



# 2885



**Philadelphia  
Parking  
Authority**

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July 28, 2011

**Dennis G. Weldon, Jr.**

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**VIA CERTIFIED MAIL, RRR #7003-1680-0000-7842-7849**

Silvan B. Lutkewitte, III  
Chairman  
Independent Regulatory Review Commission  
14<sup>th</sup> Floor  
333 Market Street  
Harrisburg, PA 17101

Re: Philadelphia Taxicab and Limousine Regulations  
Final Rulemaking (Agency/ID No. 126; IRRC No. 2885)

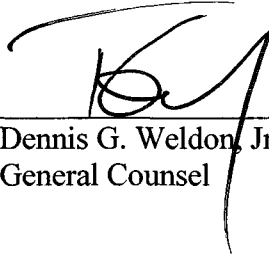
Dear Chairman Lutkewitte:

On July 27, 2011, I was contacted by Michael Totino of your staff. Ms. Totino indicated that page 95 of the Authority's Final Rulemaking Order was not included in the submission to the Independent Regulatory Review Commission.

While I am not certain that the same oversight occurred in relation to the standing committees, we have followed Ms. Totino's directive and mailed a copy of page 95 to the Chair and Democratic Chair of each of those committees. I also forwarded page 95 to Ms. Totino on July 27, 2011 by email.

If you have any questions or concerns, please do not hesitate to contact me.

Sincerely,  
The Philadelphia Parking Authority

By:   
Dennis G. Weldon, Jr.  
General Counsel

DGW/pdm

Enclosure

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IRRC  
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Philadelphia. We believe it is crucial that we continue to seek assurance that regulated parties, and their vehicles, are not subject to these penalties.

Because every regulated party in Philadelphia has complied with this requirement since 2005, the status quo in Philadelphia will be maintained through the continuation of this requirement. This requirement will result in no increased costs in terms of compliance. Because the Authority's standard operating procedures have incorporated the review of the information required by this section for the past 8 fiscal years, this section is revenue neutral and will have no fiscal impact upon the Authority.

(c) Subsection (c) requires confirmation that those subject to the act are current on all taxes owed to the Commonwealth. We believe that persons seeking Commonwealth authorization to provide taxicab or limousine service should be able to evidence that they are current on taxes owed to the Commonwealth, as well as the Commonwealth's political subdivision within which they seek to operate. We believe this a reasonable exercise of our discretion. We further believe that delinquencies in terms of those taxes may reflect upon the likelihood of a regulated party to remain current on other penalties or fees owed and debts generally incurred in the course of providing taxicab or limousine service. The financial ability of regulated parties to properly fund their operations is an important component of the quality of service they will provide. However, in response to IRRC's comment we will delete this subsection from this final form regulation and consider promulgating a similar regulation through a future rulemaking.

(d). Subsection (d) required regulated parties to confirm that they have obtained a Philadelphia Business Privilege License, which is necessary to comply with Philadelphia's tax ordinances. The Democratic Chairperson of the House Urban Affairs Committee objected to the inclusion of this provision for taxicab drivers and IRRC expressed similar concerns. We will delete this section; however, we incorporate here our response to subsection (c) above.

(e). Subsection (e) provides guidance as to the persons subject to this section. This subsection has been re-identified as subsection (c) in order to accommodate the deletions of subsections (c) and (d). A commentator questioned the manner in which the provisions related to tax payments would be applied to key employees. We believe the deletion of those provisions and the deletion of "key employee" from this subsection in the final form regulation addresses that comment.