

Assembly

TRANSPORTATION COMMITTEE HEARING HELD APRIL 15Th, 1969

Members present: Hafen, Kean, Howard, Glaser, Ashworth and Wood

Members absent: Tyson

Others present: Mr. Gunderson, Attorney Las Vegas Taxicab Co.
 Frank Dakin, Chief Deputy Legislative Council
 Ray Chenowslty, Taxicab owner
 Bernard Buckley of Las Vegas
 Reese Taylor, Public Service Commission
 Noel Clark, Public Service Commission

Chairman Hafen called the meeting to order at 10:45 A.M. for the purpose of hearing opinions and discussion of SB 155, a bill which would establish regulations for taxicabs and providing other matters properly relating thereto.

Changes were discussed and the first action taken was that Mr. Kean moved that on line 26, page 2 (a) eight should be changed to six and one of them should be knowledgeable in accounting and auditing.

Motion seconded.

Motion carried.

BDR 58-1077 was discussed for amendment which was to amend section 46, page 11, line 33 to insert after the period: "If allocation is altered prior to July 1st, 1971, the number of taxicabs allocated to each certificate holder shall be increased or decreased by the same percentage to the nearest whole number."

Then on page 5, line 26, section 8 it was suggested by Chairman Hafen to change five to four. Discussion was held on this at this time. No formal motion made but the change was agreed to.

Discussion was next held on the matter of the administrator that would be appointed by the Governor of the taxicab authority.

Mr. Howard said that there was only one question that he would ask of Mr. Dakin and that pertained to if the man chosen for this position was under Civil Service who would have the authority over him. Mr. Dakin answered that any position of this kind under civil service could be liquidated by dissolving the position.

It was developed that if the position of administrator was to be listed was unclassified a salary would have to be stipulated.

Mr. Glaser moved to just strike out "classified" on page 2, Section 10, line 20 and with a salary not to exceed \$18,000.00.

Mr. Wood brought out that the Administrator had to be responsible to somebody. Chairman answered that he would be responsible strictly to the Governor. I want him responsible to the Public Service Commission and the Governor.

Mr. Ashworth mentioned that this takes the Public Service Commission completely out of it.

Mr. Wood said that the taxicab service consists of three appointees. The administrator would be responsible to them. The Governor would have power to remove him.

Discussion progressed with Mr. Wood said that the legislature would be responsible for the taxicab through this bill and he didn't want any loopholes in it. He said that if the Administrator were appointed by the Governor it could be a political favor or something. Mr. Glaser answered that if they didn't do a good job the people would be aware of it and do something about it. Mr. Wood answered that it didn't work that way.

Mr. Ashworth said that he concurred with them that it wasn't the best bill but that it was the bill before them unfortunately and that he thought they should act on it.

Mr. Wood answered that he was not opposed to the bill but he wanted to have it studied and thorough.

Noel Clark commented at this point that he believed the taxicab board is going to be responsible. Mr. Reese added to this that the taxicab authority should be responsible.

Motion was made that Mr. Dakin come up with an amendment to this effect.
Motion seconded.
Motion carried.

Chairman Hafen said that he would like to get around the room and hear any comments from those that wanted to be heard.

In answer to this Mr. Gunderson spoke and said that Mr. Ashworth had expressed his sentiments. They were interesting in taking this bill and making it the best bill possible. He then presented copies to the Committee of his proposed amendments or points that he thought should be carefully considered and proceeded to explain Item, Roman Numeral 1 pertaining to section 4 to protect certificate holders. Particularly page 3, line 36, section 18.

Mr. Clark explained that this allocation would assure that all of the existing situations should be grandfathered in and Mr. Taylor said that the Commission didn't want taxicab operators to have to recertify.

Jim Wood said that had a question on this didn't this conflict somewhat with the bill.

Mr. Dakin said prior to July 1st would continue to make allocations involving them now and those pending. Section 46 deals with respect to the new certifications. Section 47 appropriates money for the Public Service Commission if necessary.

Mr. Ashworth said that he didn't see where there was a problem.

Mr. Taylor mentioned that there definitely were problems. As for instance, the Henderson Yellow Cab Co. and others. He didn't want the operators to feel that there would be complications with the new authority.

Mr. Hilbrecht said that he thought Mr. Gunderson was right. They should have a saving clause in the bill.

Mr. Dakin said that this should be talked over with the new body. If there was anything inconsistent to the act they should simply have it removed.

Mr. Ashworth: Yes, just turn over everything to them, to the new board.

Mr. Hafen said that the Public Service Commission should have it cleaned up at that point.

Mr. Taylor: "We have applications before us that I don't know how we are going to clear it up. There are two or three under the procedure and we still have this court case. There is probably not time and the thing here to talk about is money to set this in order. You can't tie it all up in a neat little package and hand it to the new administrator."

Mr. Gunderson: "Now if there is a problem with court cases that can certify the particular establishment with the particular certification. If that link is put in it will cover basically the same problem."

Mr. Ashworth: "What is the next order of business?"

Mr. Wood: "I would move that on or before July 1st, 1969 the Public Service Commission of Nevada certify to the Taxicab Administrator both as to changing the present operating authority and allocation and attach copies of the operating authority of the P.S.C. I would like to leave this amendment to Frank Dakin. Motion seconded.

Motion carried.

Mr. Taylor commented on Section 11, sub section 2. (a). They would have to have at least eight persons policing. That the Commission had found this necessary and they had them on staggered shifts. Discussion followed with the members of the Public Service Commission explaining why this was necessary.

Mr. Taylor said all of this was a question of money. You have to have eight men and you have to have money to do it with.

Mr. Ashworth asked if they didn't have a budget for this. He further stated that he didn't see why they had to have so many.

Mr. Wood suggested that they stick to eight men for the first two years.

Mr. Wood said that the Committee had heard the visitor and the Public Service Commission's views.

Mr. Kean said he was going to stick with six men.

Mr. Ashworth said that in thinking it over it was in the existing budget so why not go the eight.

Mr. Ashworth moved that they stick with the eight.

Mr. Dakin said I think we know now a simple amendment to Section 9 of the bill which pertains to the authority. We would simply add a sentence to that.

Mr. Kean moved to give Mr. Dakin the authority to amend Section 9.

Motion seconded.

Motion carried.

Mr. Gunderson said that the third point in his proposal was that they simply return to the original Senate language. Section 46, page 11, line 43.

Mr. Dakin said that they might want to amend the first line of Section 15.

Mr. Ashworth asked him how he would do this.

Mr. Dakin answered that he would want to think about it a little bit further. They would want to make it clear a new allocation was not necessary.

On Section four of Mr. Gunderson's proposal he suggest that they have some language that makes it clear that the language directing the P.S.C. to conclude its hearings it directive not jurisdictional. It might not be possible for the PSC to be out of the picture absolutely.

Mr. Dakin said that he thought they had a question of policy to be decided here. Earlier the suggestion was made that the PSC certify in effect its allocations to the taxicab authority.

Mr. Gunderson said that he thought that the PSC should have the authority to conclude the matters they have already started.

Mr. Hafen said that he thought the Committee agreed that the July 1st date was going to stick.

Mr. Wood said that he wanted to effect a cut off date except for those matters that were pending.

Mr. Dakin said how this could be accomplished.

Mr. Kean so moved.
Motion seconded.
Motion carried.

Mr. Wood then said that there was no provision to protect the people in this bill. He stated that he had been in the taxicab business and he know how to make money. He said he wanted them to have test equipment.

Mr. Dakin said that this basically was a budget problem. He said that certain sections of the bill contained provisions for this sort of thing.

Mr. Wood said that he wanted to put in another section stating where the matter gets corrected.

Mr. Taylor said that page 9, line 39, section 40 did this.

Chairman Hafen commented that he thought it did too.

Mr. Ashworth moved that they amend and do pass AB 155.
Motion seconded.
Motion carried.

Mr. Taylor said that they had tried to go over all of the things that might come up in this Committee. One of the things that is not included is security issues where they want to go and borrow money.

Meeting adjourned at 1:00 P.M.

Chairman said they would meet again on Thursday upon adjournment of the Assembly.