

<h1>Regulatory Analysis Form</h1> <p>(Completed by Promulgating Agency)</p> <p>(All Comments submitted on this regulation will appear on IRRC's website)</p>		<p><b>INDEPENDENT REGULATORY REVIEW COMMISSION</b></p> <p style="writing-mode: vertical-rl; transform: rotate(180deg);">                 RECEIVED                  IRRC                  2018 JUN 22 A 10:09             </p>	
<p>(1) Agency</p> <p>Public Utility Commission (PUC)</p>		<p>IRRC Number: 3204</p>	
<p>(2) Agency Number: L-2017-2604692</p> <p>Identification Number: 57-320</p>			
<p>(3) PA Code Cite: 52 Pa. Code § 32.11</p>			
<p>(4) Short Title:</p> <p>Rulemaking Pertaining to Minimum Insurance Requirements for Motor Carriers of Passengers</p>			
<p>(5) Agency Contacts (List Telephone Number and Email Address):</p> <p>Primary Contact: Joseph P. Cardinale, Jr., jcardinale@pa.gov (717) 787-5558                  Secondary Contact: John E. Herzog, jherzog@pa.gov (717) 783-3714</p>			
<p>(6) Type of Rulemaking (check applicable box):</p> <p><input checked="" type="checkbox"/> Proposed Regulation</p> <p><input type="checkbox"/> Final Regulation</p> <p><input type="checkbox"/> Final Omitted Regulation</p>		<p><input type="checkbox"/> Emergency Certification Regulation;</p> <p><input type="checkbox"/> Certification by the Governor</p> <p><input type="checkbox"/> Certification by the Attorney General</p>	
<p>(7) Briefly explain the regulation in clear and nontechnical language. (100 words or less)</p> <p>The proposed rulemaking amends the Commission's minimum insurance coverage requirements for motor common carriers of passengers from \$35,000 split coverage (up to \$30,000 for bodily injury/death per accident; up to \$15,000 per person per accident; and up to \$5,000 for property damage) to \$125,000 split coverage (up to \$100,000 for bodily injury/death; up to \$50,000 per person per accident; and up to \$25,000 for property damage).</p>			
<p>(8) State the statutory authority for the regulation. Include <u>specific</u> statutory citation.</p> <p>The Public Utility Code, 66 Pa. C.S. §§ 501, 512, and 2502                  The Commonwealth Documents Law, 45 P.S. §§ 1201-1202                  The Commonwealth Attorneys Act, 71 P.S. 732-204(b)                  The Regulatory Review Act, 71 P.S. § 745.5                  The Administrative Code of 1929, 71 P.S. § 232</p>			

(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.

Pursuant to 66 Pa. C.S. § 512, the Commission is empowered to regulate motor carrier insurance requirements.

This regulation is not mandated by any federal law or court order, or federal regulation. There are no relevant state or federal court decisions.

(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.

The Commission has reviewed the minimum insurance requirements in other jurisdictions and has determined that Pennsylvania's minimum coverage requirements are too low to adequately protect the public in the event of an accident. The Commission estimates, based upon rate-increase petitions filed in 2015, that all forms of motor carriers combined give over 20 million rides to passengers in the Commonwealth per year. The increase in the minimum insurance requirement is intended to benefit this riding public from damages incurred from accidents. This increase takes into account the need for more insurance coverage while not imposing an insurmountable burden on passenger carriers operating smaller vehicles.

The proposed regulation will also bring the insurance requirement for motor common carriers that operate vehicles with a capacity of fewer than 16 passengers into parity with the minimum insurance requirement for transportation network companies. See 66 Pa. C.S. § 2603.1.

(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, there are no provisions in this regulation that are more stringent than federal standards. The federal regulations provide that any motor common carrier operating vehicles with a passenger capacity less than 16 (except for taxis that can carry up to seven passengers) must have at least \$1.5 million in liability insurance. 49 C.F.R. § 387.31.

(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 Commission reviewed the minimum insurance requirements for passenger carriers in Maryland, Michigan, New York, Ohio, and federal jurisdiction. In Maryland passenger carriers of seven passengers or less are required to have at least \$120,000 combined single limit liability insurance. See Md. Code Regs. 20.95.01.18. Passenger carriers in Michigan with a seating capacity under nine

passengers requires at least a \$300,000 combined single limit liability insurance policy. Mich. Comp. Laws Ann. § 257.2121 (West). In New York, passenger carriers carrying less than 12 passengers under the jurisdiction of the New York Department of Transportation are required to maintain at least \$100,000 for personal injury or death to one person, \$300,000 for personal injury or death to all persons in one accident with a maximum of \$100,000 for each person; and property damage in the amount of \$50,000. N.Y. Comp. Codes R. & Regs. Title 17, § 750.1. Ohio's passenger carriers must maintain liability insurance on vehicles with a capacity of less than 16 passengers in the amount of \$1.5 million. Ohio Admin. Code 4901:2-13-03. Finally, the federal regulations provide that any motor common carrier operating vehicles with a passenger capacity less than 16 (except for taxis that can carry up to seven passengers) must have at least \$1.5 million in liability insurance. Motor common carriers under federal jurisdiction with passenger capacity of 16 or more must have at least \$5 million in liability insurance. 49 C.F.R. § 387.31. Pennsylvania had the lowest minimum insurance requirement for passenger carriers of these five jurisdictions at a split coverage amount of \$35,000. Raising the minimum insurance rate to \$125,000 split coverage on passenger carriers in Pennsylvania will still be less than most of the rates of these five jurisdictions making Pennsylvania competitive.

(13) Will the regulation affect any other regulations of the promulgating agency or other state agencies? If yes, explain and provide specific citations.

No, the regulation does not affect other PUC regulations. The regulation does not affect other state agencies as the PUC has exclusive jurisdiction over the minimum insurance requirement of passenger carriers in Pennsylvania, except Philadelphia.

(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.)

On February 9, 2018, the PUC issued a Proposed Rulemaking Order, seeking comment from passenger carriers and other stakeholders. The Commission will evaluate these comments in rendering its final form rule.

Since this regulation is narrowly tailored and consists of amending the minimum insurance requirement for passenger carriers the PUC did not hold any other informal meetings with stakeholders regarding the proposed regulations. In response to our Advanced Notice of Proposed Rulemaking issued on June 14, 2017, the Commission received comments from stakeholders that expressed they believed the current minimum insurance coverage is low given the level of potential liability for property damage and bodily injury that can be incurred in motor carrier accidents.

(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 regulation will affect all passenger carriers with vehicles that have a capacity of less than 16 passengers. There are 1,110 passenger carriers registered with the PUC that operate vehicles with a seating capacity of less than 16 passengers. This includes various forms of service, such as taxi, limousine, paratransit, and airport taxi. This regulation will not affect taxis and limousines that operate

exclusively in Philadelphia. The regulation will affect the estimated 20 million motor carrier riders in the Commonwealth each year.

The PUC recognizes passenger carriers as small businesses if the passenger carrier reports no more than \$500,000 in annual revenue. Commission records indicate that approximately 95% of the 1,110 (1,060) passenger carriers registered with the PUC are considered a small business.

(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.

All taxis, limousines, paratransit carriers, and airport taxis in the Commonwealth, except for taxis and limousines operating in Philadelphia, will be required to comply with the new minimum insurance requirements. This will affect passenger carriers that operate vehicles that have a capacity of less than 16 passengers. 1,110 passenger carriers registered with the PUC will be required to comply with the new minimum insurance requirement.

The PUC recognizes passenger carriers as small businesses if the passenger carrier reports no more than \$500,000 in annual revenue. Commission records indicate that approximately 95% of the 1,110 (1,060) of the passenger carriers registered with the PUC are considered a small business. Small business passenger carriers will be required to comply with this regulation the same as other passenger carriers.

(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.

The increase in minimum insurance requirement will impose a higher cost for insurance on passenger carriers in Pennsylvania that operate vehicles with a capacity of less than 16 passengers. Passenger carriers will be required to purchase a more expensive insurance policy as a result of the higher required minimum. However, the 20 million motor carrier riders per year in the Commonwealth will be better protected from damages in the event of an accident with the higher insurance benefits to cover bodily injuries and property damage.

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

The higher cost for insurance on passenger carriers will be outweighed by the added protection afforded to the public. The higher insurance benefits for bodily injury and property damage make it more likely that parties involved in accidents can fully recover from the damages incurred.

(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.

The increase in the required minimum insurance will increase the cost of insurance on passenger carriers by 3.57 times given that the coverage amount will be increased by 3.57 times over the existing

minimum. The average cost of insurance per vehicle with a passenger capacity of fewer than 16 is \$1,080. However, in large cities, the per vehicle insurance premium average for these vehicles is \$1,300. The increase in the minimum insurance would approximately raise these costs to \$3,855.60 per vehicle for small rural operators and up to \$4,641.00 per vehicle for larger urban operators.

While passenger carriers will spend more on insurance they will more likely cover all damages resulting from accidents without having to resort to the unpredictable expense of litigation.

(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.

The regulation creates no new costs or savings to local government.

(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 regulation creates no new costs or savings to state government.

(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.

The proposed regulation does not impose any additional requirements. Current regulations require passenger carriers to have their insurance carrier submit a Form-E with the PUC to establish that the passenger carrier is insured according to the PUC's regulations.

Form-E is submitted by a passenger carrier's insurance provider. A Form-E certifies to the PUC that the insurance company has issued insurance to the passenger carrier and that it will cover automobile bodily injury/death and property damage liability by the provisions of the motor carrier law of the Commonwealth.

Existing carriers would not be required to file a new Form-E as a result of the increase in minimum insurance requirements because a new Form-E is effective until one of the following: 1) the submission of a Form K cancelling the policy for which the Form E was written; 2) the filing of a new Form E which will supersede the previous one; or 3) cancellation of the carrier's authority.

The insurance carriers that submit a Form-E with the PUC would be notified via electronic mailer of new minimum insurance requirements.

(22a) Are forms required for implementation of the regulation?

No additional forms are required to implement this regulation.

(22b) If forms are required for implementation of the regulation, **attach copies of the forms here**. If your agency uses electronic forms, provide links to each form or a detailed description of the information required to be reported. **Failure to attach forms, provide links, or provide a detailed description of the information to be reported will constitute a faulty delivery of the regulation.**

(See attached description of forms)

(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.

	<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>	Not Quantifiable because the savings is related to the reduction in litigation costs.	NQ	NQ	NQ	NQ	NQ
<b>Local Government</b>	Local government has no direct stake in passenger carrier insurance.	N/A	N/A	N/A	N/A	N/A
<b>State Government</b>	State government has no direct stake in passenger carrier insurance.	N/A	N/A	N/A	N/A	N/A
<b>Total Savings</b>	NQ	NQ	NQ	NQ	NQ	NQ

<b>COSTS:</b>						
<b>Regulated Community</b>	\$2,775.60 (small rural passenger carrier) per vehicle – \$3,341 (large urban passenger carrier) per vehicle.	\$2,775.60 – \$3,341	\$2,775.60 – \$3,341	\$2,775.60 – \$3,341	\$2,775.60 – \$3,341	\$2,775.60 – \$3,341
<b>Local Government</b>	N/A	N/A	N/A	N/A	N/A	N/A
<b>State Government</b>	N/A	N/A	N/A	N/A	N/A	N/A
<b>Total Costs</b>	NQ	NQ	NQ	NQ	NQ	NQ
<b>REVENUE LOSSES:</b>						
<b>Regulated Community</b>	The increase in minimum insurance will not directly affect revenue.	N/A	N/A	N/A	N/A	N/A
<b>Local Government</b>	Local government has no direct stake in passenger carrier insurance.	N/A	N/A	N/A	N/A	N/A
<b>State Government</b>	State government has no direct stake in passenger carrier insurance.	N/A	N/A	N/A	N/A	N/A
<b>Total Revenue Losses</b>	N/A	N/A	N/A	N/A	N/A	N/A
(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>		
No programs are affected by this regulation.	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.
- (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.
- (c) A statement of probable effect on impacted small businesses.
- (d) A description of any less intrusive or less costly alternative methods of achieving the purpose of the proposed regulation.

- (a) As explained in Question 15, the PUC has 1,110 certificated passenger carriers with a seating capacity of less than 16. Of these certificated passenger carriers, approximately 1,060 are considered small businesses.
- (b) Compliance with the new minimum insurance requirements will not require additional reporting, recordkeeping or administrative costs because passenger carriers are already required to have their insurance carriers submit Form-E insurance with the PUC.
- (c) Passenger carriers with vehicles with a passenger capacity of less than 16 passengers will incur a higher cost for insurance and receive additional coverage from damages resulting from accidents.
- (d) In order to address the higher costs associated with accidents involving passenger carriers, there is no other less intrusive means to assure passenger carriers can adequately cover damages for which they are liable.

(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.

No provisions have been developed for passenger carriers classified as small business because the PUC intends to protect the entire riding public from damages from passenger carrier accidents. As the increase in insurance is relative to a passenger carrier's size, increases in insurance premiums will be relative to what passenger carriers pay now.

(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.

The alternative to raising the minimum insurance requirement is to leave the minimum insurance requirement at its current level of \$30,000 for bodily injury and \$5,000 for property damage (\$35,000 split coverage). The Commission does not believe that the current minimum level of insurance is adequate to cover damages from accidents involving passenger carriers in Pennsylvania. While passenger carriers will incur additional expense to increase their insurance coverage, the PUC believes that the proposed regulation strikes a balance between providing enough insurance coverage for the public safety while not unreasonably increasing the insurance burden on passenger carriers.

(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;
- b) The establishment of less stringent schedules or deadlines for compliance or reporting requirements for small businesses;
- c) The consolidation or simplification of compliance or reporting requirements for small businesses;
- d) The establishment of performance standards for small businesses to replace design or operational standards required in the regulation; and
- e) The exemption of small businesses from all or any part of the requirements contained in the regulation.

The Commission considered keeping the minimum required insurance at \$30,000 for personal injury and \$5,000 for property damage. While this would keep insurance rates low for passenger carriers, the PUC determined that these amounts are no longer adequate to protect the public in the event of an accident. The proposed amount of \$100,000 for personal injury and \$25,000 for property damage strikes a balance of providing more protection to the public while not imposing an undue burden on passenger carriers of less than 16 passengers.

Passenger carriers would not be required to file an additional Form-E because a Form-E remains effective until one of the following occurs: 1) the submission of a Form K cancelling the policy for which the Form E was written; 2) the filing of a new Form E which will supersede the previous one; or 3) cancellation of the carrier's authority.

(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.

The Commission reviewed five other jurisdictions' minimum insurance requirements for motor common carriers of passengers. The Commission obtained this data from reviewing the statutes and regulations of Maryland, Michigan, New York, Ohio, and Federal Interstate jurisdiction. The insurance requirements from these other jurisdictions have been discussed at length in Question 12.

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

- A. The length of the public comment period: 30 days after the date of publication
- B. The date or dates on which any public meetings or hearings will be held: as needed
- C. The expected date of delivery of the final-form regulation: third quarter of 2018
- D. The expected effective date of the final-form regulation: upon publication as final
- E. The expected date by which compliance with the final-form regulation will be required: upon publication as final
- F. The expected 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 PUC staff will continue to make sure that motor carriers comply with the minimum insurance requirements. Passenger carriers will continue to be required to have their insurance carriers file the Insurance Form-E with the PUC assuring that all insurance requirements are met.

## **Form E Certification of Insurance/Form F Policy Endorsement**

---

**Form E:** Confirms to the PUC that the carrier's commercial motor vehicle insurance meets state coverage and financial requirements

**Form F:** Policy endorsement that *amends* the carrier's coverage to meet the State's coverage and financial requirements

**Form K:** Cancels a previous state insurance filing

### **Intrastate filing: "Form E" and "Form F"**

Intrastate motor carrier operators will most often use "Form E" and "Form F" to comply with state insurance requirements. Forms "E" and "F" are standard industry forms used for the specific purpose of meeting public liability requirements under commercial auto policies.

Form "E" certifies that the motor carrier named on the form is in compliance with the insurance provisions of the motor carrier laws of the state to which the certificate is issued. Form "E" applies on a "continuous until cancelled" basis to all motor vehicles operated by the insured carrier named on the form, regardless of whether the autos are specifically listed in the policy. Form "E" is filed with the appropriate agency in various states where the insured carrier operates.

Form "F" is the companion endorsement to Form "E", and constitutes certification or proof of financial responsibility "under the provisions of any State Commission having jurisdiction, and amends the policy to provide insurance . . . in accordance with such law or regulation to the extent of the coverage and limits required."

FACE SHEET  
FOR FILING DOCUMENTS  
WITH THE LEGISLATIVE REFERENCE BUREAU

(Pursuant to Commonwealth Documents Law)

RECEIVED  
IRRC

2018 JUN 22 A 10:09

DO NOT WRITE IN THIS SPACE

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

BY [Signature]  
(DEPUTY ATTORNEY GENERAL)

6/12/18  
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:

Pennsylvania Public Utility Commission  
(AGENCY)

DOCUMENT/FISCAL NOTE NO. L-2017-2604692/57-320

DATE OF ADOPTION 2/8/2018

BY [Signature]  
Rosemary Chiavetta

TITLE Secy.  
(SECRETARY)

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

BY [Signature]  
Bohdan R. Pankiw  
Chief Counsel

2/8/2018  
DATE OF APPROVAL

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

L-2017-2604692/57-320  
Proposed Rulemaking  
Rulemaking Pertaining to Minimum Insurance Requirements for Motor Carriers of Passengers  
52 Pa Code, Chapter 32

The Pennsylvania Public Utility Commission on February 8, 2018, adopted a proposed rulemaking order to amend 52 Pa. Code, Section 32.11 to increase the minimum required insurance on passenger carriers of less than 16 passengers from \$30,000 for bodily injury and \$5,000 for property damage (\$35,000 split coverage) to \$100,000 for bodily injury and \$25,000 for property damage (\$125,000 split coverage). The contact person is Joseph P. Cardinale, Jr., Assistant Counsel, Law Bureau, 717-787-5558.

**EXECUTIVE SUMMARY**  
**L-2017-2604692 / 57-320**  
**PROPOSED RULEMAKING**

Rulemaking Pertaining to Minimum Insurance Requirements for Motor Carriers of  
Passengers, 52 Pa. Code Chapter 32

Commission regulation requires motor carriers utilizing vehicles capable of transporting fewer than 16 passengers to maintain at least \$35,000 in “split coverage,” of up to \$30,000 for bodily injury/death (up to \$15,000 per person) and up to \$5,000 for property damage. 52 Pa. Code § 32.11. This amount is much lower than the minimum insurance requirements on passenger carriers capable of transporting fewer than 16 passengers in Maryland, Michigan, New York, Ohio, and federal/interstate jurisdiction. It is also lower than the minimum insurance requirements for Transportation Network Company vehicles. See 66 Pa. C.S. § 2603.1. The Commission believes that the minimum insurance requirement for passenger carriers in the Commonwealth, operating vehicles capable of transporting fewer than 16 passengers, should be raised to \$125,000 split coverage consisting of up to \$100,000 for bodily injury/death per accident (up to \$50,000 per person) and up to \$25,000 for property damage. The Commission believes this increased insurance coverage better protects the public and is in the public interest.

The contact person for this proposed rulemaking is Joseph P. Cardinale, Jr., Assistant Counsel, Law Bureau (717) 787-5558, (jcardinale@pa.gov). Alternate formats of this document are available to persons with disabilities and may be obtained by contacting Alyson Zerbe, Regulatory Coordinator, Law Bureau, (717) 772-4597, (alzerbe@pa.gov).

**PENNSYLVANIA  
PUBLIC UTILITY COMMISSION  
Harrisburg, PA 17105-3265**

Public Meeting held February 8, 2018

Commissioners Present:

Gladys M. Brown, Chairman  
Andrew G. Place, Vice Chairman  
Norman J. Kennard  
David W. Sweet  
John F. Coleman, Jr.

Rulemaking Pertaining to Minimum Insurance  
Requirements for Motor Carriers of Passengers, 52 Pa.  
Code Chapter 32

L-2017-2604692

**PROPOSED RULEMAKING ORDER**

**BY THE COMMISSION:**

The Pennsylvania Public Utility Commission (Commission) proposes to amend its regulations governing minimum insurance coverage requirements for motor carriers of passengers. 52 Pa. Code Chapter 32. By way of background, on June 14, 2017, the Commission entered an Advanced Notice of Proposed Rulemaking Order wherein we invited comments on certain existing motor common carrier regulations that may need to be updated or revised in response to changing market conditions. These proposals would be in addition to the changes previously approved by the Commission in *Temporary Regulations for the Taxi and Limousine Industries* at Docket No. L-2016-2556432.<sup>1</sup>

---

<sup>1</sup> Those temporary regulations addressed, *inter alia*, use of electronic log sheets, use of driver owned or leased vehicles, flexible tariff rates. Pursuant to Act 164 of 2016, amending Act 85 of 2016, the temporary regulations will expire upon the promulgation of final-form regulations or November 4, 2018 whichever is later. As such, absent a new rulemaking on these topics, these temporary regulations remain in place and are enforceable.

Specifically, we sought comments in this proceeding concerning the following areas: fuel surcharge; fines and assessments; provisional authority; web-based training; motor-carrier insurance; safety code for transportation of property and passengers; policy statements found at Chapter 41 of our regulations; property carrier regulation, group and party carrier regulation; and any other issues commentators deemed relevant.

The Commission received comments from BestDarnMovers, Clarion County Taxi, Safe Transportation Group, Pennsylvania Moving and Storage Associates, Pennsylvania Bus Association, Billtown Cab, K-Cab, Suburban Transit Network, Willow Grove Yellow Cab, Easton Coach Company, Tri-County Transit Service, Bucks County Transport, Rasier-PA LLC, and Robert Ely (collectively “Commentators”). Having reviewed the comments, the Commission now proposes to amend the minimum insurance coverage requirements for motor common carriers of passengers at 52 Pa. Code § 32.11. However, before addressing this regulatory proposal, we will discuss the comments received to the advanced notice of proposed rulemaking.

#### **A. Advanced Notice Of Proposed Rulemaking**

Commentators provided comments on the following topics, which we address *ad seriatim*:

##### *1. Fuel Surcharge*

Some commentators suggested that a fuel surcharge should be applied to other carriers in addition to household goods carriers, which is the only carrier group which has a fuel surcharge currently established. See *Fuel Cost Recovery Surcharge Special Permission*, Docket No. SP-28207 (Order entered April 17, 2003) and *Extension of the Fuel Cost Recovery Surcharge Special Permission 28207*, Docket No. R-2009-2094616 (Order entered May 4, 2017). Commentators submitted that monthly tariff adjustments to reflect fuel price changes are difficult and costly for the Commission and carriers to implement. Commentators recommended that we should consider quarterly adjustments

for the Commission to publish so each carrier could incorporate it into their individual tariff on one day's notice. One commentator also suggested that the fuel surcharge on household goods carriers should stay the same because it directly affects operating costs. Finally, there was a comment recommending that the Commission should allow a flexible tariff to allow the use of a surcharge as needed.

The Commission notes that it has recently implemented tariff regulations for limousine and taxi carriers, allowing those industries greater flexibility. See *Temporary Regulation for Taxi and Limousine Industries*, Docket No. L-2016-2556432 (Order entered December 23, 2016). The Commission believes that limousine and taxi carriers have sufficient flexibility in setting rates to account for market factors without having to add a specific fuel surcharge. Additionally, other carrier types such as paratransit, airport transfer, and scheduled route carriers, did not request any change to the Commission's regulations to account for fuel pricing. Therefore, the Commission declines to implement a regulation providing for a fuel surcharge.

## 2. Fines and Assessments

Commentators recommended that the Commission enhance its means to collect fines by other means such as wage garnishment and liens. One commentator proposed that the Commission institute a "diamond system" like the Taxi and Limousine Commission in New York City. It was suggested that every motor carrier should be required to register with the Commission and receive a "diamond" for each vehicle indicating they have paid their assessment and met other requirements.

In the Commission's judgment, sufficient measures are currently in place to ensure fine and assessment collection, and no change needs to be made. We do not have a significant delinquency issue regarding fines and assessments. The total delinquent amount for fines on taxi and limousine service in 2017 was \$19,062, and the total delinquent assessments for taxi and limousine service for 2017-2018 was \$351,785. The

Commission will pursue satisfaction of these delinquencies through available tools, up to and including cancellation of carrier certificates of public convenience. Additionally, the “diamond system” proposed is not feasible since the Commission does not certificate motor common carriers on a per-vehicle basis. Furthermore, implementing such a system would be costly and cumbersome. Given that the current collection process is sufficient, we decline to adopt this proposal.

### 3. Provisional Authority

The Commission received one comment from a household goods carrier suggesting provisional authority to allow applicants to operate during the pendency of the application process, asserting that protests only serve to protect monopoly interests of certificated movers. In contrast, several commentators noted that provisional authority should not be granted. They opined that provisional authority would allow applicants with poor safety records, inadequate financial capability, and lack of operational experience to prey upon the public. It was also recommended that provisional authority should not be granted until the process for certification is complete. One commentator recommended that the Commission should adopt a “conditional” status to accommodate single-vehicle operators upon which permanent authority can be granted after an operator satisfies all conditions. It was suggested that if the Commission were to adopt provisional authority, a very high burden on the applicant should be imposed to demonstrate that provisional authority is in the public interest.

The Commission has regulations in place governing emergency temporary authority and temporary authority.<sup>2</sup> See 52 Pa. Code § 3.383. Those regulations permit service while an application for permanent authority is pending. We believe that these

---

<sup>2</sup> Our authority to grant temporary authority stems from Section 1103 of the Public Utility Code. 66 Pa. C.S. § 1103. There is no provision in the Code governing provisional authority. Temporary authority is available in an emergency situation, which is defined as “[a] situation which presents a clear and present danger to life or property or which is uncontested and requires action prior to the next scheduled public meeting.” 52 Pa. Code § 3.1.

provisions allow sufficient flexibility to provide immediate transportation during the pendency of an application for permanent authority, while ensuring those services are provided safely. Significantly, no protests are permitted to an application for emergency temporary authority. Additionally, since we no longer allow protests on the basis of lack of public need applications for permanent authority should be much less cumbersome. See *Final Rulemaking Amending 52 Pa. Code Chapters 1, 3, 5, 23 and 29*, Docket No. L-2015-2507592 (Order entered October 27, 2016). Under these circumstances, we decline to propose new regulations providing for provisional authority, since our current processes provide adequate flexibility to respond to immediate transportation needs.

#### 4. Web-Based Training

Commentators suggested that web-based training should be provided to include skill-based programs for stakeholders. The topics recommended were:

- How to register for intrastate operating authority (the steps a carrier should take, including who to contact, forms, cost, etc.);
- The responsibility of a motor carrier when an accident occurs;
- What a carrier can expect from a roadside/destination stop;
- A primer on Commission and FMCSA Regulations (including a discussion as to how the Commission regulations compare to the FMCSA regulation);
- Commission motor carrier compliance issues, including the scheduling of inspections by Commission enforcement officers; and
- Training that condenses the motor carrier regulations that are applicable to the charter bus industry.

The Commission believes that web-based training can serve as a benefit to motor common carriers. However, we believe that web-based training should be voluntary and administered through the Bureau of Technical Utility Services and Bureau of Investigation and Enforcement. Therefore, we decline to propose regulations making

web-based training mandatory. Rather, we plan to develop current training modules that will be available to the industry to enhance service.

5. 52 Pa. Code Chapter 32 – Motor Carrier Insurance

Several commentators suggested that the current minimum insurance coverage limits are very low given the level of potential liability for property damage and bodily injury that can be incurred in motor carrier accidents and, therefore, that the Commission should look at the minimum limits required by other state and local agencies to determine appropriate coverage limits. Commentators submitted that most states require minimum coverages of \$1 million (and up to \$5 million). However, one commentator suggested that any cost increase on motor common carriers occasioned by higher mandated insurance levels would cripple existing conventional carriers and hurt rural and suburban carriers, except for TNCs. Another commentator suggested that the insurance minimum should not increase on vehicles that transport more than 28 passengers unless the Commission conducts a study that demonstrates that an increase would benefit the public safety and is in the public interest.

With respect to how proof of insurance is tendered to the Commission, it was recommended that only insurance carriers should be permitted to file the Form E certificate with the Commission to avoid fraud. Commentators also argued that Form E requirements should remain the same so that motor carriers cannot misrepresent their coverage. Commentators stated that changing this rule would abrogate important oversight, and advised that the Commission should check other jurisdictions on whether carriers are permitted to self-file their own Form E.

We believe that the current procedure requiring insurers to file Form E certificates directly with the Commission does not require any changes. However, appropriate insurance levels should be addressed in a rulemaking and we will do so herein.

6. 52 Pa. Code Chapter 37 – Safety Code For Transportation of Property And Passengers

The Commission received comments pertaining to the Safety Code for Transportation of Property and Passengers. One commentator recommended that the safety regulations should not depart from the FMCSA regulations to keep the riding public safe. A comment was also made with respect to TNC safety, suggesting that TNC drivers should be given an online test on applicable regulations and that a separate license should be issued to TNC drivers.

The Commission will not propose any changes to the safety code for transportation of property and passengers. We note that the Commission's regulations already incorporate the safety regulations from the FMCSA. *See* 52 Pa. Code § 37.204. We also note that Act 164 has expressly stated that a separate license may not be required for a TNC driver and the Commission cannot require a separate TNC driver license. *See* 66 Pa. C.S. § 2605. Therefore, we will not propose any changes to Chapter 37.

7. 52 Pa. Code Chapter 41 – General Orders, Policy Statement And Guidelines On Transportation Utilities

A few Commentators suggested that current guidelines offer little in terms of concrete metrics for reviewing applications. Other Commentators, however, believe that existing fitness guidelines should remain in effect and be administered according to the Public Utility Code.

The Commission is currently addressing its policy statement at 52 Pa. Code § 41.14 at Docket No. M-2017-2629722, to reflect the change in evidentiary criteria that motor carrier applicants are required to present to the Commission for a certificate of public convenience. Further, we believe there is sufficient information to guide applicants in the policy statement concerning motor carrier application criteria. There is a necessary flexibility attached to those criteria, evidencing that applicants do not lend

themselves to a “one-size-fits-all approach”. Therefore, we decline to address those guidelines at this time.

8. *P-00940884; Regulation Of Property Carriers, And P-00981458; Regulation Of Group And Party Carriers*

The Commission did not receive any comments on regulations at dockets P-00940884 or P-00981458. Accordingly, the Commission will not make any updates or changes with respect to these dockets.

**B. Rulemaking**

The Commission has considered all the comments it received at this docket and will open a rulemaking to consider appropriate insurance requirements for passenger motor carriers. 52 Pa. Code § 32.11.

The Commission’s regulation at Section 32.11 currently provides:

**§ 32.11. Passenger carrier insurance.**

(a) A common carrier or contract carrier of passengers may not engage in intrastate commerce and a certificate or permit will not be issued, or remain in force, except as provided in § 32.15 (relating to applications to self-insure) until there has been filed with and approved by the Commission a certificate of insurance by an insurer authorized to do business in this Commonwealth, to provide for the payment of valid accident claims against the insured for bodily injury to or the death of a person, or the loss of or damage to property of others resulting from the operation, maintenance or use of a motor vehicle in the insured authorized service.

(b) The liability insurance maintained by a common or contract carrier of passengers on each motor vehicle capable of transporting fewer than 16 passengers shall be in an amount not less than \$35,000 to cover liability for bodily injury, death or property damage incurred in an accident arising from authorized service. The \$35,000 minimum coverage is split coverage in the amounts of \$15,000 bodily injury per person, \$30,000 bodily injury per accident and \$5,000 property damage per accident. This coverage shall include first party medical benefits in the amount of \$25,000 and first party wage loss benefits in the amount

of \$10,000 for passengers and pedestrians. Except as to the required amount of coverage, these benefits shall conform to 75 Pa. C.S. § § 1701—1799.7 (relating to Motor Vehicle Financial Responsibility Law). First party coverage of the driver of certificated vehicles shall meet the requirements of 75 Pa. C.S. § 1711 (relating to required benefits).

(c) The liability insurance maintained by a common or contract carrier of passengers on each motor vehicle capable of transporting 16 to 28 passengers shall be in an amount not less than \$1 million to cover liability for bodily injury, death or property damage incurred in an accident arising from authorized service. Except as to the required amount of liability coverage, this coverage shall meet the requirements of 75 Pa.C.S. § § 1701—1799.7.

(d) The liability insurance maintained by a common or contract carrier of passengers on each motor vehicle capable of transporting more than 28 passengers shall be in an amount not less than \$5 million to cover liability for bodily injury, death or property damage incurred in an accident arising from authorized service. Except as to the required amount of liability coverage, this coverage shall meet the requirements of 75 Pa.C.S. § § 1701—1799.7.

(e) The limits in subsections (b)—(d) do not include the insurance of cargo.

The last time the Commission amended Section 32.11 was on May 11, 2000.

*Rulemaking Re: Passenger Carrier Insurance Regulation to Clarify Coverage*

*Requirements 52 Pa. Code § 32.11*, Docket No. L-00970124 (Order May 11, 2000). The Independent Regulatory Review Commission noted that the minimum requirement of \$35,000 per accident may be inadequate coverage for passenger carriers of less than 16 passengers. *Id.* at 3. We addressed this comment and reasoned that:

in addition to ensuring that the public is adequately covered in the event of an accident, the Commission must also take into consideration the high cost of insurance for taxicab companies. We are mindful that our goal is not to make getting and maintaining insurance an insurmountable burden on taxicab companies. We must balance the interest of protecting the public with the interests of making it financially feasible for taxicab companies to continue providing adequate, safe and reasonable service to the public.

*Id.* at 3-4.

Given the concerns that \$35,000 split coverage per accident may be insufficient and that the Commission received comments suggesting the minimum insurance coverage is insufficient the Commission opens a rulemaking to consider increasing this amount. The Commission has reviewed the minimum liability insurance limits in Maryland, Michigan, New York, and Ohio as well as federal requirements for motor common carriers of passengers.

Based on that review, it is apparent that the minimum liability insurance limits for motor common carriers of passengers with a capacity under 16 passengers in the Commonwealth is significantly lower by comparison to these jurisdictions. In Maryland, passenger carriers of seven passengers or less are required to have at least a \$120,000 combined single limit liability insurance policy. *See* Md. Code Regs. 20.95.01.18. Passenger carriers in Michigan with a seating capacity under nine passengers requires at least a \$300,000 combined single limit liability insurance policy. Mich. Comp. Laws Ann. § 257.2121 (West). In New York, passenger carriers carrying less than 12 passengers under the jurisdiction of the New York Department of Transportation are required to maintain at least \$100,000 for personal injury or death to one person, \$300,000 for personal injury or death to all persons in one accident with a maximum of \$100,000 for each person; and property damage in the amount of \$50,000. N.Y. Comp. Codes R. & Regs. Title 17, § 750.1. The Public Utilities Commission in Ohio directs its motor common carriers to maintain liability insurance on vehicles with a capacity of less than 16 passengers in the amount of \$1.5 million. Ohio motor common carriers with a seating capacity of 16 or more passengers are required to maintain at least \$5 million in liability insurance. Ohio Admin. Code 4901:2-13-03. Finally, the federal regulations provide that any motor common carrier operating vehicles with a passenger capacity less than 16 (except for taxis that can carry up to seven passengers) must have at least \$1.5 million in liability insurance. Motor common carriers under federal jurisdiction with passenger capacity of 16 or more must have at least \$5 million in liability insurance. 49 C.F.R. § 387.31.

Considering other jurisdictions' requirements for liability insurance on motor common carriers of passengers, the Commission believes it is in the public interest that the minimum level of liability insurance for motor common carriers of passengers operating vehicles with a capacity of less than 16 passengers should be raised to \$100,000 for bodily injury and \$25,000 for property damage. This amount of minimum required liability insurance will ensure that the public is adequately protected in the event of an accident while not imposing an insurmountable burden on passenger carriers operating smaller vehicles. We propose that this coverage amount will be split coverage of \$50,000 for death or bodily injury per person, \$100,000 for death or bodily injury per incident, and \$25,000 for property damage. Additionally, we propose maintaining current first party medical benefits of \$25,000 and first party wage loss benefits of \$10,000 for passengers and pedestrians. We note that this proposed coverage is consistent with coverage amounts and types required for vehicles used in transportation network service that are available for service but not engaged in a ride.

Finally, we do not propose any changes to the current insurance requirements for motor carriers operating vehicles with seating capacities of 16 passengers or more. As noted, those limits are \$1 million for carriers transporting 16 to 28 passengers and \$5 million for carriers transporting over 28 passengers.

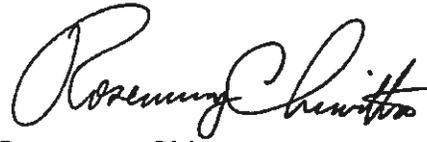
Accordingly, pursuant to Sections 501, 512, 2502 of the Public Utility Code, 66 Pa. C.S. §§ 101 *et seq.*, the Commonwealth Documents Law, 45 P.S. §§ 1201-1202, and the regulation promulgated thereunder at 1 Pa. Code §§ 7.1, 7.2, and 7.5; Section 204(b) of the Commonwealth Attorneys Act, 71 P.S. § 732-204(b); 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 thereunder at 4 Pa. Code §§ 7.231, 7.232, and 7.234, we propose adopting the regulation set forth in Annex A, attached hereto; **THEREFORE,**

**IT IS ORDERED:**

1. That a rulemaking be opened to consider the regulations set forth in Annex A.
2. That the Law Bureau shall submit this rulemaking order and Annex A to the Office of Attorney General for review as to form and legality and to the Governor's Budget Office for review of fiscal impact.
3. That the Law Bureau shall submit this rulemaking order and Annex A for review and comments to the Independent Regulatory Review Commission and the Legislative Standing Committees.
4. That the Law Bureau shall deposit this rulemaking order and Annex A with the Legislative Reference Bureau to be published in the *Pennsylvania Bulletin*.
5. That original written comments referencing Docket Number L-2017-2604692 be submitted within 30 days of publication in the *Pennsylvania Bulletin* to the Pennsylvania Public Utility Commission, Attn: Secretary, Commonwealth Keystone Building, 2nd Floor 400 North Street, Harrisburg, PA 17120.
6. That a copy of this rulemaking order and Annex A shall be served on the Commission's Bureau of Investigation and Enforcement, the Office of Consumer Advocate, and the Office of Small Business Advocate.
7. That the contact person for legal matters on this rulemaking is Joseph P. Cardinale, Jr., Assistant Counsel, Law Bureau, (717) 787-5558. Alternate formats of this

document are available to persons with disabilities and may be obtained by contacting Alyson Zerbe, Regulatory Review Coordinator, Law Bureau, (717) 772-4597.

**BY THE COMMISSION,**

A handwritten signature in black ink, appearing to read "Rosemary Chiavetta". The signature is written in a cursive style with a large initial "R".

Rosemary Chiavetta,  
Secretary

(SEAL)

ORDER ADOPTED: February 8, 2018

ORDER ENTERED: February 9, 2018

ANNEX  
TITLE 52. PUBLIC UTILITIES  
PART 1. PUBLIC UTILITY COMMISSION  
Subpart B. CARRIERS OF PASSENGERS OR PROPERTY  
CHAPTER 32: MOTOR CARRIER INSURANCE  
Subchapter B. INSURANCE REQUIREMENTS

\* \* \* \* \*

**52 Pa. Code § 32.11. Passenger carrier insurance.**

**(a) A common carrier or contract carrier of passengers may not engage in intrastate commerce and a certificate or permit will not be issued, or remain in force, except as provided in § 32.15 (relating to applications to self-insure) until there has been filed with and approved by the Commission a certificate of insurance by an insurer authorized to do business in this Commonwealth, to provide for the payment of valid accident claims against the insured for bodily injury to or the death of a person, or the loss of or damage to property of others resulting from the operation, maintenance or use of a motor vehicle in the insured authorized service.**

**(b) The liability insurance maintained by a common or contract carrier of passengers on each motor vehicle capable of transporting fewer than 16 passengers shall be in an amount not less than [~~\$35,000~~] \$125,000 to cover liability for bodily injury, death or property damage incurred in an accident arising from authorized service. The [~~\$35,000~~] \$125,000 minimum coverage is split coverage in the amounts of [~~\$15,000~~] \$50,000 bodily injury per person, [~~\$30,000~~] \$100,000 bodily injury per accident and [~~\$5,000~~] \$25,000 property damage per accident. This coverage shall include first party medical benefits in the amount of \$25,000 and first party wage loss benefits in the amount of \$10,000 for passengers and pedestrians. Except as to the required amount of coverage, these benefits shall conform to 75 Pa.C.S. §§ 1701-1799.7 (relating to Motor Vehicle Financial Responsibility Law). First party coverage of the driver of certificated vehicles shall meet the requirements of 75 Pa.C.S. § 1711 (relating to required benefits).**

**(c) The liability insurance maintained by a common or contract carrier of passengers on each motor vehicle capable of transporting 16 to 28 passengers shall be in an amount not less than \$1 million to cover liability for bodily injury, death or property damage incurred in an accident arising from authorized service. Except as**

**to the required amount of liability coverage, this coverage shall meet the requirements of 75 Pa.C.S. §§ 1701--1799.7.**

**(d) The liability insurance maintained by a common or contract carrier of passengers on each motor vehicle capable of transporting more than 28 passengers shall be in an amount not less than \$5 million to cover liability for bodily injury, death or property damage incurred in an accident arising from authorized service. Except as to the required amount of liability coverage, this coverage shall meet the requirements of 75 Pa.C.S. §§ 1701--1799.7.**

**(e) The limits in subsections (b)--(d) do not include the insurance of cargo.**



COMMONWEALTH OF PENNSYLVANIA  
PUBLIC UTILITY COMMISSION  
400 NORTH STREET  
HARRISBURG, PA 17120

June 22, 2018

GLADYS M. BROWN  
CHAIRMAN

The Honorable George D. Bedwick  
Chairman  
Independent Regulatory Review Commission  
14th Floor, Harrisburg II  
333 Market Street  
Harrisburg, PA 17101

**Re: L-2017-2604692 / 57-320  
Proposed Rulemaking  
Minimum Insurance Requirements for Motor Carriers of Passengers  
52 Pa. Code, Chapter 32**

Dear Chairman Bedwick:

Enclosed please find 1 copy of the proposed rulemaking and the Regulatory Analysis Form prepared in compliance with Executive Order 1996-1, "Regulatory Review and Promulgation." 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), the Commission is submitting today a copy of the proposed rulemaking and Regulatory Analysis Form to the Chairman of the House Committee on Consumer Affairs and to the Chairman of the Senate Committee on Consumer Protection and Professional Licensure.

The purpose of this proposal is to increase the minimum required insurance on passenger carriers of less than 16 passengers from \$30,000 for bodily injury and \$5,000 for property damage (\$35,000 split coverage) to \$100,000 for bodily injury and \$25,000 for property damage (\$125,000 split coverage). The contact person is Joseph P. Cardinale, Jr., Assistant Counsel, Law Bureau, (717) 787-5558.

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

Sincerely,

Gladys M. Brown  
Chairman

Enclosures

pc: The Honorable Robert M. Tomlinson  
The Honorable Lisa Boscola  
The Honorable Robert Godshall  
The Honorable Thomas R. Caltagirone  
June Perry, Legislative Affairs Director  
Bohdan Pankiw, Chief Counsel  
Joseph P. Cardinale, Jr., Assistant Counsel  
Alyson Zerbe, Regulatory Coordinator

TRANSMITTAL SHEET FOR REGULATIONS SUBJECT  
TO THE REGULATORY REVIEW ACT

ID Number: L-2017-2604692/57-320

Subject: Rulemaking Pertaining to Minimum Insurance Requirements  
for Motor Carriers of Passengers  
52 Pa. Code, Chapter 32

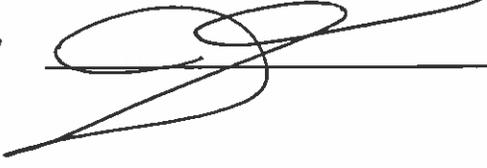
Pennsylvania Public Utility Commission

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

RECEIVED  
IRRC  
2018 JUN 22 AM 10:10

FILING OF REPORT

<u>Date</u>	<u>Signature</u>	<u>Designation</u>
6/22/18		HOUSE COMMITTEE (Godshall) Consumer Affairs
6/22/18	Tammy M Blauch	SENATE COMMITTEE (Tomlinson) Consumer Protection and Professional Licensure
6/22/18	K Cooper	Independent Regulatory Review Commission Attorney General
6/22/18	Courne Grant	Legislative Reference Bureau