

BEFORE THE NEVADA TAXICAB AUTHORITY

1 2 3 4 5	IN THE MATTER OF THE PUBLIC HEARING) Regarding the Board Initiated Designation of) Special Events and Modification of Taxi Rates) During Special Events—2024 Las Vegas Formula) 1 Grand Prix)) <u>FINDINGS OF FACT, CONCLUSIONS</u>) <u>OF LAW and ORDER AUTHORIZING</u>) <u>ADDITION OF A SPECIAL EVENT</u>) <u>SURCHARGE RATE FOR THE 2024</u>) <u>LAS VEGAS FORMULA 1 GRAND PRIX</u>)
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7 THIS MATTER having come before the Nevada Taxicab Authority Board ("**the Board**"), at

8 its regularly scheduled public meeting on September 18, 2024 ("**the Hearing**"), and as previously held

9 and discussed on August 21, July 17, and April 17, 2024, for consideration of the Board initiated rate

10 review concerning special event surcharges to modify taxi rates for services provided during special

11 events and the proposed designation of special events. The Hearing was held at the Nevada State

12 Business Center, located at 3300 West Sahara Avenue, Suite 400, Las Vegas, Nevada 89102.

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14 PRESENT: Dan R. Reaser, Chair
 Donald Soderberg, Vice Chair
 Rusty Graf, Member
 J.D. Decker, Member
 Todd Park, Taxicab Authority Administrator
 Joseph Ostunio, Deputy Attorney General

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18 A Petition to Intervene was filed by Henderson Taxi, Whittlesea Blue Cab, Nevada Yellow

19 Cab, Nevada Checker Cab, New Cab Co., Nevada Star Cab, Virgin Valley, and Desert Cab, each a

20 member of the Livery Operator’s Association of Las Vegas (collectively referred to as "**LOA**")

21 present and represented by legal counsel, Kimberly Maxson Rushton. There were no other

22 intervenors. However, also appearing were Cheryl Gibbons of Whittlesea Blue Cab and Henderson

23 Taxi. No one appeared in opposition to a proposed surcharge.

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25 Based on the evidence presented to the Board during the hearings, and following consideration

26 of the arguments presented during the Hearings, the Board hereby enters the following Findings of

27 Fact, Conclusions of Law and Order (the "**Decision**):

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FINDINGS OF FACT

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2 1. The administrative record in this matter consists of the Notice of Public Hearing, the
3 Public Board Meeting Notice and Agenda, the Petition for Leave to Intervene and the discussion of
4 the Intervenors through their attorney Kimberly Maxon Rushton. Todd Park, Administrator for the
5 Nevada Taxicab Authority spoke on behalf of the Nevada Taxicab Authority ("**the TA**").
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7 2. Pursuant to NRS 706.8818 and NAC 706.471(2) the Board seeks to inquire into the
8 modification of existing taxi rates through the imposition of a special event surcharge fee (otherwise
9 referred to as the "**special event surcharge fee** ") as well as the designation of those special events.

10 3. The Board granted the LOA's Petition to Intervene, pursuant to NAC 706.894, as the
11 intervenors are directly and substantially affected by these proceedings.

12 4. On October 18, 2023, the Board considered a special event rate surcharge for the Las
13 Vegas Formula 1 Grand Prix ("**F1 Event**") and granted the same.

14 5. Throughout the several hearings and discussions surrounding special event surcharges
15 and the designation of special events, counsel for the LOA, and others, provided an overview of the
16 need for surcharges, the legal authority to modify rates and the justification for a special event
17 surcharge fee in the instance of the F1 Event. The industry testified to the necessity of having special
18 event surcharges and how it will be used to financially incentivize taxi drivers to work during the
19 special events.
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21 6. After discussion and deliberation, all four of the members of the Board present at the
22 Hearing, having fully considered the law and being fully advised in the premises, voted unanimously
23 in favor of a motion to approve the F1 Surcharge Fee proposal for the 2024 F1 Surcharge Period. Staff
24 will prepare the Order by incorporating the terms of the 2023 F1 surcharge order and designating it as
25 a special event.
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CONCLUSIONS OF LAW

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1. The Hearing was held in compliance with the provisions of the Nevada Open Meeting Law, the Nevada Administrative Procedure Act, Chapter 706 of the Nevada Revised Statutes (the "NRS") and Chapter 706 of the Nevada Administrative Code (the "NAC").

2. The geographic area subject to this Order is Clark County, Nevada.

3. The Board is duly constituted and may regulate the conduct of the taxicab business. NRS 706.8818.

4. Generally, the Board may attach to the exercise of the rights granted by the allocation of taxicab medallions any terms and conditions that in its judgment the public interest may require. NRS 706.8824(5).

5. The Board is directed by law to review the rates, charges, or fares of the certificate holders in its jurisdiction. NRS 706.8824(6)(b).

6. The Board has the authority to review and adjust, alter, or change the taxicab rates, charges, or fares for taxicab service in Clark County, Nevada, and is the only entity authorized to do so for taxicab service within its jurisdiction. NRS 706.8819(1)(a); NAC 706.471(1).

7. The rates, charges, or fares of all certificate holders within a county under the jurisdiction of the Board must be uniform, unless there is a showing that the public interest requires otherwise. NAC 706.471(3).

8. In conducting an administrative investigation, inquiry, or hearing, neither the Board nor any of its officers or employees are bound by the technical rules of evidence, and no informality in any proceeding or in the manner of taking testimony will invalidate any order, decision, rule, or regulation made or approved by the Board. NAC 706.948(1).

9. The Board has the authority to ensure that the traveling public and spectators attending the F1 Event have access to readily available, safe and reliable transportation services. In furtherance

1 of that objective, the Board concludes the public interest will be served by implementing the F1 Event
2 Surcharge Fee for the F1 Surcharge Period to support the efforts of the certificated taxi carriers to
3 deploy as many of the authorized taxicabs as possible to serve the traveling public. NAC 706.909(3).
4 The 2023 F1 Event Surcharge Fee worked well.

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6 10. In accordance with NRS 233B.121, NRS 233B.123 and NRS 233B.135, and consistent
7 with NAC 706.909(2) & (4), the reliable, probative and substantial evidence submitted to the Board at
8 the Hearings establishes by a preponderance of such evidence:

9 a. The F1 Surcharge Fee should be set at fifteen dollars (\$15.00) on all taxi trips
10 performed within the existing established taxi zones located on and around the Airport Strip Corridor
11 as well as taxi trips that originate or terminate in one of such identified taxi zones.

12 b. The F1 Surcharge Fee should be applicable during a period that accommodates
13 the travelling public and spectators for a reasonable period preceding and following the F1 Event,
14 including practice sessions, qualifying events, the actual race, and travel into and from Las Vegas
15 associated with the F1 Event. Accordingly, the F1 Surcharge Period should commence Thursday,
16 November 21, 2024, at 1:00 a.m. (PST) and continue to 12:00 noon on Monday, November 25, 2024,
17 to provide a reasonably calculated continuance of taxi services.

18 c. The F1 surcharge Fee should be implemented using a new meter rate, identified
19 on the meter as "Tariff 2", and providing that "Tariff 2" will not supersede any existing taxi rate but
20 instead be added onto the applicable zone rate during the F1 Surcharge Period.

21 d. Information confirming track access points, additional road closures, loading
22 zones and staging areas for commercial vehicles was not available to the Board. Based on the 2023
23 F1 Event Surcharge order, the Board concludes regarding the geo-fencing programming capabilities of
24 taxicab meters, that subject to supervision by the Administrator, temporary adjustments of the
25 geographic areas associated with the currently approved flat rate zones for the airport Strip Corridor
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1 will be necessary to include the loading zones and staging areas for commercial vehicles established
2 for the F1 Event and to comply with the F1 Staging Requirements.

3 11. The interests, welfare and convenience of the travelling public are served by the F1
4 Event Surcharge Fee for the F1 Event Surcharge Period.

5 12. Public policy favors approval and adoption of the F1 Event Surcharge Fee for the F1
6 Event Surcharge Period.

7 13. The Board's approval of the Surcharge Fee is a reasonable and permissible exercise of
8 its authority to regulate the taxicab industry and its rates in the public interest.

9 14. If any of the foregoing conclusions of law is more appropriately construed as a finding
10 of fact, it may be so construed.
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14 **ORDER**

15 THEREFORE, IT IS HEREBY ORDERED:

- 16 1. The Board GRANTS a Surcharge Fee to be imposed during the 2024 Las Vegas Formula 1
17 Grand Prix and designates it as a special event.
- 18 2. An F1 Event Surcharge Fee of fifteen dollars (\$15.00) on taxi trips originating or ending
19 within any airport Strip Corridor zone is APPROVED.
- 20 3. The implementation of the F1 Surcharge Fee using a new meter rate, identified on the
21 mater as "Tariff 2", and providing that "Tariff 2" will not supersede any existing taxi rate
22 but instead be added onto the applicable zone rate during the F1 Surcharge Period, is
23 APPROVED.
- 24 4. Under the supervision of the Administrator, to implement the F1 Surcharge Fee and
25 comply with the F1 Staging Requirements including without exception the loading zones
26 and staging areas for commercial vehicles, temporary adjustment of the geographic areas
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associated with the currently approved flat rate zones for the Airport strip Corridor, is APPROVED.

5. The implementation of the F1 Event Surcharge Fee for the F1 Event Surcharge Period will commence Thursday, November 21, 2024, at 1:00 a.m. (PST) and continue to and terminate at 12:00 noon on Monday, November 25, 2024, is APPROVED.
6. For the purposes of planning, programming, and implementing the F1 Event Surcharge Fee, this Order is effective upon the date signed. For the purpose of imposing the F1 Event Surcharge Fee, this Order is effective at 1:00 a.m. (PST) on Thursday, November 21 2024, and continuing to and terminating at 12:00 noon (PST) on Monday, November 25, 2024.
7. The Board retains jurisdiction to correct any error that may have occurred during the drafting or issuance of this Order.

DATED this 16th day of October, 2024.

STATE OF NEVADA
TAXICAB AUTHORITY BOARD

By: Dan R. Reaser
Dan R. Reaser, Chair.