

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

2
3 **IN THE MATTER OF:**)
4 **2011 ANNUAL REVIEW OF MEDALLIONS**)

5
6 At a general session of the State of Nevada Taxicab Authority
7 held at the
8 Cashman Center
9 850 North Las Vegas Blvd.
10 Las Vegas, Nevada 89101

11 **ORDER**

12 **PRESENT:** Ileana Drobkin, Chairman
13 Joshua Miller, Member
14 Joseph P. Hardy, Member
15 Dennis Nolan, Member

16 IT APPEARING THAT on the 23rd day of August, 2011, 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, and Chapter 706 of the Nevada Revised Statutes
(NRS) and the Nevada Administrative Code (NAC), at which time all interested parties
19 appeared and were heard.

20 IT FURTHER APPEARING that the following parties moved to intervene:, A CAB, LLC;
21 YELLOW/CHECKER/STAR CAB COMPANIES; NELLIS CAB COMPANY; DESERT CAB
22 COMPANY; WESTERN CAB COMPANY; WHITTLESEA BLUE/HENDERSON TAXI;
23 UNITED STEELWORKERS UNION; ITPE UNION; FRIAS HOLDING COMPANY; and LUCKY
24 CAB COMPANY. Each of the moving parties was permitted to intervene.

25 IT FURTHER APPEARING that the Authority received proof regarding the
26 circumstances affecting the interests of the taxicab industry, drivers and customers in Clark
27 County, and that the Authority having duly considered the evidence, fully considered the law
28

1 and being fully advised in the premises makes its Findings of Fact, Conclusions of Law and
2 Order as follows:

3 **FINDINGS OF FACT**

4 1. The Taxicab Authority staff presented evidence regarding the most recent allocation
5 of medallions in 2007, and arguments that the 2007 allocation was intended to cover a volume
6 of up to 27,000,000 trips per year. Taxicab Authority staff also presented evidence and
7 statistics regarding the number of trips per year for 2010 and the projected number of trips per
8 year for 2011 is less than 27,000,000. Taxicab Authority staff recommended that no
9 additional 24/7 medallions be allocated at the present time.

10 2. Intervenor Yellow/Checker/Star presented arguments and evidence regarding the
11 number of trips per shift for the preceding months. Based upon the evidence presented to the
12 Board, Yellow/Checker/Star recommended that no new 24/7 medallions be allocated, but that
13 the Board allocate 5-7 new permanent medallions for the days of Thursday, Friday, Saturday
14 and Sunday.

15 3. Intervenor A Cab, LLC, offered arguments regarding an increase in statistics affecting
16 the taxicab industry, and asserted that an allocation of additional medallions would have little
17 effect on A Cab, as A Cab is geographically restricted.

18 4. Intervenor Nellis Cab Company presented evidence and arguments showing a recent
19 increase in revenue. Based upon the evidence and arguments presented, Nellis Cab
20 Company recommended that the Board (1) extend the hours for weekend-only medallions to
21 commence at 12:00 p.m. on Thursdays, and to end at 2:00 p.m. on Mondays; (2) that 6 new
22 weekend only medallions be allocated immediately; and (3) that 6 new permanent 24/7
23 medallions be allocated at the rate of one new medallion per month beginning September 1,
24 2011 and continuing with one new 24/7 medallion per month each month through February 1,
25 2012.

1 5. Intervenor Desert Cab Company offered evidence and arguments that the revenue per
2 shift has been increasing. Desert argued in support of Nellis Cab Company's proposed
3 allocation of taxicabs.

4 6. Intervenor Western Cab Company offered evidence and argument in support of Nellis
5 Cab Company's proposed allocation of taxicabs. Western Cab Company argued that a
6 permanent allocation may reduce the need for frequent temporary allocations for special
7 events.

8 7. Intervenor Whittlesea Blue/Henderson Taxi offered evidence and argument in support
9 of Nellis Cab Company's proposed allocation of taxicabs. Whittlesea Blue/Henderson Taxi
10 argued that revenue has increased and that blown shifts are no longer an issue. Whittlesea
11 Blue/Henderson Taxi also offered arguments regarding the loss of market share to other
12 forms of transportation.

13 8. Intervenors ITPE Union and United Steelworkers Union jointly offered evidence and
14 argument regarding visitor volume to Las Vegas and current industry statistics being below
15 the levels of the most recent allocation in 2007, as well as the impact of additional allocations
16 on taxicab drivers. ITPE Union and United Steelworkers Union argued that no additional
17 allocations should be made.

18 9. Intervenor Lucky Cab Company offered evidence and arguments in support of Nellis
19 Cab Company's proposed allocation of medallions. Lucky Cab Company advised the Board
20 that an additional allocation would create more jobs in the taxicab industry.

21 10. Intervenor Frias Holding Company offered evidence and arguments in support of an
22 additional allocation of medallions. Frias offered video evidence showing an empty cab stand
23 at the Mandalay Bay. Dr. Stephen Brown testified on behalf of Frias Holding Company and
24 offered evidence to the Board regarding economic indicators and the vitality of the hospitality
25 and tourism industry in Clark County. John Hickman testified regarding the current
26 performance of the Frias Companies as well as statistics and observations from the industry
27 supporting an increase in medallions. Mark James testified that the taxicab industry's market
28

1 share is shrinking. Based upon these arguments and evidence, Frias Holding Company
2 recommended that 20 new 24/7 medallions be allocated by the Board.

3 11. Members of the public testified on this issue during the public comment periods.

4 12. If any of the foregoing findings of fact is more properly deemed a conclusion of law, it
5 may be so construed.

6 **CONCLUSIONS OF LAW**

7 1. This matter was held in accordance with applicable Nevada Revised Statutes.

8 2. The hearing conducted by the Board in this matter satisfies the requirement that the
9 Taxicab Authority shall review annually the existing allocation of taxicabs pursuant to NRS
10 706.8824(6)(a).

11 3. When reviewing the allocation of medallions, the Taxicab Authority considers the
12 interests, welfare, convenience, necessity and well-being of the customers of taxicabs.

13 4. Conditions within the Taxicab industry warrant an additional allocation of both 24/7
14 medallions and weekend medallions as proposed by Nellis Cab Company.

15 5. Conditions within the Taxicab industry also warrant an extension of the hours affecting
16 the existing weekend medallions as proposed by Nellis Cab Company.

17 6. The area to be affected by the Order is Clark County, Nevada.

18 7. The interests, welfare, convenience, necessity and well being of the customers of
19 taxicabs are better served by this Order.

20 8. If any of the foregoing conclusions is more appropriately construed a finding of fact, it
21 may be so construed.

22 **ORDER**

23
24 **IT IS HEREBY ORDERED** that the hours of operation for the existing time-restricted
25 weekend medallions (which are the medallions indicated by a black plate with white lettering
26 and white border) be extended from their current operating restrictions of Fridays at 2:00 p.m.

1 to Sundays 2:00 p.m., to the new time-restrictions proposed by Nellis Cab Company of
2 Thursdays at 12:00 p.m. (noon) to Mondays at 2:00 p.m.;

3 **IT IS FURTHER ORDERED** that each certificate holder shall be granted six (6)
4 additional time-restricted weekend medallions which may likewise be operated from
5 Thursdays at 12:00 p.m. (noon) to Mondays at 2:00 p.m.;

6 **IT IS FURTHER ORDERED** that each certificate holder shall be granted a total of six
7 (6) additional 24/7 medallions to be allocated as follows:

- 8 - one (1) new medallion effective September 1, 2011;
- 9 - one (1) new medallion effective October 1, 2011;
- 10 - one (1) new medallion effective November 1, 2011;
- 11 - one (1) new medallion effective December 1, 2011;
- 12 - one (1) new medallion effective January 1, 2012; and
- 13 - one (1) new medallion effective February 1, 2012.

14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

DATED this _____ day of _____, 2011.

BY THE AUTHORITY:

Ileana Drobkin, Chairman

ATTEST:

Charles D. Harvey, Administrator
Nevada Taxicab Authority