



**DEPARTMENT OF BUSINESS AND INDUSTRY  
TAXICAB AUTHORITY**

**MINUTES OF THE AUGUST 21, 2024, BOARD MEETING**

**1. Call to Order**

Vice Chairman Soderberg called the meeting to order on Wednesday, August 21, 2024, at 9:30 a.m., at the location of the Nevada State Business Center, 3300 West Sahara Avenue, Suite 400, Nevada Room, Las Vegas, Nevada 89102.

Present from the Nevada Taxicab Authority Board

Vice Chairman Donald Soderberg

Member Rusty Graf

Member J.D. Decker

Joseph Ostunio, Deputy Attorney General

Not present from the Nevada Taxicab Authority Board

Chairman Dan Reaser

Present from the Taxicab Authority

Todd Park, Administrator

Lona Webb, Attorney

**A. Pledge of Allegiance**

Member Graf led the Pledge of Allegiance.

**B. Compliance with Open Meeting Law**

Secretary Gail Gaison-Tyler stated the meeting was in compliance with the Open Meeting Law.

## 2. Public Comment

Members of the public must identify themselves for the record and are then invited to use three minutes to comment on items on the meeting agenda or on items not contained therein. Comments shall be directed to the Board and presented in a professional demeanor and not in a threatening, profane, vulgar, or abusive manner. \*The Board may limit repetitive comments to balance time constraints. \*

NRS 203.090 Disturbing meeting. Every person who, without the authority of law, shall willfully disturb an assembly or meeting not unlawful in its character shall be guilty of a misdemeanor.  
*No public comments. Item closed.*

## 3. Action Item: Approve Board Meeting Minutes from July 17, 2024, Board Meeting

No changes, additions, or corrections requested by any Board Member. Vice Chairman Soderberg moved to approve the minutes. Member Graf moved to approve the minutes and Member Decker seconded.

*Motion passed and minutes approved. Item closed.*

## 4. Industry Discussion (For Discussion Only)

*No industry discussion. Item closed.*

## 5. Review and assessment of aggregate statistics compiled from special event surcharge pilot programs, and discussion of (i) factors to be evaluated in developing general surcharge rate order governing recurring special events; and (ii) draft order prepared by staff. (For Discussion and Possible Action)

Cheryl Gibbons – Henderson/Whittlesea Taxi

Cheryl addressed the board regarding the surcharges discussed in last month's meeting by summarizing the background of these surcharges, including their origin when the LOA first filed the application in October of the previous year, and provided details on their implementation during events such as March Madness and the Super Bowl.

She inquired if the board had any additional questions after reviewing the aggregated statistics, which were presented at the Chair's request. While these aggregated stats have not been shared with the industry yet, separate statistics for each event were previously provided.

She highlighted the primary objective of the pilot program: to incentivize taxi drivers to work with taxi companies instead of taking time off to drive for TNCs or operating illegally operated cabs. The program aimed to increase shifts performed by taxi companies, and preliminary results indicate that the program was successful, as evidenced by an increase in shifts compared to the previous year.



She acknowledged some issues, such as the extended duration of the F1 surcharge and the inconsistent application of the surcharge during March Madness. She suggested that a more defined start and end point for future surcharges could improve public acceptance, like the gradual acceptance of the flat-rate surcharge.

She concluded by emphasizing that while changes can be challenging and may lead to public complaints, the program has largely met its objectives and demonstrated success in encouraging drivers to work with taxi companies.

Vice Chairman Soderberg inquired to the Administrator that he understood there is a proposal from the staff regarding a surcharge period. Will we be seeing this proposal soon?

Administrator Park said yes, we can prepare something for you. We've discussed it extensively and have some parameters ready. We can either discuss them now or provide the details in written form, depending on your preference.

Vice Chairman Soderberg asked that his main question to the Administrator is to confirm that we will be receiving a proposal that the board will vote on in the fall. You will be working on the proposal with them and will present it for consideration where we'll support your proposal or present an alternative proposal.

Administrator Park replied yes, that's correct.

Vice Chairman Soderberg stated great, thank you.  
*No further discussion. Item closed.*

**6. Appeal of Maricela Perez pursuant to NAC 706.975 of Findings of Fact, Conclusions of Law and Order of April 23, 2024, in Event No. 240421-0009; UPT#: 24-00013 and consideration of any related procedural requests for relief (*For Discussion and Possible Action*)**

Madison Perez (Registered Vehicle Owner)  
Antonio Rodriguez (Husband of registered owner and Driver Involved)  
Paul James Lopez (Interpreter and Family Friend)

Paul James Lopez introduced himself and said that he was assisting with translation and not providing legal representation. He stated that there was an abuse of power in the handling of the incident. He asserted that procedures were not followed correctly and requested that the decision be reversed. He indicated that there were issues with how the situation was managed and how evidence was handled.



Antonio Rodriguez, the driver involved in the incident, was identified. He confirmed that he was the one driving the vehicle at the time of the incident and the husband of Madison Perez who is the registered owner.

Vice Chairman Soderberg introduced the appeal and requested Legal Counsel to read the applicable regulations concerning appeals. The Appellant must set forth the grounds that he considers the order to be unreasonable, unlawful, erroneous or not in conformity with the law.

The Appellant was given the floor to present their case. They outlined their belief that the previous decision was unjust. Rodriguez was asked if he was using the app when he picked up passengers which he stated that he was on the app. However, it was noted that Rodriguez did not provide any evidence, such as screenshots or phone records, to the officer or at the hearing to prove he was on the app at the time of pickup. Antonio Rodriguez argued that there was an abuse of power in his case and that he was unfairly penalized and arrested. He felt that the arrest and subsequent fine were unjust.

Member Decker asked Mr. Rodriguez if he provided evidence to the officer at the time of the incident or during his hearing to prove that he was on the app, as the clients had claimed they weren't on the app. Mr. Rodriguez replied that he did not provide such evidence.

Member Decker then expressed his concern about the allegation of abuse of power. He stated that a disagreement with an officer's decision does not, by itself, constitute abuse of power, and no evidence of such abuse had been presented. He further noted that these allegations seemed to be exaggerated.

He emphasized that having signs for Uber and Lyft in a vehicle does not authorize the driver to make a pickup. The appellant, Mr. Rodriguez, claimed to have been operating under these conditions for years, but that experience does not exempt him from following the rules. Member Decker highlighted that the appellant must first prove that he was on the app when requested by an officer and, second, ensure that pickups occur in designated rideshare areas.

Member Decker stated that in his opinion, the appellant did not provide sufficient evidence to prove that he was on the app, as no such proof was shown to the officer or presented during the hearing. If such evidence had existed, it should have been introduced at that time. He also commented on the trespassing charge, noting that while he understood why the court may have dismissed it due to the property not providing clear evidence of trespass, this did not negate the officer's charge, which was a significant point in the appeal.

Finally, Member Decker stressed that an arrested individual, unless legally trained, does not determine whether an officer's actions were justified. That determination lies with the officer, who is aware of the legal restrictions against unauthorized pickups, which are considered gross misdemeanors.

Member Graf asked Lona Webb what was the ultimate charge that he was convicted of.

Lona Webb replied the charge was illegal transportation of passengers without a CPCN.



Member Graf asked if there was any proof that there was a CPCN for that vehicle and if we have the ability to search the records to determine whether or not that vehicle has had one.

Lona Webb replied there was no proof of a CPCN for the vehicle and yes, we have the ability to search the records.

Member Graf asked if they ever had a CPCN and Lona Webb replied they never had one.

Member Graf asked Ms. Perez if she ever obtained a CPCN for her vehicle.

Ms. Perez replied no.

Member Graf stated I think all due process was met. The purpose and intent of due process is so you had notice of the hearing, attended the hearing, and that the hearing was conducted where you were given the opportunity to present evidence and testimony in support of your case. In this instance, the case involves operating a vehicle and transporting people without a CPCN, which is against public policy and law codes, including NRS. Anybody that operates a vehicle, a TNC or a taxicab, all these people behind you that operate taxicabs, they have to get all those certificates for all of those vehicles that are out there being operated.

This board has had a significant goal to decrease the number of unauthorized passenger transportation and that's what we're talking about here.

You had every opportunity to present a photocopy of that TNC rideshare for that day. That was never presented and today is a review of what was done at the time of the hearing. So, my motion is to deny the appeal of event #240421-0009 and then UPT 24-00013.

Vice Chairman Soderberg stated we have a motion on the floor Member Graf moved the motion. Seconded by Member Decker. Motion to deny appeal was approved.

*Motion passes and the appeal is denied.*

## **7. Staff Report (For Discussion Only)**

### **A. Administrator's Report**

Administrator Park informed the Board that we have a new dispatcher Shelly Carrillo and 2 new officers Dillon Meeks and Rachael Plum. The Administrator also recognized Officer Diaz for his exceptional work. Officer Diaz was instrumental in investigating a large-scale robbery involving over \$500,000 in stolen jewelry. His actions led to coordination with Metro. The board commended Officer Diaz for his diligence and effective interagency collaboration.

The board discussed Executive Order #3, which involves revising the NACs. It was agreed to restart the revision process. A workshop will be scheduled within the next few weeks to address the necessary changes.

The Administrator acknowledged the hard work of the vehicle inspectors who continue to perform their duties in challenging conditions, including extreme heat. Their dedication was recognized and appreciated.

**B. Enforcement/Compliance Report**

*Nothing to report.*

**C. Stats**

- Monthly trips 1,039,809
- Employee revenue trips \$19.887
- Lease revenue trips \$19.92
- Medallions in service 3,530
- Lease decals 1,669
- Dispatch events 842

**D. Legal Counsel**

*Nothing to report.*

**E. Future Agenda Items**

*Nothing to report.*

**8. Public Comment**

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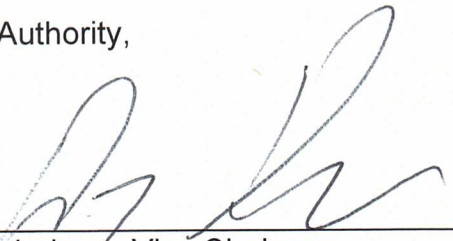
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*No public comments. Item closed.*

## 9. Adjournment (Action)

Vice Chairman Soderberg moved to adjourn Member Graf moved and Member Decker seconded motion. All in favor.

*Motion passed. Item closed.*

By the Authority,



Don Soderberg, Vice Chairman  
Nevada Taxicab Authority

Dated: September 18, 2024  
Las Vegas, Nevada