

SENATE BILL NO. 430—COMMITTEE ON TRANSPORTATION

MARCH 25, 2013

Referred to Committee on Transportation

SUMMARY—Revises provisions relating to motor carriers.
(BDR 58-1072)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 carriers; requiring taxicab motor carriers in certain counties to charge, collect and remit a technology fee to the Nevada Transportation Authority; requiring operators of limousines to charge, collect and remit the technology fee to the Nevada Transportation Authority under certain circumstances; imposing a technology fee on taxicab trips in counties under the jurisdiction of the Taxicab Authority; prescribing the use of the technology fees for certain purposes; authorizing the implementation and use of a computerized real-time data system for certain purposes; and providing other matters properly relating thereto.

Legislative Counsel's Digest:

1 Under existing law, the Nevada Transportation Authority regulates common
2 motor carriers of passengers, which include limousines. In addition, in counties
3 with a population of less than 700,000 (currently all counties other than Clark
4 County), the Nevada Transportation Authority regulates taxicabs. (NRS 706.151)
5 Under existing law, the Taxicab Authority regulates taxicabs in a county whose
6 population is 700,000 or more (currently Clark County) and in any county that has,
7 by ordinance, placed itself under the jurisdiction of the Taxicab Authority.
8 (NRS 706.881)
9 This bill requires the Nevada Transportation Authority and the Taxicab
10 Authority to: (1) establish a technology fee; and (2) use the money generated by
11 the technology fees to implement certain technology to assist the agencies in
12 carrying out their duties. **Sections 7 and 14** of this bill require a taxicab motor
13 carrier to charge and collect the technology fee for each compensable trip of a
14 taxicab operated by the carrier, including a taxicab that it leases to another person.



* S B 4 3 0 R 1 *

15 **Sections 5 and 13** of this bill: (1) require the Nevada Transportation Authority and
16 the Taxicab Authority to use the money generated by the technology fees to
17 implement technological improvements in safety, reliability and efficiency,
18 including the implementation of a computerized real-time data system to assist each
19 Authority in carrying out its duties; and (2) prescribe certain technical
20 specifications for the computerized real-time data system implemented by those
21 agencies. **Section 18** of this bill requires the Nevada Transportation Authority and
22 the Taxicab Authority to: (1) commence the process of implementing the
23 computerized real-time data system not later than October 1, 2013; and (2) on or
24 before February 1, 2015, submit a report to the Director of the Legislative Counsel
25 Bureau for transmittal to the 78th Session of the Legislature that describes the
26 implementation and operations of the computerized real-time data system.

27 **Sections 2 and 3** of this bill provide for the use of the computerized real-time
28 data system by common motor carriers to provide public cooperative dispatch and
29 electronic hailing services in certain counties. **Sections 2 and 3**: (1) authorize a
30 holder of a certificate of public convenience and necessity to apply to the agency
31 regulating the certificate holder for authorization to use the computerized real-time
32 data system to provide these services in certain counties; and (2) require the Nevada
33 Transportation Authority and the Taxicab Authority to authorize such use. **Sections**
34 **2 and 3** further require the Nevada Transportation Authority and the Taxicab
35 Authority to: (1) authorize certificate holders who use the computerized real-time
36 data system to provide public cooperative dispatch and electronic hailing services
37 to impose a reasonable charge for the use of the system by a passenger; and (2)
38 establish by regulation or order requirements for the publication of that charge.
39 Under **section 6** of this bill, if an operator of a limousine uses the computerized
40 real-time data system to provide cooperative dispatch and electronic hailing
41 services, the operator is required to charge, collect and remit the technology fee
42 imposed under this bill for each compensable limousine trip within a county whose
43 population is 700,000 or more (currently Clark County).

44 **Sections 11 and 15** of this bill authorize: (1) the Taxicab Authority to use the
45 computerized real-time data system to verify the validity of temporary or
46 permanent medallions issued by the Taxicab Authority; and (2) the use of the
47 computerized electronic real-time data system to keep an electronic version of the
48 daily trip sheet of drivers of taxicabs.

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

1 **Section 1.** Chapter 706 of NRS is hereby amended by adding
2 thereto the provisions set forth as sections 2 and 3 of this act.

3 **Sec. 2. 1.** *In a county whose population is 700,000 or more,*
4 *upon application by a holder of a certificate of public convenience*
5 *and necessity, the Authority shall authorize the certificate holder*
6 *to use the computerized real-time data system for the purposes of*
7 *offering cooperative dispatch and electronic hailing services to the*
8 *public.*

9 **2.** *If two or more holders of a certificate of convenience and*
10 *public necessity apply to the Authority to use the computerized*
11 *real-time data system for the purposes set forth in subsection 1, the*
12 *Authority must establish, by regulation or order, rules providing*



1 *for the use of the computerized real-time data system by two or*
2 *more holders of a certificate of convenience and public necessity*
3 *for the purposes set forth in subsection 1.*

4 3. *The Authority shall:*

5 (a) *Authorize the holders of a certificate of public convenience*
6 *and necessity who are authorized to use the computerized real-*
7 *time data system for the purposes set forth in subsection 1 to*
8 *impose a reasonable charge for the use of the computerized real-*
9 *time data system by a passenger. The charge:*

10 (1) *Must be separate from any other rate, fare or charge for*
11 *service;*

12 (2) *Is not required to be uniform within a county; and*

13 (3) *May be assessed in accordance with a schedule of*
14 *charges based upon factors approved by the Authority.*

15 (b) *Establish, by regulation or order, requirements for the*
16 *publication by holders of a certificate of public convenience and*
17 *necessity of the charge or the schedule of charges for the use by a*
18 *passenger of the computerized real-time data system for the*
19 *purposes set forth in subsection 1.*

20 4. *As used in this section, "computerized real-time data*
21 *system" means the computerized real-time data system*
22 *implemented by the Authority pursuant to subsection 3 of*
23 *NRS 706.1516.*

24 **Sec. 3.** 1. *Upon application by a certificate holder, the*
25 *Taxicab Authority shall authorize the certificate holder to use the*
26 *computerized real-time data system for the purposes of offering*
27 *cooperative dispatch and electronic hailing services for taxicabs to*
28 *the public.*

29 2. *If two or more certificate holders apply to the Taxicab*
30 *Authority to use the computerized real-time data system for the*
31 *purposes set forth in subsection 1, the Taxicab Authority must*
32 *establish, by regulation or order, rules providing for the use of the*
33 *computerized real-time data system by two or more certificate*
34 *holders for the purposes set forth in subsection 1.*

35 3. *The Taxicab Authority shall:*

36 (a) *Authorize the certificate holders who are authorized to use*
37 *the computerized real-time data system for the purposes set forth*
38 *in subsection 1 to impose a reasonable charge for the use by a*
39 *passenger of the computerized real-time data system. The charge:*

40 (1) *Must be separate from any other rate, fare or charge for*
41 *taxicab service;*

42 (2) *Is not required to be uniform within a county; and*

43 (3) *May be assessed in accordance with a schedule of*
44 *charges based upon factors approved by the Taxicab Authority.*



* S B 4 3 0 R 1 *

1 ***(b) Establish, by regulation or order, requirements for the***
2 ***publication by certificate holders of the charge or the schedule of***
3 ***charges for the use by a passenger of the computerized real-time***
4 ***data system for the purposes set forth in subsection 1.***

5 ***4. As used in this section, "computerized real-time data***
6 ***system" means the computerized real-time data system***
7 ***implemented by the Taxicab Authority pursuant to subsection 4 of***
8 ***NRS 706.8825.***

9 **Sec. 4.** NRS 706.011 is hereby amended to read as follows:

10 706.011 As used in NRS 706.011 to 706.791, inclusive, ***and***
11 ***section 2 of this act***, unless the context otherwise requires, the
12 words and terms defined in NRS 706.013 to 706.146, inclusive,
13 have the meanings ascribed to them in those sections.

14 **Sec. 5.** NRS 706.1516 is hereby amended to read as follows:

15 706.1516 1. The Nevada Transportation Authority
16 Regulatory Account is hereby created in the State General Fund. All
17 money collected by the Authority pursuant to law must be deposited
18 with the State Treasurer for credit to the Account.

19 2. ~~Money~~ ***Except as otherwise provided in subsection 3,***
20 ***money*** in the Account may be used only to defray the costs of:

21 (a) Maintaining staff and equipment needed to regulate
22 adequately persons subject to the jurisdiction of the Authority.

23 (b) Participating in all proceedings relevant to the jurisdiction of
24 the Authority.

25 (c) Audits, inspections, investigations, publication of notices,
26 reports and retaining consultants connected with that maintenance
27 and participation.

28 (d) The salaries, travel expenses and subsistence allowances of
29 the members of the Authority.

30 3. ***All money collected by the Authority pursuant to***
31 ***subsection 2 of NRS 706.465 and subsection 4 of NRS 706.471***
32 ***must be used to implement technological improvements in safety,***
33 ***reliability and efficiency within a county whose population is***
34 ***700,000 or more, including, without limitation, the***
35 ***implementation of a computerized real-time data system to assist***
36 ***with the administration and enforcement of the provisions of NRS***
37 ***706.011 to 706.791, inclusive, and section 2 of this act. A***
38 ***computerized real-time data system implemented pursuant to this***
39 ***subsection must, at a minimum, satisfy the following criteria:***

40 ***(a) While a vehicle is in service within the jurisdiction of the***
41 ***Authority, the system must be capable of collecting in real-time***
42 ***from the onboard computer of the vehicle, by wireless access***
43 ***through the onboard diagnostic port or other means, the vehicle***
44 ***identification number and the operating and telemetric data for***
45 ***the vehicle.***



1 (b) While a vehicle is in service within the jurisdiction of the
2 Authority, the system must be capable of collecting in real-time,
3 from an onboard diagnostic device capable of using a global
4 positioning system that is installed in the vehicle or any other
5 onboard computer software system capable of using a global
6 positioning system that is installed in the vehicle, the location of
7 the vehicle by latitude and longitude, a record of the time at which
8 the vehicle is at that location and operating and telemetric data
9 for the vehicle.

10 (c) The system must be capable of allowing the operator of a
11 vehicle, while the vehicle is in service within the jurisdiction of the
12 Authority, to register in the system, at the beginning and end of
13 each shift, his or her identity and the number of his or her permit
14 or certificate of public convenience and necessity.

15 (d) The system must be capable of allowing, in a manner
16 prescribed by the Authority, a holder of a certificate of public
17 convenience and necessity to digitally associate himself or herself
18 with a vehicle for which the Authority has issued a certificate,
19 license or other authorization.

20 (e) The system must be capable of presenting, in real-time to
21 the Authority, searchable histories of the information and data
22 described in this subsection in both a format that displays the
23 information and data in tables and a digital map format that
24 displays streets and highways.

25 (f) The system must be capable of presenting to a passenger,
26 through an application on a mobile device or an interactive,
27 digital display or other onboard system in the vehicle, sufficient
28 information for the passenger to select and direct the operator of
29 the vehicle to the passenger's desired destination by the
30 passenger's desired route. The information must include, without
31 limitation, sufficient information for the passenger to:

32 (1) Select the shortest route by time or distance to the
33 passenger's desired destination;

34 (2) Select a multi-segment trip directed by the passenger;

35 (3) Select the least expensive route to the passenger's
36 desired destination; and

37 (4) Make a digital record of the passenger's selection that is
38 accessible during and after the trip by the passenger, the
39 Authority, the operator and the holder of the certificate of public
40 convenience and necessity.

41 (g) The system must be capable of presenting to the operator of
42 the vehicle, through an application on a mobile device or an
43 interactive, digital display or other onboard system in the vehicle,
44 sufficient information for the operator to:



1 (1) *Determine the shortest route by time or distance to the*
2 *passenger's desired destination and the least expensive route to*
3 *the passenger's desired destination;*

4 (2) *Follow a multi-segment, passenger-directed trip by the*
5 *least expensive route to the passenger's desired destination; and*

6 (3) *Allow the passenger to make a digital record of a*
7 *selection of a desired route to the passenger's destination that is*
8 *accessible during and after the trip by the passenger, the*
9 *Authority, the operator and the holder of the certificate of public*
10 *convenience and necessity.*

11 (h) *The system must be capable of allowing a passenger to*
12 *register comments and complaints with the Authority, the operator*
13 *of the vehicle and the holder of the certificate of public*
14 *convenience and necessity, through an application on a mobile*
15 *device or an interactive digital display screen or other onboard*
16 *system in the vehicle.*

17 (i) *The system must be capable of assisting the Authority in the*
18 *development of additional preventive measures to detect,*
19 *investigate and deter the practice of transporting a passenger to a*
20 *selected destination by a route that is more expensive than*
21 *necessary under the circumstances of the trip.*

22 (j) *The system must be capable of providing to the Authority*
23 *reliable real-time and historic information concerning service*
24 *demands, market data, vehicle usage, wait time and customer*
25 *complaints and comments.*

26 (k) *The system must be capable of allowing holders of a*
27 *certificate of convenience and public necessity to use the system to*
28 *provide cooperative dispatch and electronic hailing services to the*
29 *public pursuant to section 2 of this act.*

30 4. *The Authority shall not use the information and data*
31 *collected pursuant to paragraph (a) or (b) of subsection 3 for any*
32 *purpose other than the purposes set forth in those paragraphs*
33 *unless the Authority has adopted regulations governing the*
34 *additional use.*

35 5. *The Authority may operate the computerized real-time data*
36 *system implemented pursuant to subsection 3 or enter into an*
37 *agreement for the provision of such service. If the Authority enters*
38 *into such an agreement, the Authority shall ensure that all the*
39 *information and data collected by the computerized real-time data*
40 *system is under the control of the Authority.*

41 6. All claims against the Account must be paid as other claims
42 against the State are paid.

43 ~~4.1~~ 7. The Authority must furnish upon request a statement
44 showing the balance remaining in the Account as of the close of the
45 preceding fiscal year.



* S B 4 3 0 R 1 *

1 8. *As used in this section, “real time” means the transmission*
2 *of information at a rate no longer than once every 6 seconds,*
3 *unless the Authority authorizes a longer rate while a vehicle is*
4 *experiencing a low volume of trips.*

5 **Sec. 6.** NRS 706.465 is hereby amended to read as follows:

6 706.465 1. An operator of a limousine shall, beginning on
7 July 1, 2003, and on July 1 of each year thereafter, pay to the
8 Authority a fee of \$100 for each limousine that the Authority has
9 authorized the operator to operate.

10 2. *An operator of a limousine shall:*

11 (a) *Charge and collect a technology fee in an amount set by*
12 *the Authority for each compensable trip by a limousine that the*
13 *Authority has authorized the operator to operate, if a computerized*
14 *real-time data system is used for the purposes set forth in section 2*
15 *of this act; and*

16 (b) *Remit to the Authority, not later than the 10th day of each*
17 *month, all technology fees collected by the operator pursuant to*
18 *this subsection for the immediately preceding month.*

19 ↪ *The fee charged pursuant to this subsection may only be*
20 *charged within a county whose population is 700,000 or more, and*
21 *may be included in the operator’s tariff.*

22 3. *Any person who fails to pay any fee on or before the date*
23 *provided in this section shall pay a penalty of 10 percent of the*
24 *amount of the fee, plus interest on the amount of the fee at the*
25 *rate of 1 percent per month or fraction of a month, from the date*
26 *the fee is due until the date of payment.*

27 4. As used in this section ~~“,~~ **“limousine”** ~~:~~

28 (a) *“Computerized real-time data system” means the*
29 *computerized real-time data system implemented by the Authority*
30 *pursuant to subsection 3 of NRS 706.1516.*

31 (b) *“Limousine” includes:*

32 ~~“(a) (1)~~ A livery limousine; and

33 ~~“(b) (2)~~ A traditional limousine.

34 **Sec. 7.** NRS 706.471 is hereby amended to read as follows:

35 706.471 1. Each taxicab motor carrier shall, before
36 commencing the operation defined in NRS 706.126 and annually
37 thereafter, pay to the Authority for each taxicab which it operates,
38 including each taxicab it leases pursuant to NRS 706.473, ~~“a~~ **an**
39 **annual** fee of not more than \$75 as determined by a regulation of
40 the Authority.

41 2. The **annual** fee provided in this section must be paid on or
42 before January 1 of each year.

43 3. The ~~“initial”~~ **annual** fee must be reduced one-twelfth for
44 each month which has elapsed since the beginning of the calendar
45 year in which operation is begun.



1 4. *In addition to the annual fee provided in subsection 1,*
2 *each taxicab motor carrier shall:*

3 (a) *Charge and collect a technology fee in an amount set by*
4 *the Authority for each compensable trip by a taxicab which it*
5 *operates, including each taxicab it leases pursuant to NRS*
6 *706.473; and*

7 (b) *Remit to the Authority, not later than the 10th day of each*
8 *month, all fees collected by the operator pursuant to this*
9 *subsection for the immediately preceding month.*

10 ↪ *The fee charged pursuant to this subsection may only be*
11 *charged within a county whose population is 700,000 or more, and*
12 *may be added to the passenger fare charged as indicated on the*
13 *taximeter.*

14 5. Any person who fails to pay any fee on or before the date
15 provided in this section shall pay a penalty of 10 percent of the
16 amount of the fee , plus interest on the amount of the fee at the rate
17 of 1 percent per month or fraction of a month , from the date the fee
18 is due until the date of payment.

19 **Sec. 8.** NRS 706.756 is hereby amended to read as follows:

20 706.756 1. Except as otherwise provided in subsection 2, any
21 person who:

22 (a) Operates a vehicle or causes it to be operated in any carriage
23 to which the provisions of NRS 706.011 to 706.861, inclusive, *and*
24 *section 2 of this act* apply without first obtaining a certificate,
25 permit or license, or in violation of the terms thereof;

26 (b) Fails to make any return or report required by the provisions
27 of NRS 706.011 to 706.861, inclusive, *and section 2 of this act* or
28 by the Authority or the Department pursuant to the provisions of
29 NRS 706.011 to 706.861, inclusive ~~§~~, *and section 2 of this act*;

30 (c) Violates, or procures, aids or abets the violating of, any
31 provision of NRS 706.011 to 706.861, inclusive ~~§~~, *and section 2*
32 *of this act*;

33 (d) Fails to obey any order, decision or regulation of the
34 Authority or the Department;

35 (e) Procures, aids or abets any person in the failure to obey such
36 an order, decision or regulation of the Authority or the Department;

37 (f) Advertises, solicits, proffers bids or otherwise is held out to
38 perform transportation as a common or contract carrier in violation
39 of any of the provisions of NRS 706.011 to 706.861, inclusive ~~§~~,
40 *and section 2 of this act*;

41 (g) Advertises as providing:

42 (1) The services of a fully regulated carrier; or

43 (2) Towing services,



1 ↳ without including the number of the person's certificate of public
2 convenience and necessity or contract carrier's permit in each
3 advertisement;

4 (h) Knowingly offers, gives, solicits or accepts any rebate,
5 concession or discrimination in violation of the provisions of this
6 chapter;

7 (i) Knowingly, willfully and fraudulently seeks to evade or
8 defeat the purposes of this chapter;

9 (j) Operates or causes to be operated a vehicle which does not
10 have the proper identifying device;

11 (k) Displays or causes or permits to be displayed a certificate,
12 permit, license or identifying device, knowing it to be fictitious or to
13 have been cancelled, revoked, suspended or altered;

14 (l) Lends or knowingly permits the use of by one not entitled
15 thereto any certificate, permit, license or identifying device issued to
16 the person so lending or permitting the use thereof; or

17 (m) Refuses or fails to surrender to the Authority or Department
18 any certificate, permit, license or identifying device which has been
19 suspended, cancelled or revoked pursuant to the provisions of this
20 chapter,

21 ↳ is guilty of a misdemeanor, and upon conviction thereof shall be
22 punished by a fine of not less than \$100 nor more than \$1,000, or by
23 imprisonment in the county jail for not more than 6 months, or by
24 both fine and imprisonment.

25 2. Any person who, in violation of the provisions of NRS
26 706.386, operates as a fully regulated common motor carrier without
27 first obtaining a certificate of public convenience and necessity or
28 any person who, in violation of the provisions of NRS 706.421,
29 operates as a contract motor carrier without first obtaining a permit
30 is guilty of a misdemeanor and shall be punished:

31 (a) For a first offense within a period of 12 consecutive months,
32 by a fine of not less than \$500 nor more than \$1,000. In addition to
33 the fine, the person may be punished by imprisonment in the county
34 jail for not more than 6 months.

35 (b) For a second offense within a period of 12 consecutive
36 months and for each subsequent offense that is committed within a
37 period of 12 consecutive months of any prior offense under this
38 subsection, by a fine of \$1,000. In addition to the fine, the person
39 may be punished by imprisonment in the county jail for not more
40 than 6 months.

41 3. Any person who, in violation of the provisions of NRS
42 706.386, operates or permits the operation of a vehicle in passenger
43 service without first obtaining a certificate of public convenience
44 and necessity is guilty of a gross misdemeanor.



1 4. If a law enforcement officer witnesses a violation of any
2 provision of subsection 2 or 3, the law enforcement officer may
3 cause the vehicle to be towed immediately from the scene and
4 impounded in accordance with NRS 706.476.

5 5. The fines provided in this section are mandatory and must
6 not be reduced under any circumstances by the court.

7 6. Any bail allowed must not be less than the appropriate fine
8 provided for by this section.

9 **Sec. 9.** NRS 706.881 is hereby amended to read as follows:

10 706.881 1. The provisions of NRS 706.8811 to 706.885,
11 inclusive, *and section 3 of this act* apply to any county:

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

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

17 2. Upon receipt of a certified copy of such an ordinance from a
18 county for whom regulation by the Taxicab Authority is not
19 required, the Taxicab Authority shall exercise its regulatory
20 authority pursuant to NRS 706.8811 to 706.885, inclusive, *and*
21 *section 3 of this act* within that county.

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

25 **Sec. 10.** NRS 706.8811 is hereby amended to read as follows:

26 706.8811 As used in NRS 706.881 to 706.885, inclusive, *and*
27 *section 3 of this act*, unless the context otherwise requires, the
28 words and terms defined in NRS 706.8812 to 706.8817, inclusive,
29 have the meanings ascribed to them in those sections.

30 **Sec. 11.** NRS 706.88183 is hereby amended to read as
31 follows:

32 706.88183 1. The Taxicab Authority shall ~~establish by~~
33 ~~regulation a system for the use of radio frequency identification or~~
34 ~~other electronic means~~ *implement a system* to verify *through the*
35 *computerized real-time data system implemented pursuant to*
36 *subsection 4 of NRS 706.8825* the validity of a *temporary or*
37 *permanent* medallion ~~affixed to any taxicab within the jurisdiction~~
38 ~~of~~ *issued by* the Taxicab Authority.

39 2. As used in this section, "medallion" means the ~~metal plate~~
40 ~~issued by~~ *temporary or permanent authority to operate a taxicab*
41 *within the jurisdiction of* the Taxicab Authority ~~to be affixed to~~
42 ~~each taxicab allocated~~ *which is issued* by the Taxicab Authority ~~;~~
43 *pursuant to NRS 706.8811 to 706.885, inclusive, and section 3 of*
44 *this act.*



1 **Sec. 12.** NRS 706.8821 is hereby amended to read as follows:

2 706.8821 1. The Administrator is responsible for the control
3 and regulation of the taxicab industry in any county to which NRS
4 706.881 to 706.885, inclusive, *and section 3 of this act* apply and
5 for the administration of NRS 706.881 to 706.885, inclusive **H** ,
6 *and section 3 of this act*.

7 2. The Administrator shall appoint:

8 (a) One accountant and such auditors as are necessary to enable
9 the Administrator to perform the Administrator's official functions
10 properly; and

11 (b) Such other employees as are necessary to enable the
12 Administrator to perform the Administrator's official functions
13 properly.

14 **Sec. 13.** NRS 706.8825 is hereby amended to read as follows:

15 706.8825 1. All fees collected pursuant to NRS 706.881 to
16 706.885, inclusive, *and section 3 of this act* must be deposited by
17 the Administrator to the credit of the Taxicab Authority Fund, which
18 is hereby created as a special revenue fund. The transactions for
19 each county subject to those sections must be accounted for
20 separately within the Fund.

21 2. The interest and income earned on the money in the Fund,
22 after deducting any applicable charges, must be credited to the
23 Fund.

24 3. The revenues received pursuant to subsection 1 of NRS
25 706.8826 are hereby appropriated to defray the cost of regulating
26 taxicabs in the county or the city, respectively, making the deposit
27 under that subsection.

28 4. The fees received pursuant to subsection 3 of NRS
29 706.8826, NRS 706.8827, 706.8841, 706.8848, 706.8849 and
30 706.885 are hereby appropriated to defray the cost of regulating
31 taxicabs in the county in which the certificate holder operates a
32 taxicab business. *The technology fees received pursuant to
33 paragraph (c) of subsection 3 of NRS 706.8826 must be used to
34 implement technological improvements in safety, reliability and
35 efficiency, including, without limitation, the implementation of a
36 computerized real-time data system to assist with the regulation of
37 the taxicabs in the county in which the certificate holder operates
38 a taxicab business. A computerized real-time data system
39 implemented pursuant to this subsection must, at a minimum,
40 satisfy the following criteria:*

41 (a) *While a taxicab is in service within the jurisdiction of the
42 Taxicab Authority, the system must be capable of collecting in
43 real-time from the onboard computer of the taxicab, by wireless
44 access through the onboard diagnostic port or other means, the*



* S B 4 3 0 R 1 *

1 *vehicle identification number and operating and telemetric data*
2 *for the vehicle.*

3 *(b) While a taxicab is in service within the jurisdiction of the*
4 *Authority, the system must be capable of collecting in real-time,*
5 *from an onboard diagnostic device capable of using a global*
6 *positioning system that is installed in the taxicab or any other*
7 *onboard computer software system capable of using a global*
8 *positioning system that is installed in the taxicab, the location of*
9 *the taxicab by latitude and longitude, a record of the time at which*
10 *the taxicab is at that location and operating and telemetric data*
11 *for the vehicle.*

12 *(c) The system must be capable of allowing the driver of a*
13 *taxicab, while the taxicab is in service within the jurisdiction of*
14 *the Authority, to register in the system, at the beginning and end*
15 *of each shift, his or her identity and the number of his or her*
16 *driver's permit.*

17 *(d) The system must be capable of allowing, in a manner*
18 *prescribed by the Taxicab Authority, a certificate holder to*
19 *digitally associate a taxicab with a temporary or permanent*
20 *medallion for the purpose of verifying the validity of a temporary*
21 *or permanent medallion pursuant to NRS 706.88183. As used in*
22 *this paragraph, "medallion" has the meaning ascribed to it in*
23 *NRS 706.88183.*

24 *(e) The system must be capable of presenting, in real-time to*
25 *the Taxicab Authority, searchable histories, in both a format that*
26 *displays the information and data in tables and a digital map*
27 *format that displays streets and highways, of:*

28 *(1) The information and data described in this subsection;*
29 *and*

30 *(2) The information described in NRS 706.8844.*

31 *(f) The system must be capable of presenting to a passenger,*
32 *through an application on a mobile device or on an interactive,*
33 *digital display or other onboard system in the taxicab, sufficient*
34 *information for the passenger to select and direct the driver to the*
35 *passenger's desired destination by the passenger's desired route.*
36 *The information must include, without limitation, sufficient*
37 *information for the passenger to:*

38 *(1) Select the shortest route by time or distance to the*
39 *passenger's desired destination;*

40 *(2) Select a multi-segment trip directed by the passenger;*

41 *(3) Select the least expensive route to the passenger's*
42 *desired destination; and*

43 *(4) Make a digital record of the passenger's selection that is*
44 *accessible during and after the trip by the passenger, the Taxicab*
45 *Authority, the driver and the certificate holder.*



1 (g) *The system must be capable of presenting to the driver,*
2 *through an application on a mobile device or an interactive,*
3 *digital display or other onboard system in the taxicab, sufficient*
4 *information for the driver to:*

5 (1) *Determine the shortest route by time or distance to the*
6 *passenger's desired destination and the least expensive route to*
7 *the passenger's desired destination;*

8 (2) *Follow a multi-segment, passenger-directed trip by the*
9 *least expensive route to the passenger's desired destination; and*

10 (3) *Allow the passenger to make a digital record of a*
11 *selection of a desired route to the passenger's destination that is*
12 *accessible during and after the trip by the passenger, the Taxicab*
13 *Authority, the driver and the certificate holder.*

14 (h) *The system must be capable of allowing passengers to*
15 *register comments and complaints with the Taxicab Authority, the*
16 *driver and the certificate holder, through an application on a*
17 *mobile device or an interactive digital display screen or other*
18 *onboard system in the taxicab.*

19 (i) *The system must be capable of assisting the Taxicab*
20 *Authority in the development of additional preventive measures to*
21 *detect, investigate and deter the practice of transporting a*
22 *passenger to a selected destination by a route that is more*
23 *expensive than necessary under the circumstances of the trip.*

24 (j) *The system must be capable of providing to the Taxicab*
25 *Authority reliable real-time and historic information concerning*
26 *service demands, market data, vehicle usage, wait times and*
27 *customer complaints and comments for use by the Taxicab*
28 *Authority to make decisions concerning the allocation of*
29 *medallions pursuant to 706.88237, 706.8824 and 706.88245.*

30 (k) *The system must be capable of allowing certificate holders*
31 *to use the system to provide cooperative dispatch and electronic*
32 *hailing services to the public pursuant to section 3 of this act.*

33 5. *The Taxicab Authority shall not use the information and*
34 *data collected pursuant to paragraph (a) or (b) of subsection 4 for*
35 *any purpose other than the purposes set forth in those paragraphs*
36 *unless the Authority has adopted regulations governing the*
37 *additional use.*

38 6. *The Taxicab Authority may operate the computerized real-*
39 *time data system implemented pursuant to subsection 4 or enter*
40 *into an agreement for the provision of such service. If the Taxicab*
41 *Authority enters into such an agreement, the Taxicab Authority*
42 *shall ensure that all the information and data collected by the*
43 *computerized real-time data system is under the control of the*
44 *Taxicab Authority.*



1 7. Any balance remaining in the Fund does not revert to the
2 State General Fund. The Administrator may transfer to the Aging
3 and Disability Services Division of the Department of Health and
4 Human Services any balance over \$200,000 and any interest earned
5 on the Fund, within the limits of legislative authorization for each
6 fiscal year, to subsidize transportation for elderly persons and
7 persons with permanent disabilities in taxicabs. The money
8 transferred to the Aging and Disability Services Division must be
9 administered in accordance with regulations adopted by the
10 Administrator of the Aging and Disability Services Division
11 pursuant to NRS 427A.070.

12 ~~16-1~~ 8. The Administrator may establish an account for petty
13 cash not to exceed \$2,000 for the support of undercover
14 investigation, and if the account is created, the Administrator shall
15 reimburse the account from the Taxicab Authority Fund in the same
16 manner as other claims against the State are paid.

17 9. *As used in this section, "real time" means the transmission*
18 *of information at a rate no longer than once every 6 seconds,*
19 *unless the Taxicab Authority authorizes a longer rate while a*
20 *taxicab is experiencing a low volume of trips.*

21 **Sec. 14.** NRS 706.8826 is hereby amended to read as follows:

22 706.8826 1. The board of county commissioners of any
23 county in which there is in effect an order for the allocation of
24 taxicabs from a taxicab authority, and the governing body of each
25 city within any such county, shall deposit to the credit of the
26 Taxicab Authority Fund all of the tax revenue which is received
27 from the taxicab business operating in the county and city,
28 respectively.

29 2. For the purpose of calculating the amount due to the State
30 under subsection 1, the tax revenue of a county does not include any
31 amount which represents a payment for the use of county facilities
32 or property.

33 3. Any certificate holder who is subject to an order of
34 allocation by the Taxicab Authority shall pay to the Taxicab
35 Authority :

36 (a) *A fee of \$100 per year for each taxicab that the Taxicab*
37 *Authority has allocated to the certificate holder ; ~~and a~~*

38 (b) *A fee set by the Taxicab Authority that must not exceed 20*
39 *cents per trip for each compensable trip of each of those taxicabs ~~;~~*
40 *which may ; and*

41 (c) *A technology fee in an amount set by the Taxicab Authority*
42 *for each compensable trip of each of those taxicabs.*

43 ↪ *The fees set forth in paragraphs (b) and (c) must be added to the*
44 *meter charge.*



1 4. The money ~~to~~ received by the Taxicab Authority *pursuant*
2 *to this section* must be deposited in the State Treasury to the credit
3 of the Taxicab Authority Fund.

4 **Sec. 15.** NRS 706.8844 is hereby amended to read as follows:

5 706.8844 1. A certificate holder shall require the certificate
6 holder's drivers to keep a daily trip sheet in a form to be prescribed
7 by the Taxicab Authority, including, without limitation, in electronic
8 form.

9 2. At the beginning of each period of duty the driver shall
10 record on the driver's trip sheet:

11 (a) The driver's name and the number of the taxicab;

12 (b) The time at which the driver began the period of duty by
13 means of a time clock provided by the certificate holder;

14 (c) The meter readings for total miles, paid miles, trips, units,
15 extra passengers and extra charges; and

16 (d) The odometer reading of the taxicab.

17 3. During each period of duty the driver shall record on the
18 driver's trip sheet:

19 (a) The time, place of origin and destination of each trip; and

20 (b) The number of passengers and amount of fare for each trip.

21 4. At the end of each period of duty the driver shall record on
22 the driver's trip sheet:

23 (a) The time at which the driver ended the period of duty by
24 means of a time clock provided by the certificate holder;

25 (b) The meter readings for total miles, paid miles, trips, units
26 and extra passengers; and

27 (c) The odometer reading of the taxicab.

28 5. A certificate holder shall furnish a trip sheet form for each
29 taxicab operated by a driver during the driver's period of duty and
30 shall require the drivers to return their completed trip sheets at the
31 end of each period of duty.

32 6. A certificate holder shall retain all trip sheets of all drivers in
33 a safe place for a period of 3 years immediately succeeding
34 December 31 of the year to which they respectively pertain and shall
35 make such manifests available for inspection by the Administrator
36 upon reasonable demand.

37 7. Any driver who maintains a trip sheet in a form less
38 complete than that required by subsection 1 is guilty of a
39 misdemeanor.

40 8. The Administrator shall prescribe the requirements for the
41 use of an electronic version of a daily trip sheet. If a certificate
42 holder requires its drivers to keep a daily trip sheet in electronic
43 form, the certificate holder ~~shall maintain~~ *may comply with the*
44 *requirements of this section:*



1 (a) *By maintaining* the information collected from the daily trip
2 sheet in a secure database and ~~provide~~ *providing* the Administrator
3 with access to the information in the database at regular intervals
4 established by the Administrator and upon reasonable demand ~~H~~ ;
5 *or*

6 (b) *By reporting the information to the Administrator on the*
7 *computerized real-time data system implemented pursuant to*
8 *subsection 4 of NRS 706.8825.*

9 **Sec. 16.** NRS 706.885 is hereby amended to read as follows:

10 706.885 1. Any person who knowingly makes or causes to be
11 made, either directly or indirectly, a false statement on an
12 application, account or other statement required by the Taxicab
13 Authority or the Administrator or who violates any of the provisions
14 of NRS 706.881 to 706.885, inclusive, *and section 3 of this act* is
15 guilty of a misdemeanor.

16 2. The Taxicab Authority or Administrator may at any time, for
17 good cause shown and upon at least 5 days' notice to the grantee of
18 any certificate or driver's permit, and after a hearing unless waived
19 by the grantee, penalize the grantee of a certificate to a maximum
20 amount of \$15,000 or penalize the grantee of a driver's permit to a
21 maximum amount of \$500 or suspend or revoke the certificate or
22 driver's permit granted by the Taxicab Authority or Administrator,
23 respectively, for:

24 (a) Any violation of any provision of NRS 706.881 to 706.885,
25 inclusive, *and section 3 of this act* or any regulation of the Taxicab
26 Authority or Administrator.

27 (b) Knowingly permitting or requiring any employee to violate
28 any provision of NRS 706.881 to 706.885, inclusive, *and section 3*
29 *of this act* or any regulation of the Taxicab Authority or
30 Administrator.

31 ➤ If a penalty is imposed on the grantee of a certificate pursuant to
32 this section, the Taxicab Authority or Administrator may require the
33 grantee to pay the costs of the proceeding, including investigative
34 costs and attorney's fees.

35 3. When a driver or certificate holder fails to appear at the time
36 and place stated in the notice for the hearing, the Administrator shall
37 enter a finding of default. Upon a finding of default, the
38 Administrator may suspend or revoke the license, permit or
39 certificate of the person who failed to appear and impose the
40 penalties provided in this chapter. For good cause shown, the
41 Administrator may set aside a finding of default and proceed with
42 the hearing.

43 4. Any person who operates or permits a taxicab to be operated
44 in passenger service without a certificate of public convenience and
45 necessity issued pursuant to NRS 706.8827, is guilty of a gross



1 misdemeanor. If a law enforcement officer witnesses a violation of
2 this subsection, the law enforcement officer may cause the vehicle
3 to be towed immediately from the scene.

4 5. The conviction of a person pursuant to subsection 1 does not
5 bar the Taxicab Authority or Administrator from suspending or
6 revoking any certificate, permit or license of the person convicted.
7 The imposition of a fine or suspension or revocation of any
8 certificate, permit or license by the Taxicab Authority or
9 Administrator does not operate as a defense in any proceeding
10 brought under subsection 1.

11 **Sec. 17.** NRS 427A.070 is hereby amended to read as follows:

12 427A.070 1. The Administrator shall:

13 (a) Subject to the approval of the Director, adopt rules and
14 regulations:

15 (1) Necessary to carry out the purposes of this chapter; and

16 (2) Establishing a program to subsidize the transportation by
17 taxicab of elderly persons and persons with permanent disabilities
18 from money received pursuant to subsection ~~5~~ 7 of NRS 706.8825;

19 (b) Establish appropriate administrative units within the
20 Division;

21 (c) Appoint such personnel and prescribe their duties as the
22 Administrator deems necessary for the proper and efficient
23 performance of the functions of the Division;

24 (d) Prepare and submit to the Governor, through the Director
25 before September 1 of each even-numbered year for the biennium
26 ending June 30 of such year, reports of activities and expenditures
27 and estimates of sums required to carry out the purposes of this
28 chapter;

29 (e) Make certification for disbursement of funds available for
30 carrying out the purposes of this chapter; and

31 (f) Take such other action as may be necessary or appropriate
32 for cooperation with public and private agencies and otherwise to
33 carry out the purposes of this chapter.

34 2. The Administrator may delegate to any officer or employee
35 of the Division such of the powers and duties of the Administrator
36 as the Administrator finds necessary to carry out the purposes of this
37 chapter.

38 **Sec. 18.** 1. The Nevada Transportation Authority shall
39 commence the process of implementing the computerized real-time
40 data system described in subsection 3 of NRS 706.1516, as amended
41 by section 5 of this act, not later than October 1, 2013.

42 2. The Taxicab Authority shall commence the process of
43 implementing the computerized real-time data system described in
44 subsection 4 of NRS 706.8825 as amended by section 13 of this act,
45 not later than October 1, 2013.



1 3. On or before February 1, 2015, the Nevada Transportation
2 Authority and the Taxicab Authority shall each submit a report to
3 the Director of the Legislative Counsel Bureau for transmittal to the
4 next regular session of the Legislature that describes the
5 implementation and operation of the computerized real-time data
6 system described in subsection 3 of NRS 706.1516, as amended by
7 section 5 of this act, or subsection 4 of NRS 706.8825, as amended
8 by section 13 of this act, as applicable.

9 **Sec. 19.** This act becomes effective on July 1, 2013.

⑩



* S B 4 3 0 R 1 *

