



STATE OF NEVADA TAXICAB AUTHORITY



Application Process for a Certificate of Public Convenience and Necessity

Pursuant to **NRS 706.8827 Certificate of public convenience and necessity required to engage in business of operating taxicabs; hearing on application; fee; conditions; effect of denial of certificate.**

1. A person shall not engage in the taxicab business unless the person:
 - (a) Holds a certificate of public convenience and necessity from the Public Service Commission of Nevada issued before July 1, 1981, which has not been transferred, revoked or suspended by the Taxicab Authority; or
 - (b) Currently holds a certificate of public convenience and necessity from the Taxicab Authority as provided in this section.
2. Upon the filing of an application for a certificate of public convenience and necessity, the Taxicab Authority shall fix a time and place for a hearing thereon. The taxicab shall issue the certificate if it finds that:
 - (a) The applicant is fit, willing and able to perform the service of a taxicab motor carrier;
 - (b) The proposed operation will be consistent with the legislative policies set forth in **NRS 706.151**;
 - (c) The granting of the certificate will not unreasonably and adversely affect other carriers operating in the territory for which the certificate is sought;
 - (d) The holders of existing certificates will not meet the needs of the territory for which the certificate is sought if the certificate is not granted; and
 - (e) The proposed service will benefit the public and the taxicab business in the territory to be served.
3. The applicant for a certificate has the burden of proving to the Taxicab Authority that the proposed operation will meet the requirements of subsection 2. The Taxicab Authority shall not find that the potential creation of competition in a territory which may be caused by the granting of a certificate, by itself, will unreasonably and adversely affect other carriers operating in the territory for the purpose of paragraph (c) of subsection 2.
4. The applicant must submit an application fee of \$200.00, which must not be refunded, with the application. The applicant must also pay those amounts which are billed to the applicant by the Authority for reasonable costs incurred by it in conducting an investigation or hearing regarding the applicant.
5. The Taxicab Authority may attach to the exercise of the rights granted by the certificate any terms and conditions which in its judgement the public interest may require.
6. The Taxicab Authority may dispense with the hearing on the application if, upon the expiration of the time fixed in the notice of the hearing, no protest against the granting of the certificate has been filed by or on behalf of any person.
7. Any person who has been denied a certificate of public convenience and necessity after a hearing may not file a similar application with the Taxicab Authority covering the same type of service and over the same route or routes or in the same territory for which the certificate of public convenience and necessity was denied except after the expiration of 180 days from the date the certificate was denied.

(Added to NRS by 1969, 1242; A 1971, 729; 1975, 1325; 1977, 748; 1979, 837; 1981, 2054; 1987, 2259; 1991, 1992)

NAC 706.453 Certificate: Qualifications of applicant; investigation. (NRS 706.8818, 706.8827)

1. The burden of proof by clear and convincing evidence is upon the applicant to satisfy the Authority of his/her suitability to receive a certificate. He/She must demonstrate:
 - (a) His/Her financial ability to provide continuous service, including sufficient equity capital to acquire the necessary property and equipment, but not less than the amount of equity capital required by **NAC 706.473**.
 - (b) He has no record of a conviction of a felony or crime involving moral turpitude.
 - (c) He is not associated with, controls, is controlled by or exercises common control with an unsuitable person.
 - (d) He has sufficient experience or has employed persons with sufficient experience properly to manage a taxicab company.
 - (e) Has good moral character.
2. The Authority reserves the right to conduct an investigation before issuing a certificate or a permit. Upon determining that an investigation is necessary, the Authority will notify the applicant of the estimated cost of the investigation. The Authority will not commence the investigation until the applicant has paid one-half of the estimated cost.

[Taxicab Auth., Gen. Order no.3 Rule 103, eff. 4-18-71; A 8-16-78]-(NAC A 10-13-88; R064-02, 7-31-2002)

NAC 706.473 Certificate holders; Equity capital. (NRS 706.8818)

1. Each certificate holder shall maintain an investment of not less than 20 percent equity capital in his operations and include proof of that investment in his annual report filed with the Authority.
2. A certificate holder who fails to maintain adequate equity capital as required by subsection 1 shall, not later than 3 months after receiving notice from the Authority of that failure, file a plan with the Authority to maintain such equity capital within the next 12 months.
3. Within 15 months after receiving notice from the Authority that he has failed to maintain adequate equity capital, a certificate holder must have an investment of not less than 20 percent equity capital in his operations.
4. The Authority may revoke the certificate of a certificate holder who fails to comply with the provisions of this section.

(Added to NAC by Taxicab Auth. By R064-02, eff. 7-31-2002)

This packet contains the certificate application and the personal history forms, instructions and forms the applicant will need.

After completing the application, the applicant (s) must return the original application, nine (9) copies of the application and all exhibits to the Taxicab Authority Office to be filed. The filing fee is \$200.00. **This is non-refundable.**

Upon receipt and investigation of the application, the Taxicab Authority notifies interested and/or affected parties through the press by paid publication allowing approximately thirty (30) days for the protests to be filed with the Taxicab Authority. Then a Public Hearing will be noticed and held by the Taxicab Authority.

The applicant will be responsible for the total cost of the administrative process. The cost includes all transportation, food and lodging, plus an hourly charge for the time expended by the investigator or investigators assigned to the application. Before the background investigation can begin, the applicant must provide a deposit of have of the estimated administrative process. An hourly expence will be charged at \$25.00 per hour for the time expended while investigator(s) are engaged in the actual investigation process.

The entire process can take anywhere from six months to one year.

Please review additional sections of the Nevada Revised Statutes and the Nevada Administrative Code Chapter 706 pertaining to ownership and operation of a taxicab company for further information.

Additionally, please ensure your business has fulfilled the requirements established by the State by registering with the following agencies:

- Nevada Department of Taxation
- Nevada Secretary of State of Nevada
- Industrial Insurance Requirements
- Fictitious Firm Name

Please complete the **Certificate Application** which is found on the State of Nevada Taxicab Authority's web site at: www.taxi.nv.gov



STATE OF NEVADA DEPARTMENT OF BUSINESS AND INDUSTRY
TAXICAB AUTHORITY

2090 E. Flamingo Road, Suite 200
Las Vegas, Nevada 89119
Telephone (702) 668-4000 · Fax (702) 668-4001
www.taxi.nv.us



A TAXICAB COMPANY IS SEEKING THE GRANTING OF A PRIVILEGE AND THE BURDEN OF PROVIDING HIS QUALIFICATIONS TO RECEIVE SUCH A CERTIFICATE IS, AT ALL TIMES, ON THE APPLICANT. AN APPLICANT MUST ACCEPT ANY RISK OF ADVERSE PUBLIC NOTICE, EMBARRASSMENT, CRITICISM, OR OTHER ACTION, OR FINANCIAL LOSS WHICH MAY RESULT FROM ACTION WITH RESPECT TO AN APPLICATION, AND EXPRESSLY WAIVES ANY CLAIM FOR DAMAGES, AS A RESULT THEREOF.

After receipt of the application and investigation, the Taxicab Authority notifies interested and/or affected parties through the press by paid publication allowing approximately thirty (30) days for protests to be filed with the Taxicab Authority. Then a Public Hearing will be noticed and held by the Taxicab Authority.

The applicant will be responsible for the total cost of the Administrative process. The cost includes all transportation, food and lodging, plus an hourly charge for the time expended by the investigator or investigators assigned to the application. Before the investigation can begin, the applicant must provide a deposit of half of the estimated administrative process. An hourly expense will be charged for the time expended while the investigator(s) are engaged in the actual investigation process.

APPLICATION PROCESS FOR A CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY

Persons wishing to start a taxicab company within Clark County must make application to the State of Nevada Taxicab Authority.

This packet contains all the necessary information, instructions and forms the applicant will need. Sections of the Nevada Revised Statutes (NRS) and Nevada Administrative Code (NAC) Chapter 706 pertaining to the ownership and regulation of a taxicab company are available through Nevada Law Library. Specifically, Holders of Certificates of Public Convenience and Necessity requirements - NRS 706.8827.

After completing the application, the applicant(s) must return the original application, nine (9) copies of the application and all exhibits to the Taxicab Authority Office to be filed. The application must include a detailed Business Plan including information regarding a Dispatch system and a location for maintenance of your cabs. The filing fee is \$200.00. This is non-refundable.

Upon receipt of the application, an investigator or investigators will be assigned to complete a thorough background investigation of all information submitted on your application. The applicant will be responsible for the total cost of the Administrative process. Before the background investigation can begin, the applicant must provide a deposit of half of the estimated administrative process for the

time expended while the investigator(s) are engaged in the actual investigation process. This is one half of the estimated cost of the investigation which is the investigator/investigators' hourly wage, all transportation, food and lodging. The applicant will be notified when the investigation is complete, at which time the second half of the cost for the background investigation will be due.

At the completion of the investigation and it is determined that all information is acceptable, the applicant will be notified. The Taxicab Authority will notify interested and/or affected parties through the press by paid publication allowing approximately thirty (30) days for protests to be filed with the Taxicab Authority. Then a Public Hearing will be noticed and held by the Taxicab Authority at which time the applicant will be scheduled to appear before the 5-member, Governor-appointed Board for a hearing.

This entire process can take anywhere from six months to one year.

The applicant must fill out and return all original forms with nine (9) copies. The forms required are included on the *PRIVILEGED LICENSE INVESTIGATION MONITORING FORM*.

The applicant should obtain and carefully study Nevada Administrative Code (NAC) Chapter 706.876 entitled, *Practice before the Taxicab Authority*. In this chapter, it sets forth the data necessary to be included in the application or attached as exhibits thereto. Submission of such data in the application does not relieve the applicant from presenting competent, relevant and admissible evidence and exhibits at the Hearing, under oath, to establish its fitness, willingness, and ability to perform service and to provide for public convenience and necessity, as required by NRS 706.881-885.



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APPLICATION FEES FOR TAXICAB OWNERSHIP, REQUEST FOR TRANSFER OR SALE OF CERTIFICATE OR STOCK TRANSFER, REQUEST FOR RATE CHANGE, OR CHANGE IN ALLOCATIONS

1. \$200.00 Application Fee (Non-Refundable) for new application, transfer, or sale of certificate or stock.
2. Filing costs for Notice of Public Hearing in newspaper.
3. Applicant is responsible for obtaining a court reporter for Public Hearing, Pre-Hearing, etc. Reporter's fees vary.

APPLICANTS MUST PAY ONE - HALF OF THE ESTIMATED COST OF THE ADMINISTRATIVE PROCESS PRIOR TO THE AUTHORITY COMMENCING THE INVESTIGATION.

Applicant's Name _____

Street Address _____

City, State, Zip _____

Phone Number _____

Social Security Number _____

Cab Company Name _____



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APPLICANT REQUEST TO RELEASE INFORMATION

TO: _____

FROM: _____
(APPLICANT)

1. I hereby authorize and request all persons to whom this request is presented having information relating to or concerning me to furnish such information to a duly appointed agent of the State of Nevada Taxicab Authority, whether or not such information would otherwise be protected from disclosure by any constitutional, statutory or common law privilege.
2. I hereby authorize and request all persons to whom this request is presented having documents relating to or concerning me to permit a duly appointed agent of the State of Nevada Taxicab Authority to review and copy any such documents, whether or not such documents would otherwise be protected from disclosure by any constitutional, statutory, or common law privilege.
3. If the person to whom this request is presented is a brokerage firm, bank, savings and loan, or other financial institution or an officer of same, I hereby authorize and request that a duly appointed agent of the State of Nevada Taxicab Authority be permitted to review and obtain copies of any and all documents, records or correspondence pertaining to me, including but not limited to past loan information, notes co-signed by me, checking account records, savings deposit records, safe deposit box records, passbook records, and general ledger folio sheets.
4. I do hereby make, constitute, and appoint any duly appointed agent of the State of Nevada Taxicab Authority my true and lawful attorney in fact for me in my name, place, and stead, and on my behalf and for my use and benefit:
 - (a) to request, review, copy, sign for, or otherwise act for investigative purposes with respect to documents and information in the possession of the person to whom this request is presented as I might or could do if personally present.
 - (b) to name the person or entity to whom this request is presented and insert that person's name in the appropriate location of this request.
 - (c) To place the name of the Taxicab Authority agent presenting this request in the appropriate location on this request.
5. I grant to said attorney in fact full power and authority to do, take, and perform all and every act and thing whatsoever requisite, proper, or necessary to be done, in the exercise of any of the rights and powers herein granted, as fully to all intents and purposes as I might or could do if personally present, with full power of substitution or revocation, hereby ratifying and confirming all that said attorney in

fact, or his substitute or substitutes, shall lawfully do or cause to be done by virtue of this said power of attorney and the rights and powers herein granted.

6. This power of attorney ends three (3) months from the date of execution.

7. I have filed with the State of Nevada Taxicab Authority an "application" as that term is defined in General Order No.1, section 6.6. I understand that I am seeking the granting of a privilege and acknowledge that the burden of proving my qualifications for a favorable determination is at all times on me. I accept any risk of adverse public notice, embarrassment, criticism, or other action of financial lose which may result from action with respect to this application.

8. I do, for myself, my heirs, executors, administrators, successors and assigns, hereby release, remise, and forever discharge the person to whom this request is presented, and his agents and employees from any and all manner of actions, causes of action, suites, debts, judgments, executions, claims, and demands whatsoever, know or unknown, in law or equity, which I ever had, now have, may have, or claim to have against the person to whom this request is presented or his agents or employees arising out of or by reason of complying with this request.

9. I agree to indemnify and hold harmless the person to whom this request is presented and his agents and employees from and against all claims, damages, losses, and expenses, including reasonable attorney's fees arising out of or by reason of complying with this request.

10. A reproduction of this request by the Xerox or similar process shall be for all intents and purposes as valid as the original.

In witness whereof, I have executed this request at _____ on this day of _____, 201__.
City, State

Subscribed and Sworn to before me this ___ day of _____.

Notary Public in and for the County of _____ State of _____.

Signature of State of Nevada Taxicab Authority Agent presenting this request for information _____

Dated this ___ day of _____.

Signature of Person Releasing Information _____ Date _____



State of Nevada Taxicab Authority Applicant Exhibit List



Applications for Certificate of Public Convenience and Necessity in the State of Nevada, through the Honorable Taxicab Authority, must include the following exhibits to respectfully show:

I.

A list giving descriptions of equipment to be operated is attached, marked EXHIBIT "A".

II.

A copy of personal history of purchaser is attached, marked EXHIBIT "B".

III.

A copy of financial statement of purchaser is attached, marked EXHIBIT "C".

IV.

Evidence that insurance can be secured by purchaser is attached, marked EXHIBIT "D".

V.

Proposed rates or fares and time schedule is attached, marked EXHIBIT "E".

VI.

Certificate from county clerk to operate under fictitious name, marked EXHIBIT "F".

VII.

A certified copy of Articles of Incorporation and a current list of officers, marked EXHIBIT "G".

VIII.

Proposed time schedule, marked EXHIBIT "H".

IX.

Projected performance for the first year of operation, marked EXHIBIT "I".

X.

A complete business plan, marked EXHIBIT "J".

XI.

The proposed area of transportation as shown in an attached map, marked EXHIBIT "K".

XII.

List of stockholders and percent of _____ stock held by each is attached, marked EXHIBIT "L".
Type of Stock

If applicable, name, address and phone number of attorney: