

Amendment No. 678

Senate Amendment to Assembly Bill No. 175 First Reprint (BDR 43-703)

Proposed by: Senators Settlemeyer and Atkinson

Amends: Summary: Yes Title: Yes Preamble: No Joint Sponsorship: No Digest: Yes

Adoption of this amendment will ADD a 2/3s majority vote requirement for final passage of A.B. 175 R1 (§§ 25, 26, 27, 28, 51, 52).

ASSEMBLY ACTION		Initial and Date	SENATE ACTION		Initial and Date					
Adopted	<input type="checkbox"/>	Lost	<input type="checkbox"/>	_____		Adopted	<input type="checkbox"/>	Lost	<input type="checkbox"/>	_____
Concurred In	<input type="checkbox"/>	Not	<input type="checkbox"/>	_____		Concurred In	<input type="checkbox"/>	Not	<input type="checkbox"/>	_____
Receded	<input type="checkbox"/>	Not	<input type="checkbox"/>	_____		Receded	<input type="checkbox"/>	Not	<input type="checkbox"/>	_____

EXPLANATION: Matter in (1) *blue bold italics* is new language in the original bill; (2) variations of green bold underlining is language proposed to be added in this amendment; (3) ~~red strikethrough~~ is deleted language in the original bill; (4) ~~purple double strikethrough~~ is language proposed to be deleted in this amendment; (5) orange double underlining is deleted language in the original bill proposed to be retained in this amendment.

AAK/BJE



Date: 5/7/2015

A.B. No. 175—Revises provisions relating to the use of safety belts in taxicabs.
(BDR 43-703)



ASSEMBLY BILL NO. 175—COMMITTEE ON TRANSPORTATION

FEBRUARY 18, 2015

Referred to Committee on Transportation

SUMMARY—Revises provisions relating to ~~the use of safety belts in taxicabs.~~ transportation. (BDR 43-703)

FISCAL NOTE: Effect on Local Government: No.
Effect on the State: No.

~

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

AN ACT relating to ~~motor vehicles;~~ transportation; revising provisions relating to the use of safety belts in taxicabs; providing for the regulation by the Public Utilities Commission of Nevada of transportation network companies; requiring the establishment of fees and annual assessments for a transportation network company; authorizing a transportation network company that holds a valid permit issued by the Commission to make its digital network or software application service available to one or more drivers to receive connections to passengers from the company; establishing requirements concerning the qualifications of, the provision of insurance for and the operation and maintenance of motor vehicles operated by drivers who provide transportation services; prohibiting a local government from imposing on a transportation network company or a driver for such a company any additional tax or fee or requirement as a condition of providing transportation services; providing that a transportation network company or driver who provides transportation services pursuant to a valid permit issued by the Commission is not subject to certain provisions of law governing motor carriers; providing penalties; and providing other matters properly relating thereto.

Legislative Counsel's Digest:

1 Under existing law, with certain exceptions, each adult passenger who rides in a taxicab
2 in this State is required to wear a safety belt. Existing law also provides that a violation of this
3 requirement may not be considered: (1) as negligence or as causation in any civil action or as
4 negligent or reckless driving; or (2) as misuse or abuse of a product or as causation in any
5 action brought to recover damages for injury to a person or property resulting from the
6 manufacture, distribution, sale or use of a product. (NRS 484D.500) ~~This~~ Section 1 of this
7 bill removes the preceding legal limitations and expressly allows a violation of the
8 requirement to wear a safety belt while riding in a taxicab to be considered for those purposes.

9 Sections 2-46, 51-53, 55 and 56 of this bill provide for the permitting by the Public
10 Utilities Commission of Nevada of transportation network companies and the regulation

11 by the Commission of the provision of transportation services. Section 18 defines a
12 “transportation network company” as an entity that uses a digital network or software
13 application service to connect passengers to drivers who can provide transportation
14 services to passengers. Section 19 defines “transportation services” as the transportation
15 by motor vehicle of one or more passengers between points chosen by the passenger or
16 passengers and prearranged with a driver through the use of the digital network or
17 software application service of a transportation network company. Section 20 provides
18 that it is the purpose and policy of the Legislature in enacting this bill to ensure the
19 safety, reliability and cost-effectiveness of the transportation services provided by
20 drivers affiliated with transportation network companies in this State.

21 Sections 2-13 of this bill establish certain requirements concerning the provision of
22 insurance for the payment of tort liabilities arising from the operation of a motor vehicle
23 by a driver who provides transportation services.

24 Section 24 of this bill prohibits any person from doing business in this State as a
25 transportation network company unless the person holds a valid permit issued by the
26 Commission pursuant to the provisions of this bill. Section 25 of this bill provides for the
27 submission to the Commission of an application for a permit. Section 26 of this bill
28 requires the Commission to issue a permit to an applicant upon a determination by the
29 Commission that the applicant meets all the applicable requirements for the issuance of
30 the permit. Section 26 of this bill further provides that a permit issued by the
31 Commission authorizes a transportation network company to: (1) connect passengers to
32 a driver who can provide transportation services through the use of a digital network or
33 software application service; and (2) make its digital network or software application
34 service available to one or more drivers to receive connections from the company.
35 Additionally, section 26 of this bill provides that a permit issued by the Commission does
36 not authorize a transportation network company to engage in any activity regulated
37 pursuant to chapter 706 of NRS, relating to motor carriers. Section 27 of this bill
38 requires the Commission to establish a fee for the issuance of a permit to operate a
39 transportation network company. Section 27 of this bill also requires the payment of an
40 annual assessment by each transportation network company in this State beginning in
41 the year after the company receives a permit. Section 28 of this bill requires the
42 Commission to collect from a company an excise tax on the use of a digital network or
43 software application service to connect a passenger to a driver at the rate of 3 percent of
44 the total fare charged for transportation services for deposit with the State Treasurer.
45 Sections 51 and 52 of this bill impose a similar excise tax on the connection made by a
46 common motor carrier or certificate holder, respectively, of a passenger to a person or
47 operator or taxicab, respectively. Section 53 of this bill requires the State Treasurer to
48 credit the first \$5,000,000 of the combined amount of such excise taxes collected in each
49 biennium to the State Highway Fund and to credit the remainder to the State General
50 Fund.

51 Section 30 of this bill authorizes a transportation network company to enter into
52 agreements with one or more drivers to receive connections to potential passengers from
53 the company. Section 30 also establishes the minimum qualifications for drivers and
54 requires a transportation network company to conduct an investigation of the
55 background of each driver, which must include a criminal background check, a search
56 of a database containing information from the sex offender website maintained by each
57 state and a review of the complete driving history of the driver. Further, section 30 sets
58 forth the conditions for which a transportation network company must terminate an
59 agreement with a driver.

60 Section 31 of this bill: (1) provides that a transportation network company may, on
61 behalf of a driver, charge a fare for the provision of transportation services by the
62 driver; and (2) places certain requirements on the company concerning the fares and the
63 information which must be provided to passengers concerning the amount and the
64 calculation of fares.

65 Section 32 of this bill: (1) prohibits a transportation network company from
66 allowing any driver who operates a motor vehicle that is not in compliance with all
67 federal, state and local laws governing the operation and maintenance of a motor vehicle
68 to be connected to potential passengers; and (2) requires annual inspections of each
69 motor vehicle operated by a driver.

70 Section 33 of this bill prohibits discrimination on account of national origin, religion,
71 age, disability, sex, race, color, sexual orientation or gender identity or expression by a
72 transportation network company or driver. Section 34 of this bill requires a
73 transportation network company to provide to passengers certain information relating
74 to the identification of a driver. Section 35 of this bill requires a transportation network
75 company to provide an electronic receipt to each passenger. Section 36 of this bill
76 imposes on transportation network companies certain recordkeeping requirements.
77 Section 37 of this bill imposes on transportation network companies certain reporting
78 requirements.

79 Section 38 of this bill establishes certain requirements relating to the provision of
80 transportation services by a driver. Section 38 also prohibits a driver from soliciting
81 passengers or providing transportation services except to persons who have arranged for
82 such transportation services through the digital network or software application service
83 of a transportation network company. Section 39 of this bill prohibits a driver from
84 consuming, using or being under the influence of any intoxicating liquor or controlled
85 substance during any period when the driver is providing transportation services or is
86 logged into the digital network or software application service of a transportation
87 network company. With certain exceptions, section 40 of this bill prohibits a
88 transportation network company from releasing the personally identifying information
89 of passengers.

90 Section 41 of this bill provides for the investigation of complaints against a
91 transportation network company or driver. Section 42 of this bill: (1) authorizes the
92 Commission to impose certain penalties for any violation of the provisions of this bill by
93 a transportation network company or driver; and (2) provides that a person who
94 violates any provision of this bill is not subject to a criminal penalty.

95 Section 43 of this bill provides that this bill does not exempt any person from any
96 other laws governing the operation of a motor vehicle upon the highways of this State,
97 except that a transportation network company or a driver who provides transportation
98 services within the scope of a permit issued by the Commission is not subject to the
99 provisions of existing law governing motor carriers or public utilities.

100 Section 44 of this bill prohibits a local government from: (1) imposing any tax or fee
101 on a transportation network company, a driver who has entered into an agreement with
102 such a company or a vehicle operated by such a driver or for transportation services
103 provided by such a driver; (2) requiring a transportation network company or driver to
104 obtain from the local government any certificate, license or permit to provide
105 transportation services; or (3) imposing any other requirement on the operation of a
106 motor vehicle by a transportation network company or driver which is not of general
107 applicability. Section 44 does not prohibit a local government from requiring a
108 transportation network company or driver to obtain from the local government a
109 business license or to pay any business license fee in the same manner that is generally
110 applicable to any other business that operates within the jurisdiction of the local
111 government. Section 44 does not prohibit an airport from requiring a transportation
112 network company or driver to obtain a permit or certification to operate at the airport,
113 pav a fee to operate at the airport or comply with any other requirement to operate at
114 the airport. Section 44 also states that this bill does not exempt any person from the
115 requirement to obtain a state business license.

116 Section 45 of this bill requires each transportation network company to provide the
117 Commission with reports at certain times containing certain information about damages
118 resulting from accidents involving drivers who are providing transportation services or
119 logged into the digital network or software application service of the company and
120 available to receive requests for transportation services. Section 45 also requires the
121 Commission to collect these reports, determine whether the limits of coverage required
122 pursuant to section 10 are sufficient and report to the Legislative Commission or
123 Director of the Legislative Counsel Bureau.

124 Section 55 of this bill requires the Commission to: (1) investigate and compare the
125 efficacy, efficiency and effect on public safety of background checks performed pursuant
126 to paragraph (b) of section 30 of this bill and those performed by submitting the
127 fingerprints of a person to the Central Repository for Nevada Records of Criminal

128 History to be forwarded to the Federal Bureau of Investigation for its report; and (2)
129 report the results of the investigation to the Legislative Commission.

130 Section 56 of this bill provides that: (1) a transportation network company may
131 commence operations within this state immediately upon being issued a permit; and (2)
132 any regulation adopted by the Commission pursuant to this bill on or before July 1,
133 2017, shall not be effective for at least 30 days after filing with the Secretary of State.

THE PEOPLE OF THE STATE OF NEVADA, REPRESENTED IN
SENATE AND ASSEMBLY, DO ENACT AS FOLLOWS:

1 **Section 1.** NRS 484D.500 is hereby amended to read as follows:

2 484D.500 1. Any passenger 18 years of age or older who rides in the front
3 or back seat of any taxicab on any highway, road or street in this State shall wear a
4 safety belt if one is available for the seating position of the passenger, except that
5 this subsection does not apply:

6 (a) To a passenger who possesses a written statement by a physician certifying
7 that the passenger is unable to wear a safety belt for medical or physical reasons; or

8 (b) If the taxicab was not required by federal law at the time of initial sale to be
9 equipped with safety belts.

10 2. A citation must be issued to any passenger who violates the provisions of
11 subsection 1. A citation may be issued pursuant to this subsection only if the
12 violation is discovered when the vehicle is halted or its driver arrested for another
13 alleged violation or offense. Any person who violates the provisions of subsection 1
14 shall be punished by a fine of not more than \$25 or by a sentence to perform a
15 certain number of hours of community service.

16 3. A violation of subsection 1:

17 (a) Is not a moving traffic violation under NRS 483.473.

18 (b) May ~~not~~ be considered as negligence or as causation in any civil action or
19 as negligent or reckless driving under NRS 484B.653.

20 (c) May ~~not~~ be considered as misuse or abuse of a product or as causation in
21 any action brought to recover damages for injury to a person or property resulting
22 from the manufacture, distribution, sale or use of a product.

23 4. An owner or operator of a taxicab shall post a sign within each of his or her
24 taxicabs advising passengers that they must wear safety belts while being
25 transported by the taxicab. Such a sign must be placed within the taxicab so as to be
26 visible to and easily readable by passengers, except that this subsection does not
27 apply if the taxicab was not required by federal law at the time of initial sale to be
28 equipped with safety belts.

29 **Sec. 2.** Chapter 690B of NRS is hereby amended by adding thereto the
30 provisions set forth as sections 3 to 13, inclusive, of this act.

31 **Sec. 3.** As used in sections 3 to 13, inclusive, of this act, the words and
32 terms defined in sections 4 to 7, inclusive, of this act have the meanings ascribed
33 to them in those sections.

34 **Sec. 4.** “Driver” has the meaning ascribed to it in section 17 of this act.

35 **Sec. 5.** “Transportation network company” has the meaning ascribed to it
36 in section 18 of this act.

37 **Sec. 6.** “Transportation network company insurance” means a policy of
38 insurance that includes coverage specifically for the use of a vehicle by a driver
39 pursuant to sections 3 to 13, inclusive, of this act.

40 **Sec. 7.** “Transportation services” has the meaning ascribed to it in section
41 19 of this act.

1 Sec. 8. The provisions of sections 3 to 13, inclusive, of this act do not apply
2 to a person who is regulated pursuant to chapter 704 or 706 of NRS.

3 Sec. 9. Before allowing a natural person to be connected to a potential
4 passenger using the digital network or software application service of a
5 transportation network company to provide transportation services as a driver, a
6 transportation network company shall, in writing:

7 1. Disclose the insurance coverage and limits of liability that the
8 transportation network company provides for a driver while the driver is
9 providing transportation services; and

10 2. Notify the person that:

11 (a) His or her insurance for the operation of a motor vehicle required
12 pursuant to NRS 485.185 may not provide coverage for the use of a motor vehicle
13 to provide transportation services.

14 (b) If comprehensive or collision coverage was purchased in addition to such
15 insurance, the comprehensive or collision coverage may not apply to any damage
16 which results from the use of the motor vehicle while a driver is providing
17 transportation services or logged into the digital network or software application
18 service of a transportation network company and available to receive requests for
19 transportation services.

20 3. Disclose to the person that, if there is a lien against a vehicle used by a
21 driver to provide transportation services, the driver must notify the lienholder that
22 the vehicle is being used to provide transportation services.

23 4. Disclose to the person that the use of a vehicle to provide transportation
24 services may violate the contract between a driver and a lienholder.

25 Sec. 10. 1. Every transportation network company or driver shall
26 continuously provide, during any period in which the driver is providing
27 transportation services, transportation network company insurance provided by
28 an insurance company licensed by the Division of Insurance of the Department
29 of Business and Industry and approved to do business in this State or a broker
30 licensed pursuant to chapter 685A of NRS or procured directly from a
31 nonadmitted insurer, as defined in NRS 685A.0375:

32 (a) In an amount of not less than \$1,500,000 for bodily injury to or death of
33 one or more persons and injury to or destruction of property of others in any one
34 accident that occurs while the driver is providing transportation services;

35 (b) In an amount of not less than \$50,000 for bodily injury to or death of one
36 person in any one accident that occurs while the driver is logged into the digital
37 network or software application service of the transportation network company
38 and available to receive requests for transportation services but is not otherwise
39 providing transportation services;

40 (c) Subject to the minimum amount for one person required by paragraph
41 (b), in an amount of not less than \$100,000 for bodily injury to or death of two or
42 more persons in any one accident that occurs while the driver is logged into the
43 digital network or software application service of the transportation network
44 company and available to receive requests for transportation services but is not
45 otherwise providing transportation services; and

46 (d) In an amount of not less than \$25,000 for injury to or destruction of
47 property of others in any one accident that occurs while the driver is logged into
48 the digital network or software application service of the transportation network
49 company and available to receive requests for transportation services but is not
50 otherwise providing transportation services,

51 ↳ for the payment of tort liabilities arising from the maintenance or use of the
52 motor vehicle.

1 2. The transportation network company insurance required by subsection 1
2 may be provided through one or a combination of insurance policies provided by
3 the transportation network company or the driver, or both.

4 3. Every transportation network company shall continuously provide,
5 during any period in which the driver is providing transportation services,
6 transportation network company insurance provided by an insurance company
7 licensed by the Division of Insurance of the Department of Business and Industry
8 and approved to do business in this State or a broker licensed pursuant to chapter
9 685A of NRS or procured directly from a nonadmitted insurer, as defined in NRS
10 685A.0375, which meets the requirements of subsection 1 as primary insurance if
11 the insurance provided by the driver:

12 (a) Lapses; or

13 (b) Fails to meet the requirements of subsection 1.

14 4. Notwithstanding the provisions of NRS 485.185 and 485.186 which
15 require the owner or operator of a motor vehicle to provide insurance,
16 transportation network company insurance shall be deemed to satisfy the
17 requirements of NRS 485.185 or 485.186, as appropriate, regardless of whether
18 the insurance is provided by the transportation network company or the driver, or
19 both, if the transportation network company insurance otherwise satisfies the
20 requirements of NRS 485.185 or 485.186, as appropriate.

21 5. In addition to the coverage required pursuant to subsection 1, a policy of
22 transportation network company insurance may include additional coverage,
23 including, without limitation, coverage for medical payments, coverage for
24 uninsured or underinsured motorists, comprehensive coverage and collision
25 coverage.

26 6. An insurer who provides transportation network company insurance
27 shall not require a policy of insurance for the operation of a motor vehicle
28 required pursuant to NRS 485.185 or 485.186, as appropriate, to deny a claim
29 before the transportation network company insurance provides coverage for a
30 claim.

31 7. An insurer who provides transportation network company insurance has
32 a duty to defend and indemnify the driver and the transportation network
33 company.

34 8. An insurer who provides transportation network company insurance
35 which includes comprehensive coverage or collision coverage for the operation of
36 a motor vehicle against which a lienholder holds a lien shall issue any payment
37 for a claim under such coverage:

38 (a) Directly to the person who performs repairs upon the vehicle; or

39 (b) Jointly to the owner of the vehicle and the lienholder.

40 9. A transportation network company that provides transportation network
41 company insurance for a motor vehicle is not deemed to be the owner of the
42 motor vehicle.

43 Sec. 11. 1. A policy of insurance for the operation of a motor vehicle
44 required pursuant to NRS 485.185 or 485.186, as appropriate, is not required to
45 include transportation network company insurance. An insurer providing a
46 policy which excludes transportation network company insurance does not have a
47 duty to defend or indemnify a driver for any claim arising during any period in
48 which the driver is logged into the digital network or software application service
49 of the transportation network company, available to receive requests for
50 transportation services or providing transportation services.

51 2. An insurer who provides a policy of insurance for the operation of a
52 motor vehicle required pursuant to NRS 485.185 or 485.186, as appropriate, may
53 include transportation network company insurance in such a policy. An insurer

1 may charge an additional premium for the inclusion of transportation network
2 company insurance in such a policy.

3 3. An insurer who:

4 (a) Defends or indemnifies a driver for a claim arising during any period in
5 which the driver is logged into the digital network or software application service
6 of the transportation network company, available to receive requests for
7 transportation services or providing transportation services; and

8 (b) Excludes transportation network company insurance from the policy of
9 insurance for the operation of a motor vehicle provided to the driver,

10 ↳ has the right of contribution against other insurers who provide coverage to
11 the driver to satisfy the coverage required by section 10 of this act at the time of
12 the loss.

13 Sec. 12. In any investigation relating to tort liability arising from the
14 operation of a motor vehicle, each transportation network company and driver,
15 and each insurer providing transportation network company insurance to a
16 transportation network company or driver, who is involved in the underlying
17 incident shall cooperate with any other party to the incident and any other
18 insurer involved in the investigation and share information, including, without
19 limitation:

20 1. The date and time of an accident involving a driver.

21 2. The dates and times that the driver involved in an accident logged into
22 the digital network or software application service of the transportation network
23 company for a period of 12 hours immediately preceding and 12 hours
24 immediately following the accident.

25 3. The dates and times that the driver involved in an accident logged out of
26 the digital network or software application service of the transportation network
27 company for a period of 12 hours immediately preceding and 12 hours
28 immediately following the accident.

29 4. A clear description of the coverage, exclusions and limits provided under
30 any policy of transportation network company insurance which applies.

31 Sec. 13. 1. A driver shall carry proof of coverage under a policy of
32 transportation network company insurance at all times when the driver is logged
33 into the digital network or software application service of the transportation
34 network company, available to receive requests for transportation services or
35 providing transportation services.

36 2. A driver shall provide proof of coverage under a policy of transportation
37 network company insurance and disclose whether he or she was logged into the
38 digital network or software application service of the transportation network
39 company, available to receive requests for transportation services or providing
40 transportation services at the time of an accident upon request to a law
41 enforcement officer and to any party with whom the driver is involved in an
42 accident.

43 Sec. 14. Title 58 of NRS is hereby amended by adding thereto a new
44 chapter to consist of the provisions set forth as sections 15 to 46, inclusive, of
45 this act.

46 Sec. 15. As used in this chapter, unless the context otherwise requires, the
47 words and terms defined in sections 16 to 19, inclusive, of this act have the
48 meanings ascribed to them in those sections.

49 Sec. 16. "Commission" means the Public Utilities Commission of Nevada.

50 Sec. 17. "Driver" means a natural person who:

51 1. Operates a motor vehicle that is owned, leased or otherwise authorized
52 for use by the person; and

1 2. Enters into an agreement with a transportation network company to
2 receive connections to potential passengers and related services from a
3 transportation network company in exchange for the payment of a fee to the
4 transportation network company.

5 Sec. 18. "Transportation network company" or "company" means an
6 entity that uses a digital network or software application service to connect a
7 passenger to a driver who can provide transportation services to the passenger.

8 Sec. 19. "Transportation services" means the transportation by a driver of
9 one or more passengers between points chosen by the passenger or passengers
10 and prearranged through the use of the digital network or software application
11 service of a transportation network company. The term includes only the period
12 beginning when a driver accepts a request by a passenger for transportation
13 through the digital network or software application service of a transportation
14 network company and ending when the last such passenger fully disembarks
15 from the motor vehicle operated by the driver.

16 Sec. 20. It is hereby declared to be the purpose and policy of the
17 Legislature in enacting this chapter to ensure the safety, reliability and cost-
18 effectiveness of the transportation services provided by drivers affiliated with
19 transportation network companies in this State.

20 Sec. 21. The provisions of this chapter do not apply to:

21 1. Common motor carriers or contract motor carriers that are providing
22 transportation services pursuant to a contract with the Department of Health and
23 Human Services entered into pursuant to NRS 422.2705.

24 2. A person who provides a digital network or software application service
25 to enable persons who are interested in sharing expenses for transportation to a
26 destination, commonly known as carpooling, to connect with each other,
27 regardless of whether a fee is charged by the person who provides the digital
28 network or software application service.

29 Sec. 22. Nothing in this chapter shall be construed to deem a motor vehicle
30 operated by a driver to provide transportation services to be a commercial motor
31 vehicle.

32 Sec. 23. Except as otherwise provided in this chapter and the regulations
33 adopted pursuant thereto or by a written contract between a transportation
34 network company and a driver, a company shall not control, direct or manage a
35 driver or the motor vehicle operated by a driver.

36 Sec. 24. 1. A transportation network company shall not engage in
37 business in this State unless the company holds a valid permit issued by the
38 Commission pursuant to this chapter.

39 2. A driver shall not provide transportation services unless the company
40 with which the driver is affiliated holds a valid permit issued by the Commission
41 pursuant to this chapter.

42 Sec. 25. A person who desires to operate a transportation network company
43 in this State must submit to the Commission an application for the issuance of a
44 permit to operate a transportation network company. The application must be in
45 the form required by the Commission, must be accompanied by the fee required
46 by section 27 of this act and must include such information as reasonably
47 required by the Commission by regulation.

48 Sec. 26. 1. Upon receipt of a completed application and payment of the
49 required fee and upon a determination by the Commission that an applicant
50 meets the requirements for the issuance of a permit to operate a transportation
51 network company, the Commission shall issue to the applicant within 120 days a
52 permit to operate a transportation network company in this State.

1 2. In accordance with the provisions of this chapter, a permit issued
2 pursuant to this section:

3 (a) Authorizes a transportation network company to connect one or more
4 passengers through the use of a digital network or software application service to
5 a driver who can provide transportation services.

6 (b) Authorizes a transportation network company to make its digital network
7 or software application service available to one or more drivers to receive
8 connections to potential passengers from the company in exchange for the
9 payment of a fee by the driver to the company.

10 (c) Does not authorize a transportation network company or any driver to
11 operate in any activity otherwise regulated pursuant to chapter 706 of NRS other
12 than the activity authorized by sections 15 to 46, inclusive, of this act.

13 Sec. 27. 1. The Commission shall charge and collect a fee in an amount
14 established by the Commission by regulation from each applicant for a permit to
15 operate a transportation network company in this State. The fee required by this
16 subsection is not refundable. The Commission shall not issue a permit to operate
17 a transportation network company in this State unless the applicant has paid the
18 fee required by this subsection.

19 2. For each year after the year in which the Commission issues a permit to
20 a transportation network company, the Commission shall levy and collect an
21 annual assessment from the transportation network company at a rate
22 determined by the Commission based on the gross operating revenue derived
23 from the intrastate operations of the transportation network company in this
24 State.

25 3. The annual assessment levied and collected by the Commission pursuant
26 to subsection 2 must be used by the Commission for the regulation of
27 transportation network companies.

28 Sec. 28. 1. In addition to any other fee or assessment imposed pursuant to
29 this chapter, an excise tax is hereby imposed on the use of a digital network or
30 software application service of a transportation network company to connect a
31 passenger to a driver for the purpose of providing transportation services at the
32 rate of 3 percent of the total fare charged for transportation services, which must
33 include, without limitation, all fees, surcharges, technology fees, convenience
34 charges for the use of a credit or debit card and any other amount that is part of
35 the fare. The Commission shall charge and collect from each transportation
36 network company the excise tax imposed by this subsection.

37 2. The excise tax collected by the Commission pursuant to subsection 1
38 must be deposited with the State Treasurer in accordance with the provisions of
39 section 53 of this act.

40 Sec. 29. A transportation network company shall appoint and keep in this
41 State a registered agent as provided in NRS 14.020.

42 Sec. 30. 1. A transportation network company may enter into an
43 agreement with one or more drivers to receive connections to potential
44 passengers from the company in exchange for the payment of a fee by the driver
45 to the company.

46 2. Before a transportation network company allows a person to be
47 connected to potential passengers using the digital network or software
48 application service of the company pursuant to an agreement with the company,
49 the company must:

50 (a) Require the person to submit an application to the company, which must
51 include, without limitation:

52 (1) The name, age and address of the applicant.

53 (2) A copy of the driver's license of the applicant.

1 (3) A record of the driving history of the applicant.

2 (4) A description of the motor vehicle of the applicant and a copy of the
3 motor vehicle registration.

4 (5) Proof that the applicant has complied with the requirements of NRS
5 485.185.

6 (6) Any other information required by the company or any regulations
7 adopted by the Commission pursuant to section 46 of this act.

8 (b) At the time of application and not less than once every 3 years thereafter,
9 conduct or contract with a third party to conduct an investigation of the criminal
10 history of the applicant, which must include, without limitation:

11 (1) A review of a commercially available database containing criminal
12 records from each state which are validated using a search of the primary source
13 of each record.

14 (2) A search of a database containing the information available in the
15 sex offender registry maintained by each state.

16 (c) At the time of application and not less than once every year thereafter,
17 obtain and review a complete record of the driving history of the applicant.

18 3. A transportation network company may enter into an agreement with a
19 driver if:

20 (a) The applicant is at least 19 years of age.

21 (b) The applicant possesses a valid driver's license issued by the Department
22 of Motor Vehicles unless the applicant is exempt from the requirement to obtain
23 a Nevada driver's license pursuant to NRS 483.240.

24 (c) The applicant provides proof that the motor vehicle operated by him or
25 her is registered with the Department of Motor Vehicles unless the applicant is
26 exempt from the requirement to register the motor vehicle in this State pursuant
27 to NRS 482.385.

28 (d) The applicant provides proof that the motor vehicle operated by him or
29 her is operated and maintained in compliance with all applicable federal, state
30 and local laws.

31 (e) The applicant provides proof that he or she currently is in compliance
32 with the provisions of NRS 485.185.

33 (f) In the 3 years immediately preceding the date on which the application is
34 submitted, the applicant has not been found guilty of three or more violations of
35 the motor vehicle laws of this State or any traffic ordinance of any city or town,
36 the penalty prescribed for which is a misdemeanor.

37 (g) In the 3 years immediately preceding the date on which the application is
38 submitted, the applicant has not been found guilty of any violation of the motor
39 vehicle laws of this State or any traffic ordinance of any city or town, the penalty
40 prescribed for which is a gross misdemeanor or felony.

41 (h) In the 7 years immediately preceding the date on which the application is
42 submitted, the applicant has not been found guilty of any violation of federal,
43 state or local law prohibiting driving or being in actual physical control of a
44 vehicle while under the influence of intoxicating liquor or a controlled substance.

45 (i) In the 7 years immediately preceding the date on which the application is
46 submitted, the applicant has not been found guilty of any crime involving an act
47 of terrorism, an act of violence, a sexual offense, fraud, theft, damage to property
48 of another or the use of a motor vehicle in the commission of a felony.

49 (j) The name of the applicant does not appear in the database searched
50 pursuant to subparagraph (2) of paragraph (b) of subsection 2.

51 4. A transportation network company shall terminate an agreement with
52 any driver who:

1 (a) Fails to submit to the transportation network company a change in his or
2 her address, driver's license, motor vehicle registration or automobile liability
3 insurance information within 30 days after the date of the change.

4 (b) Fails to immediately report to the transportation network company any
5 change in his or her driving history or criminal history.

6 (c) Refuses to authorize the transportation network company to obtain and
7 review an updated complete record of his or her driving history not less than once
8 each year and an investigation of his or her criminal history not less than once
9 every 3 years.

10 (d) Is determined by the transportation network company to be ineligible for
11 an agreement pursuant to subsection 3 on the basis of any updated information
12 received by the transportation network company.

13 Sec. 31. 1. In accordance with the provisions of this chapter, a
14 transportation network company which holds a valid permit issued by the
15 Commission pursuant to this chapter may, on behalf of a driver, charge a fare for
16 transportation services provided to a passenger by the driver.

17 2. If a fare is charged, the company must disclose the rates charged by the
18 company and the method by which the amount of a fare is calculated:

19 (a) On an Internet website maintained by the company; or

20 (b) Within the digital network or software application service of the
21 company.

22 3. If a fare is charged, the company must offer to each passenger the option
23 to receive, before the passenger enters the motor vehicle of a driver, an estimate
24 of the amount of the fare that will be charged to the passenger.

25 4. A transportation network company may accept payment of a fare only
26 electronically. A transportation network company or a driver shall not solicit or
27 accept cash as payment of a fare.

28 5. A transportation network company shall not impose any additional
29 charge for a driver who provides transportation services to a person with a
30 physical disability because of the disability.

31 6. The Commission may adopt regulations establishing a maximum fare
32 that may be charged during an emergency, as defined in NRS 414.0345.

33 Sec. 32. 1. A transportation network company shall not allow a driver to
34 be connected to potential passengers using the digital network or software
35 application service of the company if the motor vehicle operated by the driver to
36 provide transportation services:

37 (a) Is not in compliance with all federal, state and local laws concerning the
38 operation and maintenance of the motor vehicle.

39 (b) Has less than four doors.

40 (c) Is designed to carry more than eight passengers, including the driver.

41 (d) Is a farm tractor, mobile home, recreational vehicle, semitractor,
42 semitrailer, trailer, bus or tow car.

43 2. A transportation network company shall inspect or cause to be inspected
44 every motor vehicle used by a driver to provide transportation services to ensure
45 that the vehicle complies with the provisions of subsection 1 and any regulations
46 adopted by the Commission before allowing the driver to use the motor vehicle to
47 provide transportation services and not less than once each year thereafter.

48 Sec. 33. 1. A transportation network company shall adopt a policy which
49 prohibits discrimination against a passenger or potential passenger on account of
50 national origin, religion, age, disability, sex, race, color, sexual orientation or
51 gender identity or expression.

1 2. A driver shall not discriminate against a passenger or potential passenger
2 on account of national origin, religion, age, disability, sex, race, color, sexual
3 orientation or gender identity or expression.

4 3. A transportation network company shall provide to each passenger an
5 opportunity to indicate whether the passenger requires transportation in a motor
6 vehicle that is wheelchair accessible. If the company cannot provide the
7 passenger with transportation services in a motor vehicle that is wheelchair
8 accessible, the company must direct the passenger to an alternative provider or
9 means of transportation that is wheelchair accessible, if available.

10 Sec. 34. For each instance in which a driver provides transportation
11 services to a passenger, the transportation network company which connected the
12 passenger to the driver shall provide to the passenger, before the passenger enters
13 the motor vehicle of a driver, a photograph of the driver who will provide the
14 transportation services and the license plate number of the motor vehicle
15 operated by the driver. The information required by this section must be provided
16 to the passenger:

17 1. On an Internet website maintained by the company; or

18 2. Within the digital network or software application service of the
19 company.

20 Sec. 35. A transportation network company which connected a passenger
21 to a driver shall, within a reasonable period following the provision of
22 transportation services by the driver to the passenger, transmit to the passenger
23 an electronic receipt, which must include, without limitation:

24 1. A description of the point of origin and the destination of the
25 transportation services;

26 2. The total time for which transportation services were provided;

27 3. The total distance traveled; and

28 4. An itemization of the fare, if any, charged for the transportation services.

29 Sec. 36. 1. A transportation network company shall maintain the
30 following records relating to the business of the company for a period of at least 3
31 years after the date on which the record is created:

32 (a) Trip records;

33 (b) Driver records and vehicle inspection records;

34 (c) Records of each complaint and the resolution of each complaint; and

35 (d) Records of each accident or other incident that involved a driver and was
36 reported to the transportation network company.

37 2. Each transportation network company shall make its records available
38 for inspection by the Commission and the Regulatory Operations Staff of the
39 Commission upon request to investigate complaints, promote public safety and
40 ensure compliance with the provisions of this chapter.

41 Sec. 37. 1. Each transportation network company shall:

42 (a) Keep uniform and detailed accounts of all business transacted in this
43 State and provide such accounts to the Commission upon request; and

44 (b) On or before May 15 of each year, provide an annual report to the
45 Commission regarding all business conducted by the company in this State
46 during the preceding calendar year.

47 2. The Commission shall adopt regulations setting forth the form and
48 contents of the information required to be provided pursuant to subsection 1.

49 3. If the Commission determines that a transportation network company
50 has failed to include information in its accounts or report required pursuant to
51 subsection 1, the Commission shall notify the company to provide such
52 information. A company which receives a notice pursuant to this subsection shall
53 provide the specified information within 15 days after receipt of such a notice.

1 4. All information required to be provided pursuant to this section must be
2 signed by an officer or agent of, or other person authorized by, the transportation
3 network company under oath.

4 Sec. 38. 1. A driver shall not solicit or accept a passenger or provide
5 transportation services to any person unless the person has arranged for the
6 transportation services through the digital network or software application
7 service of the transportation network company.

8 2. With respect to a passenger's destination, a driver shall not:

9 (a) Deceive or attempt to deceive any passenger who rides or desires to ride
10 in the driver's motor vehicle.

11 (b) Convey or attempt to convey any passenger to a destination other than the
12 one directed by the passenger.

13 (c) Take a longer route to the passenger's destination than is necessary,
14 unless specifically requested to do so by the passenger.

15 (d) Fail to comply with the reasonable and lawful requests of the passenger
16 as to speed of travel and route to be taken.

17 3. A driver shall not, at the time the driver picks up a passenger, refuse or
18 neglect to provide transportation services to any orderly passenger unless the
19 driver can demonstrate to the satisfaction of the Commission that:

20 (a) The driver has good reason to fear for the driver's personal safety; or

21 (b) The driver is prohibited by law or regulation from carrying the person
22 requesting transportation services.

23 Sec. 39. 1. A driver is prohibited from consuming, using or being under
24 the influence of any intoxicating liquor or controlled substance during any
25 period in which the driver is providing transportation services on behalf of the
26 transportation network company and any period in which the driver is logged into
27 the digital network or software application service of the transportation network
28 company and available to receive requests for transportation services but is not
29 providing transportation services.

30 2. Each transportation network company shall:

31 (a) Provide notice of the provisions of subsection 1:

32 (1) On an Internet website maintained by the company; or

33 (2) Within the digital network or software application service of the
34 company; and

35 (b) Provide for the submission to the company of a complaint by a passenger
36 who reasonably believes that a driver is operating a motor vehicle in violation of
37 the provisions of subsection 1.

38 3. Upon receipt of a complaint submitted by a passenger who reasonably
39 believes that a driver is operating a motor vehicle in violation of the provisions of
40 subsection 1, a transportation network company shall immediately suspend the
41 access of the driver to the digital network or software application service of the
42 company and conduct an investigation of the complaint. The company shall not
43 allow the driver to access the digital network or software application service of
44 the company or provide transportation services in affiliation with the company
45 until after the investigation is concluded.

46 4. If a transportation network company determines, pursuant to an
47 investigation conducted pursuant to subsection 3, that a driver has violated the
48 provisions of subsection 1, the company shall terminate the agreement entered
49 into with the driver and shall not allow the driver to access the digital network or
50 software application service of the company.

51 5. Each transportation network company shall maintain a record of each
52 complaint described in subsection 3 and received by the company for a period of
53 not less than 3 years after the date on which the complaint is received. The record

1 must include, without limitation, the name of the driver, the date on which the
2 complaint was received, a summary of the investigation conducted by the
3 company and the results of the investigation.

4 Sec. 40. 1. Except as otherwise provided in this section, a transportation
5 network company shall not disclose to any person the personally identifiable
6 information of a passenger who received services from the company unless:

7 (a) The disclosure is otherwise required by law;

8 (b) The company determines that disclosure is required to protect or defend
9 the terms of use of the services or to investigate violations of those terms of use;
10 or

11 (c) The passenger consents to the disclosure.

12 2. A transportation network company may disclose to a driver the name and
13 telephone number of a passenger for the purposes of facilitating correct
14 identification of the passenger and facilitating communication between the driver
15 and the passenger.

16 Sec. 41. 1. Each transportation network company shall:

17 (a) Provide notice of the contact information of the Division of Consumer
18 Complaint Resolution of the Commission on an Internet website maintained by
19 the company or within the digital network or software application service of the
20 company; and

21 (b) Create a system to receive and address complaints from consumers which
22 is available during normal business hours in this State.

23 2. The Division of Consumer Complaint Resolution of the Commission
24 shall accept, promptly investigate and attempt to resolve each complaint
25 submitted to the Division by a person who alleges that a transportation network
26 company or driver has violated the provisions of this chapter.

27 3. The Commission shall adopt regulations to establish procedures for
28 investigating a complaint, holding a hearing and imposing disciplinary action,
29 including, without limitation, the imposition of the penalties described in section
30 42 of this act, for a violation of this chapter.

31 Sec. 42. 1. If the Commission determines that a transportation network
32 company or driver has violated the terms of a permit issued pursuant to this
33 chapter or any provision of this chapter or any regulations adopted pursuant
34 thereto, the Commission may, depending on whether the violation was committed
35 by the company, the driver, or both:

36 (a) Suspend or revoke the permit issued to the transportation network
37 company;

38 (b) Impose against the transportation network company an administrative
39 fine in an amount not to exceed \$100,000 per violation;

40 (c) Prohibit a person from operating as a driver; or

41 (d) Impose any combination of the penalties provided in paragraphs (a), (b)
42 and (c).

43 2. To determine the amount of an administrative fine imposed pursuant to
44 paragraph (b) or (d) of subsection 1, the Commission shall consider:

45 (a) The size of the transportation network company;

46 (b) The severity of the violation;

47 (c) Any good faith efforts by the transportation network company to remedy
48 the violation;

49 (d) The history of previous violations by the transportation network
50 company; and

51 (e) Any other factor that the Commission determines to be relevant.

1 3. Notwithstanding the provisions of NRS 193.170, a person who violates
2 any provision of sections 15 to 46, inclusive, of this act is not subject to any
3 criminal penalty for such a violation.

4 Sec. 43. 1. Except as otherwise provided in subsection 2, the provisions of
5 this chapter do not exempt any person from any law governing the operation of a
6 motor vehicle upon the highways of this State.

7 2. A transportation network company which holds a valid permit issued by
8 the Commission pursuant to this chapter, a driver who has entered into an
9 agreement with such a company and a vehicle operated by such a driver are
10 exempt from:

11 (a) The provisions of chapter 706 of NRS; and

12 (b) The provisions of chapter 704 relating to public utilities,

13 to the extent that the services provided by the company or driver are within the
14 scope of the permit.

15 Sec. 44. 1. Except as otherwise provided in subsection 2, a local
16 governmental entity shall not:

17 (a) Impose any tax or fee on a transportation network company operating
18 within the scope of a valid permit issued by the Commission pursuant to this
19 chapter, a driver who has entered into an agreement with such a company or a
20 vehicle operated by such a driver or for transportation services provided by such
21 a driver.

22 (b) Require a transportation network company operating within the scope of
23 a valid permit issued by the Commission pursuant to this chapter to obtain from
24 the local government any certificate, license or permit to operate within that
25 scope or require a driver who has entered into an agreement with such a
26 company to obtain from the local government any certificate, license or permit to
27 provide transportation services.

28 (c) Impose any other requirement upon a transportation network company or
29 a driver which is not of general applicability to all persons who operate a motor
30 vehicle within the jurisdiction of the local government.

31 2. Nothing in this section:

32 (a) Prohibits a local governmental entity from requiring a transportation
33 network company or driver to obtain from the local government a business
34 license or to pay any business license fee in the same manner that is generally
35 applicable to any other business that operates within the jurisdiction of the local
36 government.

37 (b) Prohibits an airport or its governing body from requiring a transportation
38 network company or a driver to:

39 (1) Obtain a permit or certification to operate at the airport;

40 (2) Pay a fee to operate at the airport; or

41 (3) Comply with any other requirement to operate at the airport.

42 (c) Exempts a vehicle operated by a driver from any tax imposed pursuant to
43 NRS 354.705, 371.043 or 371.045.

44 3. The provisions of this chapter do not exempt any person from the
45 requirement to obtain a state business license issued pursuant to chapter 76 of
46 NRS.

47 Sec. 45. 1. Each transportation network company shall provide to the
48 Commission reports containing information relating to motor vehicle accidents
49 involving drivers affiliated with the company which occurred in this State while
50 the driver was providing transportation services or logged into the digital network
51 or software application service of the company and available to receive requests
52 for transportation services. The reports required by this subsection must contain
53 the information identified in subsection 2 and be submitted:

1 (a) For all accidents that occurred during the first 6 months that the
2 company operates within this State, on or before the date 7 months after the
3 company was issued a permit.

4 (b) For all accidents that occurred during the first 12 months that the
5 company operates within this State, on or before the date 13 months after the
6 company was issued a permit.

7 2. The reports submitted pursuant to subsection 1 must include, for the
8 period of time specified in subsection 1:

9 (a) The number of motor vehicle accidents which occurred in this state
10 involving such a driver;

11 (b) The highest, lowest and average amount paid for bodily injury or death to
12 one or more persons that occurred as a result of such an accident; and

13 (c) The highest, lowest and average amount paid for damage to property that
14 occurred as a result of such an accident.

15 3. The Commission shall collect the reports submitted by transportation
16 network companies pursuant to subsection 1 and determine whether the limits of
17 coverage required pursuant to section 10 of this act are sufficient. The
18 Commission shall submit a report stating whether the limits of coverage required
19 pursuant to section 10 of this act are sufficient and containing the information,
20 in an aggregated format which does not reveal the identity of any person,
21 submitted by transportation network companies pursuant to subsection 1 since
22 the last report of the Commission pursuant to this subsection:

23 (a) To the Legislative Commission on or before December 1 of each odd-
24 numbered year.

25 (b) To the Director of the Legislative Counsel Bureau for transmittal to the
26 Nevada Legislature on or before December 1 of each even-numbered year.

27 Sec. 46. The Commission shall adopt such regulations as are necessary to
28 carry out the provisions of this chapter.

29 Sec. 47. NRS 703.150 is hereby amended to read as follows:

30 703.150 The Commission shall supervise and regulate the operation and
31 maintenance of public utilities and other persons named and defined in chapters
32 704, 704A and 708 of NRS and sections 15 to 46, inclusive, of this act pursuant to
33 the provisions of those chapters.

34 Sec. 48. NRS 703.164 is hereby amended to read as follows:

35 703.164 1. The Commission may employ, or retain on a contract basis, legal
36 counsel who shall:

37 (a) Except as otherwise provided in subsection 2, be counsel and attorney for
38 the Commission in all actions, proceedings and hearings.

39 (b) Prosecute in the name of the Commission all civil actions for the
40 enforcement of NRS 702.160 and 702.170 and chapters 704, 704A, 704B, 705 and
41 708 of NRS and sections 15 to 46, inclusive, of this act and for the recovery of any
42 penalty or forfeiture provided for therein.

43 (c) Generally aid the Commission in the performance of its duties and the
44 enforcement of NRS 702.160 and 702.170 and chapters 704, 704A, 704B, 705 and
45 708 of NRS and sections 15 to 46, inclusive, of this act.

46 2. Each district attorney shall:

47 (a) Prosecute any violation of chapter 704, 704A, 705, 708 or 711 of NRS for
48 which a criminal penalty is provided and which occurs in the district attorney's
49 county.

50 (b) Aid in any investigation, prosecution, hearing or trial held under the
51 provisions of chapter 704, 704A, 705, 708 or 711 of NRS and, at the request of the
52 Commission or its legal counsel, act as counsel and attorney for the Commission.

1 3. The Attorney General shall, if the district attorney fails or refuses to do so,
2 prosecute all violations of the laws of this state by public utilities under the
3 jurisdiction of the Commission and their officers, agents and employees.

4 4. The Attorney General is not precluded from appearing in or moving to
5 intervene in any action and representing the interest of the State of Nevada in any
6 action in which the Commission is a party and is represented by independent
7 counsel.

8 **Sec. 49. NRS 703.380 is hereby amended to read as follows:**

9 703.380 1. Unless another administrative fine is specifically provided, a
10 person, including, without limitation, a public utility, alternative seller, provider of
11 discretionary natural gas service, provider of new electric resources or holder of
12 any certificate of registration, license or permit issued by the Commission, or any
13 officer, agent or employee of a public utility, alternative seller, provider of
14 discretionary natural gas service, provider of new electric resources or holder of
15 any certificate of registration, license or permit issued by the Commission who:

16 (a) Violates any applicable provision of this chapter or chapter 704, 704B, 705
17 or 708 of NRS, **or sections 15 to 46, inclusive, of this act,** including, without
18 limitation, the failure to pay any applicable tax, fee or assessment;

19 (b) Violates any rule or regulation of the Commission; or

20 (c) Fails, neglects or refuses to obey any order of the Commission or any order
21 of a court requiring compliance with an order of the Commission,
22 is liable for an administrative fine, to be assessed by the Commission after notice
23 and the opportunity for a hearing, in an amount not to exceed \$1,000 per day for
24 each day of the violation and not to exceed \$100,000 for any related series of
25 violations.

26 2. In determining the amount of the administrative fine, the Commission shall
27 consider the appropriateness of the fine to the size of the business of the person
28 charged, the gravity of the violation, the good faith of the person charged in
29 attempting to achieve compliance after notification of a violation and any repeated
30 violations committed by the person charged.

31 3. An administrative fine assessed pursuant to this section is not a cost of
32 service of a public utility and may not be included in any new application by a
33 public utility for a rate adjustment or rate increase.

34 4. All money collected by the Commission as an administrative fine pursuant
35 to this section must be deposited in the State General Fund.

36 5. The Commission may bring an appropriate action in its own name for the
37 collection of any administrative fine that is assessed pursuant to this section. A
38 court shall award costs and reasonable attorney's fees to the prevailing party in an
39 action brought pursuant to this subsection.

40 6. The administrative fine prescribed by this section is in addition to any other
41 remedies, other than a monetary fine, provided by law, including, without
42 limitation, the authority of the Commission to revoke a certificate of public
43 convenience and necessity, license or permit pursuant to NRS 703.377.

44 **Sec. 50. Chapter 706 of NRS is hereby amended by adding thereto the**
45 **provisions set forth as sections 51, 52 and 53 of this act.**

46 **Sec. 51. 1. Except as otherwise provided in subsection 2 and in addition**
47 **to any other fee or assessment imposed pursuant to this chapter, an excise tax is**
48 **hereby imposed on the connection, whether by dispatch or other means, made by**
49 **a common motor carrier of a passenger to a person or operator willing to**
50 **transport the passenger at the rate of 3 percent of the total fare charged for the**
51 **transportation, which must include, without limitation, all fees, surcharges,**
52 **technology fees, convenience charges for the use of a credit or debit card and any**
53 **other amount that is part of the fare. The Authority shall charge and collect from**

1 each common motor carrier of passengers the excise tax imposed by this
2 subsection.

3 2. The provisions of subsection 1 do not apply to an airport transfer service.

4 3. The excise tax collected by the Authority pursuant to subsection 1 must
5 be deposited with the State Treasurer in accordance with the provisions of section
6 53 of this act.

7 4. As used in this section, "airport transfer service" means the
8 transportation of passengers and their baggage in the same vehicle, except by
9 taxicab, for a per capita charge between airports or between an airport and points
10 and places in this State. The term does not include charter services by bus,
11 charter services by limousine, scenic tours or special services.

12 Sec. 52. 1. Except as otherwise provided in subsection 2 and in addition
13 to any other fee or assessment imposed pursuant to this chapter, an excise tax is
14 hereby imposed on the connection, whether by dispatch or other means, made by
15 a certificate holder of a passenger to a taxicab willing to transport the passenger
16 at the rate of 3 percent of the total fare charged for the transportation, which
17 must include, without limitation, all fees, surcharges, technology fees,
18 convenience charges for the use of a credit or debit card and any other amount
19 that is part of the fare. The Taxicab Authority shall charge and collect from each
20 certificate holder the excise tax imposed by this subsection.

21 2. The excise tax collected by the Taxicab Authority pursuant to subsection
22 1 must be deposited with the State Treasurer in accordance with the provisions of
23 section 53 of this act.

24 Sec. 53. The State Treasurer shall deposit any money the State Treasurer
25 receives from the Public Utilities Commission of Nevada pursuant to section 28
26 of this act, the Authority pursuant to section 51 of this act and the Taxicab
27 Authority pursuant to section 52 of this act:

28 1. For the first \$5,000,000 of the combined amount of such money received
29 in each biennium, for credit to the State Highway Fund.

30 2. For any additional amount of such money received in each fiscal year,
31 for credit to the State General Fund.

32 Sec. 54. NRS 706.881 is hereby amended to read as follows:

33 706.881 1. The provisions of NRS 706.8811 to 706.885, inclusive, and
34 section 52 of this act apply to any county:

35 (a) Whose population is 700,000 or more; or

36 (b) For whom regulation by the Taxicab Authority is not required, if the board
37 of county commissioners of the county has enacted an ordinance approving the
38 inclusion of the county within the jurisdiction of the Taxicab Authority.

39 2. Upon receipt of a certified copy of such an ordinance from a county for
40 whom regulation by the Taxicab Authority is not required, the Taxicab Authority
41 shall exercise its regulatory authority pursuant to NRS 706.8811 to 706.885,
42 inclusive, within that county.

43 3. Within any such county, the provisions of this chapter which confer
44 regulatory authority over taxicab motor carriers upon the Nevada Transportation
45 Authority do not apply.

46 Sec. 55. 1. The Public Utilities Commission of Nevada shall investigate
47 and compare the efficacy, efficiency and effect on public safety of background
48 checks performed pursuant to paragraph (b) of subsection 2 of section 30 of
49 this act and background checks performed by submitting the fingerprints of a
50 person by the Central Repository for Nevada Records of Criminal History to
51 the Federal Bureau of Investigation for its report.

1 2. The Public Utilities Commission of Nevada shall, on or before the date
2 6 months after the effective date of this section, report the results of its
3 investigation to the Legislative Commission.

4 Sec. 56. 1. Notwithstanding any regulation adopted by the Public
5 Utilities Commission of Nevada pursuant to sections 15 to 46, inclusive, of this
6 act, a transportation network company, as defined in section 18 of this act,
7 which is issued a permit by the Public Utilities Commission of Nevada
8 pursuant to section 26 of this act on or before July 1, 2017, may commence
9 operations in this State immediately upon being issued a permit.

10 2. Notwithstanding the effective date of any regulation adopted by the
11 Public Utilities Commission of Nevada pursuant to sections 15 to 46, inclusive,
12 of this act on or before July 1, 2017, a transportation network company must
13 not be required to comply with the provisions of the regulation until 30 days
14 after the regulation is filed with the Secretary of State.

15 Sec. 57. The provisions of subsection 1 of NRS 218D.380 do not apply to
16 any provision of this act which adds or revises a requirement to submit a
17 report to the Legislature.

18 Sec. 58. 1. This section and sections 2 to 50, inclusive, and 53 to 57,
19 inclusive, of this act become effective upon passage and approval.

20 2. Sections 51 and 52 of this act become effective on the 90th day after the
21 effective date described in subsection 1.

22 3. Section 1 of this act becomes effective on October 1, 2015.