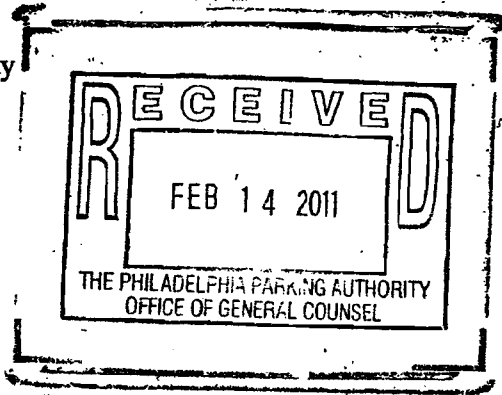


# 2885

To: Dennis G. Weldon, Jr.  
General Counsel  
Philadelphia Parking Authority  
3101 Market Street, 2<sup>nd</sup> Floor  
Philadelphia, PA 19115

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#017

CC: Silvan B. Lutkewitte, III  
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RE: Regulation ID# 126-1 (IRRC #2885) Public Comments on the Philadelphia Parking Authority Taxi and Limousine Regulations Proposed Rulemaking

Comments From:

Linda and Philip Jagiela, Owners  
Aries Transportation  
1390 Industrial Blvd.  
Southampton, PA 18966

February 8, 2011

Thank you for the opportunity to present our comments to the committee. Our business, Aries Transportation, has been in business 22 years. We own 18 vehicles, utilize 30 chauffeurs, and have 7 office staff to run our business which is located in Bucks County. We regularly provide luxury transportation primarily to corporate clients throughout the state.

Although our company is a member of the Philadelphia Regional Limousine Association, these comments are our own and reflect our business not that of the Association.

As an overview, we believe that the limousine industry should be regulated differently from that of the taxi industry. Luxury limousine customers all have prearranged rides. If our service is not up to par, our customers will go to our competitors. We are self regulated in this instance. Unlike a taxi where a person puts up their hand and hails a cab only to get whoever is driving the vehicle, our clients have a choice.

We believe that the omission of the fee schedule should immediately be rectified. The fees should be part of these regulations and therefore available for public comment. As an example, in the past year, the fees for a chauffeur to get a Philadelphia Parking Authority license have changed three times and the regulations involved have also changed. Previously chauffeurs could obtain a temporary license and study a video prior to taking an exam. Now they are required to sit with taxi drivers in three days of classes

which are more geared to the taxi industry. As an operator in this area, this creates an extreme hardship in finding chauffeurs who are willing to spend the money and take the time obtain a PPA license. What actually happens is that all companies pull from the same pool of individuals who have their license only to have to pay a premium to chauffeurs who have them. This then becomes an added cost which we must in turn then pass on to the consumer.

We support the legislation that the Philadelphia Regional Limousine Association currently has in Harrisburg (HB currently in for co-sponsorship signatures and SB453) which returns the rules to those which were properly promulgated by the PUC and are being used throughout the rest of the state of Pennsylvania. By having two separate sets of rules governing the same companies it only causes confusion and redundancy. The bills currently moving through Harrisburg would not take the oversight away from the Philadelphia Parking Authority for those entities that have been certificated by the PUC. Nor would it prevent the PPA from acting as the enforcement arm of the PUC within the city limits. The Philadelphia Parking Authority could oversee those rules and enforce them.

Our industry is eighty percent composed of one to five car operators. The majority of those operators work from their homes. Many answer their own phones and drive their own vehicles. The added expense of fines and upwardly rising fees of the Philadelphia Parking Authority have caused large and small businesses in our industry to close their doors and sell their book of business to their competitors. We continue to consider moving our business across the bridge to New Jersey or Delaware where we would not have onerous fees. With 22 years in business though and strong ties to the community, this does not make sense.

Now that the Philadelphia Parking Authority is considered a State Agency and is doing the exact same thing as the PUC is doing in the rest of the Commonwealth, we believe that it should report to the PUC commissioners for oversight. This will ensure that the future rules and regulations are properly promulgated.

We have personally read through the regulations to submit these comments. The 255 pages have been very difficult for lay person to review. We are not lawyers and find the language in these rules difficult to understand. Please understand that we may find wording and legalese confusing. The rules that previously governed us by the PUC were not as difficult to understand.

We also believe that there is a void in these rules as it pertains to companies selling chauffeured services in the city and adding them to other services thus billing them to a third party. For example, when a company picks up passengers at the airport, takes them to a hotel, picks them up the next day and takes them to a meeting then takes them back to the hotel and or airport and that bill is submitted to a third party such as an insurance company to pay, it is still a chauffeured service. This is no different than a company being billed directly for the transportation of them or their customers. If the transportation is part of a billed service that a client is paying then it is a chauffeured ride.

Cancer Centers of America operate a 100 car fleet in Philadelphia with chauffeurs who do not have any of the requirements of the chauffeurs who drive the public. The vehicles do not have "LM" plates as do ours and they do not have the insurance requirements of \$1.5 million as do ours. The services they are providing are identical to the chauffeured services we provide. This is not medical transportation requiring ambulances and the ultimate passenger is being charged for the rides. We believe that this is a means of skirting the regulations. They are chauffeured services who are not required to operate as such. This is not para-transit; it is private prearranged transportation with all point to point in Philadelphia.

#### Section 1 IRRC Profile

(8) We disagree with this explanation. The rules here are not similar to those currently used by the Pennsylvania Public Utilities Commission to regulate taxicabs and limousines in the Commonwealth. Those rules have been properly formed. The fees and fines are more reasonable and are included in their regulations and are not just a budget item. These rules are excessive in their limitations and will provide an extreme hardship to companies doing business who must adhere to them.

(12) We believe that there are other court cases that have not been cited here. We would ask the IRCC lawyers to please review this. We understand that there was a second case with a company called Sam's Limo. As lay people we do not have access to this information or the knowledge of how to get it.

(13) These rules are extremely different from those of the PUC and should be put side by side to those rules to reflect the differences. The rules set by the PUC will allow fair regulation of the limousine industry while still protecting the best interest of the traveling public. The experience of the five years of the Authority has put extreme age limits on vehicles which causes a hardship on the companies who must adhere to them. The fees and fine structures to set by the authority are excessive and do not allow fair entry into the industry by business. It cost \$10,000 to receive authority from the Philadelphia Parking Authority. The PUC only charges \$350.00. We believe that these excessive fees and fines creates a "gypsy" industry which operates without the proper licensing and authority but is difficult to catch as they run with ordinary tags. The public is not educated enough to know the difference. The existing regulation of the PUC should be sufficient with only the additional requirement of background checks for chauffeurs. The public in Pittsburg is well served under these rules as they are in our State capital of Harrisburg.

(14) We disagree, studies are needed to justify why 255 pages of regulations are needed for Philadelphia while only 50 are needed for the remainder of the state. How is Philadelphia that much different then the remainder of Pennsylvania?

(15) Limousine operators, chauffeurs and our consumers will be adversely affected by this regulation. The excessive fees and fines force the pricing to the consumer to be so high that they look at other modes of transportation which then in turn affects the economy of this great state. The taxpayers in the state of Pennsylvania will adversely be

affected. They have properly assembled rules for the PUC that suffice for the entire state and should also work for Philadelphia but instead, the state is allowing the PPA to take years and gobs of taxpayer money to look at different regulations that essentially do the same thing. It is fiscally irresponsible to redo something that is currently working in the remainder of the State.

(16) We take exception with calling our professional chauffeurs drivers. They are not. We would love the opportunity to put a chauffeur next to a taxi driver in Philadelphia and allow you to cite the extreme differences. Additionally, when these rules are promulgated properly, companies that look like cabs and act like limousine operators should not fly under the radar. Companies that have meters in their vehicles are taxis and those who do not are limousines. That is how they should be defined. Nowhere in these rules does a hybrid exist yet the Philadelphia Parking Authority has granted exemptions for these types of companies in the past.

(17) We disagree that the cost will be revenue neutral for most regulated persons. We ask that IRCC look at the fees and fines associated with the PUC and those of the Parking Authority and compare the two. Additionally, we will continue to be dually regulated in the State by two State agencies paying redundant fees and fines. For example we are required to have State vehicle inspection as well as a Philadelphia Parking Authority Vehicle Inspection. Under the PUC regulations if adhered to by the Philadelphia Parking Authority we would not see as many of those redundancies. Additionally, the fees of the PUC go to the general fund while those of the Parking authority go to the operating budget of the Parking Authority. Fee and fine schedules should be part of this review process as they were with the PUC.

(19) State government should be given the fees and fines to be used in the General fund and not the PPA operating budget .

(20) This chart is not correct as it looks at PPA rule vs PPA rules. It should be comparing those of the PPA to the PUC. The differences then would be outstanding.

(21) The rules should not be compared to the local rules but rather the state rules which were properly promulgated. How were they properly promulgated locally? We do not believe that is the case as we were never given the opportunity to comment on rules fees and fines as they have changed throughout the past six years. We believe that the rules were at the whim of the Parking Authority. For example, recently the Parking Authority change it rules on driver licenses. Where was it posted and announced and when were the stakeholders given the opportunity to comment on the change? We believe that this is misleading, comparing the rules you have to the rules you propose. The comparison should be to those of the rest of the state and the blatant differences should be exemplified. If in fact they are a state agency, wouldn't it make more sense to compare these rules to the state rules?

- (22) Again the rules should be compared to the State rules not locally promulgated rules. As part of the industry many of these rules we were not given the opportunity to make public comment upon.
- (23) We feel that the rules of the PUC should have not only been considered but have been adopted as they are in effect for the remainder of the state of Pennsylvania. Why does Philadelphia need over 200 pages of regulations while the remainder of the state can operate effectively under the PUC rules?
- (24) The PUC looked at Federal Motor Carrier rules when developing their rules. Age of vehicles in service are more stringent.
- (25) It is easy to say that it is similar without citing what state. We are extremely different that that of NY State which has 100 times the number of vehicles in New York City; so adopting their rules would be excessive. I would question what other state has over 200 pages of regulations and these excessive fines. I would welcome a comparison of that.
- (26) They will be duplicate and redundant to the rules of the PUC.

#### Subpart A

#### 1001 Rules of Administrative Practice and Procedure

##### A. General Provisions

#### 1001.8 Authority office hours and address

The Philadelphia Parking Authority closes its offices in the middle of the day to the public for lunch. We would like clarification that with these new rules that will no longer be allowed.

#### 1001.9 Session of the Authority

Public Meetings should be held and publicized as dictated in the Sunshine Law. They should be posted in advance and the agendas should be made public as well as information being discussed. The public should be given the opportunity to ask questions with regard to agenda items prior to their being voted on. This has not in the past been the case. Only the media is given the financial data discussed and although the information is voted on the public is not privy to that information prior to or during the meetings. All public comment is required to be put in writing to have it addressed at meetings of the Philadelphia Parking Authority Executive Board. In the absence of an agenda, it is difficult to know what questions will arise. Additionally, the minutes should be made readily available to the public without having to request them with multiple forms through the Freedom of Information Act. Meeting schedules, agendas and minutes should also be posted on the Philadelphia Parking Authority Website.

#### 1001.10 Definitions

Adjudication—It is difficult to understand the definition of the word when the same word is used as part of the main definition. This should be further clarified.

#### 1001.11 Date of Filing

(a) This should include the post marked date of the United States Post Office. We cannot control the mail or how the Philadelphia Parking Authority moves mail through their organization.

#### 1001.43 Authority Fee Schedule

We feel that the Authority Fee Schedule should be part of this process and fees that are assigned should be considered here based on what is fair and equitable to our industry throughout the United States. For example, fines for not having a PPA issued chauffeur's license are \$500 to individual that holds the license and \$1000 to the company who is employing him. Yet no notification of expiration or rebuke is ever given to the company by the Philadelphia Parking Authority. The fine for driving without a state issued drivers license is only \$250.

#### 1001.61 Penalties

(b) Additional Penalties—these penalties should be clearly spelled as to what the penalties are for each violation and not at the choice of the Philadelphia Parking Authority. Additionally, they should be reviewed by IRCC to allow public comment.

#### 1001.65

Although this appears to deal specifically with bankruptcies that is not how this reads, the Constitution of the United States gives us a bill of rights. As this is written we would have to notify the director to act according to our constitutional rights. If we choose to use our rights to change laws through our governmental bodies, we should not have to tell "Big Brother" Parking Authority Executive Director we are doing it just like they did not send out notification that they were putting these rules before IRCC to us. These rights are given to us and this seems to be conflicting with our constitutional rights.

#### 1001.91 Application for waiver of formal requirements

It should be defined as to what may and may not be waived. Calling a metered vehicle a limousine should not be allowed to be waived. The substance and intent of the rules should not be able to be waived.

#### 1001.96 Unofficial statements and opinions by Authority personnel

This section makes the authority not responsible for anything it says unless it is a formal statement. It removes all responsibility for anyone who speaks to the press or in a public forum about an issue regardless of its merit or fact. This section should be omitted as the same privileges are never given to the public. If Mr. Fennerty as Executive Director of the Parking Authority makes a public statement about the parking authority it should be admissible in court, etc. This is taking away again the public's constitutional rights to due process. The Parking Authority drafted these rules and should understand and know them. What the personnel say should be considered that of the Authority. If they do not know or if it is untrue a reasonable person would expect that they would just not say it.

#### 1001.97 Notice of Rulemaking proceeding

Just as the Director is expected to be notified of any other tribunal or regulatory body that proposed changes in rulemaking go before by the industry, it is reasonable to expect that the stakeholders also be notified by the Parking Authority not just in the PA bulletin but by mail or email to us.

### Chapter 3

#### 1003 Special Provisions

##### 1003.1 Definitions

**Emergency**—This should be more clearly defined. For example, is a strike by taxi cabs considered an emergency and limousines being given emergency taxi authority? We do not believe this is so. Additionally, how does the state handle the fact that our insurance may find this to be objectionable as this would be considered a hail instead of a prearranged trip?

**Emergency Order**—We believe it should be issued by a higher Authority than the Authority's Executive Director.

**Interim emergency order** calls for a presiding officer but no where is it defined?

**1003.3 (c.) Ratification**—Public meetings should be subject to the Sunshine Law and the agenda should be made available

#### Subchapter C Applications and Protests

##### 1003.34

**(e) Protest**—anyone should be able to protest an application without being charged a fee. The fees associated with protests are a deterrent to anyone giving information that may be pertinent to application. This is yet another reason the fee should be eliminated. The fee to protest an application with the Parking Authority is currently excessive at \$2500.

**7 (c.) fee**—We believe that no fee as stated above should be associated with protests especially one as excessive as \$2500 which is the current charge of the Philadelphia Parking Authority.

**(h)** if a protest is withdrawn and you allow the fees to stand then it should be refunded.

##### 1003.35 Application for temporary certificate of public convenience

We believe that it should be more clearly defined why a company would be issued a temporary right. For example should the Philadelphia stadiums be awarded the Super Bowl it would make logical sense that there would not be enough vehicles to serve the needs of that event. All stakeholders should be notified and given the opportunity to protest temporary right if it should adversely harm those with current authority. As was done in other cities where events like the Super Bowl were held, existing stakeholders could only apply and sponsor outside concerns therefore eliminating any adverse economic conditions for the existing companies.

Temporary rights should be limited to only 7 days and then they should be reapplied for.

1003.36 We do not understand what this is trying to say. We would need a better explanation as to what this means as the Interstate Commerce Authority never did issue point to point Philadelphia Authority. We believe that this is a very confusing rule and as a stakeholder we do not understand its intent.

#### Subchapter E Taxicab and Limousine Division

1003.51 Definitions—TLD—This acronym is referenced throughout but is not defined until here. It should also be defined earlier in the regulations

#### 1003.53 Adjudication Department

(a) If the Adjudication department report to the Director it would be reasonable to believe that the interest of only the PPA would be served. Adjudication should report outside of the Authority to assure fair treatment to all parties. This looks like they are governing themselves and not giving all parties the right to due process.

(f) this seems like a conflict reporting to themselves and appointing their own people to judge the rules.

#### 1005 Formal Proceedings

1005.10. Formal complaints—which is it in (2) the office of Trial Counsel or the PUC? This is very confusing

#### 1005.18 Petitions for issuance...regulations

(a) this seems to contradict the IRCC process, why grant waivers of rules that are properly promulgated? This allows the PPA to change the rules that IRCC approved.

1005.25 (e.) Supersession—Why is it allowed to Supersede the PA Code? Again it gives the authority to change the rules mid stream

#### CONSOLIDATION

1005.35 This gives blanket ability to the director to do whatever he wants. It should definitely be removed or addressed differently

1005.80 Public Documents – We ask what reasonably available to the public means? Currently the only way to get these documents is to file a freedom of information request and wait thirty days for it to be answered.

1005.111 We believe that this authority should go to someone who is not the Director or reports to him. We feel that this is the only way to get an unbiased opinion.

1005.123 Appeal Hearing – If we read this correctly, we will be first judged by a presiding officer who works for the PPA and then appeal to yet the same presiding officer. Again if this was given to an outside unbiased agency we feel that our rights would be better served under due process of the law. Remedy should be available away from the Director.



1005.42 (a) this is a duplication of what is already being done with the state. It should be one or the other but not both.

#### Subpart C. Limousines

##### Definitions

Limousine: We believe that differentiation between limousines and taxis should be clear: A taxi has a meter and a limousine does not. Regardless of the make and model of the vehicle if it is metered it is a taxi.

Stretched Vehicle—If a vehicle had 16 or more passengers it would then be considered a bus and would be regulated by the Federal Motor Carrier Regulations. This would conflict with their requirements and should be changed to 15 or less including the driver.

##### 1051.3 Annual Rights renewal process.

(a) Expiration of certificate. Even driver's licenses in the State of Pennsylvania are good for more than one year. We believe that they should be issued for a minimum of three years and the certificate should be good for life unless you fall outside the parameters of the rules and regulations. Renewal fees are a hardship on drivers and companies when they are paid annually. Furthermore if the State can issue a license with nothing greater than a written and practical test, why does the PPA need three days of classroom learning about primarily Taxi operations? This too creates a financial hardship and limits the labor pool available to companies. Additionally, the PPA should send notification that the driver license is about to expire 60 days prior to renewal as the State does for regular driver's licenses.

(2) Renewal forms... This is too vague. State what is needed and let us comment through IRCC

(b) it is not reasonable to expect a driver to 60 days before renewal to fill out a form. This presents a hardship to companies and the consumer when it is not done. Within a week of renewal is more reasonable.

All of the renewals should be stricken from the rules as they are unnecessary and redundant and they supersede the PUC requirements.

1051.4 Annual assessments—We believe that they should be called out here as they are with the PUC. Assessments with the PPA are onerous and compared side by side to those of the PUC will be considered excessive. Average assessment per vehicle with the PUC is \$100 based upon gross operating revenues while the PPA charges currently \$300 per vehicle with no cap and a vehicle inspection by them at a fee of \$85 currently which is redundant with our state inspection requirements.

##### 1051.5

In the section if someone who currently is identified to the Authority as having rights but having been convicted of a crime that they have those privileges immediately revoked upon verification.

#### 1051.6

This section is the way the PPA is able to collect outstanding parking fees. It prohibits though the ability for an individual who may not have a revoked license the ability to obtain employment. It is actually contrary to getting those tickets paid./ We feel that it should be stricken Additionally any fees and fines should coincide with those of the commonwealth. As stated above, receiving a \$500 fine for not having a PPA driver's license is double that of what the State charges for no driver's license at all.

1051.6 (d) Only Philadelphia based businesses should need a Business Privilege License issued by the City of Philadelphia

1051.10(c.) This area should be stricken entirely—with the advent of technology less paper is being generated and records are being maintained digitally. The PPA should not force companies to not enhance their sustainability profile by maintaining paper copies. This is environmentally unfriendly.

1051.12 (a) What does this constitute. Snow storms interrupt service. Does the PPA want limousine companies to let them know when they affect their service—this is very unclear.

1051.13 (d.) the fee for this should be called out in the ordinance. No fee should be attached to this. When doing the same with the PUC there is no fee imposed.

1051.18 Should include non-meter only—if a vehicle has a meter it is a taxi regardless of the tags or type of vehicle. Furthermore this authority is limited to point to point work in the city of Philadelphia as the PPA has no jurisdiction outside the city of Philadelphia

### Chapter 1053

#### Standard Classifications of Limousine Services

We feel there are too many classes and this will only add additional fees to companies who are doing this type of work. Limousine services across the country provide luxury limousine service, airport transfers as well as van and mini shuttle work. The majority of limousine companies in our area do all of these. To break all of these out separately will only allow fees for each.

#### Chapter 1053.23 Vehicle and equipment requirements

(a) luxury type vehicle should be defined—what is a luxury vehicle? Most companies operate Lincoln Town Cars, as defined in (b) they would not apply. This will create a hardship on the industry as all fleets will need to be retrofitted to meet this requirement

#### 1053.24 Consumer information

(a) This type of Identification is in non luxury service such as taxis; even New York City does not require this information posted in luxury vehicles. It distracts and takes away from the "luxury" nature of the vehicle. As these are prearranged trips the consumer has the information as part of their reservation and confirmation and it should not be required as it would be with a street hail.

#### Subchapter C. Airport Transport

This section is redundant as it is already allowed above in limousine service.

#### Subchapter D

##### 1053.41-43

The Parking Authority is expanding now into buses which it never before had Authority over. Companies now will be regulated three ways—PUC, PPA and FDOT. This entire section should be stricken.

1053.42 Remote Carriers—This is directly in Conflict with the Federal RIDE ACT which allows companies to come into an airport and drop their passenger or pick them up without needing additional licenses or having to pay additional fees. It is directly in conflict with Federal law. Additionally, what does "relating to relating to certain limousine requirements" mean? Is this a legal term?

(c.) the PUC certificate already allows you to go into a hotel airport or train station to pick up or drop off as long as it is not point to point. Why would an additional PPA license need to be required it is redundant and will be an unnecessary expense.

##### 1053.43 Certain limousine requirements

Is this creating a new category of service such as the black cars and community cars in New York City? We feel this should be stricken as it creates a hybrid of service and is a loop hole which will allow new categories to be included without going through this process. Limousine service is prearranged and does not have a meter. If it has a meter it is a taxi—what could be clearer than this. Adding hybrids into the mix will create problems throughout the Commonwealth as the PUC does not have these types of classifications. We feel that this is giving the PPA carte blanche to add companies that don't meet either the taxi or the limousine requirements. For example a non-metered vehicle which has only the lower taxi insurance rates. The public does not understand the difference and in the event of a catastrophic accident they would then only have limited coverage.

(c.) registration—Why is the registration fee for limousines \$300 while this hybrid only pays \$15? Why also are you required to complete a registration form when it is not a requirement of the PUC? Your certificate has no vehicle limitations.

#### (d) Regulation

This section would suggest it would benefit operators to move their base of operation outside the city of Philadelphia; be deemed a remote carrier; and only fall under the regulations that they currently adhere to of the PUC.

#### Chapter 1055 Vehicles and Equipment Requirements

##### 1055.3 Limousine age and mileage parameters

(c.) Mileage—The PUC has no mileage requirements and we believe that PPA should not either. This elevates the costs to an operator. We believe that item (1) should be stricken entirely.

(2) The PUC has no mileage limitations to remove a vehicle from service. This should be removed from the PPA's as it will create a hardship on operators who will need to replace their fleet every two years. With proper maintenance, it is reasonable for a vehicle to exceed 500,000 safe miles. This section should be stricken.

(3) This previously was 8 years and has now gone down to 5 years. We are not sure 1. why it is changing and (2) why it is necessary at all. This entire section should be stricken

##### 1055.4 Basic Vehicle Standards

(15) STRIKE entirely; this is luxury prearranged service. The consumer knows who they are dealing with when making their reservations. This is not a hail; this is not a taxi where you get what pulls up and it should not be treated the same

(16) STRIKE Entirely—how can you reasonable believe that companies can put separate heating and air conditioning in the passenger section for their vehicles. It will render everyone in the industry unable to provide service. This rule is asinine. It is not a requirement of the public utility commission.

(e) Advertising prohibited—STRIKE. The name of a company should be allowed on vehicles. This helps the consumer identify who we are. Without it we all look the same. We put magazines in our vehicles which contain advertising as well as newspapers. This is a ridiculous rule meant for taxis not limousines.

##### 1055.5 Required documents

(c.) with the advent of technology, many companies are going paperless and sending information to chauffeurs digitally through blackberries and NEXTEL devices. As this reads, that would not be acceptable. In other parts of the country these technologies are accepted (such as Miami Dade). We feel this should be STRICKEN

#### SUBCHAPTER B. Limousine Inspections

Mandatory additional inspections should be stricken as the state inspection should suffice. The PUC does random inspections roadside and facilities of certificate holders at no additional cost. The PPA currently charges \$85 per vehicle which does not include

the revenue lost by pulling the vehicle from service and the employee that brings the vehicle for the additional inspection.

We feel the additional inspections should be stricken.

1055.13 STRIKE—If you can't make the inspection because you have already committed to provide service to a consumer you will be penalized. A window should be given so that the consumer may be served.

1055.16 Re-Inspection STRIKE—duplicate inspections are not necessary. There should be no fee associated with a re-inspection.

1055.18 Attendance at scheduled inspection. This is yet another asinine rule. Why does the owner of a company or an attorney need to be present when a vehicle is inspected. An employee of a company should suffice especially a PPA certificated chauffeur who works for the company. This should be STRICKEN.

1055.19 The wording here makes this too confusing to understand as a lay person who will need to adhere to these rules. Further explanation is needed.

1055.20 Approved Models and conditions STRIKE This is a moving target and should be part of the IRCC process.

#### Chapter 1057 Limousine Drivers

The remainder of the state does not require a chauffeur to have a separate license. The current license issued by the PPA is centered on the taxi industry with only a small portion being limousine yet it is all grouped together. A limousine driver does not need to know when to "drop the flag" on a meter, yet he is tested on this and must sit through three days of classes of which a very small portion pertains to him. The remainder of the state treats taxis and limousine separately. Limousine chauffeurs should not need a PPA license to handle their prearranged rides. This is an additional financial hardship to companies and it limits the labor pool as many chauffeurs are doing this to supplement their current income from other jobs. We will lose the ability to hire part time chauffeurs as they will not want to incur the added time and expense to obtain a PPA license.

#### 1057.2 Certification required

(b) if the license is deemed necessary it should be available but not displayed.

Chauffeurs are uniformed in suits with shirts and ties. They do not have badges as taxi drivers who are not uniformed.

(c.) STRIKE

#### 1057.3 Continuing Certificates

(a) If separate licenses are required for either taxi or limousine then the testing and other requirements should be called out separately and not grouped together as they are distinctly different. This part clearly indicates that the PPA previously issued this additional license without proper authority to do so.

#### 1057.4 Ineligible persons for limousine driver certificate

##### (3) STRIKE

It should be added that the persons need to be legal US citizens and not in the country illegally.

#### 1057.5 Standards for obtaining a limousine Driver's certificate

This again should be stricken entirely. In the event that it is not, a driver's certificate should cost no more than a standard driver's license and it should be valid as long.

(6) The Authority did not require this before and it was never a requirement of the PUC.

If a criminal background check is required it should be performed by the PPA at a reasonable cost. This will insure that the information is accurate and not altered.

(7) (8) Why do you need a release if you are giving them the history?

(9) A medical card is not required unless you are a CDL in the rest of Pennsylvania.

Why is it needed in Philadelphia? We feel this section should be STRICKEN.

(10) This is confusing and unclear—further clarification is needed to understand what is being asked for.

#### 1057.7 Limousine Driver Training

We do not believe that limousine drivers need training through the PPA we feel that this should be STRICKEN

#### 1057.8 Certain training subjects

We feel again that this should be STRICKEN

#### 1057.9 Limousine Driver Test

We feel again that this should be STRICKEN. A limousine driver is not a taxi driver.

Our trips are prearranged allowing the chauffeur to map out his route. He doesn't need to know the popular sights and sounds of the city.

#### 1057.10 Expiration and renewal of certificate.

We feel again that this should be STRICKEN

In the event that it is not stricken,

- (a) the expiration of a regular driver's license far exceeds one year. This is unreasonable. It should be three years.

Additionally, the authority should notify the driver and the company that the license needs renewal 60 days prior to the renewal.

#### 1057.14 Limousine Driver's certificate upon cancellation

(a) a definition is required to explain what would cause a cancellation of one.

1057.17 Electronic Trip sheets should be allowed in this section—many companies have gone paperless as an attempt to become better sustainable members of the community. Many corporations are now requiring this as part of their requests for bid—GO GREEN.

- (1) It is unreasonable to include the dispatcher's name on a trip sheet as a trip can go over multiple shifts with multiple dispatchers. This is a taxi requirement not a luxury limousine.
- (2) It is unreasonable to know what time a trip is over before it is over. Therefore it would not be able to be put on the trip sheet until it is over.
- (5) Fare paid—many corporate clients are direct billed or are bringing their clients to our fair city. They do not want them to see what it is costing them. The trip sheet at the office has this information but the chauffeur does not need it. It should not be a requirement. This should be STRICKEN
- (6) Gratuity is paid at the choice of the client therefore how much they pay would not be on the trip sheet until the trip was over. We can suggest gratuity but not ask for it. This should be STRICKEN

Signed

*Linda Jagiela 2/11/2011*

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