

**PROPOSED TEMPORARY REGULATIONS OF THE
NEVADA TAXICAB AUTHORITY**

Attached are the following NAC's that the Nevada Taxicab Authority wishes to adopt by reference:

NAC 706.3954

NAC 706.3957

NAC 706.3959

NAC 706.3963

NAC 706.3064

NAC 706.397

NAC 706.3954 Confidentiality of information: Disclosure of information designated as confidential; penalties. ([NRS 233B.050](#), [706.171](#))

1. During the pendency of a proceeding, any person who receives information which has been designated as confidential pursuant to [NAC 706.3944](#) to [706.3954](#), inclusive:

(a) Shall not disclose the information unless the confidentiality of the information is waived. The confidentiality of information shall be deemed to be waived if:

(1) The person who requested that the information not be disclosed makes the information available to the public or otherwise authorizes the disclosure of the information; or

(2) The Authority or presiding officer enters an order which authorizes the disclosure of the information.

(b) May request, at any time, that the Authority or presiding officer make a determination that the disclosure of the information is justified. The person may accompany his or her request with a sealed copy of the unredacted document or information.

2. The person seeking to have the information protected from disclosure has the burden of proof to demonstrate that the information sought to be disclosed is entitled to that protection.

3. Information which is the subject of an agreement or a protective order will be provided only to the staff of the Authority.

4. A person, a party, the legal counsel of a party or the expert designated by a party who:

(a) Violates the procedures of the Authority or presiding officer for protecting information;

(b) Fails to obey a protective order issued by the Authority or presiding officer;

(c) Violates the terms or conditions of a protective agreement; or

(d) Violates any other prohibition of the disclosure of information designated as confidential pursuant to [NAC 706.3944](#) to [706.3954](#), inclusive,

➔ is subject to the penalties and civil remedies prescribed in [NRS 706.771](#).

(Added to NAC by Transportation Serv. Auth. by R071-98, eff. 10-28-98)

NAC 706.3957 Pleadings: Petitions. ([NRS 233B.050](#), [706.171](#))

1. A pleading praying for affirmative relief, other than an application, motion, answer or complaint, must be styled a "petition."

2. If the subject of any desired relief is not readily apparent or specifically covered by [NAC 706.010](#) to [706.4019](#), inclusive, a petition seeking that relief and stating the reasons relied upon may be filed. The petition will be handled in the same manner as other petitions.

3. If the Authority does not grant, deny or set a petition for further proceedings within 60 days after the date on which the petition is received by the Authority, the petition shall be deemed denied.

4. If the Authority sets a petition for further proceedings, the Authority will rule on the petition within 120 days after the date on which the Authority set the petition for further proceedings.

(Added to NAC by Transportation Serv. Auth. by R071-98, eff. 10-28-98)

NAC 706.3959 Pleadings: Motions. ([NRS 233B.050](#), [706.171](#))

1. Any request for an order by the Authority, except for an order to allow intervention or an order to show cause, concerning any matter that has been assigned a docket number but has not been finally decided by the Authority must be styled a "motion."

2. A motion must be in writing unless made during a hearing. If a motion is made during a hearing, the motion may be written or oral. Oral motions must be timely made.

3. The presiding officer may order the parties to file one or more affidavits in support or contravention of a motion which has been made.

4. A motion must include, without limitation, citations of any authorities upon which the motion relies.

5. A written motion must be filed with the Authority and served upon all parties to the proceeding.

6. The presiding officer may direct that any motion made at a proceeding be reduced to writing, and filed and served in accordance with this section.

7. A motion that involves the final determination of a proceeding, including, without limitation, a motion to dismiss, will be considered by the Authority at the time of the final decision and order, unless the presiding officer or the Authority determines that an expedited ruling would be in the public interest.

8. The presiding officer may rule on any motion made at a hearing which does not constitute a final determination of the proceeding.

9. A written motion other than one made during a proceeding must be served not later than 10 days before the date set for the hearing unless a different time is specified by the presiding officer.

10. Motions filed by different parties but involving the same point of law may be set for hearing at the same time.

(Added to NAC by Transportation Serv. Auth. by R071-98, eff. 10-28-98; A by Nev. Transportation Auth. by R091-18, 12-19-2018)

NAC 706.3963 Pleadings: Answers. ([NRS 233B.050](#), [706.171](#))

1. A party to a proceeding who desires to contest a petition, an order to show cause or a complaint or make any representation about it to the Authority may file an answer with the Authority.

2. An answer to an order to show cause or a complaint must:

(a) Be in writing; and

(b) Specifically admit or deny each material allegation and state any new matter constituting a defense. Matters alleged by way of an affirmative defense must be separately stated and numbered.

3. If an amendment or correction to a pleading is filed before the filing of an answer, the time within which to answer will be computed from the date of service of the amendment or correction unless the Authority or presiding officer directs otherwise.

4. Except as otherwise ordered by the Authority, the facts set forth in an amendment or correction shall be deemed admitted if an answer to the amendment or correction is not filed. If a party wishes to answer an amendment or correction, he or she must file an answer within 15 days after the service of the amendment or correction unless the Authority or presiding officer directs otherwise.

5. Amendments or corrections made after the filing of an answer need not be answered.

6. Failure to file an answer or failure to indicate a jurisdictional defect in an answer does not waive the right to object to a jurisdictional defect.

(Added to NAC by Transportation Serv. Auth. by R071-98, eff. 10-28-98)

NAC 706.3964 Pleadings: Answers to petitions. ([NRS 233B.050](#), [706.171](#)) An answer to a petition must:

1. Be in writing;
2. Be written so as to advise the Authority and parties fully of the nature of the answer;
3. Contain a separate statement and number for each material element of the answer;
4. Be signed by the answering party or, if represented, by his or her attorney or other authorized representative;
5. Include the full name, address and telephone number of the answering party; and
6. Be filed with the Authority within 15 days after service of the petition to which the answer is directed, unless the Authority shortens or extends this time.

(Added to NAC by Transportation Serv. Auth. by R071-98, eff. 10-28-98; A by Nev. Transportation Auth. by R091-18, 12-19-2018)

NAC 706.397 Pleadings: Protests. ([NRS 233B.050](#), [706.171](#))

1. Any objection or request to make a statement at a hearing by a person, including, without limitation, a state or local government entity, who is not a party to an application, petition or other matter must be styled a “protest” and such a person must be styled a “protestant.” The filing of a protest or request to make a statement does not make the protestant a party.

2. A written protest must legibly set forth a clear statement of the matter to which an objection is made.

3. The Authority will make available a copy of a written protest to the parties against whom it is directed.

4. Even if a hearing on a written protest is not required by law, the Authority will notify the parties and may hold such a hearing if the public interest will be served.

5. A protest at a hearing may be oral or written.

6. At a hearing, the presiding officer shall allow any protestant to enter an appearance in the proceeding and may allow a protestant to make a statement. A protestant who desires to participate as a party in a proceeding must file a written petition for leave to intervene unless the presiding officer upon good cause shown allows an oral petition for leave to intervene. A protestant is entitled to participate as a party only to the extent that leave to intervene is granted, at which time the protestant must be styled an “intervener.”

(Added to NAC by Transportation Serv. Auth. by R071-98, eff. 10-28-98; A by Nev. Transportation Auth. by R091-18, 12-19-2018)