

# Regulatory Analysis Form

(Completed by Promulgating Agency)

INDEPENDENT REGULATORY  
REVIEW COMMISSION

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INDEPENDENT REGULATORY  
REVIEW COMMISSION

(All Comments submitted on this regulation will appear on IRRC's website)

(1) Agency

Philadelphia Parking Authority

(2) Agency Number: 126

Identification Number: 8

IRRC Number: 3048

(3) PA Code Cite: 52 Pa. Code § 1017.5 (relating to basic vehicle standards); Chapter 1017, Subchapter F. (relating to Safety Cameras); and 1019.8 (relating to dispatcher requirements).

(4) Short Title: Taxicab Safety Cameras

(5) Agency Contacts (List Telephone Number and Email Address):

Primary Contact: Dennis Weldon, General Counsel, at PRM101@philapark.org, 215-683-9630 (FAX: 215-683-9619), 701 Market Street, Suite 5400, Philadelphia, PA 19106.

Secondary Contact: James R. Ney, Director, Taxicab and Limousine Division at jney@philapark.org, 215-683-6417 (FAX: 215-683-9437), 2415 South Swanson Street, Philadelphia PA 19148.

(6) Type of Rulemaking (check applicable box):

Proposed Regulation

Final Regulation

Final Omitted Regulation

Emergency Certification Regulation;

Certification by the Governor

Certification by the Attorney General

(7) Briefly explain the regulation in clear and nontechnical language. (100 words or less)

The regulation will require the installation of safety cameras in all taxicabs in Philadelphia, which will record the interior and portions of the exterior public space around the taxicab to discourage crimes against taxicab drivers and taxicab passengers and otherwise assist in regulatory oversight.

(8) State the statutory authority for the regulation. Include specific statutory citation.

Sections 13 and 17 of the act of July 16, 2004, (P.L. 758, No. 94), *as amended*, 53 Pa.C.S. §§5701 *et seq.*, §§ 5714 (a) and (b), 5722 and 5742; section 5505(d) of the Parking Authorities Act, act of June 19, 2001, (P.L. 287, No. 22), *as amended*, 53 Pa. C.S. §§ 5505(d)(17) (d)(23), (d)(24).

(9) Is the regulation mandated by any federal or state law or court order, or federal regulation? Are there any relevant state or federal court decisions? If yes, cite the specific law, case or regulation as well as, any deadlines for action. No.

(10) State why the regulation is needed. Explain the compelling public interest that justifies the regulation. Describe who will benefit from the regulation. Quantify the benefits as completely as possible and approximate the number of people who will benefit.

Both taxicab owners and drivers have specifically requested that the Authority impose an industry-wide requirement to have cameras installed in all taxicabs in Philadelphia. Several owners have already approached the Authority with camera systems that they would like to install unilaterally. This request

has been made in writing and through comments received during public hearings and meetings focused on crimes committed against taxicab drivers. The Authority and the regulated community believe that the presence of security cameras will add one additional level of driver safety precautions (and perhaps a crime deterrent) to taxicabs in Philadelphia. The safety cameras are intended to be continuously operational and make video (not audio) recordings in only public places where individuals have no reasonable expectation of privacy. The use of safety cameras in taxicabs is not a new idea. Such cameras are already in place in New York City, New Orleans, Chicago, San Francisco and other US cities. In public transportation, cameras are commonly employed to improve safety and assist in the resolution of crimes and other disputes that occur in these public places. We anticipate that the implementation of this process will be relatively easy because this technology is in wide use. This safety feature will benefit all taxicab drivers, currently constituting approximately 5,000 individuals and small businesses. The public will similarly benefit from this increased level of safety in taxicabs.

(11) Are there any provisions that are more stringent than federal standards? If yes, identify the specific provisions and the compelling Pennsylvania interest that demands stronger regulations. No.

(12) How does this regulation compare with those of the other states? How will this affect Pennsylvania's ability to compete with other states?

The regulation is substantially similar to those of other states, including New York City. In some jurisdictions, the cameras are mandatory; in others, optional in conjunction with or in lieu of other safety features. The Authority does not believe that this regulation will have a negative impact upon Pennsylvania's ability to compete with other states. However, as this safety feature becomes more common in taxicabs in major cities in other states, we believe its absence in Philadelphia will have a negative impact. The failure to use such common safety methods may easily be interpreted as communicating a lack of concern for the safety of the traveling public.

(13) Will the regulation affect any other regulations of the promulgating agency or other state agencies? If yes, explain and provide specific citations. Other than amending the stated regulations, the proposed regulation will not affect any other regulation of the Authority or other state agencies.

(14) Describe the communications with and solicitation of input from the public, any advisory council/group, small businesses and groups representing small businesses in the development and drafting of the regulation. List the specific persons and/or groups who were involved. ("Small business" is defined in Section 3 of the Regulatory Review Act, Act 76 of 2012.)

The Authority has been repeatedly petitioned through letters, comments at Sunshine Act meetings of its Board and at a special public comment hearing focused on driver safety issues to impose monitoring cameras in taxicabs. These comments, requests and even demands have come from medallion owners, dispatchers and drivers. Broad support for the concept of cameras is anticipated from all sectors, although the method of implementation will generate questions. We encourage all comments to assist in the best means of implementing this important safety tool.

(15) Identify the types and number of persons, businesses, small businesses (as defined in Section 3 of the Regulatory Review Act, Act 76 of 2012) and organizations which will be affected by the regulation. How are they affected?

The Authority approximates that those affected by the regulation will be:

Drivers: 4,300 drivers all of whom are individuals.

Owners: 700 taxicab medallion owners and 6 partial-rights carriers, each of which is a small business.

Dispatchers: 13 small businesses, each of which is a small business.

Drivers will be positively affected through the installation of an additional safety tool in each of their taxicabs. Drivers are not the owners of taxicabs for purposes of this response.

Owners will be economically impacted in the initial amount of approximately \$1,510, being the cost to acquire, install and operate the safety camera system and then approximately \$240/year for operational and maintenance cost. The Authority believes that the owners of taxicabs will benefit from the increased levels of driver safety provided by this system. Fewer driver assaults and robberies will economically benefit owners through the uninterrupted operation of their taxicabs, in lieu of time necessary make police reports and address injuries to drivers. The public will also receive the benefits of the crime deterrent inherent in areas under video monitors. Please see the Authority's attachment "A" to the RAF further detailing anticipated costs.

(16) List the persons, groups or entities, including small businesses that will be required to comply with the regulation. Approximate the number that will be required to comply.

We have provided this number in response to paragraph No. 15, which we incorporate here.

(17) Identify the financial, economic and social impact of the regulation on individuals, small businesses, businesses and labor communities and other public and private organizations. Evaluate the benefits expected as a result of the regulation.

We incorporate responses to question Nos. 15 and 16.

The reduction of violence perpetrated against drivers and the traveling public has an obvious and positive social impact. Owners will experience additional costs as identified in our responses to question Nos. 15 and 16. Fewer injured drivers directly benefits drivers, as well as owners who will be able to maintain a more stable work force. A reduced level of violence in our society is axiomatically positive and will have a positive derivative economic impact upon the City of Philadelphia and the Commonwealth in the form of reduced law enforcement activities and potential health care costs.

(18) Explain how the benefits of the regulation outweigh any cost and adverse effects.

We incorporate our responses to question Nos. 15, 16 and 17. Both taxicab owners and drivers believe that this system will make the job of taxicab drivers safer. That safety will also transfer to taxicab passengers. Improving safety for so many drivers, year after year significantly outweighs this small investment. Providing evidence to law enforcement to help investigate and prosecute crimes against drivers and taxicab passengers will similarly benefit the taxicab industry and the city at large.

These camera systems are not new. The technology exists and is in use in many other cities in the United States and is quickly becoming an understood cost of business when providing transportation services to the public. Taxicab medallions currently sell in arms length transactions for more than \$500,000. We believe that the economic investment represented by the installation and operation of a camera system is vastly outweighed by the level of safety and peace of mind its presence will represent to drivers and the public.

(19) Provide a specific estimate of the costs and/or savings to the **regulated community** associated with

compliance, including any legal, accounting or consulting procedures which may be required. Explain how the dollar estimates were derived.

We incorporate our responses to question Nos. 15, 16 and 17. Please see the Authority's attachment "A" to the RAF detailing anticipated costs to relevant industry members.

(20) Provide a specific estimate of the costs and/or savings to the **local governments** associated with compliance, including any legal, accounting or consulting procedures which may be required. Explain how the dollar estimates were derived. None, although we incorporate our response to paragraph No. 17.

(21) Provide a specific estimate of the costs and/or savings to the **state government** associated with the implementation of the regulation, including any legal, accounting, or consulting procedures which may be required. Explain how the dollar estimates were derived.

The Authority anticipates that the initiation of this new comprehensive safety protocol will initially require the full time attention of a TLD Taxicab Inspector. To monitor installations and the proper functioning of each system in each taxicab in the initial conversion year. Please see the Authority's attachment "A" to the RAF detailing anticipated costs to the Authority.

(22) For each of the groups and entities identified in items (19)-(21) above, submit a statement of legal, accounting or consulting procedures and additional reporting, recordkeeping or other paperwork, including copies of forms or reports, which will be required for implementation of the regulation and an explanation of measures which have been taken to minimize these requirements.

Please see the Authority's attachment "A" to the RAF detailing anticipated costs to relevant industry members. The Authority anticipates that the majority of any filing, application and review requirements will be completed in the first year of the safety camera initiation process. The camera system will automatically record and transit images, actions on the part of drivers and owners will not be necessary.

(23) In the table below, provide an estimate of the fiscal savings and costs associated with implementation and compliance for the regulated community, local government, and state government for the current year and five subsequent years.

\*\*\*\*\*PLEASE SEE the Authority's attachment "A" to the RAF detailing anticipated costs to relevant industry members.

	<b>Current FY Year</b>	<b>FY +1 Year</b>	<b>FY +2 Year</b>	<b>FY +3 Year</b>	<b>FY +4 Year</b>	<b>FY +5 Year</b>
<b>SAVINGS:</b>	\$	\$	\$	\$	\$	\$
<b>Regulated Community</b>	\$	\$	\$	\$	\$	\$
<b>Local Government</b>						
<b>State Government(PPA)</b>						
<b>Total Savings</b>						
<b>COSTS:</b>						
<b>Regulated Community</b>						
<b>Local Government</b>						

<b>State Government</b>						
<b>Total Costs</b>						
<b>REVENUE LOSSES:</b>						
<b>Regulated Community</b>						
<b>Local Government</b>						
<b>State Government</b>						
<b>Total Revenue Losses</b>						

(23a) Provide the past three year expenditure history for programs affected by the regulation.

<b>Program</b>	<b>FY -3</b>	<b>FY -2</b>	<b>FY -1</b>	<b>Current FY</b>
N/A.	n/a	n/a	n/a	n/a

(24) For any regulation that may have an adverse impact on small businesses (as defined in Section 3 of the Regulatory Review Act, Act 76 of 2012), provide an economic impact statement that includes the following:

(a) An identification and estimate of the number of small businesses subject to the regulation.

N/A

(b) The projected reporting, recordkeeping and other administrative costs required for compliance with the proposed regulation, including the type of professional skills necessary for preparation of the report or record.

N/A

(c) A statement of probable effect on impacted small businesses.

N/A

(d) A description of any less intrusive or less costly alternative methods of achieving the purpose of the proposed regulation.

N/A

(25) List any special provisions which have been developed to meet the particular needs of affected groups or persons including, but not limited to, minorities, the elderly, small businesses, and farmers.

None.

(26) Include a description of any alternative regulatory provisions which have been considered and rejected and a statement that the least burdensome acceptable alternative has been selected.

No other alternative were considered.

(27) In conducting a regulatory flexibility analysis, explain whether regulatory methods were considered that will minimize any adverse impact on small businesses (as defined in Section 3 of the Regulatory Review Act, Act 76 of 2012), including:

a) The establishment of less stringent compliance or reporting requirements for small businesses;

N/A

b) The establishment of less stringent schedules or deadlines for compliance or reporting requirements for small businesses; N/A

- c) The consolidation or simplification of compliance or reporting requirements for small businesses; N/A
- d) The establishment of performing standards for small businesses to replace design or operational standards required in the regulation; N/A
- e) The exemption of small businesses from all or any part of the requirements contained in the regulation. N/A. We incorporate our response to question No. 18.

(28) If data is the basis for this regulation, please provide a description of the data, explain in detail how the data was obtained, and how it meets the acceptability standard for empirical, replicable and testable data that is supported by documentation, statistics, reports, studies or research. Please submit data or supporting materials with the regulatory package. If the material exceeds 50 pages, please provide it in a searchable electronic format or provide a list of citations and internet links that, where possible, can be accessed in a searchable format in lieu of the actual material. If other data was considered but not used, please explain why that data was determined not to be acceptable.

Please see the Authority's attachment "A" to the RAF detailing anticipated costs to relevant industry members.

(29) Include a schedule for review of the regulation including:

- |   |  |
|---|--|
| A. The date by which the agency must receive public comments:                               | 30 days after publication<br>in <i>Pa. B</i> |
| B. The date or dates on which public meetings or hearings will be held:                     | N/A  |
| C. The expected date of promulgation of the proposed regulation as a final-form regulation: | October, 2014                                |
| D. The expected effective date of the final-form regulation:                                | November, 2014                               |
| E. The date by which compliance with the final-form regulation will be required:            | Upon publication in <i>Pa. B</i>             |
| F. The date by which required permits, licenses or other approvals must be obtained:        | N/A  |

(30) Describe the plan developed for evaluating the continuing effectiveness of the regulations after its implementation.

The Authority will continually analyze the impact of this regulation and the availability of more effective safety tools.

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# EXHIBIT "A"

**FINANCIAL IMPACT of SAFETY CAMERAS**

<b>Regulatory Analysis Form</b>						
<b>Item #23</b>	<b>Current FY</b>	<b>FY +1</b>	<b>FY +2</b>	<b>FY +3</b>	<b>FY +4</b>	<b>FY +5</b>
	<b>Year</b>	<b>Year</b>	<b>Year</b>	<b>Year</b>	<b>Year</b>	<b>Year</b>
<b>SAVINGS:</b>						
Regulated Community						
Local Government						
State Government (PPA)						
<b>Total Savings</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>
<b>COSTS:</b>						
Regulated Community	1,510					
Local Government						
State Government (PPA)	44,582					
<b>Total Costs</b>	<b>46,092</b>	<b>4,660</b>	<b>4,660</b>	<b>4,660</b>	<b>4,660</b>	<b>4,660</b>
<b>REVENUE LOSSES:</b>						
Regulated Community						
Local Government						
State Government (PPA)						
<b>Total Revenue Losses</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>
<b>Summary of Schedules Rolling Up to Regulatory Analysis Form Item #23</b>						
<b>Costs to Regulated Community</b>						
Schedule A	1,510	240	240	240	240	240
Schedule B						
Schedule C						
Schedule D						
Schedule E						
<b>Total Costs to PPA</b>	<b>1,510</b>	<b>240</b>	<b>240</b>	<b>240</b>	<b>240</b>	<b>240</b>
<b>Costs to PPA</b>						
Schedule A	44,582	4,420	4,420	4,420	4,420	4,420
Schedule B						
Schedule C						
Schedule D						
Schedule E						
<b>Total Costs to PPA</b>	<b>44,582</b>	<b>4,420</b>	<b>4,420</b>	<b>4,420</b>	<b>4,420</b>	<b>4,420</b>
<b>Total Costs</b>						
Schedule A	46,092	4,660	4,660	4,660	4,660	4,660
Schedule B						
Schedule C						
Schedule D						
Schedule E						
<b>Total Costs</b>	<b>46,092</b>	<b>4,660</b>	<b>4,660</b>	<b>4,660</b>	<b>4,660</b>	<b>4,660</b>



<b>SAFETY CAMERAS FIN'L IMPACT STATMT.</b>	<b>Current FY</b>	<b>FY +1</b>	<b>FY +2</b>	<b>FY +3</b>	<b>FY +4</b>	<b>FY +5</b>
	<b>Year</b>	<b>Year</b>	<b>Year</b>	<b>Year</b>	<b>Year</b>	<b>Year</b>
<b>§1017.5. Basic vehicle standards.</b>						
(b) Standard taxicab vehicle requirements. Each taxicab is subject to the following requirements: (26) A taxicab must be equipped with a safety camera system approved for use as provided in §1017.71 (relating to taxicab safety cameras).	\$ 1,135 <sup>A</sup>	\$ -	\$ -	\$ -	\$ -	\$ -
<b>§1017.71 Taxicab safety cameras</b>						
(b)(1) A taxicab safety camera system must be inspected by the Authority prior to use.						
(b)(2) The Authority will conduct safety camera system testing to assure the system meets the requirements of this subchapter.						
(b)(3) Upon determining that a safety camera system functions properly, the Enforcement Department will do all of the following: (i) Download and retain a view captured by each camera lens. (ii) Seal the data extraction port. (iii) Post notice of the safety camera system on each side of the exterior of the taxicab.	34,418 <sup>B</sup>	-	-	-	-	-
<b>§1017.72 Safety camera system testing.</b>						
(a) Safety camera system testing may include the road operation of the taxicab with an inspector while the meter is engaged.	5,744 <sup>C</sup>	-	-	-	-	-
(b) A safety camera system is subject to a field inspection by an inspector at any time	-	-	-	-	-	-
<b>§1017.73 Approved safety camera system.</b>						

<b>SAFETY CAMERAS FIN'L IMPACT STATMT.</b>	<b>Current FY</b>	<b>FY +1</b>	<b>FY +2</b>	<b>FY +3</b>	<b>FY +4</b>	<b>FY +5</b>
	<b>Year</b>	<b>Year</b>	<b>Year</b>	<b>Year</b>	<b>Year</b>	<b>Year</b>
(a) The Authority will maintain a list of safety camera systems approved for use in taxicabs.	-	-	-	-	-	-
The list of approved taxicab meters may be obtained from the Authority's web site at <a href="http://www.philapark.org/tld">www.philapark.org/tld</a> .	-	-	-	-	-	-
(b) A safety camera system may be added to the list maintained pursuant to this section upon request of a certificate holder and evidence of compliance with this subchapter.	-	-	-	-	-	-
<b>§1017.74. Safety camera requirements.</b>						
(b) A taxicab safety camera system shall work in conjunction with the approved meter system used in the taxicab.	-	-	-	-	-	-
(c) The safety camera system must be in operation during the entire time the vehicle is engaged by a passenger.	-	-	-	-	-	-
(f) The safety camera system shall include a number of cameras sufficient to record:	-	-	-	-	-	-
(1) The entire interior of the taxicab, including the faces of all occupants.	-	-	-	-	-	-
(2) Images on the exterior of the taxicab, viewed from the interior of the taxicab. For example, the safety camera system should capture the image of a person who attempts to commit the act or robbery against a driver.	-	-	-	-	-	-
(f) The safety camera system shall wirelessly transmit all recorded data to TLD Headquarters and such other locations designated by the Director.	375	240	240	240	240	240

<b>SAFETY CAMERAS FIN'L IMPACT STATMT.</b>	<b>Current FY</b>	<b>FY +1</b>	<b>FY +2</b>	<b>FY +3</b>	<b>FY +4</b>	<b>FY +5</b>
	<b>Year</b>	<b>Year</b>	<b>Year</b>	<b>Year</b>	<b>Year</b>	<b>Year</b>
<b>§1017.77. Public notice.</b>						
(a) The Authority will produce a standardized posting to be displayed on taxicabs to provide public notice of the presence of the safety camera system in each taxicab as provided in § 1017.12 (b) (relating to required markings and information).	4,420 <sup>G</sup>	4,420 <sup>G</sup>	4,420 <sup>G</sup>	4,420 <sup>G</sup>	4,420 <sup>G</sup>	4,420 <sup>G</sup>
(b) The notice required by this section shall be posted in every taxicab that employs the use of a safety camera system.	-	-	-	-	-	-
<b>§1019.8. Dispatcher requirements.</b>						
A dispatcher shall continually maintain standards and equipment capable of providing prompt and adequate service to the public, including the following:	-	-	-	-	-	-
(16) Operate and maintain a safety cameras system as provided § 1017.73 (Related to approved safety camera system), including the computer hardware and software means of wireless communication necessary.	-	-	-	-	-	-
	\$ 46,092	\$ 4,660	\$ 4,660	\$ 4,660	\$ 4,660	\$ 4,660
<b>COSTS:</b>						
Regulated Community (on per medallion basis)	1,510	240	240	240	240	240
Local Government	-	-	-	-	-	-
State Government/PPA (total cost)	44,582	4,420	4,420	4,420	4,420	4,420
<b>Total Costs</b>	<b>\$ 46,092</b>	<b>\$ 4,660</b>	<b>\$ 4,660</b>	<b>\$ 4,660</b>	<b>\$ 4,660</b>	<b>\$ 4,660</b>

Cameras RAF, Item #23, Listing of Sources

A. Safety Camera System:

	<u>Standard</u>	<u>WAV</u>
base purchase price, per camera	\$ 1,015	\$ 1,400
installation	120	120
total price	<u>\$ 1,135</u>	<u>\$ 1,520</u>
 vs. lease price of \$18/month	 \$ 216	 \$ 216

B. Base salary calculations for PPA inspector:

Tasks per subsection (b)(1)	20 minutes
Tasks per subsection (b)(2)	0 minutes
Tasks per subsection (b)(3)(i)	20 minutes
Tasks per subsection (b)(3)(ii)	0 minutes
Tasks per subsection (b)(3)(iii)	5 minutes
Total	45 minutes = ¾ hour

**TLD Inspector (A10, at step 3)**

Base Salary	\$ 45,086	
FICA 7.65%	3,449	
<sup>16</sup> / <sub>250</sub> x base salary for PTO	2,885	
PPA fringe benefits package	<u>4,509</u>	10.00%
Total Annual Cost	<u>\$ 55,929</u>	
 # work hours in a year	 1,950	
cost per hour	\$28.68	
 cost per ¾ hour	 \$21.51	
x 1,600 medallions	\$ 34,418	

C. estimated 10 minutes = 1/6 hour, at \$21.51 = \$3.59  
x 1600 medallions = \$5,744

D. the 1<sup>st</sup> subsection labeled "F"

E. the 2<sup>nd</sup> subsection labeled "F"

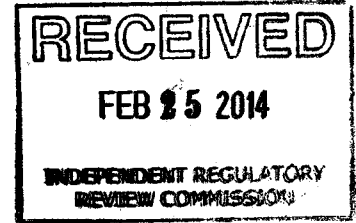
F. estimated at \$20 per month per vehicle plus \$135 connection fee  
assumed transition "on demand" to a portal  
\*on a real-time basis, data transmission costs could equal \$60 to \$100 per month

G. estimated sticker cost \$1.30@ \$1.30 x 1700 stickers, in duplicate = \$4,420  
presumed annual replacement

H. per email 13<sup>th</sup> December 2013

FACE SHEET  
FOR FILING DOCUMENTS  
WITH THE LEGISLATIVE REFERENCE BUREAU

(Pursuant to Commonwealth Documents Law)



DO NOT WRITE IN THIS SPACE

Copy below is hereby approved as to form and legality. Attorney General

*[Signature]*

BY \_\_\_\_\_  
(DEPUTY ATTORNEY GENERAL)

**FEB 11 2014**

DATE OF APPROVAL

Check if applicable  
Copy not approved. Objections attached

Copy below is hereby certified to be true and correct copy of a document issued, prescribed or promulgated by:

Philadelphia Parking Authority  
(AGENCY)

DOCUMENT/FISCAL NOTE NO. Pending with Office of Budget.

DATE OF ADOPTION November 25, 2013

BY *[Signature]* 1-23-14  
Vincent J. Fenerty, Jr.

TITLE: Executive Director

Copy below is hereby approved as to form and legality. Executive or independent Agencies.

BY *[Signature]*  
Dennis G. Weldon, Jr.  
General Counsel

1/23/14  
DATE OF APPROVAL

Check if applicable. No Attorney General approval or objection within 30 days after submission.

Proposed Rule Making No. 126-8  
Proposed Rulemaking  
Philadelphia Taxicab and Limousine Regulations  
52 Pa. Code, Chapters 1017 and 1019

The Philadelphia Parking Authority on November 25, 2013, adopted a proposed rulemaking order to provide for the use of safety cameras in Philadelphia taxicabs. The contact person is Dennis G. Weldon, Jr., General Counsel, 215-683-9630.

# THE PHILADELPHIA PARKING AUTHORITY

In Re: Proposed Rulemaking Order :  
Philadelphia Taxicab and :  
Limousine Regulations : Docket No. 126-8  
:  
:

## PROPOSED RULEMAKING ORDER

### BY THE AUTHORITY:

In accordance with of the act of July 16, 2004, (P.L. 758, No. 94), 53 Pa.C.S. §§5701 *et seq.*, as amended, (the "act"),<sup>1</sup> the Authority formally commences its rulemaking process to promulgate a regulation to provide for safety cameras in taxicabs in Philadelphia. The Authority seeks comments from all interested parties on the proposed regulation, which are found at Annex A to this Order.

#### **A. Background and discussion.**

The Authority regulates all taxicab and limousine service in Philadelphia, pursuant to the act. The Authority's regulations may be found at 52 Pa. Code Part II. It has been widely recommended to the Authority on several occasions, including a recent public comment hearing related to driver safety issues, that cameras should be affixed to all taxicabs in Philadelphia. The purpose of the cameras is to monitor the environment in which taxicab drivers provide service.

We believe that this monitoring will significantly reduce the rate of violence and crime perpetrated against drivers and assist law enforcement with investigations of such crimes. The images captured by the cameras will also be available to drivers or the Authority in furtherance of regulatory enforcement matters.

#### **B. The regulation.**

We propose amending 52 Pa. Code § 1017.5. (relating to basic vehicle standards) by adding a new paragraph to subsection (b) to require each taxicab in Philadelphia to be equipped with an approved safety camera system. We also propose adding a new Subchapter F (relating to safety cameras) to Chapter 1017 (relating to vehicle and equipment requirements) to provide for the general requirements of the safety camera system and the manner in which it may be installed, inspected and operated.

The use of safety cameras in taxicabs is not a new idea. Such cameras are already in place in New York City, New Orleans, Chicago, San Francisco and other US cities. We anticipate that the implementation of this process will be relatively easy because this technology is in wide use. We have already been approached by medallion owners that wish to install such

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<sup>1</sup> See 53 Pa.C.S. §§ 5722 and 5742 .

systems and the idea has the wide support of taxicab drivers who view this technology as a crucial tool to make their jobs safer.

*§ 1017.5. Basic vehicle standards.*

We propose amending 52 Pa. Code § 1017.5 (b) (relating to basic vehicle standards) to add the safety camera requirement. The proposed paragraph (26) references the requirements of proposed Subchapter F.

**Subchapter F. SAFETY CAMERAS**

*§ 1017.71. Taxicab safety cameras.*

We propose adding § 1017.71 that taxicab owners be provided 120 days from the effective date of the regulation to present their taxicabs with an approved and installed safety camera system for inspection by the Authority. We believe that 4 months is a sufficient amount of time, after the notice provided through the promulgation process, to meet these requirements. Because this technology is already in wide use and has been the subject of repeated commenting and public hearings in Philadelphia, we believe that taxicab owners will be able to meet this deadline without significant challenge.

We also propose guidelines related to the initial inspection, sealing and posting of notices necessary to place the camera systems in operation.

*§ 1017.72. Safety camera system testing.*

We propose adding § 1017.72 to clarify that the testing of the safety camera system may include the actual operation of the taxicab with an inspector while the camera system is engaged. This form of inspection will truly test each unit and provide a method to assure that both the cameras and the recording and data storage process are currently functioning. As with other components of a taxicab, the safety camera system is subject to field inspections by Authority inspectors.

*§ 1017.73. Approved safety camera system.*

We propose adding § 1017.73 to advise regulated parties of the presence of a list of already approved safety camera systems that will be maintained by the Authority. This is a process similar to that employed as to taxicab meter systems as provided in § 1017.23 (relating to approved meters). The list is not exclusive or mandatory, but provided to assist certificate holders who simply seek to employ an already approved system, in lieu of suggesting an unreviewed safety camera system for approval. We believe we have clarified that point through the addition of subsection (b).

*§ 1017.74. Safety camera requirements.*

We propose adding § 1017.74 to provide minimum components of what a safety camera system must include. We believe that any system that is capable of meeting the requirements of this section will produce a result that will satisfy the purpose of this rulemaking. However, we have not outlined every system or method of functionality that may be used to achieve these objectives. Because technology steadily advances and often produces products that function at a higher quality, more efficiently and at a lower cost point than the generation of equipment before, we leave room here for the approval of different and evolving systems, without the need to promulgate regulations in order to enroll each enhancement into the system.

The safety camera system must work in conjunction with the approved meter system for several reasons. The meter system itself includes certain safety features that will only be enhanced through the cooperation of the safety camera system. The meter system's existing distress button, required by § 1017.24(d)(8) (relating to meter activation and display), silently communicates the need for assistance to the taxicab driver's dispatch company when pressed by the driver. The dispatcher is able to immediately determine where the driver in distress is located due to the GPS functionality of the meter system. The ability to know that a driver needs help, know where the driver is and be able to see what is happening in the taxicab through simultaneous wireless communication will greatly improve driver safety.

The proposed regulation identifies the areas of the taxicab that must be monitored by the safety camera system. We avoid dictating a specific number of cameras to be used in the event that improving technology provides the means of doing so with fewer cameras than the number of monitored locations would seem now to require.

*§ 1017.75. One safety camera system.*

We propose adding section 1017.75 to limit each taxicab to only one safety camera system for ease of monitoring and general simplicity purposes. While an owner can switch between approved systems at their own discretion, they may only use one approved system at a time.

*§ 1017.76. Certificate holder responsible.*

The addition of section 1017.16 will require the taxicab's owner to make certain that the safety camera system works each day. This is the standard that already applies in Philadelphia to the taxicab's overall functionality. The owner may assign a representative to confirm that the safety camera system is functioning. Some certificate holders do not reside in the Philadelphia area and use business managers to supervise certain aspects of taxicab operations.

*§ 1017.77. Public notice.*

Each taxicab that operates with a safety camera system will display a notice of the presence of the system on the exterior and interior of the taxicab. While we anticipate that the public will receive notice through media releases and other sources, it is important to remind



passengers that the taxicab trip is being monitored. This monitoring is a continuation of that which will likely have occurred while the passenger was hailing the taxicab on the street corner or while in the course of a trip on public transportation. Also, we believe that knowledge of the presence of this system will cause those who wish to do drivers harm to reconsider, given the increased likelihood of apprehension represented by that monitoring.

*§ 1019.8. Dispatcher requirements.*

We propose adding a new paragraph (16) to clarify that dispatchers must be equipped with the necessary communication lines and computer hardware and software necessary to support the safety camera system. Just as with the meter system required by § 1017.23 (relating to approved meters), the safety cameras system must be properly used and supported by the taxicab owner, driver and dispatcher.

**CONCLUSION**

The Authority, therefore, formally commences its rulemaking process to promulgate this regulation to become part of 52 Pa. Code Part II in a manner consistent with Annex A to this Order. The Authority seeks comments from all interested parties on this proposed body of regulations, which are found at Annex A to this Order. The Authority hereby advises that all comments submitted in response to this Order will be posted, without redaction of name, address, or other personal information or comment provided, on the website of the Independent Regulatory Review Commission, which may be reached at 717-783-5417.

Accordingly, under sections 13 and 17 of the Act, 53 Pa.C.S. §§ 5722 and 5742; section 5505(d) of the Parking Authorities Act, act of June 19, 2001, (P.L. 287, No. 22), *as amended*, 53 Pa. C.S. §§ 5505(d)(17), (d)(23), (d)(24); sections 201 and 202 of the Act of July 31, 1968, P.L. 769 No. 240, 45 P.S. §§ 1201-1202, and the regulations promulgated thereunder at 1 Pa. Code §§ 7.1, 7.2, and 7.5; section 204(b) of the Commonwealth Attorneys Act, 71 P.S. 732.204(b); section 745.5 of the Regulatory Review Act, 71 P.S. § 745.5, and Section 612 of the Administrative Code of 1929, 71 P.S. § 232, and the regulations promulgated at 4 Pa. Code §§ 7.231-7.234 the Authority proposes adoption of the regulations set forth in Annex A, attached hereto;

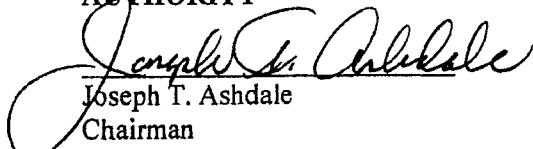
**THEREFORE,**

**IT IS ORDERED:**

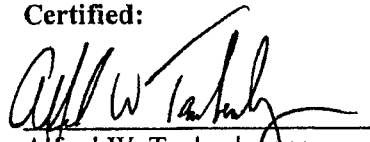
1. That a proposed rulemaking be opened to consider the regulation set forth in Annex A.
2. That the Executive Director shall submit this proposed rulemaking Order and Annex A to the Office of Attorney General for review as to form and legality.

3. That the Executive Director shall submit this proposed rulemaking Order and Annex A for review and comments to the Independent Regulatory Review Commission and the Legislative Standing Committees.
4. That the Executive Director shall do all such other things necessary to advance this regulation through the appropriate promulgations process in an expeditious manner.
5. That the Secretary of the Board shall certify this proposed rulemaking Order and Annex A and that the Executive Director shall deposit them with the Legislative Reference Bureau to be published in the *Pennsylvania Bulletin*.
6. That an original and 15 copies of any written comments referencing the docket number of the proposed regulation be submitted within 30 days of publication in the *Pennsylvania Bulletin* to the Philadelphia Parking Authority, Attn: General Counsel, 701 Market Street, Suite 5400, Philadelphia, PA 19106.
7. That a copy of this proposed rulemaking Order and Annex A shall be served on the City of the First Class Taxicab and Limousine Advisory Committee and a copy shall be posted on the Authority's website at [www.philapark.org/tld](http://www.philapark.org/tld).
8. That the contact person for this proposed rulemaking is James R. Ney, Director, Taxicab and Limousine Division, (215)-683-9417.

**THE PHILADELPHIA PARKING  
AUTHORITY**

  
Joseph T. Ashdale  
Chairman  
(SEAL)

**Certified:**

  
Alfred W. Taubenberger  
Vice-Chairman/Secretary  
(SEAL)

ORDER ADOPTED: November 25, 2013  
ORDER ENTERED: November 25, 2013

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**ANNEX A**

**§ 1017.5. Basic vehicle standards.**

(a) *State vehicle standards.* In addition to standards required under the act, this part and orders of the Authority, a taxicab must continually satisfy the applicable Department of Transportation equipment inspection standards in 67 Pa. Code Chapter 175 (relating to vehicle equipment and inspection) when providing taxicab service.

(b) *Standard taxicab vehicle requirements.* Each taxicab is subject to the following requirements:

\* \* \* \* \*

(26) A taxicab must be equipped with a safety camera system approved for use as provided in § 1017.71 (relating to taxicab safety cameras).

\* \* \* \* \*

**Subchapter F. SAFETY CAMERAS**

**§ 1017.71. Taxicab safety cameras.**

(a) *Generally.* Beginning on \_\_\_\_\_ (*Editor's Note: The blank refers to a date 120 days after the effective date of adoption of this proposed rulemaking.*) each taxicab must be equipped with one safety camera system that satisfies the requirements in this subchapter.

(b) *Inspection and approval.*

(1) A taxicab safety camera system must be inspected by the Authority prior to use.

(2) The Authority will conduct safety camera system testing to assure the system meets the requirements of this subchapter.

(3) Upon determining that a safety camera system functions properly, the Enforcement Department will do all of the following:

(i) Down load and retain a view captured by each camera lens.

(ii) Seal the data extraction port.

(iii) Post notice of the safety camera system on each side of the exterior of the taxicab.

(4) A safety camera system may not be used in a taxicab unless it is sealed as provided in paragraph (3). If the seal becomes broken or damaged, the certificate holder shall remove the taxicab from service immediately and schedule a new safety camera system inspection by the Enforcement Department.

(5) In the event that a safety camera system is not fully operational, the taxicab shall be taken out of service and the Enforcement Department shall be notified immediately.

**§ 1017.72. Safety camera system testing.**

(a) Safety camera system testing may include the road operation of the taxicab with an inspector while the camera system is engaged.

(b) A safety camera system is subject to a field inspection by an inspector at any time and may be tested as part of each scheduled inspection.

**§ 1017.73. Approved safety camera system.**

(a) The Authority will maintain a list of safety camera systems approved for use in taxicabs. The list may be obtained from the Authority's web site at [www.philapark.org/tld](http://www.philapark.org/tld).

(b) A safety camera system may be added to the list maintained pursuant to this section upon request of a certificate holder and evidence of compliance with this subchapter.

**§ 1017.74. Safety camera requirements.**

(a) The purpose of this section is to establish certain minimum safety camera system requirements.

(b) A taxicab safety camera system shall work in conjunction with the approved meter system used in the taxicab.

(c) The safety camera system must be in operation during the entire time the vehicle's engine is running.

(d) The safety camera system may not make an audio recording.

(e) The safety camera system must record as required by this subchapter in an uninterrupted visual stream without interruption. Timed or sequenced images are not permitted.

(f) The safety camera system shall include a number of cameras sufficient to record:

(1) The entire interior of the taxicab, including the faces of all occupants.

(2) Images on the exterior of the taxicab, viewed from the interior of the taxicab. For example, the safety camera system should capture the image of a person who attempts to commit the act or robbery against a driver.

(f) The safety camera system shall wirelessly transmit all recorded data to TLD Headquarters and such other locations designated by the Director.

(g) In the event that a driver presses the distress button required by 1017.24(d)(8) (relating to meter activation and display), the safety camera system shall immediately transmit all images to the taxicab's dispatcher, in addition to the transmission to TLD Headquarters.

**§ 1017.75. One safety camera system.**

A taxicab is prohibited from containing a safety camera system other than the approved safety camera system that has been inspected and approved by the Authority for use in that taxicab.

**§ 1017.76. Certificate holder responsible.**

The certificate holder shall inspect each taxicab safety camera system prior to service each day to assure it is in compliance with this subchapter and is in proper working order. A certificate holder may select a person to conduct the inspections required under this subsection on the certificate holder's behalf.

**§ 1017.77. Public notice.**

(a) The Authority will produce a standardized posting to be displayed on taxicabs to provide public notice of the presence of the safety camera system in each taxicab as provided in § 1017.12 (b) (relating to required markings and information).

(b) The notice required by this section shall be posted in every taxicab that employs the use of a safety camera system.

**CHAPTER 1019. DISPATCHERS**

**§ 1019.8. Dispatcher requirements.**

A dispatcher shall continually maintain standards and equipment capable of providing prompt and adequate service to the public, including the following:

\* \* \* \* \*

(16) Operate and maintain a safety cameras system as provided § 1017.73 (Related to approved safety camera system), including the computer hardware and software means of wireless communication necessary.



701 MARKET STREET  
SUITE 5400  
PHILADELPHIA, PA 19106  
215.683.9600

February 25, 2014

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

Re: Docket No. and Agency/ID No. 126-8  
Proposed Rulemaking  
Philadelphia Taxicab & Limousine Regulations  
52 Pa. Code Part II  
Taxicab Safety Cameras

Dear Chairman Lutkewitte:

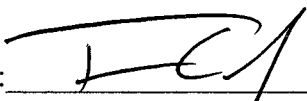
The Philadelphia Parking Authority ("Authority") hereby submits its proposed rulemaking and regulatory analysis form to the Independent Regulatory Review Commission for review pursuant to Section 5(a) of the Regulatory Review Act of June 30, 1989 (P.L. 73, No. 19) (71 P.S. §§745.1-745.15). Also enclosed is the Authority's Proposed Rulemaking Order entered October 28, 2013 (preamble) and the "Face Sheet" required by 1 Pa. Code §13.12.

The proposed regulation will require the installation of safety cameras in every taxicab in Philadelphia to discourage crimes against taxicab drivers and taxicab passengers.

The contact person is the undersigned and may be contacted at 215-683-9630.

The proposal has been deposited for publication with the Legislative Reference Bureau.

Very truly yours,  
The Philadelphia Parking Authority

By:   
Dennis G. Weldon, Jr.  
General Counsel

DGW/pdm  
Enclosures

cc: Vincent J. Fenerty, Jr., Executive Director  
James R. Ney, Director, TLD



TRANSmittal SHEET FOR REGULATIONS SUBJECT  
TO THE REGULATORY REVIEW ACT

ID Number: 126-8

Subject: Regulation to provide for taxicab safety cameras

Philadelphia Parking Authority

RECEIVED

FEB 25 2014

INDEPENDENT REGULATORY  
REVIEW COMMISSION

TYPE OF REGULATION

- Proposed Regulation  
 Final Regulation with Notice of Proposed Rulemaking Omitted.  
 Final Regulation  
 120-day Emergency Certification of the Attorney General  
 120-day Emergency Certification of the Governor

FILING OF REPORT

<u>Date</u>	<u>Signature</u>	<u>Designation</u>
2-25-2014	Corinne McClellan	HOUSE COMMITTEE (Gillertpie) Urban Affairs
2-25-14	[Signature]	
2/25/14	Mary Walmer	SENATE COMMITTEE (Tomlinson) Consumer Protection and Professional Licensure
2/25/14	[Signature]	Boscola
2/25/14	K Cooper	Independent Regulatory Review Commission
2-25-14	Mary Mummert	Attorney General
2/25/14	Corinne Maut	Legislative Reference Bureau