

**ADOPTED TEMPORARY REGULATION OF THE  
NEVADA TRANSPORTATION AUTHORITY**

**LCB FILE NO. T006-19A**

**(NAC Chapter 706A)**

**The following document is the adopted temporary regulation submitted  
by the agency on 5/7/2019**

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Brief description of action: Establishment of and amendment to NAC 706A regarding annual assessment for TNC operations in Nevada.

Authority citation other than 233B: NRS 706A.140

Notice date: January 7, 2019

Date of Adoption by Agency:

February 21, 2019

Hearing date: February 21, 2019

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 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 on the basis of the gross operating revenue of the transportation network company derived from the Nevada intrastate operations of the company as described in the following schedule:

- (a) For a company with an annual gross operating revenue of \$390,625 or less ..... \$5,000
- (b) For a company with an annual gross operating revenue of more than \$390,625 but not more than \$781,250 ..... \$10,937
- (c) For a company with an annual gross operating revenue of more than \$781,250 but not more than \$1,562,000 ..... \$21,875
- (d) For a company with an annual gross operating revenue of more than \$1,562,500 but not more than \$3,125,000 ..... \$43,750
- (e) For a company with an annual gross operating revenue of more than \$3,125,000 but not more than \$6,250,000 ..... \$87,500
- (f) For a company with an annual gross operating revenue of more than \$6,250,000 but not more than \$12,500,000 ..... \$175,000
- (g) For a company with an annual gross operating revenue of more than \$12,500,000 but not more than \$25,000,000 ..... \$350,000
- (h) For a company with an annual gross operating revenue of more than \$25,000,000 but not more than \$50,000,000 ..... \$700,000
- (i) For a company with an annual gross operating revenue of more than ..... \$50,000,000  
..... \$1,400,000
- (j) 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 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; or

(c) (C) Upon written notice to the Authority of its election to do so, a TNC may elect to make quarterly payments of the assessment due via payments of the one quarter of the total amount due on July 31<sup>st</sup> and October 31<sup>st</sup> of the year of the assessment's determination and January 31<sup>st</sup> and April 30<sup>th</sup> of the 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 December 31, 2016, 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, on or before January 5, 2017, 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.