the cost of public improvement is included in the general tax levy, that amount must be charged to the appropriate tax account and not to this account.

[Taxicab Auth., Uniform System of Accounts Reg. § 201, eff. 12-24-70; A 11-16-79]

NAC 706.726 Fixed assets: Buildings account. (NRS 706.8818, 706.8829) The buildings account includes the cost of all buildings devoted to the company's taxicab operations. The cost of buildings includes the cost of fixtures attached to and forming a permanent part of the building and which cannot be removed without cutting into the wall, ceilings or floors, or without in some way impairing the buildings, such as plumbing pipes and fixtures, heating and air-conditioning apparatus, electric wiring and fixtures, elevators, cranes and hoists and the machinery for operating them.

[Taxicab Auth., Uniform System of Accounts Reg. § 205, eff. 12-24-70; A 11-16-79]

NAC 706.729 Fixed assets: Account for leasehold improvements. (NRS 706.8818, 706.8829) The account for leasehold improvements includes the cost of all additions to and improvements of property leased from others. All entries must be made with sufficient detail to permit ready identification.

[Taxicab Auth., Uniform System of Accounts Reg. § 231, eff. 12-24-70; A 11-16-79]

NAC 706.732 Fixed assets: Account for shop and garage equipment. (NRS 706.8818, 706.8829) The account for shop and garage equipment includes the cost of all hoists, electric motors, lathes, drill presses, air compressor equipment, tire changing equipment, wheel alignment equipment, welding sets, work benches and expensive special purpose tools which cost over \$100. This account must not include any hand or other portable tools which:

1. Are likely to be lost or stolen;
2. Have a value of \$100 or less; or
3. Have a short life or period of use.

↪ Such items must be charged as appropriate to the account for repairs and maintenance described in paragraph (d) of subsection 6 of NAC 706.816 or the account for repairs and maintenance of shop and garage equipment described in subsection 11 of NAC 706.822.

[Taxicab Auth., Uniform System of Accounts Reg. § 209, eff. 12-24-70; A 11-16-79]

NAC 706.735 Fixed assets: Account for furniture and office equipment. (NRS 706.8818, 706.8829) The account for furniture and office equipment includes the cost of all office furniture, business machines and equipment not permanently attached to the building, which are used in the operation of a taxicab company.

[Taxicab Auth., Uniform System of Accounts Reg. § 207, eff. 12-24-70; A 11-16-79]

NAC 706.738 Fixed assets: Taxicab account. (NRS 706.8818, 706.8829) The taxicab account includes the cost of all taxicabs devoted to the company's operations, including the cost of painting and the first set of accessory equipment necessary to fit the taxicab for service, except that air conditioners, taximeters, fuel conversion kits, if applicable, and radio and telephonic equipment are included in the accounts described in NAC 706.744, 706.747, 706.750 and 706.756, respectively, and are not to be included in this account as part of the cost of taxicabs.

[Taxicab Auth., Uniform System of Accounts Reg. § 211, eff. 12-24-70; A 11-16-79]

NAC 706.741 Fixed assets: Account for other automotive equipment. (NRS 706.8818, 706.8829) The account for other automotive equipment includes the cost of all motor vehicles, other than taxicabs, which are used in connection with the operations of a taxicab company.

[Taxicab Auth., Uniform System of Accounts Reg. § 213, eff. 12-24-70; A 11-16-79]

NAC 706.744 Fixed assets: Account for air conditioners. (NRS 706.8818, 706.8829) The account for air conditioners includes the cost of any air conditioner that is added to a taxicab, and is not part of the original cost of the taxicab as included in the taxicab account described in NAC 706.738. The cost of such an air conditioner also includes the cost of its original installation in the taxicab, and the cost of its necessary accessories.

[Taxicab Auth., Uniform System of Accounts Reg. § 214, eff. 11-16-79]

NAC 706.747 Fixed assets: Taximeter account. (NRS 706.8818, 706.8829) The taximeter account includes the cost of each taximeter owned by the company and devoted to the company's taxicab operations, including the cost of its original installation on a taxicab and its accessories. This account does not include replacement parts, repairs or extra gears. Those items must be charged directly to the account for repairs and maintenance described in paragraph (d) of subsection 6 of NAC 706.816.

[Taxicab Auth., Uniform System of Accounts Reg. § 215, eff. 12-24-70; A 11-16-79]

NAC 706.750 Fixed assets: Account for fuel conversion kits. (NRS 706.8818, 706.8829) The account for fuel conversion kits includes the cost of each fuel conversion kit including the cost of its original installation on a taxicab and any necessary accessories. This account must be used by any taxicab company having a fuel conversion plant for the purpose of converting natural gas to liquid gas for use in the operation of any of its taxicabs.

[Taxicab Auth., Uniform System of Accounts Reg. § 216, eff. 11-16-79]

NAC 706.753 Fixed assets: Account for fuel conversion plants. (NRS 706.8818, 706.8829) The account for fuel conversion plants includes the cost of setting up a fuel conversion plant in order to convert natural gas to a liquid state for use as fuel in the operation of taxicabs. Included as part of this cost are the costs of:

1. Installing any required cement slabs;
2. All required plumbing and electrical work;
3. All piping gas lines compressors, including freight, and pumping stations; and
4. The labor cost of all such installations.

[Taxicab Auth., Uniform System of Accounts Reg. § 225, eff. 11-16-79]

NAC 706.756 Fixed assets: Account for radio and telephonic equipment. (NRS 706.8818, 706.8829) The account for radio and telephonic equipment includes the cost of all radio and telephonic equipment owned by the company and devoted to the company's taxicab operations, including the cost of original installation and any necessary accessories. The cost of any repairs and replacement of any parts must not be included in this account but must be recorded as an expense in the account for repairs and maintenance of dispatch equipment described in subsection 9 of NAC 706.819.

[Taxicab Auth., Uniform System of Accounts Reg. § 217, eff. 12-24-70; A 11-16-79]

NAC 706.759 Account for other fixed assets. (NRS 706.8818, 706.8829) The account for other fixed assets includes the cost of all tangible property and equipment devoted to the company's taxicab operations for which a separate account has not been provided. All entries in this account must be made with sufficient detail and description recorded so as to permit ready identification, analysis and verification of all relevant facts.

[Taxicab Auth., Uniform System of Accounts Reg. § 219, eff. 12-24-70; A 11-16-79]

NAC 706.762 Account for total depreciation and amortization allowance. (NRS 706.8818, 706.8829)

1. For the purpose of general ledgers, the account for total depreciation and amortization allowance must be treated as a single composite provision for depreciation and amortization. For the purpose of analysis, each company must maintain subaccounts in which this account is segregated according to the same account classification used in the fixed asset accounts.

2. This account must be credited with the amounts charged to the functional accounts for depreciation and amortization expense.

3. At the time of retirement or disposal of a depreciable or amortizable fixed asset, this account must be charged in the amount of the total accumulated provision related to the asset up to the date of retirement or disposal, and the accounts described in subsection 14 of NAC 706.816, subsection 4 of NAC 706.849 and subsection 2 of NAC 706.852 must be credited or charged as appropriate. These entries must be recorded with sufficient detail and description to permit ready identification, analysis and verification of all relevant facts.

[Taxicab Auth., Uniform System of Accounts Reg. § 240, eff. 12-24-70; A 11-16-79]

NAC 706.765 Accounts for organizational expense and deferred charges. (NRS 706.8818, 706.8829)

1. The account for organizational expense includes the original cost of organizing the company.

2. The account for deferred charges includes all debits not provided for elsewhere, such as unamortized debt discount and expense, unusual or extraordinary expenses, not included in other accounts, which are in process of amortization and items, the proper final disposition of which, is uncertain. The records supporting the entries to this account must contain sufficient detail and description to permit ready identification, analysis and verification of all relevant facts.

[Taxicab Auth., Uniform System of Accounts Reg. § 260, eff. 12-24-70; A 11-6-79; § 270, eff. 11-16-79]

NAC 706.768 Accounts for other assets. (NRS 706.8818, 706.8829)

1. The investment account includes the book cost of investments made for a period or periods to exceed 1 year in duration in securities, notes, mortgages and other items, of both associated and nonassociated companies. This account must also include the offsetting entry to the recording of amortization of discount or premium on interest-bearing investments when such interest-bearing investments were purchased for less or more than face value. Information to be included for each note or security must include the type of note or security, maker, payee, payor, date of issuance, certificate number, date of maturity, interest or dividend rate, face value and other identifying information. Securities owned and pledged must be included in this account and a complete record of securities pledged must be maintained. The company's records must bear sufficient detail and description, including the use of subaccounts where necessary, to permit ready identification, analysis and verification of all relevant facts for each class of investment, for example, associated or nonassociated company, note mortgage, bonds, stocks or security pledged.

2. If a company is acquired at a cost in excess of its book value, the excess must be charged to the goodwill account.

3. An account for payroll clearing may be used by companies desiring such an account. If used, the account must be cleared monthly.

[Taxicab Auth., Uniform System of Accounts Reg. §§ 281-290, eff. 12-24-70]

NAC 706.771 Current liabilities. (NRS 706.8818, 706.8829) Current and accrued liabilities are obligations which have matured or become due within 1 year after the date thereof. Items such as bonds or receivers' certificates must not be entered in a current and accrued liabilities account and must be classified as long-term liabilities until the date of maturity.

[Taxicab Auth., Uniform System of Accounts Reg. § 300, eff. 12-24-70; A 11-16-79]

NAC 706.774 Accounts for notes payable. (NRS 706.8818, 706.8829)

1. The account for short-term notes payable includes amounts owing on notes, drafts, acceptances or other similar evidences of indebtedness which are payable on demand or within 1 year from the date of issuance or acceptance, including interest. This account must also include, under appropriate subaccounts, notes, drafts, acceptances or other similar evidences of indebtedness which are payable to associated companies on demand or within 1 year from the date of issuance or acceptance, including interest. The information to be contained in this account must include the face value of the note, date made, date due, interest rate, payee and other identifying information.

2. For reporting purposes, the current portion of the account for long-term notes payable represents the portion of a long-term note and the interest on it which is due within 1 year after the reporting date.

[Taxicab Auth., Uniform System of Accounts Reg. §§ 301 & 302, eff. 12-24-70; A 11-16-79]

NAC 706.777 Accounts for accounts payable, open accident liabilities and contracts payable. (NRS 706.8818, 706.8829)

1. The account for accounts payable includes all amounts for goods and services received by the company, payable within 1 year from the date thereof and which have not been paid.

2. The account for open accident liabilities includes a provision for the amounts set aside by self-insured companies for the actual or estimated liabilities from accidents not totally covered by insurance policies.

3. For reporting purposes, that portion of any contract payable that becomes due within 1 year from the date thereof and which has not been paid must be included in the account for contracts payable.

[Taxicab Auth., Uniform System of Accounts Reg. §§ 305-310, eff. 12-24-70; A 11-16-79]

NAC 706.780 Accounts for accrued salary, wages and vacation pay. (NRS 706.8818, 706.8829)

1. The account for accrued salaries and wages includes the gross amount of salaries or wages earned but not paid at the end of the month.

2. The account for accrued vacation pay includes the amount of accrued vacation pay owed at the end of the month.

[Taxicab Auth., Uniform System of Accounts Reg. §§ 315& 316, eff. 12-24-70; A 11-16-79]

NAC 706.783 Accounts for payroll taxes withheld and accrued and accrued payroll benefits. (NRS 706.8818, 706.8829)

1. The account for payroll taxes withheld and accrued includes all amounts withheld from employees' wages or salaries that are payable to a governmental agency and any accrued liabilities of the company owing to a governmental agency, the liability for which was determined on the basis of a percentage of payroll. This account must be maintained so as to permit ready identification of the company's liability to each governmental agency.

2. The account for accrued payroll benefits:

(a) Includes all amounts withheld from employee wages or salaries that are payable to other than a governmental agency at the end of each month.

(b) Includes all liabilities incurred by the company that are payable to other than a governmental agency, the liability for which arises as a result of having employees.

(c) Must be maintained to permit ready identification for such liability as between the employees and the company and the class of liability accrued, for example, welfare, pension contributions and other contributions.

[Taxicab Auth., Uniform System of Accounts Reg. §§ 320& 321, eff. 12-24-70; A 11-16-79]

NAC 706.786 Account for accrued taxes and licenses. (NRS 706.8818, 706.8829)

1. The account for accrued taxes and licenses must be credited with the amount of taxes accrued during the accounting period, except for payroll taxes and federal income taxes. See subsection 1 of NAC 706.783 and NAC 706.801, respectively. Corresponding debits must be made to the appropriate accounts for the charges. See subsection 11 of NAC 706.816 and NAC 706.828. Such credits may be based on estimates, but from time to time during the year as the facts become known, the amount of the periodic credits must be adjusted to include as nearly as can be determined in each year the applicable taxes.

2. If accruals for taxes are found to be insufficient or excessive, corrections must be made through current tax accruals. Accruals for taxes must be based upon the net amounts payable after credit for any discounts and must not include any amounts for interest on the deficiencies or refunds. Interest received on refunds must be credited to the account for interest earned described in subsection 1 of NAC 706.849 and interest paid on deficiencies must be charged to the account for interest expense described in subsection 1 of NAC 706.852. Penalties must be charged to the account for miscellaneous other expenses described in subsection 4 of NAC 706.852.

3. The records supporting the entries to this account must be kept to show for each class of taxes included, the amount accrued, the basis for the accrual, the accounts charged and the amount of tax paid.

[Taxicab Auth., Uniform System of Accounts Reg. § 322, eff. 12-24-70; A 11-16-79]

NAC 706.789 Account for accrued interest. (NRS 706.8818, 706.8829) The account for accrued interest includes the amount of interest accrued but not due on all liabilities of the company except interest added to the principal of the debt on which incurred, for example, contracts payable. Supporting records must be maintained to show the amount of interest accrued on each obligation.

[Taxicab Auth., Uniform System of Accounts Reg. § 323, eff. 12-24-70; A 11-16-79]

NAC 706.792 Account for other current liabilities. (NRS 706.8818, 706.8829) The account for other current liabilities includes the balances in all open accounts representing current liabilities not specifically provided for in the accounts described in NAC 706.774 to 706.789, inclusive, and covers items such as unpaid matured interest and interest on unpaid, matured long-term debts. The records supporting the entries to this account must be recorded with sufficient description and detail to permit ready identification, analysis and verification of all relevant facts.

[Taxicab Auth., Uniform System of Accounts Reg. § 324, eff. 12-24-70; A 11-16-79]

NAC 706.795 Account for fees payable. (NRS 706.8818, 706.8829) Fees collected for the Taxicab Authority through passenger fares must be credited to the account for fees payable rather than the account for taxicab fares described in subsection 1 of NAC 706.813. Trip fee payments to the Taxicab Authority must be charged to this account.

[Taxicab Auth., Uniform System of Accounts Reg. § 325, eff. 12-24-70; A 11-16-79]

NAC 706.798 Accounts for deferred credits, dividends payable and mortgage payable. (NRS 706.8818, 706.8829)

1. The account for deferred credits includes advance billings and receipts and other deferred credit items, not provided for elsewhere, including amounts which cannot be entirely cleared or disposed of until additional information has been received. The records supporting the entries to this account must be recorded with sufficient detail and description to permit ready identification, analysis and verification of all relevant facts.

2. The account for dividends payable includes the amount of dividends which have been declared but not paid. Dividends must be credited to this account when they become a liability.

3. The current portion of the account for mortgage payable includes the portion of any mortgage payments including interest that becomes due and is unpaid within 1 year after the reporting date.

[Taxicab Auth., Uniform System of Accounts Reg. §§ 330, 333 & 335, eff. 12-24-70; A 11-16-79]

NAC 706.801 Account for accrued federal income taxes. (NRS 706.8818, 706.8829)

1. The account for accrued federal income taxes includes the amount of federal income taxes accrued during the accounting period. Concurrent charges for tax accruals must be made to the account for federal income taxes on earnings described in subsection 2 of NAC 706.855. As the exact amount of taxes becomes known, the current tax accruals must be adjusted accordingly. Payments of income taxes must be charged to this account so that it may reflect as accurately as possible the actual taxes payable.

2. "Actual taxes payable" is the amount of tax calculated for income tax purposes including those expenses or deductions not allowable as operating revenue deductions for regulatory purposes, but allowed or allowable as deductions for federal income tax purposes taken by the company, as elected by the company or as required by law, in computing its income tax, that is, by accelerated depreciation, additional first-year depreciation, interest expense, donations, nonrecurring or extraordinary charges, investment credit and other such items.

3. Accruals for federal income taxes must not include any amounts for interest or penalties on tax deficiencies, payments or refunds. Interest received on refunds must be credited to the account for interest earned described in subsection 1 of NAC 706.849 and interest paid on deficiencies must be charged to the account for interest expense described in subsection 1 of NAC 706.852. Penalties must be charged to the account for miscellaneous other expenses described in subsection 4 of NAC 706.852.

4. Each entry credited to this account must be supported by work papers or records showing in detail how the income tax liability was determined and the necessary accrual.

[Taxicab Auth., Uniform System of Accounts Reg. § 332, eff. 12-24-70; A 11-16-79]

NAC 706.804 Accounts for long-term liabilities. (NRS 706.8818, 706.8829)

1. The account for total long-term notes payable includes the face value of all notes which, by the terms of its creation, matures more than 1 year after the date of issue or assumption. This account also includes the face value of notes payable to associated companies which are not subject to current settlement.

2. The account for total long-term contracts payable includes the face value of all installment contracts which, by the terms of its creation, matures more than 1 year from the date of issue or assumption.

3. The account for total mortgages payable includes the face value of all bonds and mortgages which, by the terms of their creation, mature more than 1 year from date of issue.

4. The account for partner loans includes loans or advances made to the company by its partners.

5. The stockholder's loan account includes loans or advances made to the company from its officers, stockholders or directors.

6. The account for other long-term liabilities includes the balance of all long-term liabilities of over 1 year, not specifically provided for in the accounts described in subsections 1 to 5, inclusive. The records supporting the entries to this account must be recorded with sufficient description and detail as to permit ready identification, analysis and verification of all relevant facts.

[Taxicab Auth., Uniform System of Accounts Reg. §§ 341-348, eff. 12-24-70; A 11-16-79]

NAC 706.807 Incorporated companies: Net worth. (NRS 706.8818, 706.8829) Incorporated companies must keep the following accounts as a record of their net worth:

1. An account for common stock.

2. Accounts for preferred stock must include the par value or the stated value of stock without par value, if such stock has a stated value and if not, the cash value of the consideration received for such nonpar stock, of each class of capital stock actually issued, including the par or stated value of such capital stock in the account for reacquired, treasury, capital stock described in subsection 6. When the actual cash value of the consideration received is more or less than the par or stated value of any stock having a par or stated value, the difference must be credited or debited, as the case may be, to the premium or discount account for the particular class and series of stock. When capital stock is retired, these accounts must be charged with the amount at which such stock is carried. A separate ledger account, with a descriptive title must be maintained for each class and series of stock. The supporting records must show the shares nominally issued, actually issued, and nominally outstanding.

3. The account for other paid-in capital includes the balance of all other credits for paid-in capital not included in the capital stock accounts and must be kept so as to show the source of the credits included for each class and series of stock issued. The items in the account must indicate:

(a) Premium received on original issues of capital stock.

(b) Donations received from stockholders consisting of capital stocks or reduction of debt of the company and the cash value of other assets received as a donation.

(c) Reduction in par or stated value of capital stock.

(d) Gain on resale or cancellation of reacquired capital stock.

(e) Miscellaneous paid-in capital.

↪ Premium on capital stock must not be set off against expenses. A premium received on an issue of a certain class or series of stock must not be set off against expense of another issue of the same class or series.

4. The account for installments received on capital stock must include in a separate subdivision for each class and series of capital stock the amount of installments received on capital stock on a partial or installment payment plan for subscribers who are not bound by legally enforceable subscription contracts. As subscriptions are paid in full and certificates issued, this account must be charged and the appropriate capital stock account credited with the par or stated value of such stock. Any discount or premium on an original issue must be included in the appropriate discount or premium account.

5. The account for discount on capital stock must include in a separate subdivision for each class and series of capital stock all discount on the original issuance and sale of capital stock, including additional capital stock of a particular class or series as well as first issues. When capital stock which has been actually issued is retired, the amount in this account applicable to the shares retired must be

written off to the account, for other paid-in capital described in subsection 3, but the amount must be charged to the account for sundry adjustments to surplus described in subsection 8 to the extent that it exceeds the balance in the account for other paid-in capital.

6. The account for reacquired, treasury, capital stock must include in a separate subdivision for each class and series of capital stock the cost of capital stock actually issued by the company and reacquired by it, and not retired or cancelled, except for stock which is held by trustees in sinking or other funds. When reacquired capital stock is retired or cancelled, the difference between its cost, including commission and expenses paid in connection with the reacquisition, and its par or stated value plus any premium and less any discount applicable to the shares retired, must be debited or credited, as appropriate to the account for other paid-in capital described in subsection 3, but debits must be charged to the account for sundry adjustments to surplus described in subsection 8 to the extent that it exceeds the balance of gains on resale or cancellation of reacquired stock included in the account for other paid-in capital.

7. The account for retained earnings includes the balance of retained earnings at the beginning of the calendar year. It also includes the current year's net income after federal taxes on earnings (see subsection 3 of NAC 706.855) as well as any dividends paid (see subsection 4 of NAC 706.855) as shown on the income statement.

8. The account for sundry adjustments to surplus includes any adjustments due to discount on capital stock or clearing through the account for other paid-in capital described in subsection 3. This account must also be charged whenever expenses and premium, less discounts, exceed any gains due to resale or cancellation of reacquired stock included in the account for other paid-in capital.

[Taxicab Auth., Uniform System of Accounts Reg. §§ 361-385, eff. 12-24-70; A 11-16-79]

NAC 706.810 Unincorporated companies: Net worth. (NRS 706.8818, 706.8829)

1. To provide flexibility to the required entries recorded in the capital and drawing accounts, which flexibility is required because these accounts encompass the varied terms and provisions of partnership agreements of different companies operating under an unincorporated form of business organization, permissive wording is used for the required entries and the description of the items to be included in both the capital and drawing accounts. Despite the permissive language employed, it is intended that where permissive wording has been used to describe items included in both of these accounts, if an item by the terms or provisions of the particular company's partnership agreement excludes such item from one of the accounts, then such item must be included in the other account both for regulatory purposes and for purposes of this uniform system of accounts. The required information related to a particular item must be recorded in the same account in which the item has been recorded.

2. Once an election has been made as to which of the two accounts must contain the item in question, the company must be consistent in the inclusion of the item in the same account in future years unless a new partnership agreement has been made or the old partnership agreement has been amended making such consistency incompatible with the new or amended partnership agreement provisions.

3. Neither a provision nor a requirement has been expressed for an annual closing of a particular person's drawing account to his or her capital account. This has been omitted to allow flexibility to these accounts in accordance with the possible terms or provisions of partnership agreements of the various companies. It is to be clearly understood that a person's capital balance must be the net amount of the combination of his or her drawing and capital account balances both for financial statement purposes and for purposes of NAC 706.558 to 706.855, inclusive.

4. Amounts payable to the proprietor, partners, or other persons maintaining an ownership interest in the company, as fair and reasonable compensation for services performed must be charged to the appropriate administrative, operation or other functional expense accounts.

5. A capital account must be used when the organizational form of business is that of a partnership, sole proprietorship, joint venture, association, or any other form, other than an incorporated company. It must include the capital contributions made or earnings retained in the business by the persons who own the company. Subaccounts must be maintained for each person having an ownership interest in the company and any entries recorded must be so detailed and described to permit ready identification including source, analysis and verification of all relevant facts. This account may be credited or debited as appropriate for additional capital contributions and

for the results of annual operations, gain or loss. The basis upon which the distribution of gain or loss affects the various ownership interests may be noted and supporting records must be maintained detailing all facts and factors which such distributions affected.

6. The withdrawal account includes all withdrawals of capital and personal expenses paid by the company on behalf of persons having an ownership interest in the company. Subaccounts must be maintained for each person having an ownership interest in the company and any entries recorded must be so detailed and described as to permit ready identification, including source, analysis and verification of all relevant facts.

[Taxicab Auth., Uniform System of Accounts Reg. §§ 361.01-363, eff. 12-24-70; A 11-16-79]

NAC 706.813 Accounts for operating revenue. (NRS 706.8818, 706.8829)

1. The account for taxicab fares includes all revenues derived from the transportation of passengers, their luggage and packages except for fees prescribed by the Authority. When the Authority's fees are collected they are considered a liability, as provided in NAC 706.795.

2. The account for advertising revenues includes all revenues derived from others for advertising in or on taxicabs, taxicab stands, offices or any other form of advertising from which revenue may be derived.

3. The account for sundry operating revenues includes revenues derived from taxicab operations not included in any of the revenue accounts in subsection 1 or 2. This account also includes all other revenue not provided for elsewhere in NAC 706.558 to 706.855, inclusive, if the costs or expenses associated with the earning of such revenues are not or cannot be separately classified or accounted for. This account must be maintained in such detail and description to permit ready identification, analysis and verification of all relevant facts.

[Taxicab Auth., Uniform System of Accounts Reg. §§ 401-420, eff. 12-24-70; A 11-16-79]

NAC 706.816 Accounts for operating expense. (NRS 706.8818, 706.8829)

1. The account for drivers' supervision salaries includes the salaries paid to persons employed in supervising taxicab drivers. If only a portion of an employee's time is spent supervising, the appropriate percentage of his or her salary must be charged to this account.

2. The account for drivers' wages and commissions includes all wages and commissions paid to drivers, including "make-up," but excluding vacation pay.

3. The account for vacation pay includes all vacation pay paid to supervisors and drivers.

4. The account for payroll taxes includes all payroll taxes of supervisors and drivers, including, but not limited to, FICA, NUC and SIIS.

5. The account for payroll benefits includes the costs incurred by the company for welfare and pension benefits of its supervisors and drivers.

6. The account for taxicab expenses must contain the following subaccounts:

(a) An account for fuel that includes the cost of fuel used by taxicabs only. Accurate supporting records of cost and gallons used must be maintained and summarized on a monthly basis.

(b) An account for oil that includes the cost of oil used by taxicabs only. Accurate supporting records of cost and quarts used must be maintained on a monthly basis.

(c) An account for tires that includes the cost of replacement tires.

(d) An account for repairs and maintenance that includes the cost of outside labor, materials and any other expenses incurred in the repair and maintenance of taxicabs and integral equipment attached to them, including batteries and accessories, excepting radios or telephonic equipment. This account must be charged for all taxicab repairs and replacement parts purchased by a company for use in making repairs to taxicabs and their integral equipment except for items included in the account for tires, described in paragraph (c), and the account for repairs and maintenance of dispatch equipment, described in subsection 9 of NAC 706.819.

(e) An account for credits for insurance recoveries that must be credited with all insurance recoveries from losses or damages sustained by taxicabs, whether from insurance companies or other persons. This account must be maintained with sufficient detail and description to permit ready identification, analysis and verification of all facts relevant to each entry.

7. A company that obtains any services contemplated in the account for credits for insurance recoveries described in paragraph (e) of subsection 6 through a contract that provides for the payment of a fixed amount must use an account for contract services in lieu of the account described in

paragraph (e) of subsection 6. This account must be maintained in such a manner as to permit ready identification, analysis and verification of all facts relevant to each class of expense as stated in the various accounts described in subsection 6. Appropriately entitled subaccounts may be employed for this purpose.

8. Depreciation expenses must be accounted for in the following accounts:

- (a) The taxicab account includes the amount of depreciation applicable to taxicabs.
- (b) The taximeter account includes the amount of depreciation applicable to taxicab meters.
- (c) The account for air conditioners includes the amount of depreciation applicable to taxicab air conditioners, when separate from cabs.
- (d) The account for fuel conversion kits includes the cost of depreciation applicable to fuel conversion kits.

9. The account for injuries and damages includes all costs, exclusive of insurance premiums incurred by the company, or by the insurance company agents, if payable by the company under the terms of its insurance coverage, for the investigation of accidents or claims or the adjustment of claims arising from the operation of taxicabs. This account also includes all costs incurred by the company in its defense of any legal action arising from the operation of taxicabs and costs of settlement if payable by the company under the terms of its insurance coverage.

10. The account for insurance for taxicabs includes insurance premium expenses and writeoffs of premiums for the reporting period applicable specifically to the operation of taxicabs, such as coverage for driver's liability, property damage and bodily injury of passengers. Prepaid insurance premiums must be charged to the account for prepaid expenses described in NAC 706.711.

11. The account for licenses and taxes includes licenses and taxes such as registration fees, medallions, motor carrier plates, franchise taxes, toll taxes, county airport fees and any other tax expenses, which are applicable specifically to the operation of taxicabs. Appropriate subaccounts must be maintained for each class of license or tax expense.

12. The account for miscellaneous expenses pertaining to taxicabs includes any costs incurred by the company applicable to the actual operation of taxicabs which are not provided for in any of the foregoing accounts relative to that operation. This account must be maintained in such manner as to permit ready identification, analysis and verification of all facts relative to each class of items. Appropriately entitled subaccounts may be employed for this purpose.

13. The account for transferred internal costs includes the internal costs transferred from the various other functional divisions to operating expense. Costs transferred to this account must be either actual or on a percentage basis if the percentage is arrived at through periodic special studies. The use of arbitrary percentages or amounts transferred to this account is not permitted.

14. The account for gain or loss on disposal of automotive equipment includes the gain or loss on the disposition of taxicabs of the company. This account must be charged with the book cost of the taxicab plus any expense of sale. It must be credited with the related accumulated provision for depreciation recorded to the date of disposition of sale, and with the proceeds received on disposition. The account must be maintained with such detail and descriptions as to permit ready identification of each taxicab disposed of and verification of all facts relative to each transaction.

[Taxicab Auth., Uniform System of Accounts Reg. §§ 501-596, eff. 12-24-70; A 11-16-79]
—(NAC A 10-13-88)

NAC 706.819 Accounts for dispatch expense. (NRS 706.8818, 706.8829)

1. The account for dispatchers' wages includes all wages incurred resulting from providing dispatching service.
2. The account for dispatchers' vacation pay includes all vacation pay paid to dispatchers.
3. The account for dispatchers' payroll taxes includes all payroll taxes of dispatchers, including, but not limited to, FICA, FUTA, NUC and SIIS.
4. The account for dispatchers' payroll benefits includes the costs incurred by the company for welfare and pension benefits of its dispatchers.
5. The account for advertising and promotion includes the cost of labor and materials used and expenses incurred in advertising designed to promote or retain requests for cabs by telephone.
6. A company which elects not to do its own dispatching but contracts with other parties to provide this service must charge the account for dispatching contract services with all costs incurred as a result.

7. The account for depreciation of dispatch equipment includes the amount of depreciation applicable to all dispatching and radio equipment used by the company in the operation of its dispatching service.

8. The account for equipment rental includes costs incurred by the company in the rental or leasing of dispatching and radio equipment useful to the company in the operation of its dispatching services. This account must be maintained in such manner as will permit ready identification, analysis and verification of all relevant facts to each item rented or leased, the costs of which have been included.

9. The account for repairs and maintenance of dispatch equipment includes the costs of outside labor, materials, replacement parts and any other expenses incurred and necessary for the repair and maintenance of dispatching equipment including radios or telephonic equipment installed in taxicabs. This account must in addition include all costs of maintenance and repairs to telephone facilities in connection with the use of taxi stands. All costs included in this account must be segregated by class through the use of appropriately entitled subaccounts.

10. The account for miscellaneous dispatch expenses includes all costs incurred directly related to the operation of a dispatching service including those incurred in connection with the use of taxi stands, not provided elsewhere. This account must be maintained in such manner as to permit ready identification, analysis and verification of all facts relevant to each class of item included. Appropriately entitled subaccounts may be employed for this purpose.

11. The telephone account must include telephone expense applicable or attributable to the rendering of dispatching services by the company to its customers in its taxicab operations.

12. The account for transferred internal costs includes the internal costs transferred from the various other functional divisions to dispatch expenses. Costs transferred to this account must be either actual or on a percentage basis provided such percentage is arrived at through periodic special studies. The use of arbitrary percentages or amounts transferred to this account is not permitted.

[Taxicab Auth., Uniform System of Accounts Reg. §§ 601-695, eff. 12-24-70; A 11-16-79]
—(NAC A 10-13-88)

NAC 706.822 Accounts for shop and garage expense. (NRS 706.8818, 706.8829) The following accounts must be used by each company maintaining a shop or facilities for the repair and maintenance of company taxicabs:

1. The account for supervisors' salaries (shop and garage) includes the salaries incurred in the supervision and direction of shop and garage activities.

2. The account for wages (shop and garage) includes the salaries and wages of shop and garage employees for the repair of company taxicabs and facilities, except for the salaries and wages of shop and garage supervisors which are included in the account described in subsection 1.

3. The account for vacation pay (shop and garage) includes all vacation pay paid to shop and garage personnel, both supervisors and nonsupervisors.

4. The account for payroll taxes (shop and garage) includes all payroll taxes of shop employees, both supervisors and nonsupervisors, including, but not limited to, FICA, FUTA, NUC and SIIS.

5. The account for payroll benefits (shop and garage) includes the costs incurred by the company for welfare and pension benefits of all its shop and garage employees.

6. The account for contract services (shop and garage) includes all costs incurred as a result of utilizing outside labor.

7. The account for depreciation (shop and garage equipment) includes the amount of depreciation applicable to all shop and garage equipment included in the account for shop and garage equipment described in NAC 706.732. This account also includes depreciation applicable to the account for other automotive equipment described in NAC 706.741, when such cars are used exclusively in connection with shop work.

8. The account for depreciation (fuel conversion plant) includes depreciation applicable to the use of any fuel conversion plant as included in the account for fuel conversion plants described in NAC 706.753.

9. The account for equipment rental (shop and garage) includes costs incurred by the company in the rental or leasing of shop and garage equipment used and useful to the company. This account must be maintained in such manner as will permit ready identification, analysis and verification of all facts relevant to each item rented or leased, the costs of which have been included.

10. The insurance account for shop and garage includes the cost of insurance specifically for the coverage of shop and garage facilities.

11. The account for repairs and maintenance of shop and garage equipment includes all costs incurred in the maintenance and repair of shop and garage equipment and tools, other than internal labor costs included in the accounts described in subsections 1 and 2. This account also includes the costs incurred in the maintenance and repair of automotive equipment, other than taxicabs when that equipment is used exclusively in connection with shop work. This account also includes the cost of hand or portable tools which are easily lost or stolen, which have a value of \$100 or less, or have a short life.

12. The account for miscellaneous shop and garage expenses includes shop and garage costs not provided for in any of the foregoing accounts such as uniform charges, laundry, cleaning rags and solvent for washing parts. This account must be maintained in such manner as will permit ready identification, analysis and verification of all facts relevant to each class of items included. Appropriate subaccounts may be employed for this purpose.

13. The telephone account includes telephone expense applicable or attributable to maintaining shop and garage facilities.

14. The account for transferred internal costs (shop and garage) includes the internal costs transferred from the various other functional divisions to shop and garage expense. Costs transferred to this account must be either actual or on a percentage basis provided such percentage is arrived at through periodic special studies. The use of arbitrary percentages or amounts transferred to this account is not permitted.

[Taxicab Auth., Uniform System of Accounts Reg. §§ 701-795, eff. 12-24-70; A 11-16-79]
—(NAC A 10-13-88)

NAC 706.825 Accounts for general and administrative expense: Salaries; vacation pay; payroll taxes; benefits. (NRS 706.8818, 706.8829)

1. The account for management salaries includes all compensation, salaries, bonuses and other considerations, paid or payable to officers, managers, partners or proprietors except that compensation properly included in an account of any other functional division.

2. The account for office salaries includes all salaries and payroll costs of office personnel incurred not properly chargeable to any other operating functional division.

3. The account for vacation pay (general and administrative) includes all vacation pay paid to persons whose salaries are charged to the accounts described in subsections 1 and 2.

4. The account for payroll taxes (general and administrative) includes all payroll taxes of persons whose salaries are charged to the accounts described in subsections 1, 2 and 3, including, but not limited to, FICA, FUTA, NUC and SIIS.

5. The account for payroll benefits (general and administrative) includes the costs incurred by the company for welfare and pension benefits of employees whose salaries are charged to this functional division.

[Taxicab Auth., Uniform System of Accounts Reg. §§ 801-805, eff. 12-24-70; A 11-16-79]
—(NAC A 10-13-88)

NAC 706.828 Accounts for general and administrative expense: General taxes. (NRS 706.8818, 706.8829)

1. The account for general taxes includes the costs of all taxes, permits or licenses, incurred on or for property owned by the company, devoted to the company's taxicab operations, except payroll taxes, federal income taxes and those taxes included in the account for licenses and taxes described in subsection 11 of NAC 706.816.

2. Taxes incurred on leased property under the terms of the lease, must not be included in this account, but must be included in the appropriate subaccount under the account for rent described in subsection 1 of NAC 706.834.

3. This account must be maintained in such detail and description as to permit ready identification, analysis and verification of all relative facts. Subaccounts with appropriately descriptive titles may be used for these purposes.

[Taxicab Auth., Uniform System of Accounts Reg. § 862, eff. 12-24-70; A 11-16-79]

NAC 706.831 Accounts for general and administrative expense: Amortization; depreciation; insurance; bad debts. (NRS 706.8818, 706.8829)

1. The account for amortization of leasehold improvements includes the amount of amortization applicable to all assets included in the account for leasehold improvements described in NAC 706.729.

2. The account for furniture and office equipment depreciation includes all depreciation expense applicable to the account for furniture and office equipment described in NAC 706.735.

3. The account for buildings and office depreciation includes all depreciation applicable to the buildings account described in NAC 706.726, not previously charged to any other functional division.

4. The general account for insurance includes the cost incurred on all insurance, other than that included in the account for insurance for taxicabs described in subsection 10 of NAC 706.816 and the insurance account for shop and garage described in subsection 10 of NAC 706.822.

5. The account for bad debts must be charged with amounts sufficient to provide for losses from uncollected operating revenues recorded in the account for accounts receivable—trade described in NAC 706.693.

[Taxicab Auth., Uniform System of Accounts Reg. §§ 812, 820, 840, 841 & 855, eff. 12-24-70; A 11-16-79]

NAC 706.834 Accounts for general and administrative expense: Rentals; repairs and maintenance. (NRS 706.8818, 706.8829)

1. The account for rent includes:

(a) All costs incurred by the company in the rental or leasing of buildings, offices and other property devoted to the company's taxicab operations.

(b) Taxes on leased property where the lessee is liable for the taxes according to the terms of the lease. Such taxes must not be included in the account for general taxes described in NAC 706.828.

2. The account for equipment rental includes costs incurred by the company in the rental or leasing of equipment not specifically provided for in other functional divisions.

3. The account for repairs and maintenance includes all costs incurred for outside labor, materials or replacement parts, in the maintenance of and repairs made to the building, office and office furniture and equipment. This would include costs of maintenance contracts on office equipment. Subaccounts must be maintained for each class, such as building, office, office furniture and equipment, of maintenance and repair costs incurred and entries in these subaccounts must be made in sufficient detail and description to permit ready identification, analysis and verification of all relevant facts.

[Taxicab Auth., Uniform System of Accounts Reg. §§ 845, 863 & 875, eff. 12-24-70; A 11-16-79]

NAC 706.837 Accounts for general and administrative expense: Advertising; contract services. (NRS 706.8818, 706.8829)

1. The advertising account includes the cost of labor, materials used and expenses incurred in any advertising not included in the account for advertising and promotion described in subsection 5 of NAC 706.819.

2. The account for outside services includes the fees and other costs of professional consultants and others incurred by the company for general services in its taxicab operations that are not applicable to a particular operating function or to any other account provided in this section. This account also includes the pay and expenses of persons engaged for a special or temporary administrative or general purpose in circumstances where the person so engaged is not an employee of the company. This account must not include costs of such services as may be employed by the company in connection with formal cases before the regulatory authority. These costs have been provided for in the account for regulatory expenses described in NAC 706.840. Subaccounts must be maintained for each class of costs included, for example, accounting and legal, containing sufficient detail and description as to permit ready identification, analysis and verification of entries made in each subaccount.

3. The account for contract services includes all costs of contract services not provided for elsewhere.

[Taxicab Auth., Uniform System of Accounts Reg. §§ 810, 814 & 835, eff. 12-24-70; A 11-16-79]

NAC 706.840 Accounts for general and administrative expense: Regulatory expenses. (NRS 706.8818, 706.8829)

1. The account for regulatory expenses includes all expenses, except pay of regular employees engaged in such work, properly included in company operating expenses, incurred by the company in connection with formal cases before the Authority, or other regulatory bodies or cases in which any regulatory body is a party.

2. This account also includes the amortized portion of such expenses as have been approved or directed by the Authority as being applicable for more than 1 year, originally charged to the account for deferred charges described in subsection 2 of NAC 706.765.

3. Fees paid to the Authority must not be included in this expense. Such fees paid must offset the liability set up monthly in the account for fees payable described in NAC 706.795.

[Taxicab Auth., Uniform System of Accounts Reg. § 861, eff. 12-24-70; A 11-16-79]

NAC 706.843 Accounts for general and administrative expense: Transferred internal costs. (NRS 706.8818, 706.8829) The account for transferred internal costs includes the internal costs transferred from the various other functional divisions to general and administrative expenses. Costs transferred to this account must be either actual, or on a percentage basis if the percentage is arrived at through periodic special studies. The use of arbitrary percentages or amounts transferred to this account is not permitted.

[Taxicab Auth., Uniform System of Accounts Reg. § 895, eff. 12-24-70; A 11-16-79]

NAC 706.846 Accounts for general and administrative expense: Office, telephone, travel, utility and miscellaneous expenses. (NRS 706.8818, 706.8829)

1. The account for office expenses must include all costs for office supplies and miscellaneous office expenses incurred in connection with the company's taxicab operations such as:

- (a) Bank service charges.
- (b) Cash shortages.
- (c) Books, periodicals, bulletins and subscriptions to newspapers, newsletters and tax services.
- (d) Membership fees and dues in trade, technical and professional associations.
- (e) Office supplies and expenses, postage, printing and stationery.
- (f) Cost of individual items of office equipment used by general departments which have a short useful life or a value of \$100 or less.

↳ Appropriately entitled subaccounts must be maintained for each class of expense included in this account with sufficient detail and description contained so as to permit ready identification.

2. The telephone account includes all telephone expenses not charged to any other functional division.

3. The account for travel expenses includes all fuel and oil, operating maintenance, replacement parts and repair costs incurred, applicable to vehicles other than taxicabs, or cars connected with shop work, or supervisors' cars. This account also includes other travel expenses necessary to the operation of a taxicab company.

4. The utilities account includes items such as power, electricity, gas, water, garbage disposal and sewage rental. It does not include telephone rental or tolls.

5. The account for miscellaneous general and administrative expenses includes any cost of outside labor, materials or other cost incurred by the company in connection with its general management if the cost is not provided for elsewhere in these regulations. This account must be maintained with sufficient detail and description to permit ready identification, analysis and verification of all relevant facts.

[Taxicab Auth., Uniform System of Accounts Reg. §§ 864, 865, 884 & 885, eff. 12-24-70; A 11-16-79]

NAC 706.849 Accounts for other nonoperating income. (NRS 706.8818, 706.8829)

1. The account for interest earned includes any money earned from savings accounts, interest-bearing loans or notes receivable.

2. The account for discounts earned includes any discounts earned as a result of timely, early or advance payments of bills. This account does not include discounts, obtained by quantity purchases or

from a reduction of the manufacturer's list price. Such discounts are considered "trade discounts," and used as a reduction of original costs.

3. The account for rental income includes remuneration received for leasing or renting out space primarily owned or leased by the operating taxicab company.

4. The account for gain on sale of assets, except automotive equipment, includes any earnings from the sale of equipment or improvements other than automobiles, at a price above book value. (See subsection 14 of NAC 706.816.)

5. The account for gain on investments reflects earnings from the sale of an investment carried on the books of the taxicab company as an asset.

6. The account for miscellaneous other income includes any income not provided for elsewhere in these accounts.

[Taxicab Auth., Uniform System of Accounts Reg. §§ 901-910, eff. 11-16-79]

NAC 706.852 Accounts for other nonoperating expenses. (NRS 706.8818, 706.8829)

1. The account for interest expense includes all expenses for interest paid or accrued on loans or notes payable, whether short or long term.

2. The account for loss on sale of assets, except automotive equipment, reflects any losses incurred from the sale of any equipment or improvements other than automobiles at a price below book value. (See subsection 14 of NAC 706.816.)

3. The account for loss on investments reflects any income from the sale or other disposition of an investment carried on the books of the taxicab company as an asset.

4. The account for miscellaneous other expenses includes any expenses not provided for elsewhere in these accounts.

[Taxicab Auth., Uniform System of Accounts Reg. §§ 951-960, eff. 11-16-79]

NAC 706.855 Income statement accounts. (NRS 706.8818, 706.8829)

1. The account for net income before federal taxes is an income statement account reflecting the difference between the total of all income accounts and the total of all expenses, before arriving at a figure for the federal income tax.

2. The account for federal income taxes on earnings includes the amount of federal income tax expense incurred by the taxicab company during the accounting period. Concurrent credits for tax accruals must be made to the account for accrued federal income taxes described in NAC 706.801. As the exact amount of taxes becomes known, the current tax expense must be adjusted accordingly, so that this account includes, in each year, the applicable taxes.

3. The account for net income after federal taxes is an income account reflecting net earnings after giving effect to federal taxes.

4. The dividends account includes the amount of dividends paid or declared by the company during the calendar year. The account for dividends payable described in subsection 2 of NAC 706.798 must be set up as a liability whenever such dividends are declared.

[Taxicab Auth., Uniform System of Accounts Reg. §§ 991-1000, eff. 11-16-79]

SUBSIDIZED TRANSPORTATION BY TAXICAB

NAC 706.857 Definitions. (NRS 427A.070) As used in NAC 706.857 to 706.870, inclusive, unless the context otherwise requires, the words and terms defined in NAC 706.8572 to 706.8578, inclusive, have the meanings ascribed to them in those sections.

(Added to NAC by Aging & Disability Services Div. by R017-12, eff. 9-14-2012)

NAC 706.8572 "Applicant" defined. (NRS 427A.070) "Applicant" means a person who applies to participate in the program.

(Added to NAC by Aging & Disability Services Div. by R017-12, eff. 9-14-2012)

NAC 706.8574 "Division" defined. (NRS 427A.070) "Division" means the Aging and Disability Services Division of the Department of Health and Human Services.

(Added to NAC by Aging & Disability Services Div. by R017-12, eff. 9-14-2012)

NAC 706.8576 “Participant” defined. (NRS 427A.070) “Participant” means a person whose application to participate in the program has been approved by the Division pursuant to NAC 706.861.

(Added to NAC by Aging & Disability Services Div. by R017-12, eff. 9-14-2012)

NAC 706.8578 “Program” defined. (NRS 427A.070) “Program” means the program to subsidize transportation for elderly persons and persons with permanent disabilities created pursuant to NAC 706.858.

(Added to NAC by Aging & Disability Services Div. by R017-12, eff. 9-14-2012)

NAC 706.858 Creation of program; use of money received from balance of Taxicab Authority Fund. (NRS 427A.070) A program to subsidize transportation for elderly persons and persons with permanent disabilities is hereby created. The money received by the Division pursuant to subsection 7 of NRS 706.8825 will be used by the Division to reimburse holders of a certificate for the coupons which are purchased by participants pursuant to the provisions of NAC 706.864 and used for transportation by taxicab.

[Taxicab Auth., Gen. Order No. 5 Rule 101, eff. 2-5-82]—(NAC A 6-13-86; 10-13-88; 3-7-90; A by Aging Services Div., 1-10-97; A by Aging & Disability Services Div. by R017-12, 9-14-2012)

NAC 706.861 Application to participate in program; eligibility. (NRS 427A.070)

1. A resident of this State who desires to participate in the program must submit an application to the Division on a form prescribed by the Division. To the extent that money is available for that purpose, the Division will approve the application of a person who it determines is eligible to participate in the program pursuant to subsection 2.

2. To be eligible to participate in the program, an applicant must demonstrate:

(a) That he or she is at least 60 years of age or permanently disabled by a physical or mental condition that materially limits or contributes to limiting his or her activities or functioning by submitting the proof described in subsection 3;

(b) That he or she is a resident of this State by providing proof of his or her domicile, which may include proof of residency for voting, a bill from a utility, an affidavit of residency or any other form of proof approved by the Division; and

(c) That his or her annual gross income meets the requirements set forth in subsection 4.

3. To establish that he or she meets either requirement set forth in paragraph (a) of subsection 2, an applicant must submit proof of:

(a) Age, which may include any recognized form of identification containing a picture of the holder, a certificate of birth, baptism or marriage or any other form of proof approved by the Division; or

(b) Disability, which may include:

(1) A certificate from a physician;

(2) A certificate from the Bureau of Services to Persons Who Are Blind or Visually Impaired or the Bureau of Vocational Rehabilitation of the Rehabilitation Division of the Department of Employment, Training and Rehabilitation, the Nevada Association for the Handicapped or Opportunity Village; or

(3) Any other form of proof approved by the Division.

4. An applicant must demonstrate that his or her annual gross income is not more than 400 percent of the federally designated level signifying poverty for the size of family applicable to the person, as determined by the United States Department of Health and Human Services and published annually in the Federal Register.

5. For the purpose of determining the annual gross income of an applicant, the Division:

(a) Will calculate the monthly household income for the month in which an application is filed with the Division and multiply that number by 12; or

(b) May, if the household income fluctuates from month to month:

(1) Add the monthly household income over a period of at least 2 months;

(2) Divide the sum calculated pursuant to subparagraph (1) by the number of months within the period described in subparagraph (1); and

(3) Multiply the quotient calculated pursuant to subparagraph (2) by 12.

6. To determine the annual gross income of an applicant, any income received from a source identified in NAC 427A.408 must be subtracted from the total amount of income received by the applicant.

7. All income, except income excluded pursuant to subsection 6, must be verified, documented and counted in determining the eligibility or continued eligibility of an applicant or participant.

8. Except as otherwise provided in this subsection, the approval of an application by the Division to participate in the program pursuant to this section is valid for 1 year, and the participant may reapply for participation in the program by submitting an application in the same manner as the original application. A participant whose annual gross income increases such that the participant is no longer eligible to participate in the program pursuant to subsection 4 must immediately notify the Division and return any unused coupons. Such a participant may reapply for the program if he or she becomes eligible by submitting an application in the same manner as the original application.

9. As used in this section, "household income" means the income received by an applicant and the spouse of the applicant, if applicable.

[Taxicab Auth., Gen. Order No. 5 Rule 102, eff. 2-5-82]—(NAC A 6-13-86; 10-13-88; 3-7-90; A by Aging Services Div., 1-10-97; A by Aging & Disability Services Div. by R017-12, 9-14-2012)

NAC 706.864 Coupons. (NRS 427A.070)

1. The Division will make available for purchase by participants coupon booklets containing 20 coupons in denominations of \$1 or 4 coupons in denominations of \$5.

2. A participant whose annual gross income is:

(a) Less than or equal to 125 percent of the federally designated level signifying poverty may purchase not more than five booklets per month at a cost of \$10 per booklet.

(b) Greater than 125 percent but less than or equal to 200 percent of the federally designated level signifying poverty may purchase not more than four booklets per month at a cost of \$10 per booklet.

(c) Greater than 200 percent but less than or equal to 300 percent of the federally designated level signifying poverty may purchase not more than three booklets per month at a cost of \$10 per booklet.

(d) Greater than 300 percent but less than or equal to 400 percent of the federally designated level signifying poverty may purchase not more than two booklets per month at a cost of \$10 per booklet.

3. A coupon may be used to purchase service by a taxicab in the same manner as currency of the United States.

4. Certificate holders and their drivers shall accept the coupons in the same manner as currency of the United States.

5. The Division will reimburse a participating holder of a certificate in the amount of the denomination of a coupon for each authentic coupon submitted to the Division by the holder.

6. A coupon is not refundable and is void after the date of expiration printed on it.

7. The Division may increase or decrease the number of coupon booklets that are made available for purchase per month by a participant in each income category set forth in subsection 2, depending on the amount of money available for that purpose.

8. Before purchasing a coupon booklet, a participant must:

(a) Report to the Division any changes in his or her income since his or her application was approved; and

(b) If his or her income has changed since his or her application was approved, submit verification of his or her current income to the Division.

9. The Division may allow a participant to purchase more coupon booklets than the participant is otherwise authorized to purchase pursuant to subsection 2 if the Division determines that the participant has a qualifying hardship. The Division may determine that a participant has a qualifying hardship if the participant submits documentation satisfactory to the Division that:

(a) The cost of travel to medical appointments for the participant is causing a hardship; or

(b) The participant has any other hardship that the Division determines is a qualifying hardship.

[Taxicab Auth., Gen. Order No. 5 Rule 103, eff. 2-5-82]—(NAC A 6-13-86; 10-13-88; A by Aging Services Div., 1-10-97; A by Aging & Disability Services Div. by R017-12, 9-14-2012)

NAC 706.870 Misuse of coupons. (NRS 427A.070)

1. Any participant who:

(a) Obtains coupons by means of a false statement;

- (b) Fails to report a change in his or her income pursuant to subsection 8 of NAC 706.864; or
 - (c) Transfers or sells coupons to any other person,
- ↳ may not purchase additional coupons for 1 year after the time of the infraction.
2. A taxicab driver shall not:
- (a) Accept coupons upon which the signatures do not match.
 - (b) Present any coupon to the taxicab driver's employer for payment which was not given to him or her by a participant in exchange for transportation.
 - (c) Fail to endorse the taxicab driver's name and permit number on the reverse of any coupon presented to his or her employer for payment.
- [Taxicab Auth., Gen. Order No. 5 Rule 105, eff. 2-5-82]—(NAC A 10-13-88; A by Aging & Disability Services Div. by R017-12, 9-14-2012)

PRACTICE BEFORE TAXICAB AUTHORITY

General Provisions

NAC 706.876 Scope and construction; deviation from rules. (NRS 233B.050, 706.8818)

1. NAC 706.876 to 706.990, inclusive:
- (a) Govern all practice and procedure before the Taxicab Authority and the Administrator unless otherwise directed by the Authority or Administrator.
 - (b) Must be liberally construed to secure just, speedy and economical determination of all issues presented to the Authority.
2. In cases, where good cause appears, not contrary to statute, the Administrator or the Authority may permit deviation from the rules if it finds compliance impracticable or unnecessary.
- [Taxicab Auth., Practice Rule 1, eff. 7-1-70]—(NAC A by R064-02, 7-31-2002)

NAC 706.879 Office hours of operation; meetings; communications. (NRS 233B.050, 706.8818)

1. The office of the Administrator will be open from 8:00 a.m. to 12:00 p.m. and 1:00 p.m. to 5:00 p.m. of each week day except Saturday, Sunday and legal holidays or other days declared by proper authority.
2. Regular sessions of the Authority are held in its principal office or such other place as the Authority may from time to time specify, at such times as the Authority may designate.
3. All formal written communications and documents must be addressed to the Taxicab Authority and not to individual members of the Authority or its staff. All communications and documents are deemed to be officially received only when delivered at the office of the Authority. Formal or informal communications from the Authority must be signed by the responsible staff member or Authority.
4. Communications must contain the name and address of the communicant and must embrace but one subject. Informal communications must be properly identified.
- [Taxicab Auth., Practice Rule 2, eff. 7-1-70]—(NAC A 10-13-88; A by R057-11, 5-30-2012)

NAC 706.882 Computation of time. (NRS 233B.050, 706.8818) The time within which any act must be done, as provided in NAC 706.876 to 706.975, inclusive, must be computed by excluding the first day and including the last.

[Taxicab Auth., Practice Rule 13, eff. 7-1-70]

Parties

NAC 706.885 Classification of parties. (NRS 233B.050, 706.8818)

1. Parties to proceedings before the Authority must be entitled applicant, complainant, respondent, intervener or interested party according to the nature of the proceedings and the relationship of the parties thereto as follows:
- (a) The applicant is any person or persons applying or petitioning for any right or authority.
 - (b) The complainant is any person or persons who complain to the Authority of any act or of any person.

(c) The respondent is any person or persons against whom any proceeding is brought or an investigation initiated.

(d) The intervener is any person or persons permitted to intervene pursuant to NAC 706.894.

(e) The interested party is any person or persons who have an interest in the proceedings but do not satisfy the requirements for intervener status as set forth in NAC 706.894.

2. The Authority's staff may be any member of the Authority, the Administrator or his or her assistant. If counsel is desired, the Attorney General will represent the staff. Members of the Authority's staff have all rights of participation as a party to the proceeding.

[Taxicab Auth., Practice Rule 3, eff. 7-1-70]—(NAC A 10-13-88)

NAC 706.888 Appearances. (NRS 233B.050, 706.8818)

1. At any hearing, all parties named in NAC 706.885, except interested parties, are entitled to enter an appearance, to introduce evidence, examine and cross-examine witnesses, make arguments, and generally participate in the conduct of the proceeding. Interested parties who are or may be directly and substantially affected by the proceeding may enter an appearance, introduce evidence and, subject to the discretion of the Authority, may otherwise participate in the conduct of the proceeding.

2. Parties shall enter their appearance at the beginning of a hearing or at any time as may be designated by the presiding officer by giving their names and addresses and stating their position or interest in writing to the clerk-reporter who will include the same in the transcript of the hearing. The presiding officer may require appearances to be stated orally, so that the identity and interest of all parties present will be known to those at the hearing.

3. Appearances and representation of parties must be made as follows:

(a) A party is entitled to be heard in person or by his or her attorney.

(b) A copartnership may appear and be represented by a copartner.

(c) A corporation may appear and be represented by a corporate officer or authorized regular employee of the corporation.

(d) Any governmental entity within Clark County may appear and be represented by an authorized officer, agent or employee of the entity.

(e) An attorney appearing as counsel in any proceeding shall be an attorney at law, admitted to practice and in good standing before the highest court of Nevada. If such attorney is not admitted and entitled to practice before the Supreme Court of Nevada, an attorney so admitted and entitled to practice must be associated.

4. All notices and orders must be served upon the representative entering an appearance for the party represented.

5. No former employee of the Authority or member of the Attorney General's staff may appear as a witness or expert witness before the Authority in any proceeding on behalf of other parties without the permission of the Authority.

[Taxicab Auth., Practice Rule 4 §§ 4.1-4.4 & 4.7, eff. 7-1-70]—(NAC A 10-13-88)

NAC 706.891 Withdrawal of attorney. (NRS 233B.050, 706.8818) Any attorney of record wishing to withdraw from a proceeding shall, in writing, immediately notify the Authority, or the presiding officer and the party whom he or she represented.

[Taxicab Auth., Practice Rule 4 § 4.5, eff. 7-1-70]

NAC 706.894 Intervention. (NRS 233B.050, 706.8818)

1. Persons, other than the original parties to the proceeding, who are directly and substantially affected by the proceeding, shall serve notice on the Authority or Administrator, of their intention to intervene by submitting a clear and concise statement, in writing, of the interest of the applicant in such proceeding, outlining the matters and things relied upon by the applicant as basis for his or her request, together with a statement as to the nature of evidence the applicant will present and the position the applicant will take.

2. Notice to intervene must be filed with the Authority or Administrator 15 days before the commencement of hearing. If filed thereafter, the petition must state a substantial reason for the delay; otherwise the petition will not be considered.

3. If a notice of intervention shows direct and substantial interest in the subject matter of the proceeding or any part thereof and does not unduly broaden the issues, the Authority, presiding officer or Administrator may grant leave to intervene or otherwise appear in the proceeding with respect to the matters set out in the intervening notice. If it appears during the course of a proceeding that an intervener has no direct or substantial interest or the public interest does not require his or her participation therein, the Authority, presiding officer or Administrator may dismiss the intervener from the proceeding.

[Taxicab Auth., Practice Rule 5, eff. 7-1-70]—(NAC A 10-13-88)

NAC 706.897 Conduct required. (NRS 233B.050, 706.8818) A person appearing in a proceeding shall conform to the recognized standards of ethical and courteous conduct. All parties to hearings, their counsel and spectators will conduct themselves in a respectful manner.

[Taxicab Auth., Practice Rule 4 § 4.6 + Rule 9 § 9.6, eff. 7-1-70]—(NAC A 10-13-88)

Pleadings, Motions and Other Papers

NAC 706.900 Pleadings generally. (NRS 233B.050, 706.8818)

1. Pleadings must be typewritten, mimeographed or printed, properly identify the proceeding by title, and set forth a clear and concise statement of the matters relied upon as a basis for the pleading, together with an appropriate prayer when relief is sought and must be signed by the appropriate authorized party, officer or attorney.

2. Upon the filing of any pleading, it will be inspected by the Authority and if found to be defective or insufficient, it may be returned to the party filing it for correction.

3. The Authority may allow any pleading to be amended or corrected or any omission to be supplied.

[Taxicab Auth., Practice Rule 6 §§ 6.1-6.5, eff. 7-1-70]—(NAC A 10-13-88)

NAC 706.903 Applications generally. (NRS 233B.050, 706.8818) All pleadings requesting a right or authority from the Authority must be styled "applications." They must contain the full name and address of the applicant, and describe fully the facts upon which the application is based, with such exhibits as may be required, and a request for the order, authorization, certificate or permit desired. The application must be signed by the applicant.

[Taxicab Auth., Practice Rule 6 § 6.6, eff. 7-1-70]

NAC 706.906 Applications for certificates. (NRS 233B.050, 706.8818)

1. Applicants for a certificate shall, in addition to complying with the provisions of NAC 706.876 to 706.975, inclusive, applicable to all pleadings, submit the following data, either in the application or as exhibits attached to it:

(a) If the applicant is a partnership, a list of the individual names of all the partners. If the applicant is a corporation, a list of the directors, officers and stockholders, showing their percentage of ownership.

(b) Facts showing that the application is or will be required by the public convenience and necessity.

(c) A full description of the territories to be served.

(d) A suitable map depicting the territories to be served.

(e) All other data necessary for a complete understanding of the application.

(f) A current financial statement of applicant.

(g) If operating under a fictitious name, a certificate from the county clerk to so operate.

(h) Description of all equipment to be operated in proposed service.

2. A nonrefundable fee of \$200 must accompany an application for a certificate.

[Taxicab Auth., Practice Rule 14, eff. 7-1-70; A 12-19-75]—(NAC A 10-13-88)

NAC 706.909 Applications for change of rates or rules. (NRS 233B.050, 706.8818) Applications by any taxicab company to increase any rate, fare or charge or rule or regulation resulting in any increase must, in addition to complying with the provisions of NAC 706.876 to 706.975, inclusive, applicable to all pleadings, submit the following data, either in the application or attached to it as an exhibit:

1. A statement showing in full the rates or fares, rules or regulations requested to be put into effect or the general relief asked for.
2. A statement or reference showing in full the rates or fares, rules or regulations which will be superseded by the proposed rates.
3. A complete and accurate statement of the circumstances and conditions relied upon as justification for the application.
4. A reference record to prior action if any by the Authority in any proceeding relative to the existing and proposed rates.
5. A financial statement for a full 12-month period including a balance sheet and a profit and loss statement; or in any application filed by or on behalf of a group of companies as parties to a tariff, composite financial statements for all or a representative group of companies involved for a full 12-month period, and a composite and representative profit and loss statement.

[Taxicab Auth., Practice Rule 15, eff. 7-1-70]

NAC 706.912 Miscellaneous applications for relief. (NRS 233B.050, 706.8818) When the subject matter of any desired relief is not specifically covered by NAC 706.876 to 706.975, inclusive, an application seeking such relief and stating the reason for it may be filed, and will be handled in the same manner as other applications.

[Taxicab Auth., Practice Rule 6 §§ 6.7, 6.8 & 6.13, eff. 7-1-70]—(NAC A 10-13-88)

NAC 706.921 Filing and service. (NRS 233B.050, 706.8818)

1. An original and nine legible copies of all pleadings must be filed with the Authority. Copies must be served on all applicants, complainants, respondents and interveners. The Authority may direct that a copy of any pleading or other papers designated by the Authority be made available by the party filing same to any person whom the Authority determines may be affected by the proceeding and who desires copies of the pleadings.
2. All notices, findings of fact, opinions and orders required to be served by the Authority and all documents filed by any party may be served by mail and service shall be deemed complete when a true copy of the paper or document, properly addressed and stamped, is deposited in the United States mail.
3. There must appear on all documents required to be served an acknowledgment of service or the following certificate:

I hereby certify that I have this day served the foregoing document upon all parties of record in this proceeding (by delivering a copy thereof in person to or by mailing a copy thereof, properly addressed, with postage prepaid, to.....). Dated at, this(day) of(month) of(year)

.....
Signature

[Taxicab Auth., Practice Rule 7, eff. 7-1-70]—(NAC A 10-13-88)

Complaints Against Certificate Holders

NAC 706.922 Procedure upon receipt of oral complaint. (NRS 233B.050, 706.8818)

1. The staff of the Authority may attempt to resolve an oral complaint against a certificate holder that it receives from a member of the general public. If the complainant is not satisfied with the resolution of the oral complaint, the staff shall notify the complainant that he or she may file a written complaint with the staff of the Authority.
 2. The staff of the Authority may require a complainant to provide a written confirmation of an oral complaint.
- (Added to NAC by Taxicab Auth. by R064-02, eff. 7-31-2002)

NAC 706.9222 Form and accompanying documents; record; letter of acknowledgment; service upon certificate holder. (NRS 233B.050, 706.8818)

1. A written complaint must:

(a) Clearly and concisely state the grounds of the complaint and the facts constituting the alleged wrongful act or omission; and

(b) Be accompanied by copies of all supporting documents.

2. The staff of the Authority shall maintain a record of each written complaint, including, without limitation:

(a) Each relevant fact relating to the origin, nature and basis of the complaint;

(b) A description of each action that the complainant has taken or attempted to take to resolve the complaint;

(c) The response of the certificate holder to the complaint, including copies of supporting documents, if any; and

(d) Any other information the staff considers relevant to the resolution of the complaint.

3. The staff of the Authority shall:

(a) Within 10 days after receiving a written complaint, send a letter of acknowledgment to the complainant.

(b) Within 20 days after receiving a written complaint, serve a copy of the complaint upon the certificate holder against whom the complaint is made and require the certificate holder to file a response to the complaint with the staff.

(Added to NAC by Taxicab Auth. by R064-02, eff. 7-31-2002)

NAC 706.9224 Response. (NRS 233B.050, 706.8818)

1. A certificate holder against whom a written complaint is made shall file with the staff of the Authority a written response to the complaint within 15 days after receiving the complaint unless, for good cause shown, the staff extends the time for responding.

2. The response must include:

(a) A statement that the respondent has resolved the complaint; or

(b) If the complaint has not been resolved, a detailed admission or denial of each material allegation of the complaint and a full statement of the facts and matters of law relied upon as a defense.

3. The response must:

(a) Be signed by the respondent or, if represented, by the attorney or other authorized representative.

(b) Include the full name, address and telephone number of the respondent and, if represented, the name, address and telephone number of the attorney or other authorized representative of the respondent.

4. If the respondent fails to file a response with the staff of the Authority within the time prescribed in subsection 1, the staff shall place the matter before the Authority for a determination of whether probable cause exists for the written complaint. An unexcused failure of the respondent to respond to the complaint within the time prescribed in subsection 1 shall be deemed an admission by the respondent of all relevant facts stated in the complaint.

(Added to NAC by Taxicab Auth. by R064-02, eff. 7-31-2002)

NAC 706.9226 Investigation and recommended actions for resolution. (NRS 233B.050, 706.8818)

1. If the staff of the Authority receives a response to a written complaint, the staff shall examine the complaint, the response and any other information the staff has obtained that is necessary for the resolution of the complaint.

2. After completing an investigation of the matter set forth in the written complaint, the staff of the Authority shall notify all parties of the results of the investigation and shall recommend any actions that the parties should take to resolve the complaint.

(Added to NAC by Taxicab Auth. by R064-02, eff. 7-31-2002)

NAC 706.9228 Submission of unresolved complaint to Authority for review. (NRS 233B.050, 706.8818)

1. If the staff of the Authority cannot resolve the complaint because the staff determines that the complaint cannot be resolved or the complainant is not satisfied with the recommendation of the staff, the staff shall notify all parties that it will submit the complaint to the Authority for review.

2. In addition to transmitting the complaint, the results of its investigation and its recommendation to the Authority, the staff of the Authority shall submit:

- (a) The reasons for the complaint;
- (b) The position taken by the respondent; and
- (c) Any interim action taken by the staff.

↪ The staff shall provide the additional information to the complainant and respondent.
(Added to NAC by Taxicab Auth. by R064-02, eff. 7-31-2002)

NAC 706.923 Determination by Authority to dismiss complaint. (NRS 233B.050, 706.8818)

If the Authority determines that no probable cause exists for a written complaint or the complaint has been resolved and the Authority has received a notice of the resolution of the complaint, the Authority will dismiss the complaint. The Authority will serve upon the complainant and respondent a copy of the entry in the minutes of the Authority indicating the dismissal of the complaint by the Authority and a brief statement of the reasons for the dismissal.

(Added to NAC by Taxicab Auth. by R064-02, eff. 7-31-2002)

NAC 706.9232 Determination of probable cause; actions by Authority. (NRS 233B.050, 706.8818) If the Authority determines that probable cause exists for a written complaint, the Authority may:

1. Set a date for a hearing on the complaint; or
2. Order appropriate relief.

(Added to NAC by Taxicab Auth. by R064-02, eff. 7-31-2002)

Hearings

NAC 706.924 Notice of hearings. (NRS 233B.050, 706.8818)

1. Hearings will be held before the Authority or Administrator as prescribed by law. Notice of hearing before the Authority or Administrator will be served on all parties at least 20 days before the hearing, indicating the purpose, place, date and hour of the hearing.

2. All hearings before the Authority which encompass rates, certificates or transfer of any existing Authority vested in any person or corporation to operate a taxicab business will be noticed by publication and mailing.

3. The notice will be published one time not less than 20 days before the day fixed for the hearing in one newspaper of general circulation in Clark County, Nevada.

[Taxicab Auth., Practice Rule 9 §§ 9.1-9.3, eff. 7-1-70]—(NAC A 10-13-88; R064-02, 7-31-2002)

NAC 706.927 Continuances. (NRS 233B.050, 706.8818) The Authority, presiding officer or Administrator may, either before the hearing or during a hearing, and on proper showing, grant continuances for submission of further or additional proof of any subject matter.

[Taxicab Auth., Practice Rule 9 § 9.18, eff. 7-1-70]—(NAC A 10-13-88)

NAC 706.930 Failure to appear. (NRS 233B.050, 706.8818)

1. At the time and place set for hearing, if a party to the proceeding fails to appear, the Authority or Administrator may dismiss the action with or without prejudice or may, upon good cause shown, recess the hearing for a further period to be set by the Authority to enable the applicant, petitioner or complainant to attend.

2. At the time and place set for hearing, if a respondent fails to appear the Authority or Administrator may suspend or revoke the certificate or permit with or without prejudice or may, upon good cause shown, recess the hearing for a further period to be set by the Authority or Administrator to enable the respondent to attend.

[Taxicab Auth., Practice Rule 9 § 9.4, eff. 7-1-70]—(NAC A 10-13-88)

NAC 706.933 Prehearing conference. (NRS 233B.050, 706.8818)

1. The Authority, presiding officer or Administrator may, upon written notice to all parties of record, hold a prehearing conference for the purposes of formulating or simplifying the issues, obtaining admissions of fact and of documents which will avoid unnecessary proof, arranging for the

exchange of proposed exhibits or prepared expert testimony, limit the number of witnesses and consolidate the examination of witnesses, establish procedure at the hearing and resolve other matters that may expedite orderly conduct and the disposition of the proceedings or settlements.

2. The action taken at the conference and the agreements made by the parties concerned must be made a part of the record and will control the course of subsequent proceedings, unless modified at the hearing by the presiding officer.

[Taxicab Auth., Practice Rule 8, eff. 7-1-70]—(NAC A 10-13-88)

NAC 706.936 Subpoenas; depositions. (NRS 233B.050, 706.8818)

1. Subpoenas requiring the attendance of a witness from any place in the State to any designated place of hearing for the purpose of taking testimony of the witness orally before the Authority or Administrator, may be issued by any member of the Authority or the Administrator upon application in writing. Subpoenas for the production of books, papers, accounts or other documents, unless directed to issue by the Authority or Administrator on their own motion, will be issued only upon application in writing, which application must specify, as clearly as may be, the books, papers, accounts or other documents desired. The Authority, presiding officer or Administrator, upon motion made promptly and, in any event, at or before the time specified in the subpoena for compliance may:

(a) Quash the subpoena if it is unreasonable or oppressive; or

(b) Condition denial of the motion upon the advancement by the person in whose behalf the subpoena is issued of the reasonable cost of producing the books, papers, accounts or other documents desired.

2. The Authority, Administrator or any party to any proceeding before them may cause the depositions of witnesses to be taken in the manner prescribed by law and rule of court for depositions in civil actions.

[Taxicab Auth., Practice Rule 9 § 9.16, eff. 7-1-70]—(NAC A 10-13-88)

NAC 706.939 Testimony under oath. (NRS 233B.050, 706.8818) All testimony to be considered by the Authority or Administrator in formal hearings, except matters noticed officially or entered by stipulation, must be sworn testimony. Before taking the witness stand, each person shall swear, or affirm, that the testimony he or she is about to give in the hearing before the Authority or Administrator is the truth, the whole truth, and nothing but the truth.

[Taxicab Auth., Practice Rule 9 § 9.7, eff. 7-1-70]

NAC 706.942 Preliminary procedure. (NRS 233B.050, 706.8818) The presiding member of the Authority or the Administrator shall call the proceeding for hearing and proceed to take the appearances, and act upon any pending motions, petitions or complaints. The parties may then make opening statements as they may desire.

[Taxicab Auth., Practice Rule 9 § 9.1, eff. 7-1-70]

NAC 706.945 Presentation of evidence. (NRS 233B.050, 706.8818)

1. Applicants or complainants shall present their evidence and such parties as may be opposing the application or complaint, shall submit their proof. The presiding officer of the Authority or Administrator shall determine the order in which parties introduce their evidence. Interveners shall, as far as possible, follow the party with respect to whom intervention is made. If the intervention is not in support of either original party, the presiding officer shall designate at which stage the interveners will be heard.

2. Evidence will ordinarily be received in the following order:

(a) Upon applications:

- (1) Applicant;
- (2) Authority staff;
- (3) Interveners; and
- (4) Rebuttal by applicant.

(b) Upon written complaints:

- (1) Complainant;
- (2) Respondent;
- (3) Authority staff; and

- (4) Rebuttal by complainant.
- (c) Upon complaints or orders to show cause by the Authority or Administrator:
 - (1) Authority;
 - (2) Respondent; and
 - (3) Rebuttal by the Authority staff.
- 3. The procedure described in subsection 2 may be modified at the discretion of the Authority's presiding officer or Administrator.
 [Taxicab Auth., Practice Rule 9 § 9.8, eff. 7-1-70]—(NAC A 10-13-88; R064-02, 7-31-2002)

NAC 706.948 Rules and types of evidence. (NRS 233B.050, 706.8818)

1. In conducting any investigation, inquiry or hearing, neither the Authority nor any of its officers or employees are bound by the technical rules of evidence, and no informality in any proceeding or in the manner of taking of testimony will invalidate any order, decision, rule or regulation made, approved or confirmed by the Authority or Administrator. Rules of evidence before the courts of Nevada will be generally followed but may be relaxed in the discretion of the Authority, presiding officer or Administrator when deviation from the technical rules of evidence will aid in ascertaining the facts.

2. A copy of each documentary exhibit must be furnished to each party of record present, and nine additional copies must be furnished for the use of the Authority. Where relevant and material matter offered in evidence is embraced in a written or printed statement, book or document of any kind containing other matter not material or relevant and not intended to be put in evidence, such statement, book or document in whole must not be received or allowed to be filed, but counsel and other parties offering it must present in convenient and proper form for filing, a copy of such material and relevant matter, or at the discretion of the presiding officer, read it into the record, and that only will be received and allowed to be filed as evidence and made part of the record. Whenever practicable, the parties should interchange copies of exhibits before, or after the commencement of the hearing. Any documentary evidence offered, whether in the form of exhibit or introduced by reference, is subject to appropriate and timely objection.

3. With the approval of the presiding officer, a witness may read into the record his or her testimony on direct examination. Before any prepared testimony is read, unless excused by the presiding officer, the witness shall deliver copies thereof to the presiding officer, the reporter and all counsel or parties. Admissibility is subject to the rules governing oral testimony. If the presiding officer deems that a substantial saving in time will result and where the parties so agree, prepared testimony may be copied into the record without reading, provided that the copies have been served upon all parties and the Authority 5 days before the hearing or that such prior service is waived. All parties and the Authority staff shall be prepared for cross-examination with respect to direct testimony upon its presentation for the record, whether such testimony is delivered orally, read into the record or copied into the record in accordance with this section.

4. Resolutions properly authenticated of the governing bodies of cities, towns, counties, and other municipal corporations, and of chambers of commerce, boards of trade, commercial, mercantile, agricultural, or manufacturing societies and other civic organizations will be received in evidence if offered at the hearing by the president, secretary or other proper person. Such resolutions will be received subject to rebuttal by adversely affected parties as to either the authenticity of the resolution or the circumstances surrounding its procurement. Recitals of fact contained in resolutions are not proof of those facts, and resolutions may only be received for the limited purpose of showing the expression of the official action of the resolving body with respect to the matter under consideration in the proceeding.

5. When a party desires to offer in evidence any portion of the oral testimony, exhibits, order, decision or record in any other proceeding before the Authority or Administrator, such portion must be plainly designated in the record and, if admitted, shall be deemed to be a part of the oral testimony in the immediate proceeding without physical production and marking for identification.

[Taxicab Auth., Practice Rule 9 part § 9.12, §§ 9.13-9.15& 9.22, eff. 7-1-70]—(NAC A 10-13-88)

NAC 706.951 Consolidation; limitation on number of interested parties. (NRS 233B.050, 706.8818)

1. The Authority or Administrator may consolidate two or more proceedings in any one hearing when it appears that the issues are substantially the same and that the rights of the parties will not be prejudiced by the hearing. At a consolidated hearing, the presiding officer of the Authority or the Administrator shall determine the order in which all the parties introduce their evidence.

2. Where two or more interested parties have substantially like interests and positions, the presiding officer of the Authority or Administrator may at any time during the hearing, if he or she deems it advisable in order to expedite the hearing, limit the number of interested parties who will be permitted to testify.

[Taxicab Auth., Practice Rule 9 §§ 9.9 & 9.10, eff. 7-1-70]—(NAC A 10-13-88)

NAC 706.954 Stipulations. (NRS 233B.050, 706.8818) With the approval of the presiding officer, the parties may stipulate as to any fact at issue. Any such stipulation is binding upon all parties so stipulating and may be regarded by the Authority or Administrator as evidence at the hearing. The Authority or Administrator may require proof by evidence of the facts stipulated to, notwithstanding the stipulation of the parties.

[Taxicab Auth., Practice Rule 9 § 9.11, eff. 7-1-70]

NAC 706.957 Official notice. (NRS 233B.050, 706.8818) The Authority or Administrator may take official notice of the following matters:

1. Rules, regulations, official reports, decisions and orders of the Authority and any regulatory agency of the State of Nevada.

2. Contents of decisions, orders, certificates and permits issued by the Authority or Administrator.

3. Matters of common knowledge and technical or scientific facts of established character.

4. Official documents, if pertinent, when properly introduced into the record of formal proceedings by reference. Proper and definite reference to such document must be made by the party offering the document and the document must be published and generally circulated so that an opportunity is given to all of the parties of interest at the hearing to examine the document and present rebuttal evidence.

[Taxicab Auth., Practice Rule 9 § 9.21, eff. 7-1-70]

NAC 706.960 Objections; exceptions; offer of proof; rulings. (NRS 233B.050, 706.8818)

1. When objection is made to the admissibility of evidence, such evidence may be received subject to later ruling by the Authority, presiding officer or Administrator. When objections are made to the admission or exclusion of evidence, the grounds relied upon must be stated briefly. Formal exceptions to rulings are unnecessary and need not be taken.

2. An offer of proof for the record must consist of a statement of the substance of the evidence to which objection has been sustained.

3. The presiding officer shall rule on the admissibility of all evidence, subject to the requirements of subsection 1. Such rulings may be reviewed by the Authority or Administrator in determining the matter on its merits. In extraordinary circumstances, where prompt decision by a member of the Authority or Administrator is necessary to promote substantial justice, the presiding officer may refer the matter to the Authority for determination.

[Taxicab Auth., Practice Rule 9 part § 9.12 & §§ 9.25-9.27, eff. 7-1-70]—(NAC A 10-13-88)

NAC 706.963 Briefs; oral argument. (NRS 233B.050, 706.8818)

1. In any hearing, the Authority or Administrator may order briefs to be filed within the time allowed by the Authority or Administrator. Nine copies of briefs must be filed with the Authority when the hearing is before the Authority and two copies with the Administrator when the hearing is before him or her. They must be accompanied by an acknowledgment or an affidavit showing service on other parties of record.

2. The Authority or Administrator may in their discretion, following the filing of briefs or upon contested motions, set the matter for oral argument. Ten days' notice must be given to all parties of record, unless the Authority or Administrator deems a shorter time advisable.

[Taxicab Auth., Practice Rule 9 §§ 9.19 & 9.20, eff. 7-1-70]—(NAC A 10-13-88)

NAC 706.966 Decisions and orders. (NRS 233B.050, 706.8818)

1. A proceeding stands submitted for decision by the Authority or Administrator after the taking of evidence or the filing of briefs or the presentation of oral argument as may have been prescribed by the Authority or Administrator, unless otherwise specifically approved.

2. Orders of the Authority or Administrator must be served by the Administrator by mailing copies of them to the parties of record or their representatives or by personal service. Copies of orders served on applicants, complainants and respondents must be signed on behalf of the Authority or Administrator by an authorized officer.

[Taxicab Auth., Practice Rule 10, eff. 7-1-70]—(NAC A 10-13-88)

NAC 706.969 Transcripts; attendance charges, per diem and travel expenses. (NRS 233B.050, 706.8818)

1. The Authority or Administrator will cause a record to be made of all public hearings. A person who wishes to obtain a copy of a transcript may obtain a copy from the official reporter or the Authority upon payment of the fee fixed for a copy, as approved by the Authority or Administrator.

2. If an official reporter is used for a public hearing, the ordinary attendance charges, per diem and travel expenses and charges for copies of the transcript required by the Authority or Administrator for his or her purposes will be paid by the moving party.

[Taxicab Auth., Practice Rule 9 § 9.24, eff. 7-1-70]—(NAC A 10-13-88; R064-02, 7-31-2002)

NAC 706.972 Rehearings. (NRS 233B.050, 706.8818)

1. An application for a rehearing must be filed with the Administrator not later than 30 days after the effective date of the order upon which rehearing is requested.

2. Rehearings will be conducted in accordance with the procedure at regular hearings, subject to the discretion of the Authority or Administrator.

3. The filing of a petition for rehearing does not excuse compliance with the order nor suspend the effectiveness of such order unless otherwise ordered.

[Taxicab Auth., Practice Rule 11, eff. 7-1-70]—(NAC A 10-13-88)

Appeals**NAC 706.975 Appeals to Authority. (NRS 233B.050, 706.8818)**

1. An appeal from the decision of the Administrator or hearing officer to the Authority is permitted providing that the notice of appeal by the appellant is filed with the Administrator within 30 days of the decision of the Administrator or hearing officer.

2. Petitions for appeal must set forth the ground or grounds upon which the appellant considers the order, decision, rule, direction or regulation to be unreasonable, unlawful, erroneous or not in conformity with the law. The appellant shall include in the appeal a copy of the transcript from the contested hearing.

3. Copies of the notice of appeal must be served upon the Administrator and all of the parties of record.

[Taxicab Auth., Practice Rule 12, eff. 12-19-75]—(NAC A 10-13-88)

Declaratory Orders and Advisory Opinions

NAC 706.980 Consideration of applications. (NRS 233B.050, 706.8818) The Authority will consider applications for declaratory orders or advisory opinions concerning the applicability of any statutory provision or any regulation or decision of the Authority.

(Added to NAC by Taxicab Auth., eff. 10-13-88)

NAC 706.982 Procedure for consideration of applications. (NRS 233B.050, 706.8818)

1. If the Authority receives an application for a declaratory order or advisory opinion at least 10 days before its next regularly scheduled meeting, the Authority will place the application on the agenda of the meeting to either grant or deny the application.

2. If the Authority denies the application, no further action will be taken.

3. If the Authority grants the application, the Authority will issue its declaratory order or advisory opinion within 60 days after granting the application, or within 120 days if good cause exists

for an extended period of consideration. The Authority may schedule a hearing on the application which constitutes sufficient cause to warrant an extension on the issue raised in the application.

(Added to NAC by Taxicab Auth., eff. 10-13-88)

NAC 706.984 Draft of opinion or order by Administrator. (NRS 233B.050, 706.8818) After the Authority determines that an issue concerning the applicability of a statute, regulation or decision should be addressed, the presiding officer shall direct the Administrator to write an order or opinion. Within 30 days thereafter, the Administrator shall:

1. Review comments by all members of the Authority on the issue;
2. Research the issue and, if necessary, seek the assistance of the Attorney General; and
3. Submit a draft of the order or the opinion to the Authority for its approval.

(Added to NAC by Taxicab Auth., eff. 10-13-88)

NAC 706.986 Notice of decision. (NRS 233B.050, 706.8818) After the Authority renders its declaratory order or advisory opinion, the Administrator shall give notice of the decision to the applicant.

(Added to NAC by Taxicab Auth., eff. 10-13-88)

NAC 706.988 Violation of opinion or order prohibited. (NRS 233B.050, 706.8818) The holder of a certificate or permit may not violate any declaratory order or advisory opinion rendered by the Authority.

(Added to NAC by Taxicab Auth., eff. 10-13-88)

Applications for Adoption, Amendment or Repeal of Regulations

NAC 706.990 Procedure for consideration of application. (NRS 233B.050, 706.8818)

1. An application to adopt, amend or repeal a regulation must be in writing and prepared in a form approved by the Authority.
2. If the Authority receives an application to adopt, amend or repeal a regulation at least 30 days before its next regularly scheduled meeting, the Authority will place the application on the agenda of the meeting to either deny the application or commence procedures to adopt, amend or repeal the regulation.

(Added to NAC by Taxicab Auth., eff. 10-13-88)

APPEALS TO NEVADA TRANSPORTATION AUTHORITY

NAC 706.991 Definitions. (NRS 706.171, 706.2883) As used in NAC 706.991 to 706.9918, inclusive, unless the context otherwise requires, the words and terms defined in NAC 706.9911, 706.9912 and 706.9913 have the meanings ascribed to them in those sections.

(Added to NAC by Transportation Serv. Auth. by R218-97, eff. 4-17-98)

NAC 706.9911 "Record on appeal" defined. (NRS 706.171, 706.2883) "Record on appeal" means the entire record of a final decision that is being appealed, including, without limitation, any document, pleading, tape recording of any hearing and certified transcript of any such tape recording concerning the final decision.

(Added to NAC by Transportation Serv. Auth. by R218-97, eff. 4-17-98)

NAC 706.9912 "Taxicab Authority" defined. (NRS 706.171, 706.2883) "Taxicab Authority" means the Taxicab Authority created pursuant to NRS 706.8818.

(Added to NAC by Transportation Serv. Auth. by R218-97, eff. 4-17-98)

NAC 706.9913 "Transportation Authority" defined. (NRS 706.171, 706.2883) "Transportation Authority" means the Nevada Transportation Authority created pursuant to NRS 706.1511.

(Added to NAC by Transportation Serv. Auth. by R218-97, eff. 4-17-98)

**SECOND REVISED PROPOSED REGULATION
OF THE TAXICAB AUTHORITY OF THE
DEPARTMENT OF BUSINESS AND INDUSTRY**

LCB File No. R003-16

June 10, 2016

EXPLANATION – Matter in *italics* is new; matter in brackets ~~(omitted-material)~~ is material to be omitted.

AUTHORITY: §§1-36, Section 1.7 of Senate Bill No. 376, chapter 447, Statutes of Nevada 2015, at page 2596 (NRS 706.88181).

A REGULATION relating to taxicabs; authorizing certain certificate holders to lease a taxicab to an independent contractor; and providing other matters properly relating thereto.

Legislative Counsel's Digest:

Under existing law, the Taxicab Authority has regulatory authority over taxicab motor carriers in any county whose population is 700,000 or more (currently Clark County). (NRS 706.881) Existing law authorizes a person who holds a current certificate of public convenience and necessity for the operation of a taxicab business which was issued by the Taxicab Authority to lease a taxicab to an independent contractor who is not a certificate holder, provided that the person gets approval from the Taxicab Authority. (Section 1.5 of Senate Bill No. 376, chapter 447, Statutes of Nevada 2015, at page 2595 (NRS 706.88396)) The Taxicab Authority is required to adopt regulations to provide for such leases and to ensure that the taxicab business remains safe, adequate and reliable. (Section 1.7 of Senate Bill No. 376, chapter 447, Statutes of Nevada 2015, at page 2596 (NRS 706.88181))

Section 2 of this regulation authorizes a certificate holder to lease a taxicab to an independent contractor provided that the: (1) Administrator of the Taxicab Authority approves the lease agreement; (2) independent contractor possesses a driver's license, a driver's permit obtained from the Taxicab Authority and a medical examiner's certificate; and (3) taxicab bears a lease medallion obtained by the certificate holder from the Taxicab Authority. **Section 5** of this regulation provides the requirements for what a lease agreement between a certificate holder and an independent contractor must contain, and **section 4** of this regulation provides the criteria to be used by the Administrator in determining whether to approve or preapprove such a lease agreement or a lease agreement template.

Section 6 of this regulation authorizes a certificate holder who leases a taxicab to an independent contractor to require a security deposit from the independent contractor to secure the return of the taxicab in good condition. **Section 8** of this regulation requires a certificate holder who leases a taxicab to an independent contractor to maintain certain records relating to the lease agreement and the taxicab. **Section 9** of this regulation requires an independent contractor who leases a taxicab from a certificate holder: (1) to submit daily trip sheets to the certificate holder; (2) to collect from each passenger all applicable taxes and fees; and (3) to remit all such taxes and fees to the certificate holder.

Section 10 of this regulation requires a certificate holder who wishes to lease a taxicab to an independent contractor to obtain a lease medallion for the taxicab from the Taxicab Authority. **Section 12** of this regulation provides that certain provisions of existing law relating to unlawful acts, prohibited and required acts of drivers, and disciplinary actions that may be taken by the Taxicab Authority apply to a certificate holder and an independent contractor who have executed a lease agreement for the operation of a taxicab.

Section 13 of this regulation provides definitions needed to distinguish between: (1) a regular or temporary taxicab medallion and a lease medallion; and (2) a taxicab driver who is an employee of the certificate holder and an independent contractor who enters into a lease agreement with the certificate holder. (NAC 706.450) **Sections 14-36** of this regulation make conforming changes to existing regulations to apply the distinctions between drivers and independent contractors to those sections.

Section 1. Chapter 706 of NAC is hereby amended by adding thereto the provisions set forth as sections 2 to 12, inclusive, of this regulation.

Sec. 2. 1. *A certificate holder may lease a taxicab to an independent contractor pursuant to section 1.5 of Senate Bill No. 376, chapter 447, Statutes of Nevada 2015, at page 2595 (NRS 706.88396), and sections 2 to 12, inclusive, of this regulation, provided that the:*

(a) Lease agreement has been approved by the Administrator pursuant to section 4 of this regulation;

(b) Independent contractor:

(1) Holds a driver's permit issued pursuant to NRS 706.8841; and

(2) Has obtained a medical examiner's certificate pursuant to NRS 706.8842; and

(c) Taxicab which is leased under the lease agreement bears a lease medallion issued to the certificate holder pursuant to section 10 of this regulation.

2. If a lease agreement executed pursuant to sections 2 to 12, inclusive, of this regulation terminates before the expiration date included in the lease agreement, the certificate holder shall notify the Authority in writing within 48 hours after the termination.

Sec. 3. 1. *Except as otherwise provided in sections 2 to 12, inclusive, of this regulation, a certificate holder may not lease any vehicle which it uses as a taxicab.*

2. A certificate holder may not lease a taxicab pursuant to sections 2 to 12, inclusive, of this regulation unless the certificate holder:

(a) Is the registered owner of the taxicab; or

(b) Has the legal authority to lease the taxicab to an independent contractor pursuant to sections 2 to 12, inclusive, of this regulation.

3. As used in this section, "registered owner" has the meaning ascribed to it in NRS 482.102.

Sec. 4. 1. *Except as otherwise provided in this section, a certificate holder seeking to lease a taxicab to an independent contractor must submit a copy of the lease agreement to the Administrator. Except as otherwise provided in subsection 4, such a lease is not deemed executed until it has been approved or preapproved by the Administrator pursuant to this section.*

2. Except as otherwise provided in subsection 3 of section 5 of this regulation, the Administrator shall approve a lease agreement submitted pursuant to subsection 1 if:

(a) The lease agreement meets the requirements of section 5 of this regulation;

(b) The certificate holder and the independent contractor who are parties to the lease agreement meet the requirements of section 2 of this regulation; and

(c) All other applicable requirements of sections 2 to 12, inclusive, of this regulation are met.

3. A certificate holder may submit a lease agreement template to the Administrator for preapproval. Except as otherwise provided in subsection 3 of section 5 of this regulation, the Administrator shall preapprove a lease agreement template submitted pursuant to this subsection if the lease agreement template meets the requirements of section 5 of this regulation. A lease agreement template that has been preapproved pursuant to this subsection is deemed to be preapproved for not more than 2 years after the date on which the Administrator issues the preapproval.

4. Upon receiving a lease agreement or lease agreement template from a certificate holder for approval or preapproval pursuant to this section, the Administrator will, within 10 working days, approve or preapprove the lease agreement or lease agreement template, disapprove the lease agreement or lease agreement template or request more information from the certificate holder. A lease agreement or lease agreement template which has not been acted on by the Administrator within 10 working days after receipt of the lease agreement or lease agreement template is deemed approved or preapproved, as applicable.

5. A certificate holder may appeal the disapproval of a lease agreement or lease agreement template by the Administrator pursuant to this section. Such an appeal:

(a) Must be filed not more than 10 working days after the date of the disapproval; and

(b) Will be heard pursuant to the requirements of NAC 706.876 to 706.990, inclusive, by the Authority at the next available meeting of the Authority.

Sec. 5. 1. A lease agreement entered into between a certificate holder and an independent contractor pursuant to sections 2 to 12, inclusive, of this regulation must:

(a) Be in writing and in a form approved by the Authority.

(b) Be signed by each party, or his or her representative, to the agreement.

(c) Identify the use to be made of the taxicab by the independent contractor and the consideration to be received by the certificate holder. The use to be made of a taxicab must conform to the authority granted by the certificate to operate the taxicab.

(d) Include language that the certificate holder and the independent contractor indemnify, release and hold harmless governmental agencies, including, without limitation, the Authority, from all claims arising from the lease agreement.

(e) Identify the taxicab to be leased under the lease agreement.

(f) Specifically state that the:

(1) Independent contractor is subject to all laws and regulations relating to the operation of a taxicab which have been established by the Authority and other regulatory agencies and that a violation of those laws and regulations will breach the lease agreement.

(2) Certificate holder is responsible for providing insurance for the taxicab which meets the requirements of NRS 706.8828.

(3) Lease agreement does not release the certificate holder from any of his or her duties or responsibilities set forth in this chapter and chapter 706 of NRS.

(4) Independent contractor:

(I) Shall comply with the requirements of subsections 1 to 4, inclusive, of NAC 706.549 concerning hours of service;

(II) Shall return the taxicab to the certificate holder not less than one time per day to enable the certificate holder to comply with the requirements of NRS 706.8837 and 706.8838;

(III) Shall not transfer, assign, sublease or otherwise enter into an agreement for another person to operate the taxicab; and

(IV) Shall remit to the certificate holder all applicable taxes and fees required pursuant to NRS 706.8826 and section 9 of this regulation collected by the independent contractor from each passenger.

(5) Taxicab provided by the certificate holder pursuant to the lease agreement:

(I) Will be painted with the name and unit number of the certificate holder; and

(II) Is in good mechanical condition that will meet the requirements for operating taxicabs in this State and the county or other political subdivision in which the taxicab will be operated.

(g) Contain any other provision which the Authority deems necessary to protect the health and safety of the public.

2. A lease agreement entered into between a certificate holder and an independent contractor pursuant to sections 2 to 12, inclusive, of this regulation may contain a requirement for a security deposit that meets the requirements of section 6 of this regulation.

3. If the Authority has reason to believe that a lease provision required by this section is being violated, the Authority may, upon at least 5 days' notice to the certificate holder or

independent contractor, as applicable, and after a hearing unless waived by the certificate holder or independent contractor, as applicable:

(a) Order the certificate holder or independent contractor, as applicable, to cease and desist from any action taken in violation of the lease agreement;

(b) Impose an administrative fine as provided in subsection 2 of NRS 706.885; or

(c) Revoke or suspend the approval or preapproval granted pursuant to section 4 of this regulation for any lease agreements entered into by the certificate holder or independent contractor, as applicable.

Sec. 6. 1. A certificate holder may, as a condition of leasing a taxicab to an independent contractor, require the driver to deposit money with the certificate holder in an amount sufficient to secure the return of the taxicab in good condition.

2. If a certificate holder collects a security deposit pursuant to subsection 1, the certificate holder shall ensure that the security deposit is maintained in an account separate from the account in which the operating capital of the certificate holder is maintained.

3. Upon the termination or expiration of the lease agreement, the certificate holder shall reimburse the independent contractor the amount of the security deposit and any interest accrued by the security deposit, minus the costs of repairs made to the taxicab pursuant to subsection 4, if any. If the cost of the repairs exceeds the amount of the security deposit, the certificate holder may retain any interest accrued on the security deposit in an amount equal to the difference between the cost of the repairs and the amount of the security deposit.

4. A certificate holder who, at the termination or expiration of the lease agreement, retains any amount from the security deposit authorized by this section must, within 30 days

after the completion of any repairs made to the taxicab, provide the independent contractor with an itemized list of any repairs made to the taxicab and copies of receipts for such repairs in an amount equal to the amount that was retained.

Sec. 7. 1. *A certificate holder who enters into a lease agreement with an independent contractor pursuant to sections 2 to 12, inclusive, of this regulation shall provide the independent contractor with a copy of the lease agreement.*

2. An independent contractor shall keep a copy of the lease agreement provided pursuant to subsection 1 in the taxicab that is the subject of the lease agreement for the duration of the lease agreement.

3. If the Authority determines that a taxicab that is the subject of a lease agreement is being operated in violation of this section, the Authority may order the independent contractor to withdraw the taxicab from service. A taxicab withdrawn from service pursuant to this subsection may not be placed back into service by the independent contractor until the independent contractor provides evidence sufficient to the Authority that the lease agreement is in the taxicab as required by subsection 2.

Sec. 8. 1. *A certificate holder who leases a taxicab to an independent contractor pursuant to sections 2 to 12, inclusive, of this regulation must, for a period of not less than 3 years after the termination or expiration of the lease agreement, maintain records pertaining to the lease agreement and the taxicab that is the subject of the lease agreement, including, without limitation:*

(a) A copy of the signed lease agreement;

(b) All records evidencing and pertaining to the insurance required by NRS 706.8828;

- (c) All records evidencing registration and maintenance of the taxicab;*
- (d) A copy of the driver's permit and medical examiner's certificate of the independent contractor; and*
- (e) Any other records required to be maintained by the Authority pursuant to its authority under NRS 706.8829 and 706.883.*

2. The records required by subsection 1 are in addition to, and must be maintained in accordance with, the requirements of NRS 706.8829 and 706.883 and NAC 706.651.

Sec. 9. *An independent contractor who leases a taxicab pursuant to sections 2 to 12, inclusive, of this regulation shall:*

1. Submit a daily trip sheet as required by NRS 706.8844, as amended by section 8.7 of Senate Bill No. 376, chapter 447, Statutes of Nevada 2015, at page 2603, to the certificate holder not less than once every 24 hours after the date on which the independent contractor begins operating the taxicab.

2. Collect all applicable taxes and all applicable fees required pursuant to NRS 706.8826 from each passenger. All money collected pursuant to this subsection must be remitted to the certificate holder pursuant to the terms of the lease agreement.

Sec. 10. *1. A certificate holder may not lease a taxicab to an independent contractor pursuant to sections 2 to 12, inclusive, of this regulation unless a lease medallion obtained from the Authority is affixed to the taxicab.*

2. Except as otherwise provided in this section, the Authority will issue a lease medallion to a certificate holder upon request.

3. A certificate holder may not:

(a) Obtain a number of lease medallions issued pursuant this section that exceeds one-half of the number of medallions otherwise issued to the certificate holder by the Authority;

(b) Permit the combined operation by drivers and independent contractors of more taxicabs than the number of taxicabs allocated to the certificate holder by the Authority pursuant to NRS 706.8824, as amended by section 8.1 of Senate Bill No. 376, chapter 447, Statutes of Nevada 2015, at page 2601; or

(c) Sell, transfer or mortgage a lease medallion issued pursuant to this section.

4. A lease medallion obtained pursuant to this section must be affixed to a taxicab being leased by an independent contractor in such a manner and in such a place on the taxicab as directed by the Authority.

5. If a lease medallion is lost, stolen or damaged, the certificate holder to whom the lease medallion was issued:

(a) Shall notify the Authority within 3 business days; and

(b) May request that the Authority provide the certificate holder with a replacement lease medallion. A replacement lease medallion will only be available from the Authority during the regular business hours of the Authority.

Sec. 11. *An independent contractor who operates a taxicab which has been leased from a certificate holder pursuant to sections 2 to 12, inclusive, of this regulation:*

1. Will be deemed by the Authority to be on duty for the purposes of sections 2 to 12, inclusive, of this regulation.

2. Is subject to the applicable provisions of this chapter and chapter 706 of NRS, including, without limitation, all of the provisions of NRS 706.881 to 706.885, inclusive, which apply to a driver, as that term is defined in NRS 706.8814.

3. Must have on his or her person:

(a) A valid driver's license obtained under the provisions of NRS 483.010 to 483.630, inclusive;

(b) A driver's permit issued by the Administrator pursuant to NRS 706.8841; and

(c) A copy of the medical examiner's certificate obtained pursuant to NRS 706.8842.

Sec. 12. A violation of any provision of sections 2 to 12, inclusive, of this regulation is subject to the provisions of NRS 706.885.

Sec. 13. NAC 706.450 is hereby amended to read as follows:

706.450 As used in NAC 706.450 to 706.990, inclusive, and sections 2 to 12, inclusive, of this regulation, unless the context otherwise requires:

- 1. "Administrator" means the Taxicab Administrator or his or her authorized agent.*
- 2. "Authority" means the Taxicab Authority created by NRS 706.8818.*
- 3. "Certificate" means a certificate of public convenience and necessity issued by the Authority.*
- 4. "Driver" means a person who is employed by a certificate holder to operate a taxicab and includes a certificate holder when the certificate holder operates a taxicab. The term does not include an independent contractor.*
- 5. "Independent contractor" means a person who drives and leases a taxicab from a certificate holder pursuant to sections 2 to 12, inclusive, of this regulation.*

6. *“Lease medallion” means the metal plate issued by the Authority pursuant to section 10 of this regulation which is affixed to a taxicab authorizing it to be operated by an independent contractor within the jurisdiction of the Authority.*

7. “Medallion” means the metal plate issued by the Authority which is affixed to a taxicab authorizing it to be operated *by a driver* within the jurisdiction of the Authority.

~~{5-}~~ 8. “Permit” means the document supplied by the Authority authorizing a person to drive a taxicab within the jurisdiction of the Authority for a period of 1 year.

~~{6-}~~ 9. *“Regular business hours” means Monday through Friday from 8 a.m. to 5 p.m., excluding legal holidays.*

10. “Temporary permit” means the document supplied by the Authority authorizing a person to drive a taxicab within the jurisdiction of the Authority for less than 1 year.

Sec. 14. NAC 706.476 is hereby amended to read as follows:

706.476 If a certificate holder receives a complaint concerning a driver *or an independent contractor* that alleges a violation of any of the provisions of this chapter or chapter 706 of NRS, the certificate holder shall notify the Administrator of the complaint not later than 2 working days after receiving the complaint.

Sec. 15. NAC 706.478 is hereby amended to read as follows:

706.478 A certificate holder shall maintain a log for each taxicab, *including, without limitation, a taxicab operated by an independent contractor*, dispatched for service by a radio call. The log must include:

1. The date and time the call requesting transportation was received;
2. The name of the person or location requesting transportation;

3. The unit designation of the taxicab dispatched; and
4. The date and time the designated unit was dispatched for the requested transportation.

Sec. 16. NAC 706.481 is hereby amended to read as follows:

706.481 1. If a driver *or an independent contractor* is the victim of a violent crime while on duty, the Administrator will notify all certificate holders concerning the commission of the crime, including all relevant details pertaining thereto.

2. Upon notification, a certificate holder shall immediately disseminate the information concerning the crime to all drivers and dispatch operators employed by him or her ~~and~~ *and to all independent contractors who have entered into a lease agreement with the certificate holder pursuant to sections 2 to 12, inclusive, of this regulation.*

3. If funding is provided by certificate holders for the payment of monetary rewards under a secret witness program, pursuant to which a witness to a crime may provide information concerning the crime without divulging his or her identity, all certificate holders shall display an emblem, approved by the Administrator, on the outside passenger door of each of their taxicabs and may display the emblem on the card holder inside those taxicabs indicating their participation in the program.

Sec. 17. NAC 706.487 is hereby amended to read as follows:

706.487 1. A certificate holder shall not:

(a) Modify the color scheme or insignie of any taxicab unless the certificate holder first secures written approval for the modification from the Administrator in accordance with the provisions of this section.

(b) Operate any taxicab on which the color scheme or insigne has been modified without first securing written approval for the modification from the Administrator in accordance with the provisions of this section or for which approval has been withdrawn by the Administrator pursuant to this section.

(c) Request more than six modifications of the color scheme of its taxicabs at one time.

2. If a certificate holder wishes to modify temporarily the color scheme or insigne of any taxicab, the certificate holder must file a written application with the Administrator. The application must include:

(a) A description of the proposed temporary modification.

(b) Three colored copies or photographs of the proposed temporary modification.

(c) A description of the materials and procedures that will be used to achieve the proposed temporary modification.

(d) A copy of any written contract related to the proposed temporary modification.

(e) Any additional information that the Administrator deems necessary to evaluate the application.

3. The Administrator shall approve or deny an application filed pursuant to this section within 30 days after receipt of the application. If no action is taken within the 30-day period, the application shall be deemed denied.

4. The Administrator may approve an application filed pursuant to this section subject to satisfaction of all the following conditions:

(a) Only the number of taxicabs equal to 20 percent or less of the total number of medallions issued to the certificate holder are temporarily modified at any given time, unless fewer than five

taxicabs constitute more than 20 percent of those taxicabs, in which case the certificate holder may temporarily modify more than five taxicabs. For the purposes of this paragraph, a medallion issued for a special event *and a lease medallion* must not be included when calculating the total number of medallions issued to the certificate holder.

(b) The temporary modification of the taxicab does not last for more than 6 months.

(c) The color scheme and insigne of any taxicab that is temporarily modified remains sufficiently distinct from the approved color scheme and insigne or temporary modification of another certificate holder.

(d) The information required pursuant to NRS 706.8835 remains clearly visible at all times on any taxicab that is temporarily modified.

(e) The temporary modification of the taxicab does not create a risk to the health, safety or welfare of the traveling public, as determined by the Administrator.

5. If an application filed pursuant to this section is approved, not less than 7 days before the temporary modification of any taxicab, the certificate holder shall provide the Administrator with the following information for the taxicab that will be temporarily modified:

(a) The unit designation number of the taxicab.

(b) The dates on which the temporary modification of the taxicab will begin and end.

6. The Administrator may withdraw the approval of the temporary modification of any taxicab if the Administrator determines that:

(a) The temporary modification is not sufficiently distinct from the approved color scheme and insigne of another certificate holder;

(b) The materials used in the temporary modification have deteriorated to the extent that the color scheme or insigne is no longer neat in appearance; or

(c) The temporary modification creates a risk to the health, safety or welfare of the traveling public.

7. The Administrator will not approve more than 12 applications for the modification of the color scheme and insigne of the taxicabs of a certificate holder in a calendar year.

Sec. 18. NAC 706.489 is hereby amended to read as follows:

706.489 A certificate holder shall not permit a cab to be put into operation unless the medallion *or lease medallion* issued by the Administrator is prominently displayed on the left rear fender of the cab.

Sec. 19. NAC 706.492 is hereby amended to read as follows:

706.492 A certificate holder shall not permit a taxicab to be operated in passenger service unless the taxicab meets all of the following standards in addition to those prescribed by NRS 706.8837:

1. The front suspension system is in good repair and proper working order.
2. The engine, transmission and drive train, including mounts, are in good repair and proper working order and, during normal operation, do not die, miss, backfire or show noticeable loss of power.
3. The engine, transmission, drive train or accessories must not emit loud noises so as to be disturbing to the passengers or distracting to the driver *or independent contractor*.
4. The taxicab is equipped with an air filter or adequate flame arrester covering the air intake of the carburetor.

5. The taxicab does not pull to the left or right or tend to drift under normal driving conditions.
6. The engine, transmission, radiator or accessories do not allow a noticeable quantity of fluid to leak.
7. The engine does not emit excessive smoke from either the exhaust or crankcase.
8. All windows are operable, free of obstruction and the driver's *or independent contractor's* view is not impaired in any direction.
9. The brake lining is of sufficient thickness to prevent the metal portion of the brake shoe or pad from coming in contact with the brake drum or disc. Under normal braking conditions, the taxicab does not pull to the left or right or unusual locking of wheels does not occur.
10. Heating and air-conditioning systems are mandatory equipment on all taxicabs operating in this State and are required to provide reasonable comfort to passengers at their request and must conform to reasonable standards of efficiency.
11. The taxicab must be equipped with:
 - (a) A mirror on the outside of the front door on the passenger's side;
 - (b) Operable trunk lid supports or a trunk rod or bar, one end of which is permanently affixed to the vehicle;
 - (c) Straps to tie down the trunk;
 - (d) Windows that have not been tinted more than the manufacturer's specifications for the vehicle;
 - (e) Seat belts that are maintained in a clean and operable condition at all times;

(f) Automatic locks which control all doors and which are operable at the driver's *or independent contractor's* door; and

(g) A trunk release which is operable from inside the trunk.

Sec. 20. NAC 706.497 is hereby amended to read as follows:

706.497 1. Any vehicle operated as a taxicab must be registered to a certificate holder.

2. ~~{A}~~ *Except as otherwise provided in sections 2 to 12, inclusive, of this regulation, a certificate holder may not enter into any lease, commission arrangement or other agreement concerning any taxicab registered to the certificate holder unless he or she maintains full and complete control of the taxicab at all times.*

3. ~~{A}~~ *Except as otherwise provided in sections 2 to 12, inclusive, of this regulation, a certificate holder may not enter into a:*

- (a) Contract for sale;
- (b) Conditional sale;
- (c) Chattel mortgage; or
- (d) Lease,

~~with an employee of the certificate holder concerning any taxicab registered to the certificate holder.~~

4. ~~{A}~~ *Except as otherwise provided in sections 2 to 12, inclusive, of this regulation, a taxicab driver must be a certificate holder or the employee of a certificate holder.*

Sec. 21. NAC 706.510 is hereby amended to read as follows:

706.510 1. The Administrator may confiscate a daily trip sheet at any time for good cause after first furnishing the certificate holder, ~~for~~ driver *or independent contractor* with a duplicate or substitute copy of the sheet.

2. A simple receipt for a confiscated trip sheet is sufficient if the sheet is confiscated more than 10 days after the date of the sheet.

Sec. 22. NAC 706.513 is hereby amended to read as follows:

706.513 1. No person may operate a taxicab within the jurisdiction of the Authority without having first obtained a permit from the Administrator.

2. Permits issued by the Authority *to a driver* remain the property of the Authority and must be returned to the Authority when a driver changes companies, leaves the industry or upon demand of the Authority.

3. Permits issued by the Authority to an independent contractor remain the property of the Authority and must be returned to the Authority if the permit is suspended, revoked or expired or upon demand of the Authority.

Sec. 23. NAC 706.528 is hereby amended to read as follows:

706.528 1. A permit holder may, on or within 30 days before the expiration date of his or her permit, renew it upon making application therefor, providing proof of completion of an annual program for driver training specified by the Administrator and paying the prescribed fee, subject to the requirements set forth in NAC 706.453 to 706.555, inclusive. After the expiration date, a holder must make an application for a new permit and is subject to the same laws and regulations and fees as a new applicant, unless before the expiration date the Administrator for good cause grants a waiver or extension of the requirements for renewal.

2. Upon the loss of a permit, the holder shall immediately notify the Administrator and shall not operate *or enter into a lease agreement for* a taxicab until the fee for a lost permit has been paid and a duplicate permit issued.

Sec. 24. NAC 706.531 is hereby amended to read as follows:

706.531 1. A driver *or independent contractor* shall display his or her permit to the left of the rate schedule in the bracket or holder provided for that purpose at all times while on duty.

2. The permit must be displayed in an upright position and facing the passenger for an unobstructed view and so it may be easily read.

Sec. 25. NAC 706.534 is hereby amended to read as follows:

706.534 1. Any person who is found by the Administrator to be operating a taxicab without having in his or her possession a valid driver's permit is in violation of NAC 706.513.

2. A taxicab, found by the Administrator to be operated by a driver *or independent contractor* without a valid driver's permit, may be taken out of service until put back in service by a driver *or independent contractor* who has a valid permit.

3. Any driver *or independent contractor* in possession of an altered or defaced permit will not be considered to be in possession of a valid driver's permit.

4. Any driver *or independent contractor* who is found by the Administrator to have committed any violation of an applicable law or regulation while his or her permit is expired, is subject to hearing and appropriate disciplinary action.

Sec. 26. NAC 706.537 is hereby amended to read as follows:

706.537 1. All applicants for a driver's permit must enroll in and successfully complete a defensive driving, driver orientation and safety course approved by the Authority before being

issued a driver's permit. All applicants for the renewal of a permit must enroll in and successfully complete an annual course on driver safety which has been approved by the Authority.

2. Any driver *or independent contractor* who fails to comply with the requirements of this section is subject to suspension of his or her driver's permit.

Sec. 27. NAC 706.540 is hereby amended to read as follows:

706.540 1. Certificate holders shall submit to the Authority a proposed standard of dress and appearance for its drivers ~~+~~ *and independent contractors, if applicable*. Upon approval by the Authority, each certificate holder will be responsible for maintaining those standards of dress and appearance for its drivers ~~+~~ *and independent contractors*.

2. A driver *or independent contractor* who fails to meet the standards of dress set by his or her employer *or the certificate holder with whom the independent contractor has entered into a lease agreement pursuant to sections 2 to 12, inclusive, of this regulation* as approved by the Authority shall be considered by the Authority to be in violation of subsections 1 and 2 of NRS 706.8845.

Sec. 28. NAC 706.543 is hereby amended to read as follows:

706.543 During a driver's *or independent contractor's* period of duty, he or she shall, in addition to the requirements of NRS 706.8845:

1. Not engage in verbal arguments or acts of physical violence.
2. Refrain from backing into position in any taxicab stand.

3. Refrain from loading passengers at any establishment where a taxicab stand has been established unless the driver *or independent contractor* has been through the rotation of the stand. This provision does not apply if ~~there~~:

(a) *There* are no ~~taxis~~ *taxicabs* on the stand ~~it~~; *or*

(b) *The taxicab is operating via an electronic hailing service pursuant to NRS 706.88184 which connects passengers directly to a driver or independent contractor.*

4. Not permit more than two passengers in the front seat of the driver's *or independent contractor's* taxicab and not permit more than five passengers in his or her taxicab at any one time.

5. Not knowingly operate a taxicab equipped with a faulty or inaccurate taximeter, or that shows signs of having been tampered with.

6. Not operate a taxicab in which the taximeter is not sufficiently illuminated or the face obscured to the extent that the entire fare recording device cannot be easily seen by the passenger.

7. Not operate a taxicab in which the taximeter does not have a properly attached seal as affixed by the Administrator.

8. Not operate a taxicab that does not have properly affixed a valid medallion *or lease medallion* as issued by the Administrator.

9. Not operate a taxicab when any illness or physical or mental disorder may impair his or her safe operation of a taxicab.

10. Not operate a taxicab while taking drugs that may impair his or her ability safely to operate a taxicab.

11. Keep a complete and accurate trip sheet as prescribed in NAC 706.510 and 706.549 and NRS 706.8844.

12. Not display or distribute any advertising within or on the driver's *or independent contractor's* taxicab which has not been authorized by his or her employer ~~H~~ *or the certificate holder with whom the independent contractor has entered into a lease agreement pursuant to sections 2 to 12, inclusive, of this regulation.*

Sec. 29. NAC 706.544 is hereby amended to read as follows:

706.544 For the purpose of NRS 706.8847, a driver *or independent contractor* has good reason to fear for his or her personal safety in transporting a person if, without limitation:

1. The person refuses to state with specificity the person's intended destination or requests a change of destination to an inexact location;
2. The person acts in a disorderly manner, including the use of:
 - (a) Hostile or offensive gestures; or
 - (b) Indecent or offensive language; or
3. The driver *or independent contractor* has a reasonable suspicion that the person is concealing a weapon or other dangerous object under the person's clothing.

Sec. 30. NAC 706.546 is hereby amended to read as follows:

706.546 1. No certificate holder may allow a driver *or independent contractor* to operate a taxicab under any of the following conditions:

- (a) When the driver's license of the taxicab driver *or independent contractor* is not in his or her possession or has been suspended or revoked by the Department of Motor Vehicles, until proof of reinstatement of driving privileges has been furnished to the Administrator;

(b) When a driver's permit has been denied or revoked by the Administrator or is under suspension as ordered by the Administrator;

(c) During the time that a driver *or independent contractor* shows temporary or permanent inability to meet the standards of NRS 706.8842;

(d) When a driver *or independent contractor* is intoxicated or shows signs of having been drinking;

(e) When a driver *or independent contractor* shows obvious effects of having taken drugs;

(f) When a driver *or independent contractor* does not meet the prescribed minimum standards of dress and appearance as set forth by the certificate holder; or

(g) When a driver *or independent contractor* does not possess a valid permit issued by the Administrator which authorizes him or her to be employed by the certificate holder ~~H~~ *or operate a taxicab, as applicable.*

2. In case of unforeseen circumstances, a driver having a valid permit issued by the Authority who has not exceeded the hours of service established by NAC 706.549 may drive a period of duty for another company using the same dispatch facilities.

3. A driver who has driven more than 10 periods of duty for a company within a 30-day period must be carried as a permanent driver of that company.

Sec. 31. NAC 706.549 is hereby amended to read as follows:

706.549 1. A driver ~~{of a taxicab}~~ *or independent contractor* shall not work a period of duty longer than 12 consecutive hours except when under a charter or a trip, the charter or trip having commenced within a reasonable period before the end of the driver's *or independent contractor's* period of duty.

2. Under no circumstances may a driver *or independent contractor* work longer than 16 hours within a 24-consecutive hour period.

3. A driver *or independent contractor* who has completed a period of duty of 8 hours or more must not be knowingly permitted or required to resume driving unless the driver *or independent contractor* has been off duty for at least 8 consecutive hours.

4. A certificate holder shall not knowingly require or permit any driver ~~{of a taxicab}~~ *or independent contractor* to work longer than 12 consecutive hours, except as provided in subsection 1.

5. Each certificate holder shall provide an appropriate, accurate and operable time clock. The time clock must be approved by the Authority before its use, and the certificate holder shall require its drivers to time stamp their trip sheets at the beginning and end of each of their periods of duty.

Sec. 32. NAC 706.550 is hereby amended to read as follows:

706.550 At the end of each trip, the driver *or independent contractor* shall, upon request, provide his or her passenger with a receipt that includes:

1. The amount of the fare as indicated on the taximeter;
2. The name of the certificate holder who owns *or leases to an independent contractor* the vehicle in which the passenger was transported; and
3. The permit number of the driver ~~H~~ *or independent contractor*.

Sec. 33. NAC 706.551 is hereby amended to read as follows:

706.551 Each driver *and independent contractor* shall conduct a search of the interior of his or her taxicab at the termination of each trip. If the driver *or independent contractor*

discovers any property of a passenger in the taxicab, the driver *or independent contractor* shall immediately report the property discovered to the driver's employer *or the certificate holder with whom the independent contractor has entered into a lease agreement pursuant to sections 2 to 12, inclusive, of this regulation* and, as soon as practicable, deliver the property to his or her employer ~~†~~ *or the certificate holder, as applicable*. The employer *or certificate holder* shall maintain the property in his or her possession and dispose of the property in the manner provided by law.

Sec. 34. NAC 706.552 is hereby amended to read as follows:

706.552 *1.* A taxicab driver *or an independent contractor* shall, in addition to the requirements of NRS 706.8849 ~~†~~

~~†~~, *as amended by section 8.9 of Senate Bill No. 376, chapter 447, Statutes of Nevada 2015, at page 2604:*

(a) Ensure that the electronic taximeter of his or her taxicab is engaged while the taxicab is on hire.

~~†2-†~~ *(b)* Not solicit passengers by voice or action.

~~†3-†~~ *(c)* Not accept, directly or indirectly, a gratuity or any form of compensation from any person for diverting or attempting to divert a prospective customer from any commercial establishment.

~~†4-†~~ *(d)* Not knowingly operate a taxicab that is unsafe for passenger service.

~~†5-†~~ *Upon changing employment from one certificate holder to another, present to the Administrator the taxicab driver's permit and a referral slip from his or her new employer for*

~~issuance of a permit. Before commencing employment, a taxicab driver must present his or her taxicab driver's permit to his or her employer.~~

~~6. Except as otherwise provided in NAC 706.546, not operate a taxicab within the jurisdiction of the Authority for other than the company listed on his or her driver's permit.~~

~~7.]~~ (e) Report immediately any inoperable or defective taximeters to the certificate holder or the certificate holder's representative.

~~8.]~~ (f) Not divert or attempt to divert a prospective customer from any commercial establishment.

~~9.]~~ (g) Except as authorized by the taxicab driver's employer, *the certificate holder with whom the independent contractor has entered into a lease agreement pursuant to sections 2 to 12, inclusive, of this regulation* or the Authority, not permit any person, other than himself or herself, within his or her taxicab unless that person is a passenger who is actually being transported and is paying a fare.

2. A taxicab driver shall, in addition to the requirements of NRS 706.8849, as amended by section 8.9 of Senate Bill No. 376, chapter 447, Statutes of Nevada 2015, at page 2604:

(a) Upon changing employment from one certificate holder to another, present to the Administrator the taxicab driver's permit and a referral slip from his or her new employer for issuance of a permit. Before commencing employment, a taxicab driver must present his or her taxicab driver's permit to his or her employer.

(b) Except as otherwise provided in NAC 706.546, not operate a taxicab within the jurisdiction of the Authority for a company other than the company listed on his or her driver's permit.

Sec. 35. NAC 706.555 is hereby amended to read as follows:

706.555 A taxicab driver *or independent contractor* must not willfully, knowingly or intentionally use his or her taxicab, or the taxicab driver's employment to facilitate the commission of a crime, or permit the use of his or her taxicab by another, as a means of facilitating the commission of a crime.

Sec. 36. NAC 706.879 is hereby amended to read as follows:

706.879 1. The office of the Administrator will be open ~~{from 8:00 a.m. to 12:00 p.m. and 1:00 p.m. to 5:00 p.m. of each week day except Saturday, Sunday and legal holidays or other days declared by proper authority.}~~ *during regular business hours.*

2. Regular sessions of the Authority are held in its principal office or such other place as the Authority may from time to time specify, at such times as the Authority may designate.

3. All formal written communications and documents must be addressed to the Taxicab Authority and not to individual members of the Authority or its staff. All communications and documents are deemed to be officially received only when delivered at the office of the Authority. Formal or informal communications from the Authority must be signed by the responsible staff member or Authority.

4. Communications must contain the name and address of the communicant and must embrace but one subject. Informal communications must be properly identified.