

**PROPOSED REGULATION OF THE  
NEVADA TRANSPORTATION AUTHORITY**

**LCB File No. R136-16**

September 15, 2016

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

AUTHORITY: §§1 and 2, NRS 706A.100, 706A.110, 706A.140 and 706A.240.

A REGULATION relating to transportation network companies; revising provisions relating to the annual regulatory assessment paid by a transportation network company; and providing other matters properly relating thereto.

**Legislative Counsel’s Digest:**

Existing law authorizes and empowers the Nevada Transportation Authority to regulate all transportation network companies and drivers who operate or wish to operate within this State. (NRS 706A.110) Existing law requires the Authority to levy and collect an annual assessment from each transportation network company at a rate determined by the Authority based on the gross operating revenue derived from the intrastate operations of the company in this State. (NRS 706A.140) Existing regulations establish the annual regulatory assessment for a transportation network company. (NAC 706A.190) **Section 1** of this regulation changes the method for calculating the annual regulatory assessment for a transportation network company and establishes certain dates relating to the assessment process. **Section 2** of this regulation applies the revised method for calculating the annual regulatory assessment for transportation network companies to assessments due in calendar year 2016 and in each subsequent calendar year.

Existing law requires each transportation network company to provide an annual report to the Authority and requires the Authority to adopt regulations setting forth the form and contents of the annual report. (NRS 706A.240) **Section 1** establishes the contents of the annual report each transportation network company is required to submit to the Authority and makes the annual report confidential.

**Section 1.** NAC 706A.190 is hereby amended to read as follows:

706A.190 1. One year after the date of issuance of a permit to a transportation network company, the company shall, within 10 days ~~and~~ *and annually thereafter on or before July 10,* submit to the Authority a statement of the *category described in subsection 2 which includes the*

gross operating revenue of the transportation network company derived from the Nevada intrastate operations of the company for that year of operation. Upon receipt of the statement, the Authority will, within 10 days, issue to the transportation network company a notice of its annual regulatory assessment ~~+~~ *determined pursuant to subsection 2.*

2. The *annual* regulatory assessment described in subsection 1 must be calculated ~~at a rate of 1 percent~~ *on the basis* of the gross operating revenue of the transportation network company derived from the Nevada intrastate operations of the company ~~reported in the statement by the company.~~ *as described in the following schedule:*

- (a) For a company with an annual gross operating revenue of \$250,000 or less.....\$1,000*
- (b) For a company with an annual gross operating revenue of more than \$250,000 but not more than \$500,000.....\$6,000*
- (c) For a company with an annual gross operating revenue of more than \$500,000 but not more than \$1,000,000.....\$30,000*
- (d) For a company with an annual gross operating revenue of more than \$1,000,000 but not more than \$2,500,000.....\$60,000*
- (e) For a company with an annual gross operating revenue of more than \$2,500,000 but not more than \$5,000,000.....\$150,000*
- (f) For a company with an annual gross operating revenue of more than \$5,000,000 but not more than \$7,500,000.....\$300,000*
- (g) For a company with an annual gross operating revenue of more than \$7,500,000 but not more than \$10,000,000.....\$420,000*
- (h) For a company with an annual gross operating revenue of more than.....\$500,000*

\$10,000,000.....

*(i) For a company whose permit limits the operation of motor vehicles in affiliation with the company to providing nonprofit transportation services to elderly persons and persons with disabilities with an annual gross operating revenue of any amount.....\$600*

↪ The Authority will annually reevaluate the ~~regulatory assessment rate~~ *schedule described in this subsection* based upon the total revenues generated from the fees set forth in NAC 706A.150 and the expenses of the Authority for the regulation of transportation network companies.

*3. Payment of an annual regulatory assessment is due:*

*(a) Within 11 days after the Authority issues to a transportation network company the notice of its first annual regulatory assessment; and*

*(b) On or before July 31 of each subsequent year.*

*4. On or before May 15 of each year, each transportation network company shall, pursuant to NRS 706A.240, submit an annual report to the Authority, on a form prescribed by the Authority, which must include, for the preceding calendar year:*

*(a) A description of the services performed in this State by the transportation network company;*

*(b) The number of trips arranged in this State using the digital network or software application service of the transportation network company;*

*(c) The total number of drivers for which the transportation network company provided notice to the Authority pursuant to subsection 2 of NAC 706A.180, reported separately for each month;*

*(d) The category described in subsection 2 which includes the gross operating revenue of the transportation network company derived from the Nevada intrastate operations of the company for that year of operation; and*

*(e) A description of any new products launched in this State by the transportation network company.*

*5. Each annual report submitted by a transportation network company pursuant to subsection 4 is confidential and must not be disclosed to any person other than an employee of the Authority.*

6. As used in this section, the term “gross operating revenue of the transportation network company derived from the Nevada intrastate operations of the company” does not include any revenue that is paid or in any other manner transferred to a driver.

**Sec. 2.** 1. The Nevada Transportation Authority will apply the provisions of NAC 706A.190, as amended by section 1 of this regulation, to determine the amount of each annual assessment levied and collected pursuant to NRS 706A.140 in calendar year 2016 and in each calendar year thereafter.

2. If a transportation network company has submitted a payment of the annual assessment levied against the company pursuant to NRS 706A.140 on or after January 1, 2016, and on or before the effective date of this regulation, the Nevada Transportation Authority will credit the amount paid by the company toward the amount owed by the company pursuant to NAC 706A.190, as amended by section 1 of this regulation, in calendar year 2016.

3. The Nevada Transportation Authority will, within 15 days after the effective date of this regulation, determine the amount of the annual assessment owed by each transportation network company in calendar year 2016 and credit any payments made pursuant to subsection 2. If the

Nevada Transportation Authority determines that the transportation network company has paid more than the company owes, the Authority will refund the overpayment. If the Nevada Transportation Authority determines that the transportation network company has not paid the full amount owed, the Authority will notify the company of the amount due. A transportation network company which receives such a notice shall pay the amount due within 15 days after receipt of the notice.