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Insurance; taxicab operators

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to medical transportation service providers for covered services, if the provider is not reimbursed by any other source.⁶ Under Chapter 597, insurance policies delivered in another state by a domestic insurer are subject to the above provisions.⁷

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(1987) (defining person as a natural person, any form of business or social organization and any other nongovernmental legal entity). Enrollees make periodic standardized payments without regard to the actual services they receive. *Id.* § 695C.030 7 (1987). Health maintenance organizations' actions do not constitute practicing medicine and, therefore, any health maintenance organization corporation is not functioning illegally. 219 Op. Att'y Gen. 45 (1977). Health maintenance organizations provide or arrange health care services. *Id.*

6. 1989 Nev. Stat. ch. 597, secs. 1, 3, 4, 5 at ___ (enacting NEV. REV. STAT. § 689A.____, 689B.____, 695B.____, 695C.____). The insured, enrollee, subscriber, or provider may submit the claim for reimbursement. *Id.* The provider may not demand payment from the insured, enrollee or subscriber before the claim has been granted or denied. *Id.* The required provision for direct reimbursement to a medical transportation provider is not applicable to any agreement between the insurance and medical transportation providers. *Id.* These provisions apply to health insurance contracts, group and blanket health insurance, nonprofit health service corporations and health maintenance organizations. *Id.* See *id.* sec. 7, at ___ (amending NEV. REV. STAT. § 287.010) (provisions of Chapter 597 also apply to group health insurance policies for employees or officers of public corporations, political subdivisions or any public agency of the State of Nevada).

7. *Id.* sec. 2, at ___ (amending NEV. REV. STAT. § 689A.330) (requiring Nevada Insurance Commissioner to enforce the provisions of Chapter 597, if the corresponding public official of the state in which the policy was received has informed the Nevada Insurance Commissioner that the policy is not subject to control by the officials at that locale). See *id.* sec. 6, at ___ (amending NEV. REV. STAT. § 695C.190) (establishing that the Nevada Insurance Commissioner may require the submission of any relevant information when deciding whether to approve a filing made for the direct reimbursement of medical transportation).

Insurance; taxicab operators

NEV. REV. STAT. § 706.____ (new); §§ 706.011, 706.126, 706.221, 706.8825, 706.8831 (amended).

SB 286 (Committee on Transportation); 1989 STAT. Ch. 755.

Existing law requires holders of certificates authorizing taxicab operation¹ to maintain liability insurance.² Chapter 755 requires the

1. See NEV. REV. STAT. § 706.8827 1(a) (1987) (defining a certificate holder as a person who holds a current Certificate of Public Convenience and Necessity issued for the operation of a taxicab business by the Public Service Commission of Nevada before July 1, 1981, or a Certificate of Public Convenience and Necessity issued by the Taxicab Authority).

2. *Id.* § 706.8828 1-4 (1987). A certificate holder is required to maintain an insurance policy that provides the following minimum coverage: (1) \$100,000 for injury to one person

Public Service Commission to adopt regulations requiring taxicab³ motor carriers⁴ to maintain liability insurance in specified amounts⁵ or to self-insure.⁶ An operator can self-insure by filing a bond⁷ with the Department of Motor Vehicles and Public Safety (Department) or depositing a security with the Department.⁸

in one accident; (2) \$300,000 for injury to two or more persons in any one accident; and (3) \$10,000 for property damage in any one accident. *Id.* § 706.8828 2. The insurance carrier may not cancel the policy without giving thirty days' notice to the certificate holder and the Taxicab Administrator. *Id.* § 706.8828 2(b). A certificate holder may self-insure the first \$50,000. *Id.* § 706.8828 4.

3. *See* 1989 Nev. Stat. ch. 755, sec. 2, at ___ (enacting NEV. REV. STAT. § 706.____) (definition of taxicab).

4. *See id.* sec. 10, at ___ (amending NEV. REV. STAT. § 706.126) (defining taxicab motor carrier as anyone operating a taxicab).

5. The mandatory coverage amounts imposed by the Public Service Commission regulations must not exceed: (1) \$250,000 for the injury or death of one person per accident; (2) \$500,000 for the injury or death of two or more persons per accident; (3) \$50,000 for injury to property per accident; or (4) a combined total of \$500,000 for any one accident in which bodily injury to one or more persons and injury or destruction of property occurs. *Id.* sec. 3, at ___ (enacting NEV. REV. STAT. § 706.____). Chapter 755 requires operators of horse-drawn vehicles subject to the regulation of the Insurance Commission to carry insurance coverage in the same amounts as taxicab operators. *Id.* sec. 2.5, at ___ (enacting NEV. REV. STAT. § 706.____).

6. *Id.* sec. 5, at ___ (enacting NEV. REV. STAT. § 706.____). A taxicab operator subject to any unsatisfied judgments may not self-insure. *Id.* sec. 4, at ___ (enacting NEV. REV. STAT. § 706.____).

7. *See id.* sec. 5, at ___ (enacting NEV. REV. STAT. § 706.____). A taxicab operator may obtain a bond from a surety company or from two or more individual sureties who own real property in the state with equity equal in value to twice the amount of the bond. *Id.* The bond acts as a lien in favor of the state against the property of the sureties. *Id.* Persons holding a judgment against a taxicab operator may, within 60 days after the judgment becomes final, file suit at their own expense in the name of the state against the bond holder and may seek to foreclose on the lien. *Id.* The bond holder may not cancel the bond without giving 10 days' notice to the Department. *Id.*

8. *Id.* secs. 5-6, at ___ (enacting NEV. REV. STAT. § 706.____). The taxicab operator may deposit with the Department a security in the amount of \$500,000 or an amount equal to 110% of the average amount of claims made against that operator for three years prior to self-insuring. *Id.* sec. 6, at ___ (enacting NEV. REV. STAT. § 706.____). The minimum deposit is \$250,000. *Id.* The Department requires evidence that the depositor is not subject to any unsatisfied judgments. *Id.* The Department deposits the money in a separate account with the State Treasurer. *Id.* The Department may use any security deposited with it to satisfy a final judgment against the depositor that has not been paid within 30 days after judgment, unless the court orders otherwise. *Id.* The depositor must maintain the full amount required at all times and must replace any amount used to satisfy a judgment within 24 hours of its payment. *Id.* If the depositor does not replace the amount used to satisfy the judgment, the Department may cancel the operator's certificate of self-insurance. *Id.* The security may be one or a combination of the following: (1) A certificate of deposit with a state or Federal bank, made payable to the taxicab operator and to the Department; (2) Federal bonds and securities made payable to the taxicab operator and to the Department; (3) a deposit of the required amount with the State Treasurer, with the Department acting as trustee; (4) a surety bond issued by any authorized surety company on behalf of the operator; or (5) any form of security acceptable to the Department, including the net worth of the operator. *Id.* sec. 7, at ___ (enacting NEV. REV. STAT. § 706.____). The depositor must maintain the security with the Department as long as the depositor holds a certificate of self-insurance or until all claims against the depositor

Existing law provides that the Taxicab Administrator⁹ may use any balance over \$100,000 in the Taxicab Authority Fund¹⁰ and any interest earned by the fund to subsidize transportation for the elderly.¹¹ Chapter 755 allows this fund to also be used to subsidize transportation for the permanently handicapped.¹² Chapter 755 also requires taxicab operators to include in the required telephone listing their hours of service if they do not operate twenty-four hours a day.¹³

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are paid, whichever is later. *Id.* sec. 8, at ___ (enacting NEV. REV. STAT. § 706.____). When a depositor wishes to relinquish the certificate of self-insurance, the depositor must present an affidavit that lists all outstanding claims against the depositor and that gives the name of the claimant and the amount of each claim. *Id.*

9. See NEV. REV. STAT. § 706.8812 (1987) (definition of Taxicab Administrator).

10. See NEV. REV. STAT. § 706.8825 (describing the creation and use of the Taxicab Authority Fund).

11. NEV. REV. STAT. § 706.8825 (amended by 1989 Nev. Stat. ch. 755, sec. 12, at ___).

12. 1989 Nev. Stat. ch. 755, sec. 12, at ___ (amending NEV. REV. STAT. § 706.8825). The Administrator must accept a certificate describing the nature and extent of the handicap from any licensed physician in the state as evidence of the permanent handicap. *Id.*

13. 1989 Nev. Stat. ch. 755, sec. 13, at ___ (amending NEV. REV. STAT. § 706.8831).

Insurance; verification of motor vehicle insurance

NEV. REV. STAT. § 485.383 (amended).

AB 17 (Spinello); 1989 STAT. Ch. 589

Under prior law, the Department of Motor Vehicles and Public Safety (Department)¹ annually selected a sample² of all registered owners³ of vehicles (except motorcycles⁴ and motor homes⁵) whose

1. See NEV. REV. STAT. §§ 481.015 (1987) (Department means Department of Motor Vehicles and Public Safety); 481.019 (1987) (powers and duties of the Department). See also *id.* § 481.067 1(a) (1987) (creation of registration division).

2. 1981 Nev. Stat. ch. 448, sec. 1, at 1133 (amended by 1989 Nev. Stat. ch. 589, sec. 1, at ___) (sample of not less than 10%).

3. See NEV. REV. STAT. §§ 482.102; 485.108 (1987) (definition of registered owner). See also *id.* §§ 482.085; 485.090 (1987) (owner defined). See generally *id.* §§ 482.205 (1987) (registration required); 482.215 (1987) (application for registration).

4. See *id.* §§ 482.070; 484.083 (1987) (definition of motorcycle).

5. See *id.* § 482.071 (1987) (definition of motor home). See also *id.* § 482.066 (1987) (definition of mini-motor home).