

**ADOPTED REGULATION OF THE TRANSPORTATION
SERVICES AUTHORITY OF THE DEPARTMENT
OF BUSINESS AND INDUSTRY**

LCB File No. R141-05

Effective May 4, 2006

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

AUTHORITY: §§1-7, NRS 706.171.

A REGULATION relating to motor carriers; requiring certain motor carriers to provide to customers certain information or notices concerning services provided or filing of commendations or complaints; and providing other matters properly relating thereto.

Section 1. Chapter 706 of NAC is hereby amended by adding thereto the provisions set forth as sections 2 to 5, inclusive, of this regulation.

Sec. 2. *A common motor carrier authorized to provide charter service by limousine shall include on any bill or receipt provided to a customer the following information or shall display in a conspicuous place inside each limousine which the carrier is authorized to operate a placard at least 5 inches by 7 inches in size which contains the following information:*

IMPORTANT

You have chartered a (name of limousine company) limousine. If you have any questions concerning the services provided or wish to file a commendation or complaint, you may contact the Nevada Transportation Services Authority at (702) 486-3303 or through its website at <http://www.tsa.nv.gov>.

Sec. 3. 1. *An operator of a tow car and a common carrier of household goods shall include on any bill or receipt provided to a customer the following information:*

IMPORTANT

You have secured the services of (name of operator of tow car or common carrier of household goods). If you have any questions concerning the services provided or wish to file a commendation or complaint, you may contact the Nevada Transportation Services Authority at (702) 486-3303 or through its website at <http://www.tsa.nv.gov>.

2. *As used in this section:*

(a) “Operator of a tow car” means an operator of a tow car that holds a certificate of public convenience and necessity issued by the Transportation Services Authority.

(b) “Common carrier of household goods” means a common carrier of household goods who is required to obtain a certificate of public convenience and necessity from and whose rates, routes and services are subject to regulation by the Transportation Services Authority.

Sec. 4. 1. *A certificate holder shall display in a conspicuous place inside each taxicab which the certificate holder is authorized to operate a placard at least 5 inches by 7 inches in size which contains the following information:*

IMPORTANT

You are riding in a (name of taxicab company) vehicle. Please note the company name and the unit number of this vehicle. This information is important if you leave property in this vehicle or wish to file a commendation or

*complaint with the Nevada Transportation Services Authority at (702) 486-3303
or through its website at <http://www.tsa.nv.gov>.*

2. Any taxicab found by the Transportation Services Authority to be in violation of this section will be placed out of service and must not be put back into service until it is inspected and approved by the Authority.

Sec. 5. *A fully regulated carrier, other than a motor carrier authorized to provide charter service by limousine, a motor carrier authorized to provide scenic tours, a motor carrier authorized to operate a taxicab or a carrier of household goods, shall include on any bill or receipt provided to a customer the following information:*

IMPORTANT

You are riding in a (name of carrier) vehicle. Please note the company name and unit number of this vehicle. This information is important if you leave property in this vehicle or wish to file a commendation or complaint with the Nevada Transportation Services Authority at (702) 486-3303 or through its website at <http://www.tsa.nv.gov>.

Sec. 6. NAC 706.010 is hereby amended to read as follows:

706.010 As used in NAC 706.010 to 706.401995, inclusive, *and sections 2 to 5, inclusive, of this regulation*, unless the context otherwise requires, the words and terms defined in NAC 706.012 to 706.129, inclusive, have the meanings ascribed to them in those sections.

Sec. 7. NAC 706.3613 is hereby amended to read as follows:

706.3613 Except as otherwise provided in NAC 706.3745, the provisions of NAC 706.3613 to 706.3754, inclusive, *and section 4 of this regulation* apply to any county for whom regulation by the Taxicab Authority is not required pursuant to NRS 706.881.

**NOTICE OF ADOPTION OF PROPOSED REGULATION
LCB File No. R141-05**

The Transportation Services Authority adopted regulations pertaining to Chapter 706 of the Nevada Administrative Code on March 21, 2006.

Notice date: 2/9/2006
Hearing date: 3/21/2006

Date of adoption by agency: 3/21/2006
Filing date: 5/4/2006

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.**

The Transportation Services Authority (TSA) held a public workshop (on December 6, 2005) to solicit comments from the public and the affected industry concerning proposed regulations requiring certificated carriers to notify customers that complaints regarding service can be filed with the Transportation Services Authority. In addition, a Public Hearing was Held on February 7, 2006 to solicit additional comment from the public and the industry. The workshops, the February 7, 2006 Hearing, along with the final Public Hearing (which was held on March 21, 2006) were noticed in various newspapers within the State of Nevada, noticed at public libraries throughout the State of Nevada, sent directly to all affected certificated carriers and were available at the offices of the TSA both in Las Vegas and Sparks, Nevada.

Notice of the December 6, 2005 workshop was published in the following newspapers on the following dates:

Reno Gazette-Journal: November 11, 2005
Las Vegas Review Journal: November 9, 2005
Elko Daily Free Press: November 9, 2005
Nevada Appeal: November 9, 2005

Notice of the February 7, 2006 Public Hearing was published in the following newspapers on the following dates:

Reno Gazette-Journal: December 30, 2005
Nevada Appeal: December 29, 2005
Elko Daily Free Press: December 31, 2005

Notice of the March 21, 2006 Final Public Hearing adopting the Regulation (TSA Docket No. 05-08012) was published in the following newspapers on the following dates:

Reno Gazette-Journal: February 17, 2006
Las Vegas Review Journal: February 15, 2006
Nevada Appeal: February 15, 2006
Elko Daily Free Press: February 20, 2006

Public comments were supportive of the TSA's desire to implement the public notice/complaint procedures. A copy of the proposed regulation may be obtained by calling the Transportation Services Authority at (702) 486-3303 or by writing to the TSA at 2290 South Jones, Suite 110, Las Vegas, Nevada 89146.

2. The number persons who:

(a) Attended each hearing/workshop:

- a. 12/06/05 – 19 (Regulation Workshop)
- b. 02/07/06 – 6 (Regulation Public Hearing)
- c. 03/21/06 – 3 (Regulation Final Public Hearing)

(b) Testified at each hearing/workshop:

- a. 12/06/05 – 8 (Regulation Workshop)
- b. 02/07/06 – 3 (Regulation Public Hearing)
- c. 03/21/06 – 1 (Regulation Final Public Hearing)

(c) Submitted to the agency written comments:

There were no written comments or other filings submitted.

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 TSA held one public workshop and two Public Hearings to solicit comments from the public and the affected industry with regard to the development and implementation of a system to provide proper notice to the customers of TSA regulated carriers that complaints or commendations concerning the service provided may be made to the TSA. The workshop, along with the final Public Hearings, were noticed in various newspapers within the State of Nevada, noticed at public libraries throughout the State of Nevada, sent directly to all affected certificated carriers and were available at the offices of the TSA both in Las Vegas and Sparks, Nevada. Public comments were supportive of the TSA's intention to develop and implement such a noticing system. Many of the recommendations were ultimately adopted by the Board of Commissioners and have been incorporated into the final proposed regulation. The adopted Regulation may be obtained by calling the Transportation Services Authority at (702) 486-3303 or by writing to the TSA at 2290 South Jones, Suite 110, Las Vegas, Nevada 89146.

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.

In adopting the Regulation, numerous and substantive changes were made incorporating recommendations submitted by industry representatives.

5. The estimated economic effect of the adopted regulation on the businesses 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;**
- (b) Both immediate and long-term effects;**
- (c) How such comments were solicited.**

a. The proposed revisions are not expected to have an immediate or long-term beneficial economic effect upon the regulated community.

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

c. The TSA specifically requested, in the Notices for the December 6, 2005 Workshop, the February 7, 2006 Public Hearing and the March 21, 2005 Final Public Hearing, comments from the public regarding whether the proposed regulations would have any economic impact upon their business or upon the public.

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

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

7. A description of any regulations of other 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.

There are no other state or government agency regulations that the proposed amendments duplicate.

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

The proposed regulations are in compliance with federal regulations and are not more stringent than federal requirements and regulations.

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.

This regulation does not provide or involve a new fee nor does it increase an existing fee, there is not a total amount expected to be collected or used.