

**ADOPTED REGULATION OF THE TAXICAB AUTHORITY OF  
THE DEPARTMENT OF BUSINESS AND INDUSTRY**

**LCB File No. R110-03**

Effective October 1, 2003

EXPLANATION – Matter in *italics* is new; matter in brackets ~~omitted material~~ is material to be omitted.

AUTHORITY: §1, NRS 706.8818 and 706.8833; §§2 and 3, NRS 706.8818.

**Section 1.** NAC 706.487 is hereby amended to read as follows:

706.487 1. A certificate holder shall not:

(a) Modify the color scheme or insigne of any taxicab unless the certificate holder first secures written approval for the modification from the Administrator in accordance with the provisions of this section.

(b) Operate any taxicab on which the color scheme or insigne has been modified without first securing written approval for the modification from the Administrator in accordance with the provisions of this section or for which approval has been withdrawn by the Administrator pursuant to this section.

*(c) Request more than six modifications of the color scheme of its taxicabs at one time.*

2. If a certificate holder wishes to modify temporarily the color scheme or insigne of any taxicab, the certificate holder must file a written application with the Administrator. The application must include:

(a) A description of the proposed temporary modification.

(b) Three colored copies or photographs of the proposed temporary modification.

(c) A description of the materials and procedures that will be used to achieve the proposed temporary modification.

(d) A copy of any written contract related to the proposed temporary modification.

(e) Any additional information that the Administrator deems necessary to evaluate the application.

3. The Administrator shall approve or deny an application filed pursuant to this section within 30 days after receipt of the application. If no action is taken within the 30-day period, the application shall be deemed denied.

4. The Administrator may approve an application filed pursuant to this section subject to satisfaction of all the following conditions:

(a) Only the number of taxicabs equal to 20 percent or less of the total number of medallions issued to the certificate holder are temporarily modified at any given time, unless ~~[a single taxicab constitutes]~~ *fewer than five taxicabs constitute* more than 20 percent of ~~[such]~~ *those* taxicabs, in which case the certificate holder may temporarily modify ~~[that single taxicab.]~~ *more than five taxicabs*. For the purposes of this paragraph, a medallion issued for a special event must not be included when calculating the total number of medallions issued to the certificate holder.

(b) The temporary modification of the taxicab does not last for more than 6 months.

(c) The color scheme and insigne of any taxicab that is temporarily modified remains sufficiently distinct from the approved color scheme and insigne or temporary modification of another certificate holder.

(d) The information required pursuant to NRS 706.8835 remains clearly visible at all times on any taxicab that is temporarily modified.

(e) The temporary modification of the taxicab does not create a risk to the health, safety or welfare of the traveling public, as determined by the Administrator.

5. If an application filed pursuant to this section is approved, not less than 7 days before the temporary modification of any taxicab, the certificate holder shall provide the Administrator with the following information for the taxicab that ~~is to~~ *will* be temporarily modified:

(a) The unit designation number of the taxicab.

(b) The dates on which the temporary modification of the taxicab will begin and end.

6. The Administrator may withdraw the approval of the temporary modification of any taxicab if the Administrator determines that:

(a) The temporary modification is not sufficiently distinct from the approved color scheme and insigne of another certificate holder;

(b) The materials used in the temporary modification have deteriorated to the extent that the color scheme or insigne is no longer neat in appearance; or

(c) The temporary modification creates a risk to the health, safety or welfare of the traveling public.

*7. The Administrator will not approve more than 12 applications for the modification of the color scheme and insigne of the taxicabs of a certificate holder in a calendar year.*

**Sec. 2.** Section 3 of LCB File No. R103-01, which was adopted by the Taxicab Authority of the Department of Business and Industry and was filed with the Secretary of State on January 24, 2002, is hereby repealed.

**Sec. 3.** This regulation becomes effective on October 1, 2003.

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**TEXT OF REPEALED SECTION**

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**Section 3 of LCB File No. R103-01:**

Sec. 3. This regulation expires by limitation on September 30, 2003.

**NOTICE OF ADOPTION OF PROPOSED REGULATION  
LCB File No. R110-03**

The Taxicab Authority adopted regulations assigned LCB File No. R110-03 which pertain to Chapter 706 of the Nevada Administrative Code (NAC 706.487) on October 1, 2003. A copy of the regulations, as adopted, is attached hereto.

**Notice date:** 8/28/2003  
**Hearing date:** 9/30/2003

**Date of adoption by agency:** 9/30/2003  
**Filing date:** 10/1/2003

**INFORMATIONAL STATEMENT**

The following statement is submitted for adopted amendments to Nevada Administrative Code (NAC) 706.

**1. A description of how public comment was solicited, a summary of public response, and an explanation of how other interested persons may obtain a copy of the summary.**

Notice of the Proposed Regulations was posted in compliance with NRS Chapter 233B on or about July 24, 2003 at the State of Nevada Taxicab Authority, Las Vegas City Hall, Clark County Government Building, Clark County School District, Nevada State Library and Archives and Grant Sawyer Building. Because the proposed regulations affect only those taxicab companies operating in Clark County, statewide publication was not warranted. The notice was also sent to every person and company on the agency's mailing list, along with others who had expressed an interest in the proposed regulations.

Prior to that notice, the possibility of adopting said regulations was discussed at the duly noticed regular agenda meeting of the Taxicab Authority held July 15, 2003.

A workshop was held August 26, 2003 where public response was received from (one party). No written comment was received.

The hearing to adopt the regulations was properly noticed on or about August 28, 2003 at the locations listed above. The hearing to adopt the regulations was held on September 30, 2003. Additional comments from interested parties received.

**2. The number of persons who:**

- (a) **Attended each hearing:** 30
- (b) **Testified at each hearing:** 12
- (c) **Submitted to the agency written comment:** 0

**3. A description of how comment was solicited from affected businesses, a summary of their response, and an explanation of how other interested persons may obtain a copy of the summary.**

These Regulations are designed to allow for the continued practice of modifying color schemes.

The businesses affected are happy with the regulations, as they will allow for continued modification of existing color schemes to increase advertising revenue. In fact, businesses were so supportive of the regulations that they, at one point, agreed to pay a fee to the agency, if necessary. Copies of their comment summaries may be obtained from the Taxicab Authority, 1785 E. Sahara Ave., Las Vegas, Nevada 89104 in the form of minutes from the meetings wherein the regulations were discussed. There was no written comment from the industry.

**4. If the regulation was adopted without changing any part of the proposed regulation, a summary of the reasons for adopting the regulation without change.**

N/A.

**5. The estimated economic effect of the adopted regulation on the business which it is to regulate and on the public. These must be stated separately, and each case must include:**

- a. Both adverse and beneficial effects; and**
- b. Both immediate and long-term effects.**

- (a) There will be no adverse economic effect on the regulated businesses. The benefit to the regulated industries will come in the form of increased advertising revenue, as the regulations allow certificate holders to modify the color scheme of a percentage of their fleet to have vehicles covered with paid advertisements. The certificate holders may also choose to allow a non-profit or like entity to “wrap” the exterior of its vehicles as a type of community service program or in an effort to increase the company’s goodwill within the community.
- (b) See above.

**6. The estimated cost to the agency for enforcement of the adopted regulation.**

The agency will bear some costs for reviewing the modifications and inspection of vehicles. This should not require the hiring of any additional personnel, but may take existing personnel away from previously assigned tasks, on occasion.

**7. A description of any regulation of other state or government agencies which the proposed regulation overlaps or duplicates and a statement explaining why the duplication or overlap is necessary. If the regulation overlaps or duplicates a federal regulation, the name of the regulating federal agency.**

None.

**8. If the regulation includes provisions which are more stringent than a federal regulation which regulates the same activity, a summary of such provisions.**

Not applicable.

**9. If the regulation provides a new fee or increases an existing fee, the total annual amount the agency expects to collect and the manner in which the money will be used.**

Not applicable.