

# THE PHILADELPHIA PARKING AUTHORITY

In Re: Authorization of Wheelchair : Docket No. 19-001  
Accessible Taxicab Medallions :  
:

## ORDER

### BY THE AUTHORITY:

The Authority is the sole regulator of all taxicab, limousine and transportation network services in Philadelphia.<sup>1</sup> The purpose of this Order is to authorize the sale of new taxicab medallions.<sup>2</sup> The Authority is currently authorized to issue and sell 4 new taxicab medallions, which would replace 4 previously authorized medallions that became nontransferable.<sup>3</sup>

### BACKGROUND:

1. The General Assembly has explicitly provided that a medallion subject to the cancellation of its corresponding certificate of public convenience ("CPC") be available for sale by its owner for a period of 6 months.<sup>4</sup>

2. In the event such a medallion remains unsold upon the conclusion of a statutory sale period, the medallion becomes nontransferable and cannot be reissued or transferred to anyone.<sup>5</sup>

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<sup>1</sup> See the Act of July 16, 2004, (P.L. 758, No. 94), 53 Pa.C.S. §§ 5701 *et seq.*, as amended, and the Act of Nov. 4, 2016, (P.L. 1222, No. 164), 53 Pa.C.S. Chapters 57A and 57B, (the "Act").

<sup>2</sup> See 53 Pa.C.S. §§ 5711(c)(2) and 5717(a) (relating to power of authority to issue certificates of public convenience, additional certificates and medallions).

<sup>3</sup> *Id.*

<sup>4</sup> See 53 Pa.C.S. § 5711 (b) (relating to licensing rights). See also *Metro Trans. Co. v. Phila. Parking Auth.*, 105 A.3d 855, 2014 Pa. Commw. Unpub. LEXIS 691 (Pa. Cmwlth. Dec. 3, 2014).

<sup>5</sup> *Id.*

3. On April 27, 2017, Philadelphia wheelchair-accessible vehicle ("WAV") taxicab medallions<sup>6</sup> WP-1609 and WP-1610<sup>7</sup> became nontransferable as to the owner when it failed to sell the medallions within six months from the date the corresponding CPC, as to both medallions, was cancelled.<sup>8</sup>

4. On May 4, 2017, Philadelphia WAV taxicab medallions WP-1621 and WP-1631<sup>9</sup> became nontransferable as to the owner when it failed to sell the medallions within six months from the date the corresponding CPC, as to both medallions, was cancelled.<sup>10</sup>

5. Therefore, to maintain a full complement of the medallion taxicabs permitted and authorized to operate in Philadelphia, the Authority will replace the nontransferable medallions by issuing new medallions.<sup>11</sup>

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<sup>6</sup> See 52 Pa. Code § 1011.2 (relating to definitions); *see also* 53 Pa.C.S. § 5717 (c).

<sup>7</sup> Pursuant to Authority Order No. 15-003 issued and entered on March 7, 2015, the Authority authorized the sale of new medallions WP-1609 and WP-1610 pursuant to 53 Pa.C.S. § 5711 (c), in which each were designated a wheelchair-accessible vehicle ("WAV") medallion in perpetuity. These WAV medallions were successfully sold to Matzah Taxi, LLC on May 20, 2015, closings were completed on August 24, 2015 and they were placed into taxicab service on November 6, 2015.

<sup>8</sup> Matzah Taxi, LLC's CPC No. 1033849-01 was cancelled, as to both medallions WP-1609 and WP-1610, pursuant to orders entered on October 12, 2016 under TLD Docket Nos. C-16-07-032 and C-16-07-033. The orders became effective on October 27, 2016. On October 17, 2016 and December 2, 2017, the TLD issued notices to Matzah Taxi, LLC advising that it had six months from the effective date of the CPC cancellations to sell the medallions or they would become nontransferable. Matzah Taxi, LLC neither appealed the TLD orders nor sold the medallions. According to the Pennsylvania Department of State, Bureau of Corporations and Charitable Organizations, there are no liens filed against these medallions in accordance with 13 Pa.C.S. (relating to Uniform Commercial Code). *See* 52 Pa. Code § 1013.21 (relating to notice of medallion lien).

<sup>9</sup> Pursuant to Authority Order No. 15-003 issued and entered on March 7, 2015, the Authority authorized the sale of new medallions WP-1621 and WP-1631 pursuant to 53 Pa.C.S. § 5711 (c), in which each were designated a wheelchair-accessible vehicle ("WAV") medallion in perpetuity. These WAV medallions were successfully sold to Download Taxi, LLC on June 3, 2015 and June 17, 2015, respectively, closings were completed on August 24, 2015 and they were placed into taxicab service on November 6, 2015.

<sup>10</sup> Download Taxi, LLC's CPC No. 1033984-01 was cancelled, as to both medallions WP-1621 and WP-1631, pursuant to orders entered on October 20, 2016 under TLD Docket Nos. C-16-07-084 and C-16-07-085. The orders became effective on November 4, 2016. On October 28, 2016 and November 30, 2016, the TLD issues notices to Download Taxi, LLC advising that it had six months from the effective date of the CPC cancellations to sell the medallions or they would become nontransferable. Download Taxi, LLC neither appealed the TLD orders nor sold the medallions. According to the Pennsylvania Department of State, Bureau of Corporations and Charitable Organizations, there are no liens filed against these medallions in accordance with 13 Pa.C.S. (relating to Uniform Commercial Code). *See* 52 Pa. Code § 1013.21 (relating to notice of medallion lien).

<sup>11</sup> *See* 53 Pa.C.S. § 5717 (a) (relating to additional certificates and medallions). *See also*, *Metro Trans. Co.* at \*17.



**THEREFORE,  
IT IS ORDERED THAT:**

6. The Director of the Authority's Taxicab and Limousine Division ("TLD"), or her designee (the "Director"), is authorized to administer the sale of the following:

- a) A previously authorized, but now unissued medallion to be identified by the number "1692";
- b) A previously authorized, but now unissued medallion to be identified by the number "1693";
- c) A previously authorized, but now unissued medallion to be identified by the number "1694"; and
- d) A previously authorized, but now unissued medallion to be identified by the number "1695".

7. Each of the 4 medallions authorized for sale by this Order is hereby designated a WAV medallion, in perpetuity.

8. Each of the medallions authorized for sale by this Order will be identified by the letters "WP" (Wheelchair Philadelphia), which shall precede the unique number assigned to the medallion.

9. Each medallion authorized by this Order will be sold separately by sealed competitive bid, as provided by the Authority's regulations.<sup>12</sup>

10. Each sealed bid<sup>13</sup> for a medallion must be filed with the TLD Clerk, by **hand delivery**, at the TLD's headquarters at 2415 South Swanson Street, Philadelphia, PA 19148.

11. In order to be considered filed, a medallion bid must be time stamped by the TLD's Clerk.

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<sup>12</sup> See 52 Pa. Code §§ 1013.31-37 (relating to Subchapter C. medallion sales by the Authority); *see also* 53 Pa.C.S. § 5717 (relating to additional certificates and medallions).

<sup>13</sup> See 53 Pa. Code § 1013.35 (relating to procedures for bidding).

12. The Clerk may only time stamp a medallion bid as follows:

- a) Between 8:30 a.m. and 4:30 p.m. on the business day preceding the date of the scheduled medallion sale; or
- b) Between 8:30 a.m. and 9:30 a.m. on the day of the scheduled medallion sale.

13. The upset price for each medallion will be \$10,000. The Board does not set this minimum bid based upon an understanding of fair market value, but as a basis to permit the market to set the appropriate value of this class of medallion and to facilitate more of this vital form of transportation service to the riding public.

14. The Director may, in her discretion, remove any medallion from a scheduled bid opening date. In this case, the sale of that medallion may be rescheduled for sale as provided in this Order.

15. The Director may, in her discretion, remove any medallion from a scheduled bid opening date and place the medallion before this Board for a new sale authorization, pursuant to such terms and conditions as the Board may then impose.

16. The sealed bids for the medallions will be opened by the Director at the TLD's headquarters at 10:00 a.m. at 2415 South Swanson Street, Philadelphia, PA 19148 as follows:

- a) On September 18, 2019: Medallion Nos. WP-1692, WP-1693, WP-1694 and WP-1695.

17. Medallions scheduled for bid on September 18, 2019 but rescheduled by the Director, may be scheduled for sale on October 16, 2019.

18. Upon removal of a medallion from a scheduled bid date, the Director shall promptly identify the alternate bid date, if applicable, that will apply to that medallion as provided for in this Order on the Authority's Internet website and through a notice published in the *Pennsylvania Bulletin*.



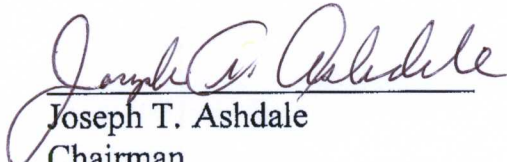
19. The mandatory closing date for every medallion assigned to a successful bidder is 60 days from the date of the successful bid at the scheduled sale, unless extended by the Director for good cause. The Director may not extend the closing date beyond 40 days from the mandatory closing date. In the event the closing on the sale of a medallion authorized by this Order does not occur within 100 days of the successful bid at the scheduled sale, this authorization to sell that medallion is voided pending further order of the Board.

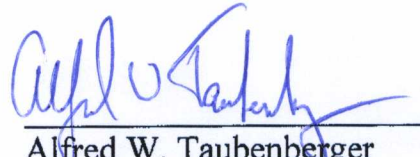
20. The contact person for this Order is Christine A. Kirlin, Esq., Director, Taxicab and Limousine Division, (215)-683-9653.

21. The Executive Director shall cause this Order to be deposited with the Legislative Reference Bureau for publication in the *Pennsylvania Bulletin*.

**THE PHILADELPHIA PARKING  
AUTHORITY**

**Certified:**

  
Joseph T. Ashdale  
Chairman  
(SEAL)

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

ORDER ADOPTED: July 2, 2019  
ORDER ENTERED: July 2, 2019