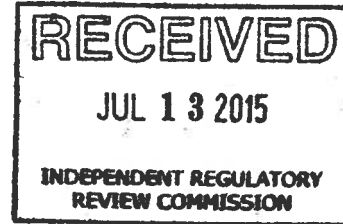


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July 13, 2015

VIA E-MAIL (IRRC@IRRC.STATE.PA.US)

Independent Regulatory Review Commission  
333 Market Street, 14th Floor  
Harrisburg, PA 17101

Re: **Proposed Regulation No. 126-11**

Dear Members of the Commission:

Please consider these comments on behalf of Freedom Taxi<sup>1</sup> regarding Proposed Regulation No. 126-11 (the "Regulation"). Freedom Taxi supports the Regulation, but points out the issues below that should be addressed before the Regulation is enacted in its final form.

First, the existing regulations of the Philadelphia Parking Authority require a WAV taxicab driver to have 2 years of experience as a Philadelphia taxicab driver. *See* 52 Pa. Code § 1021.5a(b)(7)(i). With the conversion of all taxicabs to WAVs, all taxicab drivers are now required to have 2 years of experience. The Regulation, in essence, permanently shuts new drivers out of the industry and provides medallion owners with no driver pool to replace drivers that leave the market. Freedom Taxi believes that creating a barrier to entry for new drivers is an unintended result of the Regulation and suggests that the 2-year requirement be eliminated.

<sup>1</sup> Black Point Taxi, LLC, Gabon Taxi, LLC, Lindros Taxi, LLC, Seedjam Taxi, LLC, Congo Taxi, LLC, Botswana Taxi, LLC, Australia Taxi, LLC, Kolara Trans, LLC, Gabon Taxi, LLC, Iverson Taxi, LLC, Morocco Taxi, LLC, Sudan Taxi, LLC, Kick Stand Trans, LLC, Two Phones Taxi, LLC, Toba Taxi, LLC, Senegal Taxi, LLC, Seedjam, Inc., Brasil Taxi, LLC, Narragansett Taxi, LLC, H-OP-KJVAI Cab Co., Ryder Cub Taxi, LLC, Eurostar Taxi, LLC, Togo Taxi, LLC, Barnes Taxi, LLC, Mahaffey Taxi LLC, Melo Taxi, LLC, Egypt Taxi, LLC, Housewives Taxi, LLC, Ethiopia Taxi, LLC, Schmidt Taxi LLC, Cambodia Taxi, LLC, RZA Cab Corp., Kingston Taxi, LLC, Fromage Taxi, LLC, Kolara Trans, LLC, Watson Taxi, LLC, New Zealand Taxi, LLC, Pier Taxi, LLC, Kenya Taxi, LLC, Vick Taxi, LLC, Gold Runner Taxi, LLC, Korea Taxi, LLC, Sri Lanka Taxi, LLC, Melo Taxi, LLC, Barkley Taxi, LLC, Zimbabwe Taxi, LLC, Mykonos Taxi, LLC and Sephardic Taxi, LLC, all collectively operating under the trade name Freedom Taxi (collectively, "Freedom Taxi").



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Second, the existing PPA regulations provide that the number of WAV taxicab drivers may not exceed the product of the number of WAV taxicabs multiplied by four. There is currently no taxicab driver cap for standard taxicabs. Now, with the conversion of taxicabs to WAVs, the driver cap applies to all fleets. The impact of a driver cap on the industry will be detrimental. It will reduce the pool of drivers available to medallion owners and create another barrier to entry for new drivers.

Third, the Regulation does not address the existing regulations regarding WAV driver training or the requirements for WAV taxicab driver renewal. The existing regulations provide that WAV taxicab driver training consists of a minimum of six hours of in-class instruction and 4 hours of continuing WAV taxicab service training every 2 years. *See* 52 Pa. Code § 1021.8(c). The PPA is now providing this training to the industry. With the conversion of all taxicabs to WAVs, however, Freedom Taxi is concerned that the PPA will not have the resources to provide the required training. As a result, drivers will face delays in obtaining their driver certificates and medallion owners will have fewer drivers from whom to choose. Freedom Taxi strongly suggests that the PPA consider outsourcing driver training to the private sector or allowing medallion owners to provide their own WAV driver training with the PPA's oversight.

Moreover, the regulations provide that the PPA will not renew a WAV taxicab driver's certificate unless that driver has provided 1,600 hours of service in the prior 12-month period. This purpose of this requirement, presumably, was to ensure that WAVs were being fully utilized and that WAV drivers were committed to providing WAV service. The 1,600-requirement, which applies to all drivers under the Regulation, is now unnecessary given that all taxicabs will be WAVs. This requirement is also burdensome and unrealistic and not based on any study of the number of hours that a driver is typically in service throughout the year.

Finally, Freedom Taxi asks that the PPA introduce a new regulation surrounding a wheelchair accessible dispatch program that would include driver incentives, public service announcements and coordinated dispatch standards in order to increase accessibility for the public and earnings for drivers. The PPA should look at the regulations in place in other cities, such as New Orleans, Chicago and New York, to see how these cities have implemented successful wheelchair accessible programs. By introducing such a regulation, the PPA would also help to ensure that Philadelphia's wheelchair accessible program is viable and successful moving forward.



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Freedom Taxi urges the PPA to address these major concerns before the Regulation is made final.

Very truly yours,

A handwritten signature in black ink, appearing to read 'Brett Berman', written over a horizontal line.

Brett Berman

BB

cc: Dennis Weldon, Esquire (via email)  
James R. Ney (via email)