



DEPARTMENT OF BUSINESS AND INDUSTRY  
NEVADA TRANSPORTATION AUTHORITY

**LEGISLATIVE REVIEW OF ADOPTED REGULATIONS AS  
REQUIRED BY NRS 233B.066 LCB FILE R091-18**

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

**1. A clear and concise explanation for the need for the adopted regulation**

This set of regulations is clarify the rules of practice before the Nevada Transportation Authority and to amend NAC 706 pursuant to the requirements of Senate Bill 320 (2017).

**2. 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.**

Copies of the notice of workshop and the notice of intent to act upon the regulations were sent by U.S. mail or via facsimile to all persons on the Authority’s mailing list for administrative rulemaking and to all transportation network companies and passenger motor carriers licensed by the Authority. Copies of the notices of workshops and the notice of intent to act upon the regulations were also posted at all county libraries in Nevada and at the following locations:

Clark County Court House  
200 Lewis Ave.  
Las Vegas, NV 89155

Department of Business & Industry  
3300 W. Sahara, Suite #425  
Las Vegas, NV 89102

Department of Business & Industry  
1830 College Parkway, Suite #100  
Carson City, NV 89706

Nevada State Library & Archives  
100 N. Stewart St.  
Carson City, NV 89701

Washoe County Court House  
75 Court St.  
Reno, NV 89501

Copies of all materials relating to the proposal were made available at the workshop and adoption hearing, at the offices of the Authority, on the Authority’s website at [www.nta.nv.gov](http://www.nta.nv.gov), and at the Nevada State Library, 100 North Stewart St., Carson City, NV.

Workshops were held on December 15, 2017 and April 19, 2018. On or about August 16, 2018 the Authority issued a Notice of Intent to Act Upon a Regulation. A public hearing was held on September 28, 2018. The minutes of the workshops and the public hearing, attached hereto, contain summaries of the discussion held regarding the proposed amendments.

A copy of this summary of the public response to the proposed regulation may be obtained from the Authority, 3300 W. Sahara, Suite 200, Las Vegas, Nevada 89102, (702) 486-3303.

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

**a. Attended each workshop/hearing:** December 15, 2017 — 21; April 19, 2018—17; September 28, 2018—36.

**b. Testified at each workshop/hearing:** December 15, 2017 — 12; April 19, 2018—7; September 28, 2018--None

**c. Submitted to the agency written comments:** 1 .

**4. For each person identified in paragraphs (b) and (c) of number 1 above, the following information is provided to the agency conducting the hearing:**

**Testified at workshops/hearings:**

**12/15/17**

Dwight Kazee, City Wide Towing  
Rose Dillon, Action Towing  
Brett Miller, Code Blue Towing  
Robert Segura, City Towing  
Kimberly Rushton, Esq., Livery Operators Association  
Clark Whitney, Ewing Bros Towing  
Lucas Folleta, Esquire of McDonald Carano  
Tom and Tara Baumbach, Cal Nevada Towing  
Michael Baumbach, Milne Towing  
Alexis Bryant, Carson City Towing  
Drew Rihbar, A & A Towing  
Bob Terakawa, Lassen Tours

**4/19/18**

Tom and Tara Baumbach, Cal Nevada Towing  
Kimberly Rushton, Esq., Livery Operators Association  
Bob Winner, Esq. Livery Operators Association  
Roy Baughman, NV Highway Patrol  
William Bensmiller, Division Administrator, State of Nevada, Federal Motor Carrier Safety Association  
Jaran Hildebrand, Nevada Trucking Association  
Andy Carpenter All Points Towing

**September 28, 2018**

None

**Submitted written comments:**

Jamie Kent, Esq.  
Kimberly Rushton, Esq., Livery Operators Association

**5. 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.**

Before conducting workshops in this matter, the Nevada Transportation Authority made a concerted effort to determine whether the proposed regulations are likely to impose a direct and significant economic burden upon a small business or directly restrict the formation, operation or expansion of a small business. The methods used by the Authority in this effort included taking and analyzing written and verbal comments from the public and from businesses to be affected by the proposed regulations in the public Workshops on . December 15, 2017 and April 19, 2018. Despite repeated invitations for comment (either written or oral) identifying small business impacts of the proposed regulations, and extensive commentary from current and prospective small business owners, no such impacts attributable to the regulations (as opposed to the authorizing legislation) has been identified. NTA Commissioners and/or staff met with potentially affected carriers regarding concerns raised by the proposed regulations.

The Authority determined pursuant to NRS 233B.0608(1) that the proposed regulations are not likely to impose a direct and significant economic burden upon a small business or directly restrict the formation, operation or expansion of a small business. Further, the proposed regulations will not have a significant adverse or beneficial economic impact upon the regulated industry, either immediately or long-term, and the proposed regulations will have not a significant adverse or beneficial economic impact upon the public, either immediately or long-term. Accordingly, the agency has not prepared the statement referenced in NRS 233B.0608(2)(b).

The Authority notes that these assessments of impact are limited to the impacts of the proposed regulations themselves, and that the amendments are in accord with the requirements of Senate Bill 320 (2017).

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

There were no changes made at the adoption hearing as there were no changes requested at that hearing.

**7. 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; and**  
**b. Both immediate and long-term effects**

The proposed regulations themselves will not have a significant beneficial economic impact upon the regulated industry, either adverse or beneficial.

Similarly, the regulations will not have a significant beneficial economic impact upon the public in the next six months to one year, as the regulations are primarily intended to streamline practices before the Nevada Transportation Authority and to clarify the impact of Senate Bill 320 (2017).

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

None.

**9. 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 federal regulation, the name of the regulating federal agency.**

There are no regulations of other state or government agencies which the proposed regulation overlaps or duplicates.

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

N/A

**11. 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.**

None

**12. Is the proposed regulation likely to impose a direct and significant economic burden upon a small business or directly restrict the formation, operation or expansion of a small business? What methods did the agency use in determining the impact of the regulation on a small business?**

The Authority has determined that the proposed regulation does not impose a direct and significant economic burden upon small business or restrict the formation, operation or expansion of a small business.

Further discussion of small business impacts can be found in the statement prepared by Authority Chairman Dawn Gibbons pursuant to NRS 233B.0608.