



**DEPARTMENT OF BUSINESS AND INDUSTRY
TAXICAB AUTHORITY**

MINUTES OF THE SEPTEMBER 18, 2024 BOARD MEETING

1. Call to Order

- A. Chairman Dan Reaser called the meeting to order on Wednesday, September 18, 2024, at 9:30 a.m., at the location of the Nevada State Business Center, 3300 West Sahara Avenue, Suite 400, Nevada Room, Las Vegas, Nevada 89102.

Board Members Present

Chairman Dan Reaser
Vice Chairman Donald Soderberg
Member Rusty Graf
Member J.D. Decker
Joseph Ostunio, Deputy Attorney General

Present from the Taxicab Authority

Todd Park, Administrator
Lona Webb, Attorney

B. Pledge of Allegiance

Pledge of Allegiance led by Member Graf

C. Compliance with Open Meeting Law

Secretary Gail Gaison-Tyler stated the meeting was in compliance with the Open Meeting Law.

2. Public Comment

Members of the public must identify themselves for the record and are then invited to use three minutes to comment on items on the meeting agenda or on items not contained therein. Comments shall be directed to the Board and presented in a professional demeanor and not in a threatening, profane, vulgar, or abusive manner. *The Board may limit repetitive comments to balance time constraints. *

NRS 203.090 Disturbing meeting. Every person who, without the authority of law, shall willfully disturb an assembly or meeting not unlawful in its character shall be guilty of a misdemeanor.

No public comment. Item closed.

3. Action Item: Approve Board Meeting Minutes from August 21, 2024, Board Meeting

No changes, additions, or corrections requested by any Board Member. Member Decker moved to approve the minutes; Graf seconded. Chairman Reaser was absent from the August meeting and did not participate.

Motion passed and minutes approved. Item closed.

4. Industry Discussion (For Discussion Only)

No industry discussion. Item closed.

5. Public Hearing - Nevada Taxicab Authority Board initiated proposed future special events surcharge to modify taxi rates for services provided during special events, and proposed designation of special events. (For Discussion and Possible Action)

Chairman Reaser highlighted the need for a standard process for surcharge applications, especially for big events like the Electric Daisy Carnival (EDC) and Formula 1 (F1). The board invited the Livery Operators Association to discuss the proposed surcharges for these large gatherings. Staff prepared a draft order outline that suggested when surcharges would apply, specifically for events with around 200,000 attendees over five days.

Administrator Park suggested leaving out March Madness from the surcharge events because travelers were confused about the need for it. The goal is to encourage more drivers and make things clearer for passengers.

Board members raised concerns about not having clear rules for surcharges at unspecified large events and recommended looking at data from past events like F1 and EDC for guidance.

After discussing the need for clear rules, the board agreed to the language for an order just for the F1 event. They will also gather more information on EDC and other events. Members suggested that surcharges should start 12 hours before an event and end 12 hours after it finishes.

The Board agreed to wait on finalizing the overall surcharge order until they can work more with key groups and industry members.

Chairman Reser confirmed the plan to move forward with a specific order for the F1 event while continuing discussions about EDC and other large events.

Member Decker proposed a \$15 special events surcharge for the F1 event, starting at 1:00am on Thursday, November 21, 2024, and lasting until noon on Monday, November 25, 2024. This will include terms from the previous F1 order to guide staff on zones and signs.

Vice Chairman Soderberg seconded the motion, and it was unanimously approved.

6. Application for Relief by Henderson Taxi, Whittlesea Blue Cab, Nevada Yellow Cab, Nevada Checker Cab, New Cab Co, Nevada Star Cab, Virgin Valley and Desert Cab, each a member of the Livery Operator's Association of Las Vegas (collectively referred to as "LOA") for an Advisory Opinion pursuant to Nevada Administrative Code 706.980 to 706.988 and relative to Nevada Administrative Code 706.497 and its application to an employee driver also acting as an independent contractor/lease taxi driver for the same certificate holder that employs the driver. (For Discussion and Possible Action)

The board looked at an application from the Livery Operators Association asking for advice on NAC 706.497. This opinion focuses on how the law affects employee drivers who also work as independent contractors for the same taxi company. The board was reminded of the steps needed to give this advice to make sure everyone understood the process.

Kimberly Maxson-Rushton emphasized the need for the advisory opinion, saying there has been confusion about driver classifications since the rules were set in 2016. The existing statutes and regulations allow for a flexible employment structure for drivers, enabling them to work as employees on certain days and as independent contractors on other. This practice has been effective since 2016 allowing for better oversight of drivers and public safety. It was noted that it is common for taxi industry drivers to operate in both capacities, like drivers for Uber and Lyft.

George Balaban pointed out that the leasing started slowly but expanded as drivers showed interest where they worked as employees and were offered a pathway to lease vehicles, allowing them to switch roles based on availability. He explained that letting drivers choose to be employees or lease helps keep them in the industry, especially during busy events. Leasing also makes things safer, as the company monitors driver performance to ensure only qualified drivers are on the road.

Cheryl Knapp Gibbons shared her experience of starting to lease drivers in late 2017. She explained how leasing has helped keep drivers by giving them options about their employment. She stressed that knowing drivers' backgrounds and hours worked is important for safety and efficiency compared to drivers for TNCs (Transportation Network Companies).

Member Decker asked why an advisory opinion was needed if the law is already clear and whether current practices could continue without it.

Chairman Reaser commented that this is the quintessential case for an advisory opinion.

Kimberly clarified that the advisory opinion was requested because of concerns from agency staff.

Administrator Park confirmed that drivers need to be sponsored by an employer to get a taxi permit, which usually means they must be employees of a taxi company.

A discussion started about the need for drivers to work for a certificate holder to get a taxi permit. Without proof of employment or plans to lease from a certificate holder, drivers can't get a permit.

Changes in policy were not clearly communicated to the industry, leading to confusion about whether drivers can lease or work for different certificate holders. There might be conflicts in the rules, and a request was made to identify specific laws causing these issues.

Concerns were raised about attracting and keeping drivers because of stricter rules compared to the flexible options offered by TNCs. There were calls for more flexibility for drivers to work with different companies, as strict regulations might drive them away from traditional taxi services.

Chairman Reaser motioned to grant the petition, and it was approved unanimously.

Item closed.

7. Staff Report (*For Discussion Only*)

A. Administrator's Report

Administrator Park noted a big drop in trip revenues, mainly due to the removal of fuel surcharges.

B. Enforcement/Compliance Report

The agency is training new officers, which has led to more citations related to safety regulations.

C. Stats

- 31,000 to 32,000 drivers with more leasing happening while medallion numbers stayed the same.
- Lease decals rose by nearly 600, showing a shift towards leasing over direct employment.
- Citations increased from 67 to 85 reported locations.
- Lost property incidents jumped to 130 from 99 last month.
- Member Decker inquired about the 85 citations, asking if they were civil, criminal, or administrative. Administrator Park responded that most were administrative, with a few being criminal. He also noted that the agency had purchased a LIDAR device to enhance enforcement. Member Decker commended the team for resolving most citations before hearings and mentioned that the NTA is interested in utilizing officers for undercover work and if the TA is also interested, they will be willing to help.

D. Legal Counsel

No discussion

E. Future Agenda

No discussion

8. Public Comment

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No public comments. Item closed.

9. Adjournment (Action)

Chairman Reaser moved to adjourn.

Meeting adjourned.

By the Authority,



Dan Reaser, Chairman
Nevada Taxicab Authority

Dated: October 16, 2024
Las Vegas, Nevada