

BEFORE THE NEVADA TAXICAB AUTHORITY

1 2 3 4 5 6	IN THE MATTER OF THE PUBLIC HEARING) Regarding Modifying Taxi Rates During a Special) Event and Designation of a Special Event))))	<u>FINDINGS OF FACT, CONCLUSIONS OF LAW AND ORDER AUTHORIZING A GENERAL SURCHARGE RATE ORDER GOVERNING RECURRING SPECIAL EVENT SURCHARGES AND DESIGNATION OF SPECIAL EVENTS: NYE 2024 and 2025/EDC/F1Grand 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 December 18, 2024 ("the Hearing"), for the continued
 9 consideration of the Board initiated rate review concerning special event surcharges. The Hearing was
 10 held at the Nevada State Business Center, located at 3300 West Sahara Avenue, Suite. 400, Las
 11 Vegas, Nevada 89102.

- 12 PRESENT: Dan R. Reaser, Chair
 13 Donald Soderberg, Vice Chair
 14 Rusty Graf, Member
 15 J.D. Decker, Member
 Lawrence Weekly, Member
 Todd Park, Taxicab Authority Administrator

16 This matter first appeared April 17, 2024, noticed as a Public Hearing on the Board initiated
 17 proposal of a designation of a future Special Event. Again, on July 17, 2024, August 21, 2024,
 18 September 18, 2024, October 16, 2024, and November 20, 2024 (collectively the "Meetings"), the
 19 Board reviewed and assessed aggregate statistics compiled from special event surcharge pilot
 20 programs and discussed factors to be evaluated in developing a general surcharge rate for an order
 21 governing recurring special events. Based on the evidence presented to the Board and following
 22 consideration of the arguments presented during the Meetings and the Hearing, the Board hereby
 23 enters the following Findings of Fact, Conclusions of Law and Order (the "Decision"):

FINDINGS OF FACT

24
 25 1. The administrative record in this matter consists of the Notice of Public Hearing, the
 26 Public Board Meeting Notices and Agendas, and the testimony of the interested persons in the
 27 industry. Todd Park, Administrator for the Nevada Taxicab Authority and Curtis Mell, Management
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1 Analyst, provided information and analysis to the Board on behalf of the Nevada Taxicab Authority
2 (the "TA").

3 2. Pursuant to NRS 706.8818 and NAC 706.471(2) the Board seeks to inquire into the
4 modification of existing taxi rates through the imposition of a special event surcharge fee during
5 Special Events.

6 3. Counsel for Henderson Taxi, Whittlesea Blue cab, Nevada Yellow Cab, Nevada
7 Checker Cab, New Cab Co, Nevada Star Cab, Virgin Valley, and Desert Cab, each a member of the
8 Livery Operator's Association of Las Vegas (collectively referred to as "LOA") submitted a petition
9 for Leave to Intervene and provided an overview of the need for a special event surcharge, the legal
10 authority for requests to modify rates and the justification for a special event surcharge fee during
11 Special Events.

12 4. In support of the surcharges, there was testimony supporting the necessity of having a
13 special event surcharge and how it is used to financially incentivize taxi drivers to work during a
14 Special Event period given the difficulty of driving caused by the highly increased congestion of the
15 special event, the many people and vehicles in the area because of the Special Event, a distantly
16 located event, the ensuing increased waiting times to earn a fare, and the need to ensure the public
17 receives safe rides during the events. Based on prior TA surcharge pilot program experiences with the
18 F1 Grand Prix, Superbowl, NCAA March Madness and the Electric Daisy Carnival ("Pilot Surcharge
19 Programs"), and discussions the operators have had with taxi drivers at their respective companies,
20 the surcharges for Pilot Surcharge Programs ordered by this Board have ranged from ten dollars
21 (\$10.00) to sixty dollars (\$60.00). The Electric Daisy Carnival ("EDC"), with its lack of proximity to
22 the Las Vegas Strip, it's very large number of attendees, and the high probability of a "deadhead"
23 fare-empty trip either from the speedway or back to the city, commanded the larger surcharge fees to
24 encourage available taxis for the riding public.

25 5. The LOA confirmed to the Board that one hundred percent (100%) of the surcharge
26 received by permitted drivers of leased taxicabs, would be retained by the driver. It noted the fact that
27 there are variances among the certificated companies, however, approximately forty-three percent
28 (43%) of the Surcharge Fee will be included in the commissions paid to permitted employee drivers.

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

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

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

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

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

16 9. The Board has the authority to ensure that the traveling public and spectators attending
17 the special events have access to readily available, safe and reliable transportation services. In
18 furtherance of that objective, the Board concludes the public interest will be served by implementing
19 special event surcharges to support the efforts of the certificated taxi carriers to deploy as many of the
20 authorized taxicabs as possible to serve the traveling public. NAC 706.909(3).

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

24 a. That the following events are to be considered “Special Events” for the
25 purposes of this Order for recurring special event surcharges:

- 26 • **New Year’s Eve 2024 (“NYE”)** commencing December 31, 2024, at 6:00
27 p.m. and ending at 2:00 a.m. January 1, 2025. The \$10.00 surcharge is

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applicable to trips originating and/or terminating in the Strip Corridor zones during the applicable time period.

- **Electric Daisy Carnival (“EDC”)** commencing Friday, May 16, 2025, at 3:00 p.m. to Saturday May 17, 2025, at 10:00 a.m. Commencing again on Saturday, May 17 at 3:00 p.m. to Sunday May 18, 2025, at 10:00 a.m. Commencing again on Sunday May 18, 2025, at 3:00 p.m. to Monday, May 19, 2025, at 10:00 a.m. (See paragraphs b and c below.)
- **F1 Grand Prix** commencing November 20, 2025, at 1:00 a.m. and ending at 12:00 noon on November 24, 2025. (See paragraph d below.)
- **New Year’s Eve 2025** commencing December 31, 2025, at 6:00 p.m. and ending at 2:00 a.m. January 1, 2026. The \$10.00 surcharge is applicable to trips originating and/or terminating in the Strip Corridor zones during the applicable time period.

b. The EDC Surcharge Fee should be set at the same rate as 2024, at forty dollars (\$40.00) on all taxi trips that originate from Las Vegas to the PUDO through the same geofenced established taxi zone located on or around the Las Vegas Speedway and will be known as Tariff 2. The EDC Surcharge Fee should be set at sixty dollars (\$60.00) on all taxi trips that originate from the geofenced PUDO established taxi zone located on or around the Las Vegas Speedway to Las Vegas or the nearby vicinity and will be known as Tariff 3.

c. The EDC Surcharge Fee should be applicable during a period that accommodates the travelling public for a reasonable period preceding and following the Event. Accordingly, the EDC Surcharge Period should commence the Friday beginning the event beginning at 3:00 p.m. (PST) to midnight and continue through to the next day, Saturday, at 10:00 a.m. Commence again on Saturday, at 3:00 p.m. to midnight and continue through to Sunday at 10:00 a.m. Finally on Sunday at 3:00 p.m. to midnight and continuing through Monday, at 10:00 a.m. to provide a reasonably calculated continuance of taxi services.

d. The F1 Grand Prix 2025 Surcharge Fee should be set at the same rate as 2024, at fifteen dollars (\$15.00) on all taxicab trips originating or terminating at the airport solely to and

1 from the Strip Corridor in the fixed rate zones, and within the existing established Strip Corridor taxi
2 zones applicable during a period that accommodates the travelling public for a reasonable period
3 preceding and following the event. Accordingly, the F1 Grand Prix Surcharge Period should begin at
4 1:00 a.m. (PST) on the Thursday of the commencement of the event to noon on Monday, the travel
5 day following the event to provide a reasonably calculated continuance of taxi services.

6 e. The F1 Surcharge Fee should be applicable during a period that accommodates
7 the traveling public and spectators for a reasonable period preceding and following the F1 Event,
8 including practice sessions, qualifying events, the actual race, and travel into and from Las Vegas
9 associated with the F1 Event. Accordingly, the F1 Surcharge Period should commence Thursday,
10 November 20, 2025, at 1:00 a.m. (PST) and continue to 12:00 noon on Monday, November 24, 2025,
11 to provide a reasonably calculated continuance of taxi services.

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

15 g. Information confirming track access points, additional road closures, loading
16 zones and staging areas for commercial vehicles was not available to the Board. Based on the 2024
17 F1 Event Surcharge order, the Board concludes regarding the geo-fencing programming capabilities of
18 taxicab meters, that subject to supervision and approval by the Administrator, temporary adjustments
19 of the geographic areas associated with the currently approved flat rate zones for the airport Strip
20 Corridor will be necessary to include the loading zones and staging areas for commercial vehicles
21 established for the F1 Event and to comply with the F1 Staging Requirements.

22 11. The interests, welfare and convenience of the travelling public are served by the
23 Board's designations of NYE 2024 and 2025, EDC 2025 and the F1 Grand Prix 2025 as Special
24 Events, and by the NYE Surcharge Fee, the EDC Surcharge Fee and the F1 Grand Prix Surcharge Fee.

25 12. Public policy favors approval and adoption of NYE 2024 and 2025, EDC 2025, and F1
26 Grand Prix 2025 as Special Events together with the corresponding NYE's Surcharge Fee for the 2024
27 and 2025 Surcharge Period, the EDC Surcharge Fee for the EDC Surcharge Period, and the F1 Grand
28 Prix Surcharge Fee for the F1 Grand Prix Surcharge Period.

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(PST) on the Thursday of the commencement of the event to noon on Monday, the travel day following the event, to provide a reasonably calculated continuance of taxi services.

6. For the purposes of planning, programming, and implementing the NYE Surcharge Fee, the EDC Surcharge Fee and the F1 Grand Prix Surcharge Fee, this Order is effective upon the date signed. For the purpose of imposing the NYE Surcharge Fee, this Order is effective at 6:00 p.m. December 31, 2024, through 2:00 a.m. January 1, 2025; for the purpose of imposing the EDC Surcharge Fee, this Order is effective at 3:00 p.m. (PST) on the Friday commencing the event and continuing to and terminating at 10:00 a.m. (PST) on Monday following the event for the specific hours set forth herein; for the purpose of imposing the F1 Grand Prix Surcharge Fee, this Order is effective at 1:00 a.m. (PST) on the Thursday of the commencement of the event and continuing to noon on Monday, the travel day following the event as set forth herein.
7. The implementation of any Surcharge Fee using a new meter rate will not supersede any existing taxi rate but instead be added onto the applicable rate during the Surcharge Period.
8. The Board retains jurisdiction to correct any error that may have occurred during the drafting or issuance of this Order.

DATED this 30th day of December 2024.

STATE OF NEVADA
TAXICAB AUTHORITY BOARD

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