

Amendment No. 943

Assembly Amendment to Senate Bill No. 226 First Reprint (BDR 58-486)

Proposed by: Assemblyman Carrillo

Amendment Box: Replaces Amendment No. 831.

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

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.

DLJ/JRS



Date: 5/25/2017

S.B. No. 226—Revises provisions relating to transportation network companies. (BDR 58-486)



SENATE BILL NO. 226—COMMITTEE ON
COMMERCE, LABOR AND ENERGY

FEBRUARY 28, 2017

Referred to Committee on Commerce, Labor and Energy

SUMMARY—Revises provisions relating to transportation network companies.
(BDR 58-486)

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

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

AN ACT relating to transportation network companies; authorizing an independent contractor who leases a taxicab to use the taxicab in accordance with an agreement with a transportation network company; requiring a driver to ~~provide to a transportation network company certain information relating to his or her state business registration; requiring a transportation network company to terminate an agreement with a driver who fails to comply with the requirement to provide such information to the company;~~ obtain a driver’s permit before providing transportation services in affiliation with a transportation network company; revising requirements for a motor vehicle operated by a driver to provide transportation services; requiring the Nevada Transportation Authority to provide certain information to the Secretary of State for the purpose of enforcing the provisions of law governing ~~the~~ a state business registration; license; providing for the confidentiality of the information provided to the Secretary of State; revising requirements for transportation network company insurance; and providing other matters properly relating thereto.

Legislative Counsel’s Digest:

Existing law authorizes the holder of a certificate of public convenience and necessity to lease a taxicab to an independent contractor, who may only use the taxicab in a manner authorized by the certificate. (NRS 706.88396) Section 1.2 of this bill expands existing law by authorizing the independent contractor to use the taxicab to provide transportation services pursuant to an agreement with a transportation network company. Sections 1.1 and 1.6-1.9 of this bill make conforming changes.

Existing law authorizes a transportation network company to enter into an agreement with one or more drivers to receive connections to potential passengers using the digital network or software application service of the company under certain circumstances. (NRS 706A.160) **Section 2** of this bill requires a driver ~~affiliated with a transportation network company to provide verification to the transportation network company that the driver holds a valid state~~

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12 ~~business registration: (1) not later than 6 months after the driver is allowed to receive~~
13 ~~connections to potential passengers pursuant to the agreement with the company; and (2)~~
14 ~~annually thereafter on or before the anniversary date of that agreement. Under section 2, the~~
15 ~~verification may consist of providing to the company the business identification number~~
16 ~~assigned to the driver by the Secretary of State upon issuance of a state business registration.~~
17 ~~Finally, section 2 requires a transportation network company to terminate an agreement with a~~
18 ~~driver who fails to provide verification that he or she holds a valid state business registration~~
19 ~~as required by section 2.)~~ to obtain a driver's permit from the Nevada Transportation
20 Authority before providing transportation services in affiliation with a transportation
21 network company in a manner generally consistent with the requirement to obtain such
22 a permit for persons who drive a motor vehicle for a taxicab motor carrier. (NRS
23 706.462) Sections 1.4 and 1.5 of this bill make conforming changes.

24 Existing law imposes certain requirements upon a motor vehicle operated by a
25 driver to provide transportation services. (NRS 706A.180) Section 2.1 of this bill
26 requires such a vehicle to be registered in the name of the driver or, if operated pursuant
27 to a lease authorized by section 1.2, the name of the lessor. Section 2.1 further requires
28 such a vehicle to have the name or logo of each transportation network company with
29 which the driver is affiliated marked or otherwise attached to the front and rear of the
30 vehicle. Finally, section 2.1 requires such a vehicle to have a vehicle permit issued by the
31 Nevada Transportation Authority affixed to the vehicle.

32 Existing law requires a transportation network company to maintain certain records
33 relating to the business of the company and to make those records available for inspection by
34 the Nevada Transportation Authority as necessary to investigate complaints. (NRS 706A.230)
35 Section 2.3 of this bill requires the Authority to provide to the Secretary of State the name of
36 each driver affiliated with a transportation network company and such other information as
37 the Secretary of State deems necessary to enforce existing law relating to a state business
38 ~~registration.)~~ license. Under section 2.3, the Secretary of State and any employee of the
39 Secretary of State is required to keep such information confidential to the same extent that the
40 Authority is required to keep the information confidential.

41 Existing law establishes certain requirements for transportation network company
42 insurance coverage against tort liabilities that must be continuously provided by a driver
43 or transportation network company, which vary depending on the activities of the
44 driver. (NRS 690B.470) Section 2.5 of this bill revises these requirements to instead
45 require that: (1) coverage in an amount of not less than \$1,500,000 for bodily injury or
46 death of one or more persons and injury to or destruction of property of others in any
47 one accident or motor vehicle crash must be provided during any period in which the
48 driver is providing transportation services; and (2) coverage in an amount not less than
49 \$300,000 for bodily injury or death of one or more persons and injury to or destruction
50 of property of others in any one accident or motor vehicle crash must be provided
51 during any period in which the driver is logged into the digital network or software
52 application service of the transportation network company and available to receive
53 requests for transportation services but is not otherwise providing transportation
54 services.

55 Under ~~section 2.7.)~~ 2.9 of this bill, any driver who ~~has an agreement)~~ provides
56 transportation services in affiliation with a transportation network company ~~that is in effect~~
57 ~~on October 1, 2017,~~ on or before July 1, 2017, ~~is required to provide the first verification that he or~~
58 ~~she holds a valid state business registration on or before the anniversary date of his or her~~
59 ~~registration.)~~ may continue to do so without obtaining a driver's permit until October 1,
60 2017.

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

1 **Section 1.** (Deleted by amendment.)

2 **Sec. 1.1.** NRS 706.759 is hereby amended to read as follows:

1 706.759 1. ~~+~~ Except as otherwise provided in subsection 3, a person who
2 drives a taxicab as an employee of a person who holds a certificate of public
3 convenience and necessity which was issued for the operation of a taxicab business
4 shall not act as a driver as defined in NRS 706A.040:

5 (a) Using the taxicab provided by his or her employer; or

6 (b) During any time for which the person receives wages from his or her
7 employer for duties which include driving a taxicab.

8 2. A person who holds a certificate of public convenience and necessity
9 which was issued for the operation of a taxicab business may terminate the
10 employment of a person who violates the provisions of subsection 1.

11 3. The provisions of subsection 1 do not apply to an independent contractor
12 who leases a taxicab pursuant to NRS 706.88396.

13 Sec. 1.2. NRS 706.88396 is hereby amended to read as follows:

14 706.88396 1. A certificate holder may, upon approval from the Taxicab
15 Authority, lease a taxicab to an independent contractor who is not a certificate
16 holder. A certificate holder may lease only one taxicab to each independent
17 contractor with whom the person enters into a lease agreement. The taxicab may be
18 used ~~only in~~ , without limitation:

19 (a) In a manner authorized by the certificate holder's certificate of public
20 convenience and necessity; +; or

21 (b) By the independent contractor to provide transportation services in
22 accordance with an agreement with a transportation network company entered
23 into pursuant to chapter 706A of NRS.

24 2. A certificate holder who enters into a lease agreement with an independent
25 contractor pursuant to this section shall submit a copy of the agreement to the
26 Taxicab Authority for its approval. The agreement is not effective until approved
27 by the Taxicab Authority.

28 3. A certificate holder who leases a taxicab to an independent contractor is
29 jointly and severally liable with the independent contractor for any violation of the
30 provisions of this chapter or the regulations adopted pursuant thereto or, if
31 applicable, chapter 706A of NRS or the regulations adopted pursuant thereto, and
32 shall ensure that the independent contractor complies with such provisions and
33 regulations.

34 4. The Taxicab Authority or any of its employees may intervene in a civil
35 action involving a lease agreement entered into pursuant to this section.

36 Sec. 1.3. Chapter 706A is hereby amended by adding thereto the
37 provisions set forth as sections 1.4 and 1.5 of this act.

38 Sec. 1.4. 1. In addition to any other requirements set forth in this
39 chapter:

40 (a) An applicant for the issuance of a driver's permit pursuant to NRS
41 706A.160 shall include the social security number of the applicant in the
42 application submitted to the Authority.

43 (b) An applicant for the issuance or renewal of a driver's permit shall submit
44 to the Authority the statement prescribed by the Division of Welfare and
45 Supportive Services of the Department of Health and Human Services pursuant
46 to NRS 425.520. The statement must be completed and signed by the applicant.

47 2. The Authority shall include the statement required pursuant to
48 subsection 1 in:

49 (a) The application or any other forms that must be submitted for the
50 issuance or renewal of the driver's permit; or

51 (b) A separate form prescribed by the Authority.

52 3. A driver's permit may not be issued or renewed by the Authority if the
53 applicant:

1 (a) Fails to submit the statement required pursuant to subsection 1; or
 2 (b) Indicates on the statement submitted pursuant to subsection 1 that the
 3 applicant is subject to a court order for the support of a child and is not in
 4 compliance with the order or a plan approved by the district attorney or other
 5 public agency enforcing the order for the repayment of the amount owed
 6 pursuant to the order.

7 4. If an applicant indicates on the statement submitted pursuant to
 8 subsection 1 that the applicant is subject to a court order for the support of a
 9 child and is not in compliance with the order or a plan approved by the district
 10 attorney or other public agency enforcing the order for the repayment of the
 11 amount owed pursuant to the order, the Authority shall advise the applicant to
 12 contact the district attorney or other public agency enforcing the order to
 13 determine the actions that the applicant may take to satisfy the arrearage.

14 Sec. 1.5. 1. If the Authority receives a copy of a court order issued
 15 pursuant to NRS 425.540 that provides for the suspension of all professional,
 16 occupational and recreational licenses, certificates and permits issued to a person
 17 who is the holder of a driver's permit, the Authority shall deem the driver's
 18 permit issued to that person to be suspended at the end of the 30th day after the
 19 date on which the court order was issued unless the Authority receives a letter
 20 issued to the holder of the driver's permit by the district attorney or other public
 21 agency pursuant to NRS 425.550 stating that the holder of the driver's permit has
 22 complied with the subpoena or warrant or has satisfied the arrearage pursuant to
 23 NRS 425.560.

24 2. The Authority shall reinstate a driver's permit that has been suspended
 25 by a district court pursuant to NRS 425.540 if the Authority receives a letter
 26 issued by the district attorney or other public agency pursuant to NRS 425.550 to
 27 the person whose driver's permit was suspended stating that the person whose
 28 driver's permit was suspended has complied with the subpoena or warrant or has
 29 satisfied the arrearage pursuant to NRS 425.560.

30 Sec. 1.6. NRS 706A.040 is hereby amended to read as follows:

31 706A.040 "Driver" means a natural person who:

32 1. Operates a motor vehicle ~~that~~ :

33 (a) That is owned ~~+~~ or leased ~~for otherwise authorized for use~~ by the person
 34 ~~+~~ and registered with the Department of Motor Vehicles in the name of the
 35 person; or

36 (b) As an independent contractor pursuant to a lease authorized by NRS
 37 706.88396; and

38 2. Enters into an agreement with a transportation network company to receive
 39 connections to potential passengers ~~and related services~~ from a transportation
 40 network company and provide transportation services to such passengers in
 41 exchange for the payment of a fee to the transportation network company.

42 Sec. 1.7. NRS 706A.075 is hereby amended to read as follows:

43 706A.075 1. Except as otherwise provided in subsection 2, the provisions of
 44 this chapter do not exempt any person from any law governing the operation of a
 45 motor vehicle upon the highways of this State.

46 2. A transportation network company which holds a valid permit issued by
 47 the Authority pursuant to this chapter, a driver who has entered into an agreement
 48 with such a company and a vehicle operated by such a driver are exempt from:

49 (a) The provisions of chapter 704 of NRS relating to public utilities; and

50 (b) ~~That~~ Except as otherwise provided in NRS 706.88396, the provisions of
 51 chapter 706 of NRS,

52 ~~to~~ to the extent that the services provided by the company or driver are within the
 53 scope of the permit.

Sec. 1.8. NRS 706A.110 is hereby amended to read as follows:

706A.110 1. A transportation network company shall not engage in business in this State unless the company holds a valid permit issued by the Authority pursuant to this chapter.

2. A driver shall not provide transportation services unless the driver and the company with which the driver is affiliated ~~holds~~ each hold a valid permit issued by the Authority pursuant to this chapter.

3. The Authority is authorized and empowered to regulate, pursuant to the provisions of this chapter, all transportation network companies and drivers who operate or wish to operate within this State. ~~The~~ Except as otherwise provided in NRS 706.8818 and 706.88396, the Authority shall not apply any provision of chapter 706 of NRS to a transportation network company or a driver who operates within the provisions of this chapter and the regulations adopted pursuant thereto.

Sec. 1.9. NRS 706A.130 is hereby amended to read as follows:

706A.130 1. Upon receipt of a completed application and upon a determination by the Authority that an applicant meets the requirements for the issuance of a permit to operate a transportation network company, the Authority shall issue to the applicant within 30 days a permit to operate a transportation network company in this State.

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

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

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

(c) ~~Does~~ Except as otherwise provided in NRS 706.88396, does not authorize a transportation network company or any driver to engage in any activity otherwise regulated pursuant to chapter 706 of NRS other than the activity authorized by this chapter.

3. Nothing in this chapter prohibits the issuance of a permit to operate a transportation network company to a person who is regulated pursuant to chapter 706 of NRS if the person submits an application pursuant to NRS 706A.120 and meets the requirements for the issuance of a permit.

Sec. 2. NRS 706A.160 is hereby amended to read as follows:

706A.160 1. A transportation network company may enter into an agreement with one or more drivers to receive connections to potential passengers from the company in exchange for the payment of a fee by the driver to the company.

2. Before a transportation network company allows a ~~person~~ driver to be connected to potential passengers using the digital network or software application service of the company pursuant to an agreement with the company, the company must ~~+~~

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

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

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

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

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

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

~~(b) At the time of application and not less than once every 2 years thereafter, ensure that the driver holds a valid driver's permit issued by the Authority pursuant to this section.~~

3. The Authority shall issue a driver's permit to each applicant who satisfies the requirements of this section. Before issuing a driver's permit, the Authority shall:

(a) Require the transportation network company with which the applicant is employed or under a contract or has an offer of employment or a contract that is contingent on the applicant obtaining a driver's permit to conduct or contract with a third party to conduct an investigation of the criminal history of the applicant, which must include, without limitation:

(1) A review of a commercially available database containing criminal records from each state which are validated using a search of the primary source of each record ~~;~~ and

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

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

~~3. A transportation network company,~~

and provide the results of such an investigation to the Authority.

(b) Require proof that the applicant has entered into an agreement with a transportation network company to provide transportation services in exchange for the payment of a fee by the applicant to the company which is contingent on the applicant obtaining a driver's permit pursuant to this section and has a valid license issued pursuant to NRS 483.340 which authorizes the applicant to drive in this State any motor vehicle that is within the scope of such an agreement.

(c) Require proof that the motor vehicle which will be operated by the applicant to provide transportation services is registered in the name of the applicant unless the applicant will operate the motor vehicle as an independent contractor pursuant to a lease authorized by NRS 706.88396.

(d) Require proof that the applicant has obtained all applicable state and local business licenses.

4. The Authority may ~~enter into an agreement with~~ refuse to issue a ~~driver's~~ driver's permit if:

(a) The applicant is not at least 19 years of age.

(b) The applicant ~~possesses a valid driver's license issued by the Department of Motor Vehicles unless the applicant is exempt from the requirement to obtain a Nevada driver's license pursuant to NRS 482.240.~~

~~(c) The applicant provides proof that the motor vehicle operated by him or her is registered with the Department of Motor Vehicles unless the applicant is exempt from the requirement to register the motor vehicle in this State pursuant to NRS 482.285.~~

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

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

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

1 ~~— (e) In the 3 years immediately preceding the date on which the application is~~
2 ~~submitted, the applicant has not been found guilty of any violation of the motor~~
3 ~~vehicle laws of this State or any traffic ordinance of any city or town, the penalty~~
4 ~~prescribed for which is a gross misdemeanor or felony.~~

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

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

13 ~~— (j) The name of the applicant does not appear in the database searched pursuant~~
14 ~~to subparagraph (2) of paragraph (b) of subsection 2.]~~

15 ~~4. A driver shall, not later than 6 months after a transportation network~~
16 ~~company allows the driver to be connected to potential passengers using the~~
17 ~~digital network or software application service of the company pursuant to an~~
18 ~~agreement with the company and annually thereafter, on or before the~~
19 ~~anniversary date of that agreement, provide to the company verification that the~~
20 ~~driver holds a valid state business registration pursuant to chapter 76 of NRS.~~
21 ~~Such verification may consist of the business identification number assigned by~~
22 ~~the Secretary of State to the driver upon compliance with the provisions of~~
23 ~~chapter 76 of NRS.~~

24 ~~5. A transportation network company shall terminate an agreement with any~~
25 ~~driver who:~~

26 ~~(a) Fails to submit to the transportation network company a change in his or~~
27 ~~her address, driver's license or motor vehicle registration within 30 days after the~~
28 ~~date of the change.~~

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

31 ~~(c) Refuses to authorize the transportation network company to obtain and~~
32 ~~review an updated complete record of his or her driving history not less than once~~
33 ~~each year and an investigation of his or her criminal history not less than once~~
34 ~~every 3 years.~~

35 ~~(d) Is determined by the transportation network company to be ineligible for an~~
36 ~~agreement pursuant to subsection 3 on the basis of any updated information~~
37 ~~received by the transportation network company.~~

38 ~~(e) Fails to comply with the provisions of subsection 4.] has been convicted~~
39 ~~of:~~

40 ~~(1) A felony, other than a sexual offense, in this State or any other~~
41 ~~jurisdiction within the 5 years immediately preceding the date of the application;~~

42 ~~(2) A felony involving any sexual offense in this State or any other~~
43 ~~jurisdiction at any time before the date of the application; or~~

44 ~~(3) A violation of NRS 484C.110 or 484C.430 or a law of any other~~
45 ~~jurisdiction that prohibits the same or similar conduct within the 3 years~~
46 ~~immediately preceding the date of the application.~~

47 ~~(c) If the Authority determines that the issuance of the driver's permit would~~
48 ~~be detrimental to public health, welfare or safety.~~

49 ~~5. A driver's permit issued pursuant to this section is valid for not longer~~
50 ~~than 3 years, but lapses if the driver ceases to have an agreement with the~~
51 ~~transportation network company identified in the application for the original or~~
52 ~~renewal permit. A driver must notify the Authority within 10 days after the lapse~~
53 ~~of a permit and obtain a new permit pursuant to this section before providing~~

1 transportation services pursuant to an agreement with a different transportation
2 network company.

3 Sec. 2.1. NRS 706A.180 is hereby amended to read as follows:

4 706A.180 1. A transportation network company shall not allow a driver to
5 be connected to potential passengers using the digital network or software
6 application service of the company if the motor vehicle operated by the driver to
7 provide transportation services:

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

10 (b) Has less than four doors.

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

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

14 (e) Is not registered with the Department of Motor Vehicles in the name of
15 the driver or, for a motor vehicle operated by a driver pursuant to a lease
16 authorized by NRS 706.88396, the name of the lessor.

17 (f) Does not have a vehicle permit described in subsection 5 affixed to the
18 motor vehicle.

19 2. A transportation network company shall ~~[inspect or]~~ cause to be inspected
20 every motor vehicle used by a driver to provide transportation services before
21 allowing the driver to use the motor vehicle to provide transportation services and
22 not less than once each year thereafter.

23 3. The inspection required by subsection 2 must include, without limitation,
24 an inspection of the foot and emergency brakes, steering, windshield, rear window,
25 other glass, windshield wipers, headlights, tail lights, turn indicator lights, braking
26 lights, front seat adjustment mechanism, doors, horn, speedometer, bumpers,
27 muffler, exhaust, tires, rear view mirrors and safety belts of the vehicle which
28 ensures the proper functioning of each component.

29 4. The motor vehicle operated by a driver must be marked with or have
30 otherwise attached to the front and rear of the motor vehicle the name or logo of
31 each transportation network company with which the driver is affiliated. The
32 name or logo of each transportation network company must be at least 3 inches
33 in height and be visible from a distance of at least 50 feet. The name or logo of
34 each transportation network company must be distinct.

35 5. The vehicle permit required pursuant to paragraph (f) of subsection 1
36 must:

37 (a) Contain the letters "TNC" and a unique number issued by the Authority.

38 (b) Identify the motor vehicle for which the vehicle permit was issued.

39 (c) Identify the driver of the motor vehicle.

40 (d) Contain such other information as the Department of Motor Vehicles
41 determines necessary.

42 Sec. 2.3. NRS 706A.230 is hereby amended to read as follows:

43 706A.230 1. A transportation network company shall maintain the
44 following records relating to the business of the company for a period of at least 3
45 years after the date on which the record is created:

46 (a) Trip records;

47 (b) Driver records and vehicle inspection records;

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

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

51 2. Each transportation network company shall make its records available for
52 inspection by the Authority upon request and only as necessary for the Authority to
53 investigate complaints. This subsection does not require a company to make any

1 proprietary information available to the Authority. ~~Any~~ *Except as otherwise*
2 *provided in subsection 3, any* records provided to the Authority are confidential
3 and must not be disclosed other than to employees of the Authority.

4 *3. The Authority shall disclose to the Secretary of State the name of each*
5 *driver and such other information as the Secretary of State determines necessary*
6 *to enforce the provisions of chapter 76 of NRS. If the Secretary of State obtains*
7 *any confidential information pursuant to this subsection, the Secretary of State,*
8 *and any employee of the Secretary of State engaged in the administration of*
9 *chapter 76 of NRS or charged with the custody of any records or files relating to*
10 *the administration of chapter 76 of NRS, shall maintain the confidentiality of*
11 *that information in the same manner and to the same extent as provided by law*
12 *for the Authority.*

13 **Sec. 2.5. NRS 690B.470 is hereby amended to read as follows:**

14 690B.470 1. Every transportation network company or driver shall
15 continuously provide, during any period in which the driver is providing
16 transportation services, transportation network company insurance provided by an
17 insurance company licensed by the Division of Insurance of the Department of
18 Business and Industry and approved to do business in this State or a broker licensed
19 pursuant to chapter 685A of NRS or procured directly from a nonadmitted insurer,
20 as defined in NRS 685A.0375:

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

25 (b) In an amount of not less than ~~150,000~~ \$300,000 for bodily injury to or
26 death of one person or more persons and injury to or destruction of property of
27 others in any one accident or motor vehicle crash that occurs while the driver is
28 logged into the digital network or software application service of the transportation
29 network company and available to receive requests for transportation services but is
30 not otherwise providing transportation services. ~~+~~

31 ~~— (c) Subject to the minimum amount for one person required by paragraph (b),~~
32 ~~in an amount of not less than \$100,000 for bodily injury to or death of two or more~~
33 ~~persons in any one accident or motor vehicle crash that occurs while the driver is~~
34 ~~logged into the digital network or software application service of the transportation~~
35 ~~network company and available to receive requests for transportation services but is~~
36 ~~not otherwise providing transportation services; and~~

37 ~~— (d) In an amount of not less than \$25,000 for injury to or destruction of~~
38 ~~property of others in any one accident or motor vehicle crash that occurs while the~~
39 ~~driver is logged into the digital network or software application service of the~~
40 ~~transportation network company and available to receive requests for transportation~~
41 ~~services but is not otherwise providing transportation services.]~~

42 ~~↪ for the payment of tort liabilities arising from the maintenance or use of the~~
43 ~~motor vehicle.~~

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

47 3. Every transportation network company shall continuously provide, during
48 any period in which the driver is ~~providing transportation services.]~~ logged into
49 the digital network or software application service of the transportation network
50 company and available to receive requests for transportation services,
51 transportation network company insurance provided by an insurance company
52 licensed by the Division of Insurance of the Department of Business and Industry
53 and approved to do business in this State or a broker licensed pursuant to chapter

1 685A of NRS or procured directly from a nonadmitted insurer, as defined in NRS
2 685A.0375, which meets the requirements of subsection 1 as primary insurance if
3 the insurance provided by the driver:

4 (a) Lapses; or

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

6 4. Notwithstanding the provisions of NRS 485.185 and 485.186 which require
7 the owner or operator of a motor vehicle to provide insurance, transportation
8 network company insurance shall be deemed to satisfy the requirements of NRS
9 485.185 or 485.186, as appropriate, regardless of whether the insurance is provided
10 by the transportation network company or the driver, or both, if the transportation
11 network company insurance otherwise satisfies the requirements of NRS 485.185
12 or 485.186, as appropriate.

13 5. In addition to the coverage required pursuant to subsection 1, a policy of
14 transportation network company insurance may include additional coverage,
15 including, without limitation, coverage for medical payments, coverage for
16 uninsured or underinsured motorists, comprehensive coverage and collision
17 coverage.

18 6. An insurer who provides transportation network company insurance shall
19 not require a policy of insurance for the operation of a motor vehicle required
20 pursuant to NRS 485.185 or 485.186, as appropriate, to deny a claim before the
21 transportation network company insurance provides coverage for a claim.

22 7. An insurer who provides transportation network company insurance has a
23 duty to defend and indemnify the driver and the transportation network company.

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

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

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

30 9. A transportation network company that provides transportation network
31 company insurance for a motor vehicle is not deemed to be the owner of the motor
32 vehicle.

33 ~~Sec. 2.7. 1. Notwithstanding the provisions of NRS 706A.160, as amended
34 by section 2 of this act, a person who, on or before October 1, 2017, entered into an
35 agreement with a transportation network company to receive connections to
36 potential passengers which is in effect on October 1, 2017, must, on or before the
37 anniversary date of the agreement, provide to the company verification that the
38 person holds a valid state business registration pursuant to chapter 76 of NRS. Such
39 verification may consist of the business identification number assigned by the
40 Secretary of State to the person entering into an agreement with the company upon
41 compliance with the provisions of chapter 76 of NRS.~~

42 ~~2. As used in this section, "transportation network company" and "company"
43 have the meaning ascribed to them in NRS 706A.050. (Deleted by amendment.)~~

44 Sec. 2.9. **1. Notwithstanding the amendatory provisions of this act, a
45 person who provides transportation services as a driver in affiliation with a
46 transportation network company on or before July 1, 2017, may continue to do
47 so without obtaining a driver's permit pursuant to NRS 706A.160, as amended
48 by section 2 of this act, until October 1, 2017.**

49 2. As used in this section:

50 (a) "Driver" has the meaning ascribed to it in NRS 706A.040.

51 (b) "Transportation network company" has the meaning ascribed to it in
52 NRS 706A.050.

1 (c) "Transportation services" has the meaning ascribed to it in NRS
2 706A.060.

3 Sec. 3. (Deleted by amendment.)

4 Sec. 4. 1. This act becomes effective on July 1, 2017.

5 2. Sections 1.4 and 1.5 of this act expire by limitation on the date on
6 which the provisions of 42 U.S.C. § 666 requiring each state to establish
7 procedures under which the state has authority to withhold or suspend, or to
8 restrict the use of professional, occupational and recreational licenses of
9 persons who:

10 (a) Have failed to comply with a subpoena or warrant relating to a
11 proceeding to determine the paternity of a child or to establish or enforce an
12 obligation for the support of a child; or

13 (b) Are in arrears in the payment for the support of one or more children,
14 ↪ are repealed by the Congress of the United States.