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STATE OF NEVADA
DEPARTMENT OF BUSINESS AND INDUSTRY
TAXICAB AUTHORITY

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JD DECKER
Interim Administrator

STAN OLSEN
Chairman
BRUCE AGUILERA, ESQ
Vice Chairman

Members
ROGER C. THOMPSON, Ph. D
RICHARD DAVID GROOVER

MINUTES OF THE MAY 3, 2018 BOARD MEETING

1. Call to Order

Chairman Stan Olsen called the meeting to order at 9:00 am at the location of 2080 E. Flamingo Road, Suite 114, Las Vegas, Nevada 89119

Present from the Nevada Taxicab Authority Board

Chairman Stan Olsen
Member Bruce Aguilera
Member Roger Thompson
Member Richard David Groover
Sophia Long DAG

2. Pledge of Allegiance to the Flag.

Chairman Thompson led the Pledge of Allegiance to the Flag.

3. Compliance with Open Meeting Law

Interim Administrator JD Decker stated the meeting was in compliance with the Open Meeting Law.

4. Public Comment

No public comments at this time.

5. Appointment of Vice Chair – *FOR DISCUSSION AND POSSIBLE ACTION.*

Chairman Olsen requested an appointment to select Member Aguilera to be given the position of Vice Chairman.
Member Thompson requested the motion.
Member Grover second the motion
All in favor – *motion passes.*

*Member Campos has resigned and has taken a position in Washington D.C.

6. Approval of the March 12, 2018 Board Meeting Minutes – *FOR POSSIBLE ACTION.*

Member Aguilera requested a motion to approve the minutes from March.
Member Thompson second the motion
All in favor – *motion passes.*

7. **Workshop** – Discussion to adopt, amend and/or delete regulations and updating already existing regulations.

Interveners - Yellow Cab, Checker Cab and Star Cab

Kimberly Maxson-Rushton, on behalf of the Livery Operators Association commented on the overview of the proposed regulations that were discussed in the March 12, 2018 Board Meeting regarding NAC 706.492.

Subsection #2, #3 & #4

Chairman Olsen felt #2 & #3 could be rewritten and merge what is needed to stay and avoid duplication. He asked Ms. Rushton how she would merge #2 & #3 keeping in the loud noises but removing the duplication.

Kimberly Maxson-Rushton responded that adding the language to #2 - “vehicles shall not and must not emit loud noises to be disturbing or distracting to passengers or the drivers.”

Chairman Olsen agreed that #3 will be stricken but we will amend #2 to include “emit loud noises.” The Board agreed.

Ms. Rushton stated the vice chair would probably have some language to use. Ms. Rushton stated regarding engine transmission; this was covered under subsection #2 and should be stricken as it’s redundant.

Vice Chairman Aguilera responded on #2 to add “working order and during normal operations do not emit loud noises” and that “disturbing the passengers” isn’t needed. Kimberly Maxson-Rushton agreed.

George Balaban responded that there are no longer carburetors on cars anymore that they could make on a taxicab. Everything can be covered under #2 as #3 & #4 are covered under #2. Vehicles are now fuel injected and the language is dated.

Chairman Olsen questioned if an air filter can be flipped over to make the vehicle sound more powerful.

Member Thompson felt that #2 - loud noises should be left in. He purchased a truck once from someone that had a loud exhaust. Friends complained, and the truck was in good working order. He agreed with Mr. Balaban that the others could be removed.

Interim-Administrator Decker stated that Mr. Balaban was correct. Vehicles are now fuel injected and the language is dated. He agreed that would #4 should be stricken.

Subsection #8 –

Chairman Olsen stated there was an issue between the inspectors and the industry who had curb stickers. Will this language create that problem again? There is a size limit.

George Balaban commented that if you take that out this issue would not happen again. It would not be illegal. It is not interfering with the driver.

Kimberly Maxson-Rushton stated that striking the language after the word “comparable.” None of the areas on the vehicle obstruct the view of the driver. Language to the windows being operable and free of obstruction;



that language was covered in 487. The wrapping of vehicles discussed and statute specifically prohibits obstruction. Recommend that language after “all windows are operable” be stricken.

Chairman Olsen commented he was ok with the curb stickers but concerned about stickers for ad purposes going on.

George Balaban stated per NRS no advertisement can be put on a window or the exterior on a sign that sticks up.

Member Groover was concerned about it being too extreme. Chairman Olsen and Member Groover discussed seeing a “Venetian” cab with the windows covered. You are unable to see the cab company. You can only see “Venetian”. The wrap on the windows was similar to what you see on the buses. They are a dotted picture you can see out.

Cheryl Knapp, Whittlesea/Henderson commented – NRS 706.8837 – Subsection #4 states interior or exterior advertising does obscure the drivers view in any direction. That would prohibit and advertising on any of the windows.

George Balaban stated if it happened, then it was by accident. We are the ones on the hook. We are not going to put decals on the window that leads us to an accident.

Desiree Dante, Western Cab, stated they are not even allowed to have tint on the windows. George Balaban confirmed that when we purchase a vehicle, we are made to remove the tint to put the car into service. Cheryl Knapp stated that for the purpose of felony stops we are not permitted to have something obscure the windows so that officers can see into the car allowing them to see the driver and the passenger.

Chief Aquino stated as long as the driver was not obstructed, the curb sticker was ok; being the sticker was furthest away from the driver. Chief was not aware of any wraps on taxis, only buses.

Jonathan Schwarz, YCS, commented that they do not cover windows, as long as a sticker is not an obstruction it should not be an issue. The NRS says we cannot cover the windows.

Member Thompson questioned if we should define “small sticker”. Member Groover replied under 6 inches.

Chairman Olsen stated we all agree to strike #8 after “all windows are operable.”

Subsection #11c –

Chairman Olsen - Chairman Olsen questioned what is meant by “straps on the trunk” and do you as an industry keep straps in the trunk if needed?

Joel Wilden, Yellow Cab, it’s never been the company keeping them in the car, if the drivers are in a sedan can carry them.

George Balaban, Desert Cab Company, – would like the language regarding “straps tying down the trunk” to be taken out. Straps on trunks meant - when trunks wouldn’t stay closed because of luggage, straps were used to keep the trunks closed. Most vehicles are not sedans, but are SUV’s with hatch doors. The trunks are not



inspected during the annual inspection. Also, the cars are not inspected or taken out of service if they don't have them. This is not enforced in the last 4 or 5 years. At one time we secured them in a trunk, but now sedans we have now do not have them in them. Balaban stated they would like to have number 4 removed.

Member Groover was concerned that a suitcase could come bouncing down I15, because he sees luggage sitting outside of the cabs. George Balaban stated no problem. Chairman Olsen stated we will let it stand then. Chief Aquino was fine with it standing.

Interim Administrator JD Decker commented he was also standing. He understands the industry has the ability to dispatch a larger cab, minivan then straps seems specific. But if the cab companies are adequately securing their luggage then I don't think the agency would have a problem. We would refer to the Board and your judgment.

George Balaban stated the straps belong to the drivers and leave the cab with each driver.

Michael Ward, Frias – (inaudible)

Interim Administrator Decker stated it allows my inspection team to not have to inspect for straps specifically when they aren't being used. Chairman Olsen agreed with that.

Member Thompson questioned if you changed it to be illegal for a cab to drive with a trunk unclosed. Chairman Olsen didn't feel that was feasible. There are times when you cannot due to excess luggage. Language suggested "if it is a sedan and there is a truck, that a trunk during transport is always secured."

Cheryl Knapp stated that the way NAC 706.4.2 reads the certificate holder can determine everything is being adhered to. The way you are changing it you are leaving it up to the driver as opposed to the certificate holder. Chairman Olsen suggested the language to be "at all times trunks when transporting luggage will be capable of being secured." Cheryl Knapp felt that would work and that's an improvement

Member Groover commented that adding something as "the trunk will be secured if it has luggage in it." George Balaban replied that they don't enforce it, so I don't care if you leave it in.

Kimberly Maxson-Rushton on Subsection # 11B, you could extend the language to "and if appropriate, a strap to ensure the contents are secured." Chairman Olsen liked that. Deputy Attorney General Sophia Long said that sounds good.

Vice Chairman Aguilera questioned what a trunk rod or bar is? George Balaban replied that trunks did not have the hydraulics in them at that time that written. We do not have rods in any of our cars.

Chairman Olsen stated that we are going to amend Subsection #113B and strike Subsection #10C. Ms. Rushton stated she can send a draft through for the adoption workshop.



8. Application of Certificate Holders for Authority to use Alternative Routes.

Submitted by Whittlesea Blue Cab Company, Henderson Taxi, Nevada Yellow Cab Corporation, Nevada Checker Cab Corporation, Nevada Star Cab Corporation, Desert Cab Company, Union Cab, Virgin Valley Cab, Ace Cab, A NLV Cab and Vergas-Western Cab.

Interveners - Yellow Cab, Checker Cab and Star Cab

Interveners – Lucky Cab Company

Kimberly Maxson-Rushton stated the application shows a study was done, in over 160 hours, to measure the routes between the identified hotel/casino/properties on the strip. It refers “time, distance and cost.” The study shows “time and cost” to the passenger was less than a driver used one of those routes. The objective is not to gouge customers or divert passengers, but to provide clarification in a benefit to the drivers so they have the flexibility to use these parallel routes knowing it will not increase the time. Also the cost will not be more expense than if they used Las Vegas Blvd. Exhibit 2 is the proposed routes. The ones that are identified are Koval Lane, I15, Frank Sinatra Drive and Sammy Davis Jr.

Member Groover questioned if the chart attached is from the study that was presented last year. Ms. Rushton responded that it was.

George Balaban stated this was a result of the whole long hauling issue and cab drivers having the ability to make correct decisions. Going down Las Vegas Blvd is not always the most convenient. It’s not the cheapest or the quickest, but it is shorter. That’s why those other streets were built and that is why we have run these scenarios. It should be customer service; getting them there quicker and cheaper if we can.

Michael Ward, Frias – (inaudible)

Kimberly Maxson-Rushton stated that we are asking for a determination by the Board that the carriers are allowed to use these routes and that they are deemed to be consistent with statute or intentional long hauling. Exhibit 1 references Mandalay Bay as a starting point, then designations of Caesars, Treasure Island, Wynn, Stratosphere and downtown Grand. There is a route mileage difference by using Las Vegas Blvd. Consistently the time difference is less and the cost is either the same or less. Mileage is the only difference, which does not constitute long hauling. Vice Chairman Aguilera this is a common sense approach.

Interim Administrator Decker stated we do have information; the agency will not be rebutting the request. We confirm and verify the study that was submitted by the industry is accurate. The agency’s position that most direct can be a combination of factors like time, distance, cost and customer preference. The agency the Board has the ability to interpret the law and have a position. I don’t feel the regulation needs to be processed before the Board votes and comes up with a position on this. Our study mirrors the industries study.

Attorney General Sophia Long stated that we had gone to legislature with the “alternate or alternative routes” language and that was not approved. Approving any sort of routes, “say” that they are consistent with the statute instead of calling them alternative or alternate. The Board determines these routes do not violate the statute.



Member Thompson questioned if these are the only routes were dealing with in this discussion. Chairman Olsen stated yes based on the industry. That does not keep up from expanding it. Member Thompson stated the airport is left out. I would like to see something similar; it is a lot of effort to go thru, but also important.

Chief Aquino stated our alternative route study is also available. Supervisor Ferriolo passed out the route study that was completed. Chief stated that the information there will be deviations due to weather and traffic. In terms of costs, it is a difference of \$5 or less. The passenger may pay a little bit more or less. Our study was done with our own vehicle using a rate card with the trip costs. These were factored in and came up with the same numbers the industry did. These were done door to door, that's where the riding public is expected to be dropped off. We used a digital stop watch. Every time we stopped at a stoplight during a run, we recorded that time. New York New York is the biggest differences. I believe there was deviation in the route. Coming out of NY, NY and going to Caesars palace main registration, there route was shorter. How was the distance different? Instead of going around the whole entire property, come out on Las Vegas Blvd, going south, then go back on Tropicana and get on the freeway. They are busting an illegal u-turn on private property. That's 1 mile less. Private property no u-turns cannot be enforced by us. When taking a rider to Augustus Tower, which is the VIP tower at Caesars. They are not taking them to the main registration area. It would be longer to take them to the main door.

Member Groover questioned how many trips were made. Chief Aquino randomly picked times available to Supervisor Ferriolo. We did two runs between the hours of 8-5, and then two more run between 5-11 pm. We ran weekdays and weekends. The environment is always changing.

Vice Chairman Aguilera stated there are now mobile check-ins available on your phone and can get dropped off anywhere.

Member Groover stated it would better if the report was run with a meter; getting an actual cab.

Chief Aquino stated it took us over 2 months to conduct this study and it would have taken time away from a cab.

Vice Chairman Aguilera requested a motion to approve the application.

Member Groover seconded the motion.

Chairman Olsen stated the motion passed.

9. Staff Report

a. Interim Administrator's Report

- Public Records Request Policy and Procedure was updated and now on the website.
- Use of Force Policies & coordinating with NTA to have consistent policies between the 2 agencies. A shared database was created with information regarding violators, along with operation plans for special events.
- Impound process – updates: Unpaid fines are resulting and vehicles are given to tow companies for sale without funds coming back to the agency. After reviewing Chapter 706, funds should be able to be recovered thru the collateral. Negotiations with a tow company are happening for funds to be recovered for fines.
- An administrative conversion for 4 Compliance Investigator positions that is vacant to be Compliance Auditing Investigators. This would an Intel and analysis unit to be worked in the



back office to figure out trends and patterns. Field Investigators would then target enforcement on what is happening in the field. HR will be approving these positions, and then to IFC.

- Reserve Officer Program is being worked on. There is interest from category 2 peace officers that are not working, retired, or working with other agencies. Recruiting and keeping our ranks filled will help by having a reserve officer program. There is no other Category 2 Agency in the State that has a reserve officer program. There are some HR, Work Comp and training issues to be worked out.
- There is shortfall in revenue, based on ridership is going down. Alternatives are being looked at and reducing expenses for the agency. Dept of B&I opened up Nevada State Business Center on west Sahara have hearing room, meetings at some point will be going to that location as they are free to the agency.
- Update and standardize the fine schedule. Fine structure and schedule is out dated, the Deputy Attorney General is working on updating it so it's modern and consistent.
- Gas cards are now assigned to a car versus the officer. This way the officer does not have to spend as much time tracking and auditing their gas card. Now we are able to track the mileage and gas for each vehicle.
- Preliminary budget request has been submitted – currently it is confidential until it goes thru the executive branch.
- Candidates for the Administrator are being worked on.

b. Chief Investigator's Report

- Gypsy has been the focus in the last several months.
98 uncertified carriers have been taken off the streets since July 1, 2017. They are becoming more dangerous, not to just the officers, but the public as well. Example that was dangerous was a female hidden in the back passenger seat. The officers were not away the person was in the back seat until the vehicle was surrounded and made the stop. There were 2 shanks hidden in the back seat – a sharpened screw driver. Between the two in the vehicle there were 8 warrants on them. Metro Intel has showed there were robberies with these uncertified carriers. There are problems with people who pretend to be Uber or Lyft drivers. We are working with the NTA and cross referencing names.
- EDC is coming up. A new vendor is handling the ground transportation. We will have a meeting with the Industry regarding the EDC right after this meeting. We are located closer to the front door at the EDC. We are working hard to make this one of the best EDC's.
- Copies of Long haul citations including the voluntary statement will be shared with the industry within 24 hours. It is difficult to get out in 24 hours due to staffing issues.
This is a 90 day pilot program.

c. Stats for February, March and April 2018

- Public is given the opportunity to read the stats very them gone over in the meeting.

d. Future Agenda Items

- Routes out of the Airport thru the tunnel and if it should be restricted to downtown.
- Clarify those specifics on these routes and define them.



10. Report of Legal Counsel

Deputy Attorney General Sophia Long had nothing to report.

11. Public Comment.

Chairman Olsen stated that many resumes were submitted. It has been narrowed down to 6 candidates.

Hearings will be held maybe the 24th of the month, and they will be public and possibly at the Sahara location. A recommendation of 3 will be made to the Dept. of B&I.

12. Adjournment (Action)

All in favor of adjournment – Motion passes

