

NEVADA LEGISLATURE
LEGISLATIVE COMMISSION'S SUBCOMMITTEE TO STUDY THE
ALLOCATION OF LIMOUSINES (A.B. 518)
SUMMARY MINUTES AND ACTION REPORT

The first meeting of the Legislative Commission's Subcommittee to Study the Allocation of Limousines was held on Monday, November 24, 2003, at 9 a.m. in Room 4401 of the Grant Sawyer State Office Building, 555 East Washington Avenue, Las Vegas, Nevada. The meeting was videoconferenced to Room 3138 of the Legislative Building, 401 South Carson Street, Carson City, Nevada. A copy of this set of "Summary Minutes and Action Report," including the "Meeting Notice and Agenda" ([EXHIBIT A](#)) and other substantive exhibits, is available on the Nevada Legislature's Web site at www.leg.state.nv.us/Session/72nd2003/Interim. In addition, copies of the audio record may be purchased through the Publications Office, Legislative Counsel Bureau (LCB) (e-mail: publications@lcb.state.nv.us; telephone: 775/684-6835).

SUBCOMMITTEE MEMBERS PRESENT IN LAS VEGAS:

Assemblywoman Vonne Chowning, Chairwoman
Senator Maggie Carlton
Senator Warren B. Hardy
Assemblyman Bob Beers
Assemblyman Jerry D. Claborn
Assemblyman Harry Mortenson

SUBCOMMITTEE MEMBERS PRESENT IN CARSON CITY:

None

SUBCOMMITTEE MEMBERS ABSENT:

Senator Joseph M. Neal
Assemblyman Walter Andonov

LEGISLATIVE COUNSEL BUREAU STAFF PRESENT:

Brian L. Davie, Legislative Services Officer, LCB, Las Vegas Office
Scott Wasserman, Chief Deputy Legislative Counsel, Legal Division, LCB
Melisa Aguon, Secretary/IS Support Specialist, LCB, Las Vegas Office

OPENING REMARKS

Assemblywoman Chowning called the meeting to order. She gave a brief history of Assembly Bill 518, and introduced members and staff of the Legislative Counsel Bureau to the first of the three meetings to be held during the 2003-2004 interim.

OVERVIEW OF A.B. 518 STUDY AND TIMELINE

Brian L. Davie, Legislative Services Officer, LCB, provided a summary of the study requirements and deadlines

for the Subcommittee. Please see [EXHIBIT B](#) for details of Mr. Davie's remarks.

BRIEFING ON THE ROLE OF THE TRANSPORTATION SERVICES AUTHORITY (TSA) IN REGULATING THE LIMOUSINE INDUSTRY

- Byram Tichenor, Chief of Enforcement, TSA, presented an overview of the enforcement policies and staff responsibilities of the TSA. He emphasized the need to offer additional education to free shuttle operators, and discussed owner awareness and public safety. He further explained TSA's provisions for sworn officers and non-sworn officers during patrol.
- Keith Sakelhide, Esq., Docket Manager, TSA, discussed the number of provisions that grant authority to the TSA. He also described the types of citations and the process of issuing citations against limousine violators who are in non-compliance.

PRESENTATION ON SIGNIFICANT ACTIONS TAKEN AND ORGANIZATIONAL CHANGES MADE BY THE TSA TO ADDRESS PUBLIC SAFETY CONCERNS, AND SUMMARY OF FEDERAL LEGISLATIVE INITIATIVES UNDERTAKEN BY THE TSA

Sandra Lee Avants, Chairwoman, TSA, identified significant actions taken and organizational changes made within the TSA. Included in those changes were:

- The hiring of Byram Tichenor as the Chief of Enforcement;
- Administrative streamlining of resources;
- Improvement of website;
- Enforcement upgrades;
- Continued effort to work with other agencies to identify non-compliance of limousine violators; and
- The entering into an inter-agency agreement with the Taxicab Authority.

Furthermore, she provided a brief summary on federal legislative initiatives and rights of limousine drivers interstate.

HISTORICAL OVERVIEW OF LEGAL ACTIONS INVOLVING THE TSA

Kimberly Maxson-Rushton, Commissioner, TSA, reported an historical overview of legal actions involving the TSA. Specifically pertaining to the operation of limousines within the state of Nevada, the TSA is currently involved in two matters of litigation that are at a conclusion, and are to be dismissed. In addition, Ms. Rushton provided details of a decision rendered in 2001 regarding a significant court case involving the TSA. A copy of this case entitled "WILLIAM A. CLUTTER d/b/a, BC Transportation Consultants, Petitioner, vs. TRANSPORTATION SERVICES AUTHORITY OF NEVADA, Respondent" is available as [EXHIBIT C](#).

BRIEFING ON THE ALLOCATION SYSTEM USED BY THE TAXICAB AUTHORITY AND PERCEIVED PROBLEM AREAS WITH THE OPERATION OF LIMOUSINES

Yvette Moore, Administrator, Taxicab Authority, provided a briefing on the allocation system used by the Taxicab Authority and perceived problem areas with the operation of limousines. She referred to her information packet ([EXHIBIT D](#)) which included the history, purpose and overview of the Taxicab Authority along with a memorandum reviewing the taxicab industry and the allocation of medallions.

DISCUSSION OF ISSUES AND POTENTIAL FINANCING OF A STUDY CONCERNING THE ALLOCATION OF LIMOUSINES

Brent Bell, President of Bell Limousines, Representative of the Limousine Industry in southern Nevada, identified

three areas that have improved the limousine industry:

- TSA's issuance of decals, similar to the Taxicab Authority's issuance of medallions, as a result of the passage of Assembly Bill 518;
- Reorganization of the TSA; and
- An improved economy over the last six months.

Mr. Bell expressed the importance of providing a study for the allocation system of limousines similar to that of the taxicab industry. Furthermore, as an industry representative, he informed the Subcommittee that the limousine industry would finance the study as was agreed upon during the legislative session.

PRESENTATION ON THE SCOPE, METHODOLOGY, DATA NEEDS, TIMELINE, COST AND OTHER ISSUES CONCERNING AN INDEPENDENT STUDY OF THE ALLOCATION OF LIMOUSINES

- Dr. R. Keith Schwer, Director, The Center for Business & Economic Research, University of Nevada, Las Vegas (UNLV), discussed the factors involved in providing an independent study for the allocation of limousines. The Center for Business & Economic Research, UNLV, has reviewed these factors and their related findings included:
 1. Overall growth of the economy vs. the growth of the taxicab industry and the increase of the rental car market;
 2. The question of not only regulating taxicabs and limousines but also alternative transportation;
 3. The overarching principle of identifying what is in the best interest of the consumer, the *best service at the least cost* being the main issue; and
 4. The balancing of the issue of service and price, and the associated cost of administration and cost of compliance.

Dr. Schwer emphasized the importance of methodology and data needs, and suggested that a review be accomplished to study the above issues to better understand the economic dimensions of the limousine industry, as well as balancing the public's travel demands. He continued by saying the timeliness of data is important. And with respect to the limousine industry, they are limited in the type of study they can conduct due to the lack of or type of information. Finally, with respect to the short timeline given to conduct the study, Dr. Schwer approximated the cost to be \$50,000 to accommodate the tight deadline.

- Brent Bell questioned Dr. Schwer's approximate cost for the study and noted the price seemed unreasonable for the time frame given. Furthermore, he had not discussed the study with Dr. Schwer and understood the cost of the study to be approximately \$15,000 - \$20,000.

PUBLIC TESTIMONY

None.

DISCUSSION AND ACTION ON AN INDEPENDENT STUDY OF THE ALLOCATION OF LIMOUSINES

- Chairwoman Chowning **RECOMMENDED** the study to be broken down into three major areas:
 1. A study by Dr. Schwer and The Center for Business & Economic Research, UNLV, on whether an allocation system for limousines in Clark County is appropriate;
 2. A review of the budgetary needs of the TSA working in connection with the Fiscal Division of the LCB; and

3. Other issues regarding the regulation of limousines accomplished by the Subcommittee and the public contacting the legislators.
- Scott Wasserman, Chief Deputy Legislative Counsel, Legal Division, LCB, clarified further that the Subcommittee wanted to have a provision in the agreement that the study was to be paid in advance to assure Dr. Schwer's independent judgment.
 - The Subcommittee **APPROVED THE FOLLOWING ACTION:**

SENATOR HARDY MOVED THE SUBCOMMITTEE TO ACCEPT THE INDEPENDENT STUDY TO BE CONDUCTED BY DR. R. KEITH SCHWER BY THE CENTER FOR BUSINESS & ECONOMIC RESEARCH, UNLV, ON WHETHER AN ALLOCATION SYSTEM FOR LIMOUSINES IN CLARK COUNTY IS APPROPRIATE. THE MOTION WAS SECONDED BY ASSEMBLYMAN BEERS AND PASSED WITH SENATOR CARLTON VOTING NO.

DISCUSSION OF FUTURE AGENDA ITEMS AND MEETING DATES

The Subcommittee briefly reviewed agenda items for the April 1, 2004, Subcommittee meeting and scheduled the third and final meeting as a work session, for April 15, 2004.

ADJOURNMENT

There being no further business to come before the Subcommittee, the meeting was adjourned at 12:34 p.m.

Respectfully submitted,

Melisa Aguon
Secretary/IS Support Specialist

Brian L. Davie
Legislative Services Officer

APPROVED BY:

Assemblywoman Vonne Chowning, Chairwoman

Date: _____

LIST OF EXHIBITS

Exhibit A is the Meeting Notice and Agenda provided by Brian L. Davie, Legislative Services Officer, Administrative Division, Legislative Counsel Bureau, Las Vegas, Nevada.

Exhibit B is a document titled "Summary of Study Requirements and Deadlines for the Legislative Commission's Subcommittee to Study the Allocation of Limousines," provided by Brian L. Davie, Legislative Services Officer, Administrative Division, Legislative Counsel Bureau, Las Vegas, Nevada.

Exhibit C is a copy of a court case titled "WILLIAM A. CLUTTER d/b/a, BC Transportation Consultants,

Petitioner, vs. TRANSPORTATION SERVICES AUTHORITY OF NEVADA, Respondent,” provided by Kimberly Maxson-Rushton, Commissioner, Transportation Services Authority, Las Vegas, Nevada.

Exhibit D is a copy of NRS 706.8824, NRS 706.88245, NRS 706.8825 and a document titled “Department of Business and Industry Taxicab Authority,” provided by Yvette Moore, Taxicab Authority, Las Vegas, Nevada.

Exhibit E is a copy of a memorandum dated November 21, 2003, provided by Brian L. Davie, Legislative Services Officer, Administrative Division, Legislative Counsel Bureau, Las Vegas, attached with a document titled “Analysis of Taxicab Deregulation & Re-regulation,” provided by Ambassador Limousine of Las Vegas, Nevada.

Exhibit F is a videotape titled “Regulation Makes the Difference,” by the Institute for Transportation Research & Education, provided by Sandra Lee Avants, Chairwoman, Transportation Services Authority, Las Vegas, Nevada.

This set of “Summary Minutes and Action Report” is supplied as an informational service. Exhibits in electronic format may not be complete. Copies of the complete exhibits, other materials distributed at the meeting, and the audio record are on file in the Research Library of the Legislative Counsel Bureau, Carson City, Nevada. You may contact the Library by [e-mail \(www.leg.state.nv.us/lcb/research/library/feedbackmail.cfm\)](mailto:www.leg.state.nv.us/lcb/research/library/feedbackmail.cfm) or telephone: 775/684-6827.