

Regulatory Analysis Form

(Completed by Promulgating Agency)

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: 11

IRRC Number: 3103

(3) PA Code Cite: 52 Pa. Code § 1017.4. (relating to age and mileage limitations).

(4) Short Title: Modern Taxicab Standards

(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)

Beginning 30 days after publication of the final-form regulation, all vehicles brought into taxicab service for the first time will be required to be late models with less than 500 miles on the odometer. Additionally, all medallion taxicabs and 25 percent of each carrier's fleet of partial-rights taxicabs will be required to be wheelchair accessible. Currently 3-6 year old vehicles commonly enter taxicab service as "new" and often remain in service until 8 years old. A gradual upgrading of the fleet is anticipated because the improvements will occur only as existing vehicles are replaced.

(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), 5722 and 5742; section 5505(d) of the Parking Authorities Law, act of June 19, 2001, (P.L. 287, No. 22), *as amended*, 53 Pa. C.S. §§ 5505(d) (23) and (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.

We incorporate our response provided in No 7. The Authority continues to experience an unwillingness on the part of taxicab owners in Philadelphia to, voluntarily, upgrade and improve the quality of taxicabs. The riding public continues to endure service in the oldest and most worn vehicles that a

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taxicab owner can legally get on the road. While the condition of taxicabs has improved significantly since the Authority's regulatory functions began and a minimum of 2 annual "wheels off" inspections began in 2005, the condition of these vehicles remains unacceptable. This situation persists despite the Authority's repeated references to the purpose of the medallion program, which was to improve the level of service provided to the public. Various PR-1 filings indicated that the number of partial-rights taxicabs providing service in Philadelphia has more than doubled during. Partial-rights taxicabs may provide service without incurring the initial fiscal burden associated with buying a medallion.

Some certificated limousine carriers have modified their business models in an attempt to service some of the passengers in search of a better, but still affordable means of quick transportation in Philadelphia. Illegal service providers have also been drawn to the obvious dearth in affordable quality common carrier transportation in Philadelphia. Some of these illegal services employ the use of voiceless electronic communication to summon and seamlessly pay for that transportation. Not surprisingly, the public has responded favorably to cleaner and better vehicles, more friendly drivers and the hassle-free use of credit card payment methods.

An obvious lesson is to be learned here. Taxicab owners must make significant investments in the equipment and people they use to provide taxicab service. Taxicab drivers need to understand that if they do not provide friendly, courteous and clean service to the public, the public will continue to look elsewhere.

Based on past performance, or lack thereof, the Authority has no expectation that the taxicab industry will voluntarily work to save itself. As the regulator of taxicabs in Philadelphia and with the knowledge that high quality, clean, safe, insured, and monitored taxicab service in clearly marked vehicles remains an important part of the City's economy, we are duty bound to cause change, unilaterally. The Authority will act on its own when possible, seek active participation of the riding public and the regulates industries at all times and may seek additional authorization from the Legislature to bring about the level of taxicabs service demanded by today's more discerning customers.

The proposed regulation will require a marked increase in the quality and capability of taxicabs in Philadelphia. Beginning 30 days after publication of the final-form regulation, all vehicles brought into service as taxicabs in Philadelphia for the first time will be required to be late models with less than 500 miles on the odometer. Additionally, all medallion taxicabs and 25 percent of each carrier's fleet of partial-rights taxicabs will be required to be wheelchair accessible. We understand that this is a significant increase to the quality of taxicab service and the cost to place a taxicab into service. However, we note that the improvements will likely be imposed over a series of years as taxicabs that are legally permitted to be in service on the day prior to the effective date may not need to be removed from service for up to 8 years. Finally, without rapid, significant and obvious improvement, the long term viability of taxicab service is in jeopardy.

The Legislature has already found that a depressed, malfunctioning or *de minimis* taxicab system in Philadelphia to be to the detriment to the entire Philadelphia economy and the overall public good. See 53 Pa.C.S. § 5701.1.

(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.

(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 proposed regulation will ultimately result in a taxicab fleet that is comparable to or even more modern than that present in many other cities. The availability of a large number of wheelchair accessible taxicabs will also vault Philadelphia over the common condition present in most other cities. Pennsylvania's ability to compete with other states will not be impacted, negatively, by this proposed regulation. In fact, based on common sense and the findings of the Legislature, a high quality taxicab industry will directly benefit the economy of Philadelphia. As more international events occur in Philadelphia, such as a the World Meeting of Families Conference in September 2015 and the Democratic National Convention in July 2016, the presence of a clean, safe, affordable, modern and accessible fleet of taxicabs will bode well for Philadelphia and the Commonwealth.

(13) Will the regulation affect any other regulations of the promulgating agency or other state agencies?
No.

(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.)

There were no communications of this nature related to the proposed regulation.

(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: approximately 3,000 drivers all of whom are individuals.

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

Dispatchers: 11, each of which is a small business.

Taxicab owners will be impacted by the need to purchase and insure more expensive vehicles to provide taxicab service. Also, more taxicab drivers will need to be certificated as WAV drivers in order to operate the gradually increasing number of wheelchair accessible taxicabs.

(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 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 our response provided in No 10. The taxicab industry stands at a crossroads in Philadelphia. It must drastically improve or risk extinction, which will not inure to the benefit of anyone in the industry or the general public. Taxicabs can continue to provide famously bad service while shielded from competition by the regulatory restrictions and protections of the Authority or the Public Utility Commission.

Most vehicles that are currently brought into taxicab service as "new" are more than 5 years old and cost the owner approximately \$5,000. The proposed regulation will essentially require "new" vehicles to

actually be new. A new WAV vehicle will cost approximately \$30,000. Partial-rights taxicab owners may operate fleets that are 75% non-WAVs, but must meet the new age/mileage requirements. The Authority does not dictate which make and model vehicle must be used to provide taxicab service.

While the vehicles that owners use as taxicabs today are brought into and out of service at a high frequency due to the initial condition of the vehicle, these new vehicles may remain in service for up to 5 years, somewhat reducing the fiscal impact of acquiring the more expensive vehicle on the front end, particularly in consideration of the major improvement to service that these vehicles will represent.

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

We incorporate our response provided in No. 10.

(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 response provided in paragraph No 17 and the analysis attached hereto as Exhibit "A", which identifies new costs to taxicab certificate holders.

(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.

(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. None.

(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. None.

(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. **Cost analysis at Exhibit "A"**.

	Current FY Year	FY +1 Year	FY +2 Year	FY +3 Year	FY +4 Year	FY +5 Year
SAVINGS:	\$0.00	\$	\$	\$	\$	\$
Regulated Community						
Local Government						
State Government(PPA)						
Total Savings		0.00	0.00	0.00	0.00	0.00
COSTS:		See Exhibit "A"				
Regulated Community						
Local Government						
State Government						

Total Costs		\$10,099	\$10,099	\$10,099	\$10,099	\$10,099
REVENUE LOSSES:						
Regulated Community						
Local Government						
State Government						
Total Revenue Losses		\$0.00	\$0.00	\$0.00	\$0.00	\$0.00

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

Program	FY -3	FY -2	FY -1	Current FY
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.
There is no additional information responsive to these points not expressed above.
- (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.

This regulation was drafted with the intent of providing better quality taxicabs to all Philadelphians and a large number of accessible taxicabs to people with mobility challenges.

(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 alternatives 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.

(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
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: | 1 st Quarter 2016 |
| D. The expected effective date of the final-form regulation: | 1 st Quarter 2016 |
| E. The date by which compliance with the final-form regulation will be required: | 30 days after 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.

EXHIBIT “A”

SAFETY CAMERAS FIN'L IMPACT STATMT.	Current FY Year	FY +1 Year	FY +2 Year	FY +3 Year	FY +4 Year	FY +5 Year
\$1017.4. Basic vehicle standards.						
<i>proposed:</i> late models with <500 miles, ineligible after 8 years or 250,000 miles; cost of new vehicle = \$30K; WAV compliant						
<i>proposed:</i> debt service on \$30K borrowing, for 5 years, interest at 8%		\$ 7,299	\$ 7,299	\$ 7,299	\$ 7,299	\$ 7,299
<i>current:</i> purchasing used cars with 2 years remaining life, for approx. \$5K; (effect \$2,500 per year)		\$ (2,500)	\$ (2,500)	\$ (2,500)	\$ (2,500)	\$ (2,500)
<i>proposed:</i> minimum coverage insurance		\$ 7,500	\$ 7,500	\$ 7,500	\$ 7,500	\$ 7,500
<i>proposed:</i> insurance for non-medical emergency transportation (10% of the value of the vehicle)		\$ 2,500	\$ 2,500	\$ 2,500	\$ 2,500	\$ 2,500
<i>proposed:</i> comprehensive insurance, required for financing		\$ 2,800	\$ 2,800	\$ 2,800	\$ 2,800	\$ 2,800
subtotal		\$12,800	\$12,800	\$12,800	\$12,800	\$12,800
<i>current:</i> insurance, minimum coverage only (estimated \$6K-\$9K)		\$ (7,500)	\$ (7,500)	\$ (7,500)	\$ (7,500)	\$ (7,500)
proposed: 25% of fleet be wheel chair accessible		n/a				
	\$ -	\$ 10,099	\$ 10,099	\$ 10,099	\$ 10,099	\$ 10,099
COSTS:						
Regulated Community (on per medallion basis)	-	10,099	10,099	10,099	10,099	10,099
Local Government		-	-	-	-	-
State Government/PPA (total cost)		-	-	-	-	-
Total Costs	\$ -	\$ 10,099	\$ 10,099	\$ 10,099	\$ 10,099	\$ 10,099

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**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.

BY 
(DEPUTY ATTORNEY GENERAL)

MAY 18 2015

DATE OF APPROVAL

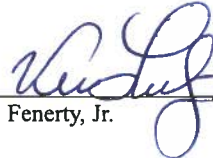
Check if applicable
Copy not approved. Objections attached

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

Philadelphia Parking Authority
(AGENCY)

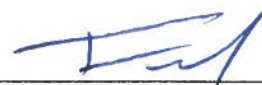
DOCUMENT/FISCAL NOTE NO. Pending with Office of Budget.

DATE OF ADOPTION February 24, 2015

BY 
Vincent J. Fenerty, Jr.

TITLE: Executive Director

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

BY 
Dennis G. Weldon, Jr.
General Counsel

2/24/15
DATE OF APPROVAL

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

Proposed Rule Making No. 126-11
Proposed Rulemaking
Philadelphia Taxicab and Limousine Regulations
52 Pa. Code §§ 1017.4

The Philadelphia Parking Authority on February 24, 2015, adopted a proposed rulemaking order regarding taxicab vehicle standards. 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 :
Taxicab Vehicle Standards : Docket No. 126-11
: :
:

PROPOSED RULEMAKING ORDER

BY THE AUTHORITY:

The Authority is the sole regulator¹ of all taxicab and limousine service in Philadelphia.² The purpose of the proposed rulemaking is to improve the quality and capability of taxicabs in Philadelphia. The proposed rulemaking will require all vehicles proposed for medallion taxicab service after a designated date, to be wheelchair accessible and otherwise comply with the Authority's wheelchair accessible regulations, including those related to vehicle age and mileage requirements. Similar requirements will apply to partial-rights taxicabs. 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 continues to experience an unwillingness on the part of taxicab owners in Philadelphia to, voluntarily, upgrade and improve the quality of taxicabs.³ The riding public continues to endure service in the oldest and most worn vehicles that a taxicab owner can legally get on the road. While the condition of taxicabs has improved significantly since the Authority's regulatory functions began and a minimum of 2 annual "wheels off" inspections began in

¹ The act of July 16, 2004, (P.L. 758, No. 94), 53 Pa.C.S. §§5701 *et seq.*, as amended, (the "act")

² The Authority may promulgate taxicab and limousine regulations. 53 Pa.C.S. §§ 5722 and 5742.

³ See 53 Pa.C.S. § 5712(a).

2005, the condition of these vehicles remains unacceptable. This situation persists despite the Authority's repeated references to the purpose of the medallion program, which was to improve the level of service provided to the public.

Some certificated limousine carriers have modified their business models in an attempt to service some of the passengers in search of a better, but still affordable means of quick transportation in Philadelphia. Illegal service providers have also been drawn to the obvious dearth in affordable quality common carrier transportation in Philadelphia. Some of these illegal services employ the use of voiceless electronic communication to summon and seamlessly pay for that transportation. Not surprisingly, the public has responded favorably to cleaner and better vehicles, more friendly drivers and the hassle-free use of credit cards.

An obvious lesson is to be learned here. Taxicab owners must make significant investments in the equipment and people they use to provide taxicab service. Taxicab drivers need to understand that if they do not provide friendly, courteous and clean service to the public, the public will continue to look elsewhere.

Based on past performance, or lack thereof, the Authority has no expectation that the taxicab industry will voluntarily work to save itself. As the regulator of taxicabs in Philadelphia and with the knowledge that high quality, clean, safe, insured, and monitored taxicab service in clearly marked vehicles remains an important part of the City's economy, we are duty bound to cause change, unilaterally. The Authority will act on its own when possible, seek active participation of the riding public and the regulated industries at all times and may seek additional authorization from the Legislature to bring about the level of taxicabs service demanded by today's customers.

The proposed regulation will require a marked increase in the quality and capability of taxicabs in Philadelphia. Beginning 30 days after the effective date of

the final-form regulation, all vehicles brought into service as taxicabs in Philadelphia for the first time will be required to be late models with less than 500 miles on the odometer. Additionally, all medallion taxicabs and 25 percent of each carrier's fleet of partial-rights taxicabs will be required to be wheelchair accessible. We understand that this is a significant increase to the quality of taxicab service and the cost to place a taxicab into service. However, we note that the improvements will likely be imposed over a series of years as taxicabs that are legally permitted to be in service the day before the effective date of this section may not need to be removed from service for up to 8 years. Finally, without rapid, significant and obvious improvement, the long term viability of taxicab service is in jeopardy.

B. The regulation.

We propose amending the below referenced section to provide heightened taxicab service standards in terms of both the quality and capabilities of the vehicles used to provide that service:

§ 1017.4. Age and mileage limitations.

The proposed regulation will amend subsection (a) and (b) in order to incorporate the changes to age and mileage parameters provided for in the new subsection (d). Subsection (c) is amended to place a cap on the potential number of "antique" vehicles used as taxicabs. We understand that some people may enjoy the nostalgic use of an older taxicab, but the problems that Philadelphia has experienced with old taxicabs, merits some limitation on this potential use. It also does not go without notice that while the Authority has regulated taxicabs in Philadelphia for more than a decade, not a single request for this exemption has been made.

The new subsection (d) is added to require, 30 days after publication of the final-form regulation, all vehicles brought into service as taxicabs in Philadelphia for the first time to be late models with less than 500 miles, incorporating the requirements of Section 1017.8 (c) (relating to wheelchair accessible vehicle taxicab specifications). Additionally, all medallion taxicabs and 25 percent of each carrier's fleet of partial-rights taxicabs will be required to be wheelchair accessible as provided in Section 1017.8. It is important to understand that this requirement will not result in the immediate transition to a fleet of new taxicabs in Philadelphia that will largely be wheelchair accessible on the effective date. Taxicab owners replace aging or damaged vehicles on a regular basis. This regulation will require the owners to replace those retiring vehicles with vehicles that comply with these new standards. For example, if a taxicab is placed into service on the day before the effective date, it will not have to comply with these standards until it is replaced, which could be as many as 8 years in the future. The current regulatory and statutory cap on the age of a taxicabs is 8 years.⁴

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.

⁴ 53 Pa.C.S § 5714(a)(4).

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.

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**

Certified:


Joseph T. Ashdale
Chairman
(SEAL)


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

ORDER ADOPTED: February 24, 2015
ORDER ENTERED: February 24, 2015

§ 1017.4. Age and mileage limitations.

(a) Retirement age and mileage.

(1) Except as provided in subsections (c) and (d), a taxicab will not be eligible for inspection as provided in § 1017.31 (relating to biannual inspections by Authority) upon reaching an age of 8 years old, as calculated under § 1017.3(a) (relating to age and mileage computations). For example, the last day on which a 2006 model year vehicle may be operated in taxicab service is the day before the taxicab's first scheduled biannual inspection after December 31, 2014.

(2) Except as provided in subsections (c) and (d), a taxicab will not be eligible for inspection as provided in § 1017.31 upon reaching 250,000 cumulative miles on the vehicle's odometer.

(b) *Entry mileage.* Except as provided in subsections (c) and (d), a vehicle will not be eligible for inspection as provided in § 1017.2 (relating to preservice inspection) if it has 135,000 or more cumulative miles on the vehicle's odometer.

(c) *Antique vehicles.* The Director may authorize the operation of antique vehicles as taxicabs upon review of a petition for waiver as provided in § 1005.23 (relating to petitions for issuance, amendment, repeal or waiver of Authority regulations). The number of antique vehicles in operation in a fiscal year may not exceed two percent of the vehicles comprising the taxicab utility group.

(d) *Modern taxicabs.* Beginning _____, (Editor's Note: The blank refers to a date 30 days after the effective date of adoption of this proposed rulemaking) the following taxicab vehicle standards shall apply:

(1) Every medallion taxicab must comply with § 1017.8 (relating to wheelchair accessible vehicle taxicab specifications) as a condition of eligibility for inspection as provided in § 1017.2 (relating to preservice inspection).

(2) Every partial-rights taxicab must comply with the age and mileage requirements of § 1017.8(c) as a condition of eligibility for inspection as provided in § 1017.2.

(3) Twenty-five percent, or more, of each partial rights certificate holder's taxicab fleet must comply with all of the wheelchair accessible vehicle requirements of requirements of § 1017.8 as a condition of eligibility for inspection as provided in § 1017.2.



701 MARKET STREET
SUITE 5400
PHILADELPHIA, PA 19106
215.683.9600

May 28, 2015

VIA HAND DELIVERY

John F. Mizner, Esquire
Chairman
Independent Regulatory Review Commission
333 Market Street, 14th Floor
Harrisburg, PA 17101

Re: Docket No. and Agency/ID No. 126-11
Proposed Rulemaking
Philadelphia Taxicab and Limousine Regulations
52 Pa. Code § 1017.4
Taxicab Vehicle Standards

Dear Chairman Mizner:

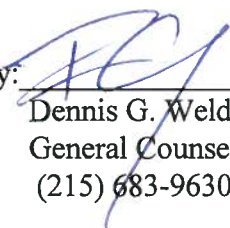
The Philadelphia Parking Authority ("Authority") hereby submits its Proposed Rulemaking and Regulatory Analysis Form to the Independent Regulatory Review Commission for review pursuant to Section 5(a) of the Regulatory Review Act of June 30, 1989 (P.L.73, No. 19) (71 P.S. §§745.1-745.15). Also enclosed is the Authority's Proposed Rulemaking Order entered February 24, 2015 (preamble) and the "Face Sheet" required by 1 Pa. Code §13.12.

The proposed regulation will provide better quality taxicabs to all Philadelphians and a large number of accessible taxicabs to people with mobility challenges.

The undersigned will be the contact person in regard to this matter and may be reached 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
(215) 683-9630

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 126-11

Subject: Taxicab Vehicle Standards

Philadelphia Parking Authority

2015 MAY 28 PM 2: 56

RECEIVED
IRRC

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

Date

Signature

Designation

5/28/15

[Signature]

HOUSE COMMITTEE (Petri)
Urban Affairs

DEMOCRAT CHAIRMAN(Caltagirone)

5-28-15
5/29/15

[Signature]
[Signature]

SENATE COMMITTEE (Tomlinson)
Consumer Protection and
Professional Licensure

5/28/15

[Signature]

Independent Regulatory Review
Commission

5/28/15

[Signature]

Legislative Reference Bureau

5/28/15

[Signature]

Office of the Budget

Attorney General (For Final Only)