

SENATE BILL NO. 226—COMMITTEE ON  
COMMERCE, LABOR AND ENERGY

FEBRUARY 28, 2017

Referred to Committee on Commerce, Labor and Energy

SUMMARY—Revises provisions relating to transportation network companies. (BDR 58-486)

FISCAL NOTE: Effect on Local Government: No.  
Effect on the State: No.

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

AN ACT relating to transportation network companies; authorizing an independent contractor who leases a taxicab to use the taxicab in accordance with an agreement with a transportation network company; requiring a driver to obtain a driver's permit before providing transportation services in affiliation with a transportation network company; revising requirements for a motor vehicle operated by a driver to provide transportation services; requiring the Nevada Transportation Authority to provide certain information to the Secretary of State for the purpose of enforcing the provisions of law governing a state business license; providing for the confidentiality of the information provided to the Secretary of State; revising requirements for transportation network company insurance; and providing other matters properly relating thereto.

**Legislative Counsel's Digest:**

1 Existing law authorizes the holder of a certificate of public convenience and  
2 necessity to lease a taxicab to an independent contractor, who may only use the  
3 taxicab in a manner authorized by the certificate. (NRS 706.88396) **Section 1.2** of  
4 this bill expands existing law by authorizing the independent contractor to use the  
5 taxicab to provide transportation services pursuant to an agreement with a  
6 transportation network company. **Sections 1.1 and 1.6-1.9** of this bill make  
7 conforming changes.

8 Existing law authorizes a transportation network company to enter into an  
9 agreement with one or more drivers to receive connections to potential passengers



\* S B 2 2 6 R 2 \*

10 using the digital network or software application service of the company under  
11 certain circumstances. (NRS 706A.160) **Section 2** of this bill requires a driver to  
12 obtain a driver's permit from the Nevada Transportation Authority before providing  
13 transportation services in affiliation with a transportation network company in a  
14 manner generally consistent with the requirement to obtain such a permit for  
15 persons who drive a motor vehicle for a taxicab motor carrier. (NRS 706.462)  
16 **Sections 1.4 and 1.5** of this bill make conforming changes.

17 Existing law imposes certain requirements upon a motor vehicle operated by a  
18 driver to provide transportation services. (NRS 706A.180) **Section 2.1** of this bill  
19 requires such a vehicle to be registered in the name of the driver or, if operated  
20 pursuant to a lease authorized by **section 1.2**, the name of the lessor. **Section 2.1**  
21 further requires such a vehicle to have the name or logo of each transportation  
22 network company with which the driver is affiliated marked or otherwise attached  
23 to the front and rear of the vehicle. Finally, **section 2.1** requires such a vehicle to  
24 have a vehicle permit issued by the Nevada Transportation Authority affixed to the  
25 vehicle.

26 Existing law requires a transportation network company to maintain certain  
27 records relating to the business of the company and to make those records available  
28 for inspection by the Nevada Transportation Authority as necessary to investigate  
29 complaints. (NRS 706A.230) **Section 2.3** of this bill requires the Authority to  
30 provide to the Secretary of State the name of each driver affiliated with a  
31 transportation network company and such other information as the Secretary of  
32 State deems necessary to enforce existing law relating to a state business license.  
33 Under **section 2.3**, the Secretary of State and any employee of the Secretary of  
34 State is required to keep such information confidential to the same extent that the  
35 Authority is required to keep the information confidential.

36 Existing law establishes certain requirements for transportation network  
37 company insurance coverage against tort liabilities that must be continuously  
38 provided by a driver or transportation network company, which vary depending on  
39 the activities of the driver. (NRS 690B.470) **Section 2.5** of this bill revises these  
40 requirements to instead require that: (1) coverage in an amount of not less than  
41 \$1,500,000 for bodily injury or death of one or more persons and injury to or  
42 destruction of property of others in any one accident or motor vehicle crash must be  
43 provided during any period in which the driver is providing transportation services;  
44 and (2) coverage in an amount not less than \$300,000 for bodily injury or death of  
45 one or more persons and injury to or destruction of property of others in any one  
46 accident or motor vehicle crash must be provided during any period in which the  
47 driver is logged into the digital network or software application service of the  
48 transportation network company and available to receive requests for transportation  
49 services but is not otherwise providing transportation services.

50 Under **section 2.9** of this bill, any driver who provides transportation services  
51 in affiliation with a transportation network company on or before July 1, 2017, may  
52 continue to do so without obtaining a driver's permit until October 1, 2017.

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

1 **Section 1.** (Deleted by amendment.)

2 **Sec. 1.1.** NRS 706.759 is hereby amended to read as follows:

3 706.759 1. ~~1A~~ *Except as otherwise provided in subsection*  
4 *3, a* person who drives a taxicab as an employee of a person who  
5 holds a certificate of public convenience and necessity which was



1 issued for the operation of a taxicab business shall not act as a driver  
2 as defined in NRS 706A.040:

3 (a) Using the taxicab provided by his or her employer; or

4 (b) During any time for which the person receives wages from  
5 his or her employer for duties which include driving a taxicab.

6 2. A person who holds a certificate of public convenience and  
7 necessity which was issued for the operation of a taxicab business  
8 may terminate the employment of a person who violates the  
9 provisions of subsection 1.

10 *3. The provisions of subsection 1 do not apply to an*  
11 *independent contractor who leases a taxicab pursuant to*  
12 *NRS 706.88396.*

13 **Sec. 1.2.** NRS 706.88396 is hereby amended to read as  
14 follows:

15 706.88396 1. A certificate holder may, upon approval from  
16 the Taxicab Authority, lease a taxicab to an independent contractor  
17 who is not a certificate holder. A certificate holder may lease only  
18 one taxicab to each independent contractor with whom the person  
19 enters into a lease agreement. The taxicab may be used ~~only in~~ ,  
20 *without limitation:*

21 (a) *In* a manner authorized by the certificate holder's certificate  
22 of public convenience and necessity ~~H~~ ; or

23 (b) *By the independent contractor to provide transportation*  
24 *services in accordance with an agreement with a transportation*  
25 *network company entered into pursuant to chapter 706A of NRS.*

26 2. A certificate holder who enters into a lease agreement with  
27 an independent contractor pursuant to this section shall submit a  
28 copy of the agreement to the Taxicab Authority for its approval. The  
29 agreement is not effective until approved by the Taxicab Authority.

30 3. A certificate holder who leases a taxicab to an independent  
31 contractor is jointly and severally liable with the independent  
32 contractor for any violation of the provisions of this chapter or the  
33 regulations adopted pursuant *thereto or, if applicable, chapter 706A*  
34 *of NRS or the regulations adopted pursuant* thereto, and shall  
35 ensure that the independent contractor complies with such  
36 provisions and regulations.

37 4. The Taxicab Authority or any of its employees may  
38 intervene in a civil action involving a lease agreement entered into  
39 pursuant to this section.

40 **Sec. 1.3.** Chapter 706A is hereby amended by adding thereto  
41 the provisions set forth as sections 1.4 and 1.5 of this act.

42 **Sec. 1.4. 1.** *In addition to any other requirements set forth*  
43 *in this chapter:*



1 (a) An applicant for the issuance of a driver's permit pursuant  
2 to NRS 706A.160 shall include the social security number of the  
3 applicant in the application submitted to the Authority.

4 (b) An applicant for the issuance or renewal of a driver's  
5 permit shall submit to the Authority the statement prescribed by  
6 the Division of Welfare and Supportive Services of the Department  
7 of Health and Human Services pursuant to NRS 425.520. The  
8 statement must be completed and signed by the applicant.

9 2. The Authority shall include the statement required  
10 pursuant to subsection 1 in:

11 (a) The application or any other forms that must be submitted  
12 for the issuance or renewal of the driver's permit; or

13 (b) A separate form prescribed by the Authority.

14 3. A driver's permit may not be issued or renewed by the  
15 Authority if the applicant:

16 (a) Fails to submit the statement required pursuant to  
17 subsection 1; or

18 (b) Indicates on the statement submitted pursuant to  
19 subsection 1 that the applicant is subject to a court order for the  
20 support of a child and is not in compliance with the order or a  
21 plan approved by the district attorney or other public agency  
22 enforcing the order for the repayment of the amount owed  
23 pursuant to the order.

24 4. If an applicant indicates on the statement submitted  
25 pursuant to subsection 1 that the applicant is subject to a court  
26 order for the support of a child and is not in compliance with the  
27 order or a plan approved by the district attorney or other public  
28 agency enforcing the order for the repayment of the amount owed  
29 pursuant to the order, the Authority shall advise the applicant to  
30 contact the district attorney or other public agency enforcing the  
31 order to determine the actions that the applicant may take to  
32 satisfy the arrearage.

33 **Sec. 1.5.** 1. If the Authority receives a copy of a court order  
34 issued pursuant to NRS 425.540 that provides for the suspension  
35 of all professional, occupational and recreational licenses,  
36 certificates and permits issued to a person who is the holder of a  
37 driver's permit, the Authority shall deem the driver's permit issued  
38 to that person to be suspended at the end of the 30th day after the  
39 date on which the court order was issued unless the Authority  
40 receives a letter issued to the holder of the driver's permit by the  
41 district attorney or other public agency pursuant to NRS 425.550  
42 stating that the holder of the driver's permit has complied with the  
43 subpoena or warrant or has satisfied the arrearage pursuant to  
44 NRS 425.560.



1       2. *The Authority shall reinstate a driver's permit that has*  
2 *been suspended by a district court pursuant to NRS 425.540 if the*  
3 *Authority receives a letter issued by the district attorney or other*  
4 *public agency pursuant to NRS 425.550 to the person whose*  
5 *driver's permit was suspended stating that the person whose*  
6 *driver's permit was suspended has complied with the subpoena or*  
7 *warrant or has satisfied the arrearage pursuant to NRS 425.560.*

8       **Sec. 1.6.** NRS 706A.040 is hereby amended to read as  
9 follows:

10       706A.040 "Driver" means a natural person who:

11       1. Operates a motor vehicle ~~that~~ :

12       (a) *That is owned ~~is~~ or leased ~~for otherwise authorized for use~~*  
13 *by the person ~~is~~ and registered with the Department of Motor*  
14 *Vehicles in the name of the person; or*

15       (b) *As an independent contractor pursuant to a lease*  
16 *authorized by NRS 706.88396; and*

17       2. Enters into an agreement with a transportation network  
18 company to receive connections to potential passengers ~~and related~~  
19 ~~services~~ from a transportation network company *and provide*  
20 *transportation services to such passengers* in exchange for the  
21 payment of a fee to the transportation network company.

22       **Sec. 1.7.** NRS 706A.075 is hereby amended to read as  
23 follows:

24       706A.075 1. Except as otherwise provided in subsection 2,  
25 the provisions of this chapter do not exempt any person from any  
26 law governing the operation of a motor vehicle upon the highways  
27 of this State.

28       2. A transportation network company which holds a valid  
29 permit issued by the Authority pursuant to this chapter, a driver who  
30 has entered into an agreement with such a company and a vehicle  
31 operated by such a driver are exempt from:

32       (a) The provisions of chapter 704 of NRS relating to public  
33 utilities; and

34       (b) ~~The~~ *Except as otherwise provided in NRS 706.88396, the*  
35 *provisions of chapter 706 of NRS,*

36       ↳ *to the extent that the services provided by the company or driver*  
37 *are within the scope of the permit.*

38       **Sec. 1.8.** NRS 706A.110 is hereby amended to read as  
39 follows:

40       706A.110 1. A transportation network company shall not  
41 engage in business in this State unless the company holds a valid  
42 permit issued by the Authority pursuant to this chapter.

43       2. A driver shall not provide transportation services unless the  
44 *driver and the* company with which the driver is affiliated ~~holds~~



1 *each hold* a valid permit issued by the Authority pursuant to this  
2 chapter.

3 3. The Authority is authorized and empowered to regulate,  
4 pursuant to the provisions of this chapter, all transportation network  
5 companies and drivers who operate or wish to operate within this  
6 State. ~~The~~ *Except as otherwise provided in NRS 706.8818 and*  
7 *706.88396, the* Authority shall not apply any provision of chapter  
8 706 of NRS to a transportation network company or a driver who  
9 operates within the provisions of this chapter and the regulations  
10 adopted pursuant thereto.

11 **Sec. 1.9.** NRS 706A.130 is hereby amended to read as  
12 follows:

13 706A.130 1. Upon receipt of a completed application and  
14 upon a determination by the Authority that an applicant meets the  
15 requirements for the issuance of a permit to operate a transportation  
16 network company, the Authority shall issue to the applicant within  
17 30 days a permit to operate a transportation network company in this  
18 State.

19 2. In accordance with the provisions of this chapter, a permit  
20 issued pursuant to this section:

21 (a) Authorizes a transportation network company to connect one  
22 or more passengers through the use of a digital network or software  
23 application service to a driver who can provide transportation  
24 services.

25 (b) Authorizes a transportation network company to make its  
26 digital network or software application service available to one or  
27 more drivers to receive connections to potential passengers from the  
28 company in exchange for the payment of a fee by the driver to the  
29 company.

30 (c) ~~Does~~ *Except as otherwise provided in NRS 706.88396,*  
31 *does* not authorize a transportation network company or any driver  
32 to engage in any activity otherwise regulated pursuant to chapter  
33 706 of NRS other than the activity authorized by this chapter.

34 3. Nothing in this chapter prohibits the issuance of a permit to  
35 operate a transportation network company to a person who is  
36 regulated pursuant to chapter 706 of NRS if the person submits an  
37 application pursuant to NRS 706A.120 and meets the requirements  
38 for the issuance of a permit.

39 **Sec. 2.** NRS 706A.160 is hereby amended to read as follows:

40 706A.160 1. A transportation network company may enter  
41 into an agreement with one or more drivers to receive connections to  
42 potential passengers from the company in exchange for the payment  
43 of a fee by the driver to the company.

44 2. Before a transportation network company allows a ~~person~~  
45 *driver* to be connected to potential passengers using the digital



1 network or software application service of the company pursuant to  
2 an agreement with the company, the company must ~~f~~

3 ~~—(a) Require the person to submit an application to the company,~~  
4 ~~which must include, without limitation:~~

5 ~~—(1) The name, age and address of the applicant.~~

6 ~~—(2) A copy of the driver's license of the applicant.~~

7 ~~—(3) A record of the driving history of the applicant.~~

8 ~~—(4) A description of the motor vehicle of the applicant and a~~  
9 ~~copy of the motor vehicle registration.~~

10 ~~—(5) Proof that the applicant has complied with the~~  
11 ~~requirements of NRS 485.185.~~

12 ~~—(b) At the time of application and not less than once every 3~~  
13 ~~years thereafter.] ensure that the driver holds a valid driver's~~  
14 ~~permit issued by the Authority pursuant to this section.~~

15 *3. The Authority shall issue a driver's permit to each*  
16 *applicant who satisfies the requirements of this section. Before*  
17 *issuing a driver's permit, the Authority shall:*

18 *(a) Require the transportation network company with which*  
19 *the applicant is employed or under a contract or has an offer of*  
20 *employment or a contract that is contingent on the applicant*  
21 *obtaining a driver's permit to conduct or contract with a third party*  
22 *to conduct an investigation of the criminal history of the applicant,*  
23 *which must include, without limitation:*

24 *(1) A review of a commercially available database*  
25 *containing criminal records from each state which are validated*  
26 *using a search of the primary source of each record ~~f~~; and*

27 *(2) A search of a database containing the information*  
28 *available in the sex offender registry maintained by each state ~~f~~.*

29 ~~—(c) At the time of application and not less than once every year~~  
30 ~~thereafter, obtain and review a complete record of the driving~~  
31 ~~history of the applicant.~~

32 ~~—3. A transportation network company],~~

33 *↪ and provide the results of such an investigation to the*  
34 *Authority.*

35 *(b) Require proof that the applicant has entered into an*  
36 *agreement with a transportation network company to provide*  
37 *transportation services in exchange for the payment of a fee by the*  
38 *applicant to the company which is contingent on the applicant*  
39 *obtaining a driver's permit pursuant to this section and has a valid*  
40 *license issued pursuant to NRS 483.340 which authorizes the*  
41 *applicant to drive in this State any motor vehicle that is within the*  
42 *scope of such an agreement.*

43 *(c) Require proof that the motor vehicle which will be operated*  
44 *by the applicant to provide transportation services is registered in*  
45 *the name of the applicant unless the applicant will operate the*





1 *motor vehicle as an independent contractor pursuant to a lease*  
2 *authorized by NRS 706.88396.*

3 *(d) Require proof that the applicant has obtained all applicable*  
4 *state and local business licenses.*

5 *4. The Authority may ~~enter into an agreement with~~ refuse to*  
6 *issue a ~~driver~~ driver's permit if:*

7 (a) The applicant is *not* at least 19 years of age.

8 (b) The applicant ~~possesses a valid driver's license issued by~~  
9 ~~the Department of Motor Vehicles unless the applicant is exempt~~  
10 ~~from the requirement to obtain a Nevada driver's license pursuant to~~  
11 ~~NRS 483.240.~~

12 ~~—(c) The applicant provides proof that the motor vehicle operated~~  
13 ~~by him or her is registered with the Department of Motor Vehicles~~  
14 ~~unless the applicant is exempt from the requirement to register the~~  
15 ~~motor vehicle in this State pursuant to NRS 482.385.~~

16 ~~—(d) The applicant provides proof that the motor vehicle operated~~  
17 ~~by him or her is operated and maintained in compliance with all~~  
18 ~~applicable federal, state and local laws.~~

19 ~~—(e) The applicant provides proof that he or she currently is in~~  
20 ~~compliance with the provisions of NRS 485.185.~~

21 ~~—(f) In the 3 years immediately preceding the date on which the~~  
22 ~~application is submitted, the applicant has not been found guilty of~~  
23 ~~three or more violations of the motor vehicle laws of this State or~~  
24 ~~any traffic ordinance of any city or town, the penalty prescribed for~~  
25 ~~which is a misdemeanor.~~

26 ~~—(g) In the 3 years immediately preceding the date on which the~~  
27 ~~application is submitted, the applicant has not been found guilty of~~  
28 ~~any violation of the motor vehicle laws of this State or any traffic~~  
29 ~~ordinance of any city or town, the penalty prescribed for which is a~~  
30 ~~gross misdemeanor or felony.~~

31 ~~—(h) In the 7 years immediately preceding the date on which the~~  
32 ~~application is submitted, the applicant has not been found guilty of~~  
33 ~~any violation of federal, state or local law prohibiting driving or~~  
34 ~~being in actual physical control of a vehicle while under the~~  
35 ~~influence of intoxicating liquor or a controlled substance.~~

36 ~~—(i) In the 7 years immediately preceding the date on which the~~  
37 ~~application is submitted, the applicant has not been found guilty of~~  
38 ~~any crime involving an act of terrorism, an act of violence, a sexual~~  
39 ~~offense, fraud, theft, damage to property of another or the use of a~~  
40 ~~motor vehicle in the commission of a felony.~~

41 ~~—(j) The name of the applicant does not appear in the database~~  
42 ~~searched pursuant to subparagraph (2) of paragraph (b) of~~  
43 ~~subsection 2.~~

44 ~~4. A transportation network company shall terminate an~~  
45 ~~agreement with any driver who:~~





1 ~~—(a) Fails to submit to the transportation network company a~~  
2 ~~change in his or her address, driver's license or motor vehicle~~  
3 ~~registration within 30 days after the date of the change.~~

4 ~~—(b) Fails to immediately report to the transportation network~~  
5 ~~company any change in his or her driving history or criminal~~  
6 ~~history.~~

7 ~~—(c) Refuses to authorize the transportation network company to~~  
8 ~~obtain and review an updated complete record of his or her driving~~  
9 ~~history not less than once each year and an investigation of his or~~  
10 ~~her criminal history not less than once every 3 years.~~

11 ~~—(d) Is determined by the transportation network company to be~~  
12 ~~ineligible for an agreement pursuant to subsection 3 on the basis of~~  
13 ~~any updated information received by the transportation network~~  
14 ~~company.] has been convicted of:~~

15 *(1) A felony, other than a sexual offense, in this State or*  
16 *any other jurisdiction within the 5 years immediately preceding*  
17 *the date of the application;*

18 *(2) A felony involving any sexual offense in this State or*  
19 *any other jurisdiction at any time before the date of the*  
20 *application; or*

21 *(3) A violation of NRS 484C.110 or 484C.430 or a law of*  
22 *any other jurisdiction that prohibits the same or similar conduct*  
23 *within the 3 years immediately preceding the date of the*  
24 *application.*

25 *(c) If the Authority determines that the issuance of the driver's*  
26 *permit would be detrimental to public health, welfare or safety.*

27 *5. A driver's permit issued pursuant to this section is valid for*  
28 *not longer than 3 years, but lapses if the driver ceases to have an*  
29 *agreement with the transportation network company identified in*  
30 *the application for the original or renewal permit. A driver must*  
31 *notify the Authority within 10 days after the lapse of a permit and*  
32 *obtain a new permit pursuant to this section before providing*  
33 *transportation services pursuant to an agreement with a different*  
34 *transportation network company.*

35 **Sec. 2.1.** NRS 706A.180 is hereby amended to read as  
36 follows:

37 706A.180 1. A transportation network company shall not  
38 allow a driver to be connected to potential passengers using the  
39 digital network or software application service of the company if the  
40 motor vehicle operated by the driver to provide transportation  
41 services:

42 (a) Is not in compliance with all federal, state and local laws  
43 concerning the operation and maintenance of the motor vehicle.

44 (b) Has less than four doors.



1 (c) Is designed to carry more than eight passengers, including  
2 the driver.

3 (d) Is a farm tractor, mobile home, recreational vehicle,  
4 semitractor, semitrailer, trailer, bus, motorcycle or tow car.

5 *(e) Is not registered with the Department of Motor Vehicles in*  
6 *the name of the driver or, for a motor vehicle operated by a driver*  
7 *pursuant to a lease authorized by NRS 706.88396, the name of the*  
8 *lessor.*

9 *(f) Does not have a vehicle permit described in subsection 5*  
10 *affixed to the motor vehicle.*

11 2. A transportation network company shall ~~inspect or~~ cause to  
12 be inspected every motor vehicle used by a driver to provide  
13 transportation services before allowing the driver to use the motor  
14 vehicle to provide transportation services and not less than once  
15 each year thereafter.

16 3. The inspection required by subsection 2 must include,  
17 without limitation, an inspection of the foot and emergency brakes,  
18 steering, windshield, rear window, other glass, windshield wipers,  
19 headlights, tail lights, turn indicator lights, braking lights, front seat  
20 adjustment mechanism, doors, horn, speedometer, bumpers, muffler,  
21 exhaust, tires, rear view mirrors and safety belts of the vehicle  
22 which ensures the proper functioning of each component.

23 *4. The motor vehicle operated by a driver must be marked*  
24 *with or have otherwise attached to the front and rear of the motor*  
25 *vehicle the name or logo of each transportation network company*  
26 *with which the driver is affiliated. The name or logo of each*  
27 *transportation network company must be at least 3 inches in*  
28 *height and be visible from a distance of at least 50 feet. The name*  
29 *or logo of each transportation network company must be distinct.*

30 *5. The vehicle permit required pursuant to paragraph (f) of*  
31 *subsection 1 must:*

32 *(a) Contain the letters "TNC" and a unique number issued by*  
33 *the Authority.*

34 *(b) Identify the motor vehicle for which the vehicle permit was*  
35 *issued.*

36 *(c) Identify the driver of the motor vehicle.*

37 *(d) Contain such other information as the Department of*  
38 *Motor Vehicles determines necessary.*

39 **Sec. 2.3.** NRS 706A.230 is hereby amended to read as  
40 follows:

41 706A.230 1. A transportation network company shall  
42 maintain the following records relating to the business of the  
43 company for a period of at least 3 years after the date on which the  
44 record is created:

45 (a) Trip records;



- 1 (b) Driver records and vehicle inspection records;
- 2 (c) Records of each complaint and the resolution of each
- 3 complaint; and
- 4 (d) Records of each accident or other incident that involved a
- 5 driver and was reported to the transportation network company.

6 2. Each transportation network company shall make its records  
7 available for inspection by the Authority upon request and only as  
8 necessary for the Authority to investigate complaints. This  
9 subsection does not require a company to make any proprietary  
10 information available to the Authority. ~~Any~~ *Except as otherwise*  
11 *provided in subsection 3, any* records provided to the Authority are  
12 confidential and must not be disclosed other than to employees of  
13 the Authority.

14 3. *The Authority shall disclose to the Secretary of State the*  
15 *name of each driver and such other information as the Secretary*  
16 *of State determines necessary to enforce the provisions of chapter*  
17 *76 of NRS. If the Secretary of State obtains any confidential*  
18 *information pursuant to this subsection, the Secretary of State,*  
19 *and any employee of the Secretary of State engaged in the*  
20 *administration of chapter 76 of NRS or charged with the custody*  
21 *of any records or files relating to the administration of chapter 76*  
22 *of NRS, shall maintain the confidentiality of that information in*  
23 *the same manner and to the same extent as provided by law for the*  
24 *Authority.*

25 **Sec. 2.5.** NRS 690B.470 is hereby amended to read as follows:  
26 690B.470 1. Every transportation network company or driver  
27 shall continuously provide, during any period in which the driver is  
28 providing transportation services, transportation network company  
29 insurance provided by an insurance company licensed by the  
30 Division of Insurance of the Department of Business and Industry  
31 and approved to do business in this State or a broker licensed  
32 pursuant to chapter 685A of NRS or procured directly from a  
33 nonadmitted insurer, as defined in NRS 685A.0375:

34 (a) In an amount of not less than \$1,500,000 for bodily injury to  
35 or death of one or more persons and injury to or destruction of  
36 property of others in any one accident or motor vehicle crash that  
37 occurs while the driver is providing transportation services;

38 (b) In an amount of not less than ~~150,000~~ *\$300,000* for bodily  
39 injury to or death of one ~~person~~ *or more persons and injury to or*  
40 *destruction of property of others* in any one accident or motor  
41 vehicle crash that occurs while the driver is logged into the digital  
42 network or software application service of the transportation  
43 network company and available to receive requests for  
44 transportation services but is not otherwise providing transportation  
45 services, †



1 ~~—(c) Subject to the minimum amount for one person required by~~  
2 ~~paragraph (b), in an amount of not less than \$100,000 for bodily~~  
3 ~~injury to or death of two or more persons in any one accident or~~  
4 ~~motor vehicle crash that occurs while the driver is logged into the~~  
5 ~~digital network or software application service of the transportation~~  
6 ~~network company and available to receive requests for~~  
7 ~~transportation services but is not otherwise providing transportation~~  
8 ~~services; and~~

9 ~~—(d) In an amount of not less than \$25,000 for injury to or~~  
10 ~~destruction of property of others in any one accident or motor~~  
11 ~~vehicle crash that occurs while the driver is logged into the digital~~  
12 ~~network or software application service of the transportation~~  
13 ~~network company and available to receive requests for~~  
14 ~~transportation services but is not otherwise providing transportation~~  
15 ~~services.†~~

16 ↪ for the payment of tort liabilities arising from the maintenance or  
17 use of the motor vehicle.

18 2. The transportation network company insurance required by  
19 subsection 1 may be provided through one or a combination of  
20 insurance policies provided by the transportation network company  
21 or the driver, or both.

22 3. Every transportation network company shall continuously  
23 provide, during any period in which the driver is ~~†providing~~  
24 ~~transportation services,†~~ *logged into the digital network or software*  
25 *application service of the transportation network company and*  
26 *available to receive requests for transportation services,*  
27 transportation network company insurance provided by an insurance  
28 company licensed by the Division of Insurance of the Department of  
29 Business and Industry and approved to do business in this State or a  
30 broker licensed pursuant to chapter 685A of NRS or procured  
31 directly from a nonadmitted insurer, as defined in NRS 685A.0375,  
32 which meets the requirements of subsection 1 as primary insurance  
33 if the insurance provided by the driver:

34 (a) Lapses; or

35 (b) Fails to meet the requirements of subsection 1.

36 4. Notwithstanding the provisions of NRS 485.185 and  
37 485.186 which require the owner or operator of a motor vehicle to  
38 provide insurance, transportation network company insurance shall  
39 be deemed to satisfy the requirements of NRS 485.185 or 485.186,  
40 as appropriate, regardless of whether the insurance is provided by  
41 the transportation network company or the driver, or both, if the  
42 transportation network company insurance otherwise satisfies the  
43 requirements of NRS 485.185 or 485.186, as appropriate.

44 5. In addition to the coverage required pursuant to subsection  
45 1, a policy of transportation network company insurance may



\* S B 2 2 6 R 2 \*

1 include additional coverage, including, without limitation, coverage  
2 for medical payments, coverage for uninsured or underinsured  
3 motorists, comprehensive coverage and collision coverage.

4 6. An insurer who provides transportation network company  
5 insurance shall not require a policy of insurance for the operation of  
6 a motor vehicle required pursuant to NRS 485.185 or 485.186, as  
7 appropriate, to deny a claim before the transportation network  
8 company insurance provides coverage for a claim.

9 7. An insurer who provides transportation network company  
10 insurance has a duty to defend and indemnify the driver and the  
11 transportation network company.

12 8. An insurer who provides transportation network company  
13 insurance which includes comprehensive coverage or collision  
14 coverage for the operation of a motor vehicle against which a  
15 lienholder holds a lien shall issue any payment for a claim under  
16 such coverage:

17 (a) Directly to the person who performs repairs upon the  
18 vehicle; or

19 (b) Jointly to the owner of the vehicle and the lienholder.

20 9. A transportation network company that provides  
21 transportation network company insurance for a motor vehicle is not  
22 deemed to be the owner of the motor vehicle.

23 **Sec. 2.7.** (Deleted by amendment.)

24 **Sec. 2.9.** 1. Notwithstanding the amendatory provisions of  
25 this act, a person who provides transportation services as a driver in  
26 affiliation with a transportation network company on or before July  
27 1, 2017, may continue to do so without obtaining a driver's permit  
28 pursuant to NRS 706A.160, as amended by section 2 of this act,  
29 until October 1, 2017.

30 2. As used in this section:

31 (a) "Driver" has the meaning ascribed to it in NRS 706A.040.

32 (b) "Transportation network company" has the meaning ascribed  
33 to it in NRS 706A.050.

34 (c) "Transportation services" has the meaning ascribed to it in  
35 NRS 706A.060.

36 **Sec. 3.** (Deleted by amendment.)

37 **Sec. 4.** 1. This act becomes effective on July 1, 2017.

38 2. Sections 1.4 and 1.5 of this act expire by limitation on the  
39 date on which the provisions of 42 U.S.C. § 666 requiring each state  
40 to establish procedures under which the state has authority to  
41 withhold or suspend, or to restrict the use of professional,  
42 occupational and recreational licenses of persons who:

43 (a) Have failed to comply with a subpoena or warrant relating to  
44 a proceeding to determine the paternity of a child or to establish or  
45 enforce an obligation for the support of a child; or



- 1 (b) Are in arrears in the payment for the support of one or more
- 2 children,
- 3 → are repealed by the Congress of the United States.

Ⓢ



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