

**PROPOSED REGULATION OF THE TAXICAB AUTHORITY
OF THE DEPARTMENT OF BUSINESS AND INDUSTRY**

LCB File No. R103-01

September 21, 2001

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

AUTHORITY: §§1 and 2, NRS 706.8818 and 706.8833.

Section 1. Chapter 706 of NAC is hereby amended by adding thereto a new section to read as follows:

1. A certificate holder shall not:

(a) Modify the color scheme or insigne of any taxicab unless the certificate holder first secures written approval for the modification from the administrator in accordance with the provisions of this section.

(b) Operate any taxicab on which the color scheme or insigne has been modified without first securing written approval for the modification from the administrator in accordance with the provisions of this section or for which approval has been withdrawn by the administrator pursuant to this section.

2. If a certificate holder wishes to modify temporarily the color scheme or insigne of any taxicab, the certificate holder must file a written application with the administrator. The application must include:

(a) A description of the proposed temporary modification.

(b) Three colored copies or photographs of the proposed temporary modification.

(c) A description of the materials and procedures that will be used to achieve the proposed temporary modification.

(d) A copy of any written contract related to the proposed temporary modification.

(e) Any additional information that the administrator deems necessary to evaluate the application.

3. The administrator shall approve or deny an application filed pursuant to this section within 30 days after receipt of the application. If no action is taken within the 30-day period, the application shall be deemed denied.

4. The administrator may approve an application filed pursuant to this section subject to satisfaction of all the following conditions:

(a) Only the number of taxicabs equal to 20 percent or less of the total number of medallions issued to the certificate holder are temporarily modified at any given time, unless a single taxicab constitutes more than 20 percent of such taxicabs, in which case the certificate holder may temporarily modify that single taxicab. For the purposes of this paragraph, a medallion issued for a special event shall not be included when calculating the total number of medallions issued to the certificate holder.

(b) The temporary modification of the taxicab does not last for more than 6 months.

(c) The color scheme and insigne of any taxicab that is temporarily modified remains sufficiently distinct from the approved color scheme and insigne or temporary modification of another certificate holder.

(d) The information required pursuant to NRS 706.8835 remains clearly visible at all times on any taxicab that is temporarily modified.

(e) The temporary modification of the taxicab does not create a risk to the health, safety or welfare of the traveling public, as determined by the administrator.

5. If an application filed pursuant to this section is approved, not less than 7 days before the temporary modification of any taxicab, the certificate holder shall provide the administrator with the following information for the taxicab that is to be temporarily modified:

(a) The unit designation number of the taxicab.

(b) The dates on which the temporary modification of the taxicab will begin and end.

6. The administrator may withdraw the approval of the temporary modification of any taxicab if the administrator determines that:

(a) The temporary modification is not sufficiently distinct from the approved color scheme and insigne of another certificate holder;

(b) The materials used in the temporary modification have deteriorated to the extent that the color scheme or insigne is no longer neat in appearance; or

(c) The temporary modification creates a risk to the health, safety or welfare of the traveling public.

Sec. 2. NAC 706.450 is hereby amended to read as follows:

706.450 As used in NAC 706.450 to 706.975, inclusive, *and section 1 of this regulation*, unless the context otherwise requires:

1. “Administrator” means the taxicab administrator or his authorized agent.
2. “Authority” means the taxicab authority created by NRS 706.8818.
3. “Certificate” means a certificate of public convenience and necessity issued by the authority.

4. “Medallion” means the metal plate issued by the authority which is affixed to a taxicab authorizing it to be operated within the jurisdiction of the authority.

5. “Permit” means the document supplied by the authority authorizing a person to drive a taxicab within the jurisdiction of the authority for a period of 1 year.

6. “Temporary permit” means the document supplied by the authority authorizing a person to drive a taxicab within the jurisdiction of the authority for less than 1 year.

Sec. 3. This regulation expires by limitation on September 30, 2003.