

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

LCB File No. R109-05

Effective February 23, 2006

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

AUTHORITY: §§1 and 2, NRS 706.8818 and 706.8829.

A REGULATION relating to transportation; providing that certain financial reports, records and other documents submitted by certificate holders to the Taxicab Authority are confidential and may not be disclosed except under certain circumstances; and providing other matters properly relating thereto.

Section 1. Chapter 706 of NAC is hereby amended by adding thereto a new section to read as follows:

The annual financial report submitted by a certificate holder pursuant to the provisions of NRS 706.8829 and any financial records or other documents submitted by a certificate holder pursuant to an audit conducted by the Authority are confidential and may be disclosed only to:

- 1. A member of the Authority;*
- 2. An authorized employee of the Authority who needs the records for purposes relating to the administration of NRS 706.881 to 706.885, inclusive; or*
- 3. A person or governmental entity that is authorized to obtain the records pursuant to an order issued by a court of competent jurisdiction.*

Sec. 2. NAC 706.450 is hereby amended to read as follows:

706.450 As used in NAC 706.450 to 706.990, inclusive, *and section 1 of this regulation*, unless the context otherwise requires:

1. “Administrator” means the Taxicab Administrator or his authorized agent.
2. “Authority” means the Taxicab Authority created by NRS 706.8818.
3. “Certificate” means a certificate of public convenience and necessity issued by the Authority.
4. “Medallion” means the metal plate issued by the Authority which is affixed to a taxicab authorizing it to be operated within the jurisdiction of the Authority.
5. “Permit” means the document supplied by the Authority authorizing a person to drive a taxicab within the jurisdiction of the Authority for a period of 1 year.
6. “Temporary permit” means the document supplied by the Authority authorizing a person to drive a taxicab within the jurisdiction of the Authority for less than 1 year.

**NOTICE OF ADOPTION OF PROPOSED REGULATION
LCB File No. R109-05**

The Taxicab Authority of the Department of Business and Industry adopted regulations assigned LCB File No. R109-05 which pertain to chapter 706 of the Nevada Administrative Code on November 9, 2005.

Notice date: 10/7/2005
Hearing date: 11/9/2005

Date of adoption by agency: 11/9/2005
Filing date: 2/23/2006

INFORMATIONAL STATEMENT

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

Notice of R109-05 was posted in compliance with NRS chapter 233B on or about October 7, 2005 at the State of Nevada Taxicab Authority, Las Vegas City Hall, Clark County Government Building, Clark County School District, Nevada State Archives and the Grant Sawyer Building. Because the proposed regulation affect only those taxicab companies operating in Clark County, statewide publication was not required. The notice was also sent to every person and company on the agency's mailing list.

Prior to that notice, the need to adopt said regulation and the subject thereof was discussed at duly noticed regular agenda meetings of the Taxicab Authority on June 28, 2005 and September 27, 2005.

A Workshop was held on November 9, 2005. There was public comment from Certificate Holders and others. The comment centered on the regulation being drafted too broadly and the Certificate Holders need to review the financial records of those applying for Certificates or for an expansion of their Certificate. A copy of the minutes from the Workshop and copies of the written comments may be obtained by calling the Taxicab Authority at 702-486-6532 or by writing to the Authority at 1785 E. Sahara Ave, Suite 200, Las Vegas, NV 89104.

The hearing to adopt the regulation was properly noticed on or about October 7, 2005 at the locations stated above. The Hearing to adopt the regulations was held on November 9, 2005 after the Workshop had been concluded. Additional public comment was received at that time.

2. The number of persons who:

(a) Attended each hearing:	20
(b) Testified at each hearing:	8
(c) Submitted to the agency written comments:	6

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

The affected businesses, namely Certificate Holders in Clark County, were given an opportunity to comment on the regulations during properly noticed, regularly scheduled agenda meetings; at the workshop and at the Adoption Hearing. The comments centered on the regulation being drafted too broadly. Further, the Certificate Holders stated a need to review the financial records of those applying for Certificates or for an expansion of their Certificate. A copy of the written comments may be obtained by calling the Taxicab Authority at 702-486-6532 or by writing to the Authority at 1785 E. Sahara Ave, Suite 200, Las Vegas, NV 89104

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.

Changes were made to the regulation to address the issues raised by public comment.

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) The regulation is expected to have a beneficial effect on the ability to regulate the affected businesses.

(b) There is no estimated economic effect on the public, either adverse or beneficial, nor immediate or long term.

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

There is no cost to the agency for the enforcement of the proposed regulation.

7. A description of any regulations of the state or government agencies which the proposed regulation overlaps or duplicates and a statement explaining why the duplication or overlapping 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 those provisions.

Not applicable.

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

Not applicable.