

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

**LCB File No. R110-03**

September 22, 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modification from the Administrator in accordance with the provisions of this section or for which approval has been withdrawn by the Administrator pursuant to this section.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 four 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 eight 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.