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May 13, 2011

Chris Ross, Chair - Urban Affairs
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Sent: Via Email

Reference: Philadelphia Parking Authority (PPA), Proposed Regulations

Representative Ross,

On March 8th, 2011, the Urban Affairs Committee held an informational hearing in an attempt to garner additional information referencing the Philadelphia Parking Authority's proposed regulations. The significance and possible ramifications following these said regulations raise substantive concerns that question the preservation of our companies, and the taxicab and limousine industry as a whole. I would like to address some of their misrepresentations and flawed logic during their hearing in front of the Committee.

During his testimony, Jim Ney, the Director of the Taxicab & Limousine Division at the Philadelphia Parking Authority asserted that the current stance of the industry is financially favorable, and specifically referenced a 25% expansion of the Partial Rights operators since the PPA had assumed regulatory authority. This statement is misleading at best. Of the six Partial-Rights carriers, inclusive to our company, only Germantown Cab has experienced growth. Unfortunately, the other five carriers have either maintained a stagnant number of vehicles, or have reduced their registered fleets with the PPA.

In highlight of this argument, one of the main reasons Germantown Cab experienced growth was in direct correlation to the PPA's actions against our two companies: Yellow Cab (and the medallion owners belonging to our Association) and Executive Transportation.

Prior to the implementation of the computer dispatch equipment that the PPA decided to purchase, (the selection process and circumstances around this system was questionable at best, and additional information can be provided upon request), with the money earmarked for the Hospitality Initiative that Act 94 approved, we (Yellow Cab) had our own system, (which we owned and purchased ourselves), installed in our Sedans, suburban fleets, and Philadelphia Yellow Cab Medallion Taxicabs that choose to belong to our dispatch service.

The PPA forced us to remove our computers from our entire fleet of Philadelphia Yellow Cab taxicab medallion owners that had our system installed, so their unproven Beta system could be installed. This resulted in Yellow Cab and its medallion operators losing a huge portion of their income and us not having an effective nor efficient method to assign work to our drivers.

Often overlooked, or not considered, is the irreparable harm experienced by the riding public with some of their regulations, restrictions and/or polices that the PPA has imposed, or will be experienced by the proposed regulations.

Prior to the PPA's regulatory dominion, Executive Transportation (and any other limousine company serving Philadelphia) had full city-wide operating authority. In an effort to corrupt this right, the PPA reduced our point-to-point service by paralyzing 60% of our geographic regions and disabling over 70% of the constituted populace. As if this was not a debilitating blow, they also restricted our open-ended certificate, which further inhibited our ability for any form of growth.

Between the restrictions placed on Executive, and the loss of our equipment from our Yellow Cab members, we did not have the vehicles or the authority with our Sedans to continue to provide effective citywide service. Areas that implored service, such as Germantown, West & Southwest Philadelphia, Manyunk and South Philadelphia

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suffered the greatest degree of deprivation. In light of these actions and restrictions, Germantown Cab was able to add vehicles to their fleet, in order to compensate for our forced loss of service.

Ironically enough, while the PPA was restricting our rights and growth, they allowed other limousine companies to operate with or without a "Neighborhood Waiver," which allowed operation in a similar manner to our company, but without the restrictions and excessive fees that we were charged. Naturally, these companies experienced significant and credible growth at our expense.

Jim Ney continued his testimony, asserting that the small increase to insurance limits would have negligible effects on the industry. Objections questioning the credibility of that statement must be made, especially when there is no financial analysis referencing the availability or premium increase in meeting these new criterions. Quite frankly, this new requirement imposes onerous financial demands that are impractical, and several commentators that submitted comments to IRRC were quick to make the same evaluation.

Mr. Ney also began to justify how and why the propositions referencing vehicle age and mileage within the Authority's regulations were essential to the safety and benefit of the riding public. To our knowledge, no study has been commissioned to support such conclusive conjectures. To ramify this argument, IRRC raised identical concerns in their comments, concluding that these newly constructed requirements exceed the scope of regulatory authority that is governed from the PPA's enabling statute of Act 94.

The testimonial continued, and Mr. Ney pointed out that the pivotal motive of the PPA is to improve the quality of industry standards for the safety of the riding public. If this were the case, the fines, fees, and otherwise excessively burdensome demands imposed by the Authority would not have exemplified such extreme measures. Additionally, such tight restrictions pertaining to operating areas and legal rights of certificate holders would not have been applied. A good administrative agency must always consider the rights of its constituents, and accordingly make use of their granted power to impose actions that are reasonable for all parties. Unfortunately, the abusive practices the Authority has enforced over the preceding five years have only limited and hurt the quality and service of the riding public.

We appreciate your time and attention in regards to the PPA, and its proposed regulations. If you require any additional information, or have any comments and/or questions, we would be available to discuss or answer them.

Respectfully Yours,



Edward M. Burkhardt

CC:

Representative Thomas
Christine Goldbeck, Executive Director, Urban Affairs

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