

BEFORE THE NEVADA TAXICAB AUTHORITY

In Re: Nellis Cab, CPC-T884, Petition to Deviate from)
NAC 706.552(2))

PETITION TO DEVIATE

COMES NOW, Nellis Cab (hereinafter referred to as “Nellis”) by and through counsel of record, Kimberly Maxson-Rushton, Esq., of the law firm, Cooper Levenson, P.A., and hereby submits the following Petition to Deviate from Nevada Administrative Code (“NAC”) 706.552(2). Said request is made pursuant to the authority set forth in NAC 706.876(2) **Scope and Construction: deviation from rules.**

All notices, pleading documents and correspondence pertaining to this proceeding should be directed to the following individual:

Kimberly Maxson-Rushton, Esq.
Cooper Levenson, Attorneys at Law
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I.

MEMORANDUM OF POINTS AND AUTHORITIES

A. Procedural History

On or about August 4, 2026, the Nevada Taxicab Authority (TA) approved the sale and transfer of Nellis Cab CPC – T884 to Peteglo, LLC / TPM, LLC. As the TA is aware Peteglo and TPM, LLC are owned and operated by the Balaban family. In addition to Nellis, the Balaban’s also own and operate Desert Cab (CPC – T887) pursuant to Desert Cab, LLC., a Nevada Series LLC and Virgin Valley (CPC – T94) pursuant to Virgin Valley, LLC., a Nevada Series LLC. Thus, the respective Certificates of authority to operate a taxi service in Clark County are all owned and managed by the Balaban family.

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1 **B. Legal Argument**

2 NAC 706.552(2) requires a taxicab driver, upon changing employment from one certificate
3 holder to another, to present a referral slip from their employer to the Taxicab Authority for the
4 issuance of a new permit. Pursuant to the sale and transfer of the Nellis certificate, a driver
5 previously employed by the former owner of Nellis, upon being employed by the new owner must
6 submit a referral slip and obtain a new drivers permit. To avoid the imposition of time and costs this
7 will create for currently permitted taxi drivers, and for the TA Staff, Nellis hereby respectfully
8 requests authority to deviate from the regulatory requirement. Nellis further requests that all of its
9 drivers' permits be updated to allow them to drive for Desert Cab, Virgin Valley Taxi or Nellis Cab
10 while employed with one of the Balaban owned taxi entities.

11 Pursuant to NAC 706.876, for good cause a carrier may request to deviate from a regulatory
12 standard. If good cause is found, either the Administrator or Authority may permit deviation if
13 compliance is deemed to be impracticable or unnecessary.

14 In support of this Petition, Nellis notes that the subject drivers are currently permitted by the
15 TA and work for a long time, seasoned owner and operator. Additionally, the ability to immediately
16 begin driving for one of the certificated "Balaban" companies works to incentivize drivers to
17 maintain employment within the taxi industry. An additional incentive is not having to obtain a new
18 drivers permit. However, to ensure, the continuing safety of the traveling public, Nellis proposes, in
19 lieu of a new permit, that a comprehensive list of drivers be submitted to the TA with a request that
20 each driver's permit be endorsed to reflect Desert Cab, Nellis Cab and Virgin Valley Taxi.

21 For the reasons stated above, Nellis respectfully submits this request to deviate from the
22 requirements contained in NAC 706.552(2) and asserts that good cause for the deviation exists in
23 that it is unnecessary to require the Nellis drivers to obtain a new TA drivers permit. Moreover,
24 good cause exists for allowing a driver employed by one of the Balaban certificated companies to
25 drive for Desert Cab, Virgin Valley Taxi and/or Nellis Cab.

26 Lastly, Nellis submits that approval of the requests made herein will in no way negatively
27 impact other taxicab operators in Clark County nor will it jeopardize the safety of the traveling
28 public.

CONCLUSION

706.552(2) is unnecessary.

DATED this 17th day of September 2026.

COOPER LEVENSON, P.A.

/s/Kimberly Maxson-Rushton

Kimberly Maxson-Rushton, Esq.
Nevada Bar No. 5065
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Las Vegas, NV 89102
Counsel for Nellis Cab

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on the 17th day of September 2026, I did deposit for mailing in the United States mail at Las Vegas, Nevada, a true and correct copy of the above and foregoing **PETITION TO DEVIATE** in a sealed envelope with first class postage fully prepaid thereon, addressed to:

Todd Park, Administrator
2090 E. Flamingo Road, Suite 200
Las Vegas, NV 89119

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By /s/Amy Ingoglia
An Employee of
COOPER LEVENSON, P.A.