

1 **BEFORE THE STATE OF NEVADA TAXICAB AUTHORITY**

2
3 **IN THE MATTER OF**)
4 **RENE VAZQUEZ, TA# 30238**)
_____)

5 At a general session of the State of Nevada Taxicab Authority
6 held at the
7 Taxicab Authority
8 1785 East Sahara Avenue #200
9 Las Vegas, Nevada 89104

9 **ORDER**

10 PRESENT: Stacie Truesdell Michaels, Chairman
11 Susan Carrasco O'Brien, Vice Chairman
12 John G. Marushok, Member
13 Joshua C. Miller, Member
14 Gordon L. Walker, Administrator
15 Blake Doerr, Deputy Attorney General

16 IT APPEARING that on the 24th day of August, 2010, a public hearing was held in the
17 above-entitled matter in compliance with the provisions of the Nevada Open Meeting Law, the
18 Nevada Administrative Procedure Act, Chapter 706 of the Nevada Revised Statutes (NRS)
19 and the Nevada Administrative Code (NAC), at which time the Appellant, Rene Vazquez,
20 appeared and argued that the Taxicab Authority should reverse the decision of the Hearing
21 Officer. The Taxicab Authority, represented by Scott Davis, Deputy Attorney General, argued
22 that the decision of the Hearing Officer should be upheld.

23 Rene Vazquez was the subject of a citation issued on September 27, 2009 wherein
24 Vazquez was alleged to have violated NRS Chapter 706, specifically while operating a taxicab
25 for Nellis Cab, Vazquez unlawfully executed a left hand turn from the west-bound travel lane
26 on Spring Mountain Rd. rather than executing the turn from the designated left-turn lane in
27 violation of NRS 706.8845(12). A hearing was held in front of a Hearing Officer on the citation
28 on December 14, 2009, pursuant to NRS 706.8822. As a result of the hearing, Vazquez was
found to have violated NRS 706.8845(12) for executing an unlawful left turn. A fine of \$190.00
was imposed. A timely appeal to the Taxicab Authority was made.

1 On appeal, Rene Vazquez argued that the Hearing Officer's decision should be
2 overturned because he executed his left turn from the designated left turn lane and not from the
3 west-bound travel lane.

4 The Taxicab Authority argued that the evidence was properly considered by the Hearing
5 Officer and that there was substantial evidence in the record to uphold the decision of the
6 Hearing Officer because the Investigator testified that he had a clear and unobstructed view of
7 Vazquez executing an unlawful left-turn from the travel lane, and because the Hearing Officer
8 made a determination that the Investigator's testimony was credible.

9 CAUSE APPEARING THEREFORE:

10 IT IS HEREBY ORDERED that the decision of the Hearing Officer is AFFIRMED.

11 Dated this _____ day of _____, 2010.

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14 State of Nevada Taxicab Authority by:

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16 _____
17 Stacie Truesdell Michaels, Chairman
18

19 ATTEST:

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21 _____
22 Gordon L. Walker, Administrator
23 Nevada Taxicab Authority
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CERTIFICATE OF MAILING

I, Barbara A. Webb, hereby certify that I am an employee of the Nevada Taxicab Authority and that on the 13th day of September, 2010, I served the foregoing Order by depositing a copy of the same in the State of Nevada mail, properly addressed, postage prepaid, certified mail, addressed as follows:

Mr. Rene Vasquez
3216 Centavo Drive
Las Vegas, Nevada 89117

Barbara A. Webb
An employee of the Nevada Taxicab Authority