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TAXICAB AUTHORITY

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**MINUTES OF THE DECEMBER 18, 2015
WORKSHOP ON PROPOSED REGULATIONS – LEASING TAXICABS**

1. Call to Order

Attorney Janette Speer called the meeting to order at 9:04 a.m.

2. Discussion of Proposed Regulations to the Nevada Administrative Codes to Implement Senate Bill 376 of the 78th (2015) Nevada Legislative Session. The proposed regulations create procedures for certificate holders to lease taxicabs to drivers.

Attorney Janette Speer discusses the purpose of the workshop is to create regulations for leasing taxicabs and also to determine if there will be any impact to small businesses. Attorney Speer solicits any comments, questions, or concerns regarding impact to small businesses and none were received.

Section 1. NAC 706.450 is amended to reflect new definitions. Question - does independent contractor mean driver? Attorney Speer clarifies that it means they are required to go through the same background check and the same steps as any other driver to become licensed by the Taxicab Authority. The contract generated by the companies can define independent contractor differently for purposes of their lease agreement and are not limited by the definition provided here.

Section 2.1 NRS 706.8818 Applicability. No concerns are raised.

Section 2.2 NRS 706.8818; 706.8826 Trip Charges; Annual fee for operation. For clarification under item 2, "...for each taxicab..." is referring to each medallion.

Section 2.3 NRS 706.8818; 706.8829 Records required. No concerns are raised.

Section 2.4 NRS 706.8818 Display of information placard; enforcement. Question about whether there will be a new placard for leasing or will the existing placards be used. This will be clarified at a later time.

Section 2.5 Control by certificate holder; prohibited sales and leases. Question and clarification where the term taxicab is used it is the same as medallion.

Section 2.6 NRS 706.8824 "TX" plates; issuance; enforcement. Concern raised over vehicles that do not have trunk lids. This is will be amended to TX plates being placed in the same place as all other medallions. Concern over returning TX plates that are not used within 90 days will be clarified and further examined.

*Under item 4 if a leased taxicab is discovered operating without a medallion will it be taken out of service?
Yes.*

How will TX plates be issued? There will be additional plates issued. No existing plates need to be returned. However, no more than half the medallions in the fleet can be sent out as leased cabs at a given time and no more than the amount equal to your regular medallions can be out at one time.

Section 2.7 SB 376 Lease of vehicle for use as taxicab. *Clarification on item 3 (b) the leased taxicab can only be used in the capacity authorized by the owner's certificate. Discussion regarding item 3 (b) may belong in a different section not under the actual lease agreement.*

Section 2.8 SB 376 Leasing of taxicab to drivers; Security deposit. *Question over why the deposit needs to be in a separate account. It is cleaner that way ensuring the money is not used on any other expenses. Taxicab companies present at meeting did not feel this section is necessary.*

Section 2.9 SB 376 Leasing of taxicab to drivers; Requirements for lease agreement; enforcement. *Discussion about possibly combining Sections 2.7 and 2.9. Concern about item 1 (g) being used by the labor board to argue the independent driver is an employee. Further research will be conducted to determine the use of "employee" in the NRS and NACs. Anyone wishing to submit alternate language is welcomed to do so.*

Concern about (j) requiring the leased taxicab to be brought in everyday. Taxicab companies present propose weekly rather than daily. This matter will be further examined. Taxicab companies present ask that a maximum of 70 hours per week driving time for the drivers is added to this section.

Section 2.10 SB 376 Leasing of taxicab to driver: Requirements for copy of lease agreement; enforcement.

Question about putting the taxicab out of service for 24 hours when the driver fails to keep a copy of the lease agreement in the vehicle. Decision is to allow the driver back on the road once the driver can furnish a copy of the lease agreement to the Taxicab Authority.

Section 2.11 NRS 706.8818; SB 376 Drivers: Applicability of statutes and regulations.

Taxicab companies present would like to change the language from "shift" to "lease" in "...is on duty and working his or her shift..." to clarify it is a lease agreement and not employment. Question about drivers carrying their own insurance for instances when they are not operating as a taxicab for hire. Decision is for that requirement to be decided by the companies on a lease by lease basis and not as a regulation.

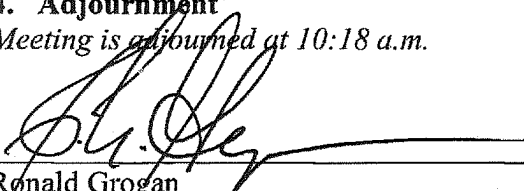
Attorney Janette Speer solicits any comments, questions, or concerns regarding impact to small businesses. None were received. She reminds everyone they can submit their comments by phone, email, or mail. There will be notice of another workshop before these regulations are finalized.

3. Public Comment

No comment.

4. Adjournment

Meeting is adjourned at 10:18 a.m.



Ronald Grogan
Taxicab Authority Administrator

5/9/2016

Date

