



DEPARTMENT OF BUSINESS AND INDUSTRY
NEVADA TRANSPORTATION AUTHORITY

**LEGISLATIVE REVIEW OF ADOPTED REGULATION AS REQUIRED
BY NRS 233B.066
LCB FILE R015-22P**

The following statement is submitted for adopted amendments to Nevada Administrative Code ("NAC") CHAPTER 706A.190

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

This regulation is necessary to allow the Nevada Transportation Authority to revise amounts due for the annual regulatory assessments of transportation network companies to offset expenses of regulating that industry pursuant to NRS 706A.140(2) & (3)

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 to all persons on the Authority's mailing list for administrative rulemaking, to all transportation network companies and to all motor carriers licensed by the Authority. Copies of the notices of workshop and the notice of intent to act upon the regulations were also posted at the following locations:

Clark County Court House, 200 Lewis Avenue, Las Vegas, NV 89101
Washoe County Court House, 75 Court Street, Reno, NV 89501
Nevada State Library & Archives, 100 North Stewart Street, Carson City, NV 89701
Nevada Transportation Authority, 3300 W. Sahara Suite #200, Las Vegas, NV 89102
Nevada Transportation Authority, 1755 East Plumb Lane, Suite #229, Reno, NV 89502
Nevada Transportation Authority website: www.nta.nv.gov

Copies of all materials related to the proposal were made available at the workshop and adoption hearings, at the offices of the Authority and on the Authorities website: www.nta.nv.gov

A Workshop was held to solicit comments on November 18, 2021. On or about March 3, 2022, the Authority issued a Notice of Intent to Act Upon a Regulation. A public hearing was held on April 7, 2022. No additional written or oral comments were received during this public hearing. The minutes of the workshop and the public hearing, attached hereto, contain summaries of the discussion held regarding the proposed amendments.

3. The number of persons who:

- a. **Attended each workshop/hearing:** November 18, 2021 = 9 April 7, 2022 = 9
- b. **Testified at each workshop/hearing:** November 18, 2021 = 3 April 7, 2022 = 0
- c. **Submitted to the agency written comments:** 0

4. A list of names and contact information, including telephone number, business address, business telephone number, electronic mail address, and name of entity or organization represented for each person identified above in #3, as provided to the agency:

See attached Exhibit A

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

The Nevada Transportation Authority solicited comments on the proposed regulation by (1) posting a copy of the full text of the proposed changes to the Authorities' website as part of the Authorities' hearing materials, (2) posting notices and agendas in numerous public locations per NRS Chapter 233B, and (3) provided time for public comment at the workshop on November 18, 2021.

Also, during the November 18, 2021 workshop, three different methods of calculating the applicable annual assessments were presented. The representatives of the TNC industry did not announce a specific preference for any of the of the three methods of calculations. But the small businesses seemed to like the less complicated method which had the least steps and presented the clearest information. That calculation method became the proposed regulation.

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

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

The Authority adopted the regulation on April 7, 2022 as initially written because no comments were received from the industry or the public requesting any changes to the regulation.

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 regulation will have a significant beneficial economic impact upon the regulated industry, primarily over the next six months to one year. The proposed regulation is intended to fund the expenses incurred by the Authority during that time period for the regulation of the transportation network providers pursuant to NRS 706A.140. The long-term impact of the proposed regulation is minimal, as the Authority is required to reassess the costs of regulation the transportation network companies each year pursuant to NRS 706A.140(2).

Similarly, the regulations themselves will have a significant beneficial economic impact upon the public in the next six months to one year, as the regulation at issue will assist the transportation network companies to continue to provide employment opportunities in the transportation industry, availability of services provided by the industry and tax revenues generated by the industry.

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

De minimus.

9. A description of any regulations of other state or governmental 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(s), the name of the regulating federal agency

There are no regulations by 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

Not applicable.

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

The regulation increases the annual assessment on the transportation network companies based on their annual gross revenue in a tiered assessment. The Authority expects to collect approximately \$2,200,000 annually. The revenue will be used to fund and support the Authority's regulatory oversight of the industry pursuant to NRS 706A.140(2) & (3).