



DEPARTMENT OF BUSINESS AND INDUSTRY
NEVADA TRANSPORTATION AUTHORITY

DEPARTMENT OF BUSINESS AND INDUSTRY

NOTICE OF INTENT TO ACT UPON A REGULATION
and
NOTICE OF HEARING FOR THE ADOPTION OF REGULATIONS

The Nevada Transportation Authority ("Authority") will hold a public hearing **at 10:00 a.m. on Thursday, December 8, 2022** regarding the regulation which has been designated as Docket Number 21-09007 by the Authority.

The public and persons wishing to comment on the proposed action of the Authority may appear at this hearing at either:

The Department of Business and Industry
3300 West Sahara Avenue, 4th Flr, Room 400
Las Vegas, Nevada 89102

Nevada Transportation Authority
1755 E. Plumb Lane, Suite 229
Reno, Nevada 89502

The purpose of the hearing is to receive comments from all interested persons and for the Authority to take action regarding the adoption of regulations that pertain to chapter 706 of the Nevada Administrative Code.

The following information is provided pursuant to the requirements of NRS 233B.0603:

1. The proposed enactment of certain regulations in Nevada Administrative Code Chapter 706 are necessary to fulfill the Legislature's mandate as set out in NRS 706.4477(7).
2. The full text of the proposed regulation is attached to this notice. The substance of the regulation establishes the different circumstances which can result in the registered owner of a towed vehicle being unable to pay the full cost of a tow and storage of the person's vehicle. The regulation also sets out the evidence that must be accepted as proof of a circumstance and also the hardship tariff discount that must be applied to the total cost of the towing and storage of the vehicle.
3. The estimated impact of the regulations:
 - a. The proposed regulations will have a significant adverse economic impact upon the regulated industry, both immediately and in the long-term.
 - b. The proposed regulations will have a significant beneficial economic impact upon the members of the public who fulfill the requirements of the regulation, both immediately and in the long-term.

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4. The Authority determined the impact on small business, pursuant to NRS 233B.0608, by meeting with members of the industry prior to drafting the regulation's language, by analyzing the verbal comments from businesses which will be affected by the proposed regulations during a workshop held on July 8, 2022. Additionally, the Authority reviewed and implemented changes to the regulation's language after receipt of a written comment submitted by an attorney on behalf of an industry association.
5. The Authority anticipates minor additional enforcement and regulatory oversight expenses based on the fact that this is a new regulation which may be violated and will need to be investigated and enforced by the Authority.
6. The Authority is not aware of any overlap or duplication of the proposed regulations with any regulations of other state or local governmental agencies.
7. The proposed regulations are not required pursuant to federal law.
8. The proposed regulations are not more stringent than any federal regulation that regulates the same activity.
9. The proposed regulations do establish a new fee (a discount) but do not increase an existing fee.

A copy of all materials relating to the proposed regulation is available for review at the offices of the Authority at the above noted addresses.

Additionally, a copy of all materials related to the proposed regulation may be obtained:

1. At the location and time of the hearing; or,
2. By contacting Patricia M. Erickson, Administrative Attorney, Nevada Transportation Authority, 3300 W. Sahara Ave., Suite #200, Las Vegas, Nevada 89102, (702) 486-8722, perickson@nta.nv.gov

Persons wishing to comment on the proposed action of the Authority may provide their comments, data, views or arguments, in written form to the Authority. Written submissions must be received by the Authority on or before **December 1, 2022**.

AGENDA

- 1. Call to Order**
- 2. Roll Call**
- 3. Pledge of Allegiance**
- 4. Public Comment** – Members of the public are invited to comment on items on the meeting agenda or on items not contained therein. No action may be taken on a matter raised during public comment until the matter itself has been specifically included on an agenda as an item for possible action.
- 5. Approval of Agenda – *FOR POSSIBLE ACTION***

DISCUSSION ITEM / RULEMAKING ADOPTION

6. The Nevada Transportation Authority will consider adoption of a new regulation – NAC 706.411 – establishing the life circumstances outside of a vehicle owner's control which requires a hardship tariff discount, the evidence that must be accepted and the required discount as required by NRS 4477(7). A copy of the proposed regulation is attached.
FOR POSSIBLE ACTION

- 7. Public Comment** – Members of the public are invited to comment on items on the meeting agenda or on items not contained therein. No action may be taken on a matter raised during public comment until the matter itself has been specifically included on an agenda as an item for possible action.

8. Adjournment

In accordance with Nevada's Open Meeting Law, the Authority may consider agenda items taken out of order. The Authority may combine two or more agenda items for consideration. The Authority may remove an item from the agenda or delay discussion relating to an item on the agenda at any time. The Authority may continue the meeting as deemed necessary. The Authority, at its discretion, may take public comment during times other than the designated Public Comment agenda items. The Authority reserves the right to limit public comment to three minutes. Comment may not be restricted based on viewpoint.

This Notice of Hearing and Intent to Adopt Proposed Regulation has been sent to all persons on the Authority's mailing list for administrative regulations, to all Transportation Network Companies, to all passenger motor carriers licensed by the Authority, and has been posted at the following locations:

Clark County Court House, 200 Lewis Avenue, Las Vegas, NV 89101
Washoe County Court House, 75 Court Street, Reno, NV 89501
Nevada State Library & Archives, 100 North Stewart Street, Carson City, NV 89701
Department of Business and Industry, 3300 W. Sahara Ave., Suite #425, Las Vegas, NV 89102
Department of Business and Industry, 1830 College Parkway, Suite #100, Carson City, NV 89706
Nevada Transportation Authority, 3300 W. Sahara, Suite #200, Las Vegas, NV 89102
Nevada Transportation Authority, 1755 East Plumb Lane, Suite #229, Reno, NV 89502
Nevada Transportation Authority website: www.nta.nv.gov
Nevada State Legislature Website: www.leg.state.nv.us

Pursuant to NRS 233B.064: Upon adoption of any regulation, the agency, if requested to do so by an interested person, either before adoption or within 30 days thereafter, shall issue a concise statement of the principal reasons for and against its adoption, and incorporate the reason for overruling the consideration urged against the adoption.

NOTE: The Authority is pleased to make reasonable accommodations and will assist and accommodate people with a disability who wish to attend its meetings and hearings. If special arrangements are necessary, please contact the Authority in Las Vegas at (702) 486-3303 or in Reno at (775) 688-2800 as far in advance of the hearing as possible.