



The Philadelphia Parking Authority

Taxicab & Limousine Division

2415 South Swanson Street

Philadelphia PA 19148

215-683-9400

tld@philapark.org

TNC-1 APPLICATION FOR THE ISSUANCE OF A NEW OR TRANSFER OF A TRANSPORTATION NETWORK COMPANY LICENSE

INSTRUCTIONS

(All section numbers referenced in this document refer to the 53 Pa.C.S Chapter 57A unless otherwise specified)

This application (hereinafter “TNC-1”) describes the requirements and procedures for requesting a Transportation Network Company (“TNC”) License (hereinafter “License”) or the approval of a transfer of sale of an existing TNC license. In addition to the following instructions, please carefully review the 53 Pa.C.S. Chapter 57A concerning TNC requirements.

The TNC-1 must be prepared and submitted by a Philadelphia Parking Authority (“Authority”) registered broker or an attorney admitted to practice law before the Supreme Court of Pennsylvania. A list of PPA registered brokers may be obtained on the Taxicab and Limousine Division’s (“TLD”) website www.philapark.org/tld. No variations of this application will be accepted for filing.

1. The TNC-1 must be filed for any person or entity who wishes to obtain a license by the Authority to operate a transportation network service in the City of Philadelphia through the use of a digital network to facilitate prearranged rides. The TNC-1 must be approved by the Authority and a license issued before a person may operate in the City of Philadelphia. A TNC license is nontransferable unless the transfer is approved by the Authority and the closing of a sales transaction to transfer a license must occur at the PPA-TLD headquarters in the presence of an authorized staff member. A change in control of the TNC license holder is permissible so long as the transportation network company provides notice to the Authority within 30 days of the change in control and any applicable supporting documentation.
2. The TNC-1 Application shall be executed by an authorized representative of the Applicant in the presence of an authorized TLD staff member.
3. The TNC-1 Application must include a fully filled out checklist of required items and supporting documentation.
4. The TNC-1 Application fee of Fifty Thousand Dollars (\$50,000.00) must accompany the application payable to the Philadelphia Parking Authority pursuant to 52 Pa. Code § 1001.42 (relating to mode of

payment). If the TNC-1 is rejected, the fee shall be refunded minus a \$2,500.00 administrative processing fee.

5. If this TNC-1 Application is being filed to transfer the license, the parties to a proposed sale and transfer shall complete an agreement of sale detailing the terms of the transaction, including the parties to the transaction, a description of the transaction, the license number subject to the sale, the total consideration for the sale in United States dollars, including the assumption of any loan or debt, contingencies and nonmonetary consideration, monetary consideration and an acknowledgement initialed by all parties that the agreement is subject to the laws and jurisdiction of Pennsylvania and the rules and regulations of the Authority. The proposed agreement of sale must be signed at one time by all parties before an authorized TLD staff member on or before the filing of the TNC-1 Application. The term of an agreement of sale for a TNC license may not exceed 15 business days from the date of execution, except when executed on the date the TNC-1 Application is filed.
6. Before a TNC-1 Applicant may be approved, any Seller of a TNC license and any Applicant and each of an Applicant's shareholders, officers, directors, members, partners and/or key employees must be current on the payment of all assessments, fees, penalties and other payments due to the Authority, unless the matter related to the payment is under appeal. Any Seller of a TNC license and any Applicant and each of an Applicant's shareholders, officers, directors, members, partners and/or key employees shall remain current on the payment of parking violations (any debt owed to the City of Philadelphia related to a violation of the Philadelphia Traffic Code, 12 Phila. Code §§ 100—3012) and moving violations (any debt owed to the Commonwealth or one of its political subdivisions for violations of 75 Pa.C.S., relating to the Vehicle Code), unless the violation is under appeal. If a Seller has any outstanding TLD complaints that are pending and in the process of being contested with the TLD, collateral must be posted with the TLD Office of the Clerk for the full amount of the recommended penalty in order for the closing to be scheduled/completed.
7. Discovery of any false information will immediately cause the TNC-1 Application to be denied. It is the responsibility of the broker and/or attorney and the Applicant and/or Seller to the application to inform the TLD of any change in the information supplied as soon as the change is discovered.
8. The TNC-1 Application must be typed except where a person's initials or signature are required, which shall be in blue ink. Handwritten copies will not be accepted. If at any point it becomes necessary to make a handwritten change, that change must be initialed and dated by all parties who signed the typed copy. This will only be acceptable in emergency situations (not for mere convenience).
9. Upon approval of the TNC-1 Application by the Authority, Applicant is required to have a certificate of insurance filed with Authority by the insurance carrier proving that Applicant has secured the insurance policies required under 53 Pa.C.S. § 57A07 (relating to insurance requirements).
10. As part of the TNC-1 Application process, the TLD Enforcement Department will inspect a demonstration of the Applicant's digital network to ensure compliance with the requirements of 53 Pa.C.S. Chapter 57A.

**IF YOU HAVE ANY QUESTIONS OR NEED ASSISTANCE COMPLETING THIS APPLICATION,
YOU MAY CONTACT:**

Christine Kirlin, Esq., TLD Administrative Counsel, at ckirlin@philapark.org or at (215) 683-9653



TNC-1 APPLICATION CHECKLIST

*This checklist must be filled out completely and filed with the TNC-1 Application along with all required supporting documentation as identified below
(Mark "N/A" where appropriate)*

Check One:

Attached is a Completed Application for New Rights

Attached is a Completed Application to Transfer a TNC License

TNC License Application Fee of \$50,000.00

Check No. _____ Check Date: _____

Application executed and witnessed before TLD Staff at the time of filing

Signature of TLD Staff: _____ Date: _____

Proof that Applicant is registered to do business in Pennsylvania

If Applicant is a corporation, LLC, partnership:

A certificate of good standing for the Applicant from the Pennsylvania Corporation Bureau

If any holding company has an interest in the Applicant, a certificate of good standing for the holding company from the Pennsylvania Corporation Bureau, or similarly authorized entity in another jurisdiction in the United States

A copy of Applicant's certified copy of minutes authorizing the filing of the TNC-1 application and the appointment of an authorized representative to sign and appear before the Authority on behalf of the Applicant.

If Applicant is a corporation, copy of the minutes of the last meeting held electing current officers and directors.

If Applicant is a LLC or partnership, a copy of Applicant's operating agreement

Copy of Applicant's signed and dated stock or ownership certificates

Copy of state-issued photo ID for Applicant (if individual) or for each of Applicant's shareholders, officers, directors, members, partners, key employees, etc.

Business Plan: A signed statement from the Applicant explaining the following: (1) its business model; (2) how Applicant intends to provide TNC service within the City of Philadelphia; (3) a detailed description of Applicant's digital network, including where and how the digital network will be available to the public, its compliance with Payment Card Industry (PCI) standards and Personally Identifiable Information (PII); (4) how Applicant intends to comply with all records and reporting requirements, including insurance, drivers and personal vehicles; (5) how Applicant intends to comply with the vehicle inspection requirements; and (6) Applicant's intent or explanation concerning fare rates in compliance with 53 Pa.C.S. § 57A17 and dynamic pricing.

A state-issued certified criminal history report within 30 days from the filing of the TNC-1 Application for Applicant (if an individual) or for each of Applicant's shareholders, officers, directors, members, partners, key employees, etc.

A colored illustration of Applicant's distinctive signage along with a written description as to how the signage will be displayed for public viewing. If this signage has been already approved by the Pennsylvania Public Utility Commission, please provide proof of such approval.

ADDITIONAL DOCUMENTATION FOR TRANSFERS OF TNC LICENSES

Agreement of Sale executed and witnessed before TLD Staff

Signature of TLD Staff: _____ Date: _____

A copy of Seller's certified copy of the minutes authorizing the sale of the TNC-1 application and the appointment of an authorized representative to sign and appear before the Authority on behalf of the Seller.

Copy of escrow check: Amount _____ Date _____ Ck No. _____

Copy of state-issued photo ID for Seller (if an individual) or for Seller's authorized representative for the sale and transfer of the license.

_____ Initials of Filing Broker or Attorney

_____ Initials of Applicant

_____ Initials of Seller, if applicable



**APPLICATION FOR THE ISSUANCE OR TRANSFER OF A
TRANSPORTATION NETWORK COMPANY (TNC) LICENSE**

BEFORE THE PHILADELPHIA PARKING AUTHORITY

Application for New Transportation Network Company License

NAME OF APPLICANT: _____

Application for Transfer of Transportation Network Company License

NAME OF SELLER: _____

RIGHTS HELD BY: _____

SELLER'S LICENSE NO. _____

APPLICANT/BUYER: _____

THIS APPLICATION WAS PREPARED AND BEING FILED BY: _____ BROKER _____ ATTORNEY

(Name of Broker/Attorney)

(Telephone Number)

(Email Address)

(Mailing Address—Street, City, State & Zip Code)

***EACH BROKER INVOLVED IN THIS TRANSACTION SHALL FILE A FORM BR-2 "BROKER REPRESENTATION LETTER" ALONG WITH THIS TNC-1 APPLICATION FOR EACH PARTY THAT IT REPRESENTS, AND, IF APPLICABLE, A FORM BR-3 "BROKER EXCLUSIVE LISTING".

***EACH ATTORNEY INVOLVED IN THIS TRANSACTION SHALL FILE A NOTICE OF APPEARANCE ALONG WITH THIS TNC-1 APPLICATION FOR EACH PARTY THAT IS BEING REPRESENTED.

1. Applicant is: (check and fill out only one subsection below)

(a) ___ Individual

(Full Name of Individual)

(Date of Birth)

(Social Security Number)

(Residence Address—Street, City, State & Zip Code)

(Business Address—Street, City, State & Zip Code)

(Business Email Address)

(Business Telephone Number)

(b) ___ Corporation (Must Also Fill out Page 10 “TNC Ownership Form”)

(Corporate Name & Trade Name, if applicable)

(State of Incorporation)

(Date of Incorporation)

(EIN Number)

(Business/Physical Address—Street, City, State & Zip Code)

(Mailing Address—Street, City, State & Zip Code)

(Business Email Address)

(Business Telephone Number)

(Authorized Agent for Service of Process)

(Agent Telephone Number)

(Agent Address—if different than mailing address above)

(Agent Email Address)

(c) _____ Partnership (Must also fill out page 10 “TNC Ownership Form”)

(Partnership Name & Trade Name, if applicable)

(EIN Number)

(Business/Physical Address—Street, City, State & Zip Code)

(Mailing Address—Street, City, State & Zip Code)

(Business Email Address)

(Business Telephone Number)

(Authorized Agent for Service of Process)

(Agent Telephone Number)

(Agent Address—if different than mailing address above)

(Agent Email Address)

(Manager of Operations in Philadelphia)

(Manager Telephone Number)

(Manager Address—Street, City, State & Zip Code)

(Manager Email Address)

(d) _____ Limited Liability Company (Must also fill out page 10 “TNC Ownership Form”)

(LLC Name & Trade Name, if applicable)

(EIN Number)

(Business/Physical Address—Street, City, State & Zip Code)

(Mailing Address—Street, City, State & Zip Code)

(Business Email Address)

(Business Telephone Number)

(Authorized Agent)

(Agent Telephone Number)

(Agent Address—if different than mailing address above)

(Agent Email Address)

(Manager of Operations in Philadelphia)

(Manager Telephone Number)

(Manager Address—Street, City, State & Zip Code)

(Manager Email Address)

2. Other Rights: Does the Applicant and any of its shareholders, officers, directors, partners, members, key employees, etc., hold common carrier rights or are affiliated with a holder of any common carrier rights issued by the Philadelphia Parking Authority, the Pennsylvania Public Utility Commission or the Federal Motor Carrier Safety Administration?

_____ Yes

_____ No

If yes, please identify the rights including the license and/or certificate of public convenience numbers:

(Additional sheets of paper may be used if necessary)

3. Internet Website: A Transportation Network Company is required to continually maintain an internet website that must provide the following information to the general public. The direct internet addresses/links for the information below must be provided:

(a) General Website Address: _____

(b) Customer Service Information of the TNC (*see* 53 Pa.C.S. § 57A04(a)):

(c) Customer Service Information of the Authority (*see* 53 Pa.C.S. §§ 57A04(a), 57A14):

(d) Disclosure & Insurance (see 53 Pa.C.S. § 57A16(e)):

(e) Intoxicating Substance Zero-Tolerance Policy (see 53 Pa.C.S. § 57A13(a)):

(f) Policy of Nondiscrimination (see 53 Pa.C.S. § 57A11(b)):

4. **TNC Class:** There are three (3) types of TNC classes that must be determined for purposes of additional inspection requirements (53 Pa.C.S. § 57A09) and driver record audits (53 Pa.C.S. § 57A18). See 53 Pa.C.S. § 57A09 (D) (relating to definitions)). Applicant must nominate one class below:

Class A TNC: A TNC that, at the time of issuance of its license by the Authority or its most recent license annual renewal, has more than 10,000 active drivers on its digital network.

Class B TNC: A TNC that, at the time of issuance of its license by the Authority or its most recent license annual renewal, has between 1,001 and 10,000 active drivers on its digital network.

Class C TNC: A TNC that, at the time of issuance of its license by the Authority or its most recent license annual renewal, has between 1 and 1,000 active drivers on its digital network.

5. **Affirmation:** Applicant must initial each item below verifying that it has read and understood the following TNC requirements:

_____ **Agent:** The Applicant will establish and maintain an agent for service of process located in the City of Philadelphia.

_____ **Contact Information:** Applicant must maintain and update all contact information with the Authority within 48 hours of any change of phone number, mailing or physical and/or email addresses.

_____ **Email:** Applicant must maintain a valid email address at all times and is aware that the Authority may serve any notice or correspondence by email. The Applicant must ensure that the email domain it uses is capable of receiving mass communications from the Authority (i.e. Yahoo email addresses are unacceptable). The TNC shall provide the email address, if different than the email address provided in this application, of a company representative for purposes of the audit designations as required under 53 Pa.C.S. § 57A18 (relating to records and reports).

Records and Reports: Applicant has a duty to keep accurate books and records of account of the TNC's operations for a minimum of three (3) years and such records shall be made available for inspection upon request by the Authority. Inspection of records and reports shall occur at a location within the City of Philadelphia as directed by the Authority. (*See* 53 Pa.C.S. §§ 57A04, 57A18).

TNC Driver & Vehicle Records: Applicant must maintain records for each TNC driver providing transportation network services and for each of the vehicles used to provide the service for no less than three (3) years. Records required to be retained for each TNC driver and vehicle must include: proof of valid personal automobile insurance, proof of the insurance required under 53 Pa.C.S. § 57A07 (relating to insurance requirements), criminal history records, driving record checks, copies of driver's licenses, vehicle registrations, proof of vehicle inspections, make, model and license plate of each TNC vehicle, records of consumer complaints, records of suspension or disqualification of drivers and records of all disclosures required to be provided to drivers under 53 Pa.C.S. Chapter 57A.

Insurance Requirements: To obtain a license, Applicant is required to have a certificate of insurance filed with Authority by the insurance carrier proving that Applicant has secured the insurance policies required under 53 Pa.C.S. § 57A07 (relating to insurance requirements). Failure to continually maintain proof of the required insurance on file with the Authority may cause the license and operating privileges to be placed out of service immediately as provided in 52 Pa. Code § 1003.32 (relating to out of service designation). Applicant is responsible at all times to ensure that automobile insurance required to be carried by the TNC driver under 53 Pa.C.S. § 57A07 is in force prior to permitting a TNC driver to provide TNC service and that the TNC driver is fully aware of all insurance requirements. Applicant is required to provide all disclosures relating to insurance as required under 53 Pa.C.S. § 57A07 (N) – (P).

Approval Required for License Transfer: A TNC license is nontransferable unless the transfer is approved by the Authority. A change in control of the Applicant is permissible only if the TNC provides written notice to the Authority within thirty (30) days of the change in control.

Personal Vehicle Ownership, Standards & Signage: Applicant understands that it is unlawful for any person to operate or cause to be operated any vehicle to provide TNC service unless such vehicle complies with 53 Pa.C.S. § 57A08 and applicable regulations of the Authority and it shall be a violation for a TNC to knowingly permit a TNC driver to use a personal vehicle that does not meet such requirements. Applicant understands the requirements of consistent distinctive signage pursuant to 53 Pa.C.S. § 57A10 that shall be displayed at all times while the TNC driver is providing TNC service, including identification of wheelchair-accessible vehicles within the digital network.

Vehicle Inspections: Applicant understands the personal vehicle inspection requirements as set forth in 53 Pa.C.S. § 57A09 (relating to vehicle inspections) and shall comply with the Authority's additional inspection requirements as outlined in that section and any applicable Authority regulations.

TNC Service Accessibility: By January 1, 2017, the digital network used by a TNC to connect drivers and passengers shall be accessible to customers who are blind, visually impaired, deaf and hard of hearing and otherwise be in compliance with 53 Pa.C.S. § 57A11. Applicant further understands that a combined class of all TNCs operating in the City of Philadelphia ("City") shall make an aggregated minimum of 70 wheelchair accessible vehicles available in the City by June 30, 2017 and that Applicant must report to the Authority by December 31st of each year, the

programs and best practices the TNC has implemented to improve the accessibility of service to individuals with disabilities, including the availability and use of wheelchair accessible vehicles. A combined class of all TNCs operating in the City of Philadelphia

Driver Requirements: Applicant understands that it shall comply with all driver qualification requirements as outlined under 53 Pa.C.S. Chapter 57A, including §§ 57A12-14 (relating to transportation network company drivers, intoxicating substance policy, reporting requirement) and applicable Authority regulations, conduct or have a third-party conduct the required background and driving checks, ascertain that all the eligibility requirements are met before permitting a person to provide service as a TNC driver and confirm such continuing eligibility within the required time periods and shall keep records of the verification for each driver for a period of three (3) years. A TNC driver’s credentials shall be displayed as part of the TNC’s digital network pursuant to 53 Pa.C.S. § 57A15 and Applicant shall retain a driver’s acknowledgment of the materials received from the Applicant under 53 Pa.C.S. § 57A16. Applicant shall adhere to all records and reporting requirements set forth in 53 Pa.C.S. § 57A18 including audits of records.

Operating Regulations: Applicant has fully read and understands its responsibility and those of its TNC drivers the operating regulations set forth in 53 Pa.C.S. § 57A16 (relating to operating regulations) and applicable penalties as identified in 53 Pa.C.S. § 57A19 (relating to penalties) and any applicable Authority regulations.

Airport: Applicant understands that a license issued by the Authority to provide TNC service in the City of Philadelphia does not include authorization to pick up or drop off passengers at the Philadelphia International Airport (“PHL”). Applicant may only provide service at PHL if it obtains authorization to do so from the City of Philadelphia through a contract, license, etc.

Train Station: Applicant understands that a license issued by the Authority to provide TNC service in the City of Philadelphia does not include authorization to pick up passengers at a train station owned by Amtrak and located within the City of Philadelphia. Applicant may only pick up passengers at a train station owned by Amtrak and located within the City of Philadelphia if it obtains authorization to do so from the governing authority that owns or operates the train station.

Fare Rates: Applicant has fully read and understands its responsibility to adhere to the requirements relating to fare rates as set forth in 53 Pa.C.S. § 57A17 (relating to fare rates) and applicable Authority regulations.

Assessments: A TNC operating in the City shall pay to the Authority an assessment amount equal to 1.4% of the gross receipts from all fares charged to all passengers for prearranged rides that originated in the City and the amount assessed shall be remitted on a quarterly basis for each fiscal year, which begins on July 1st and ends on June 30th.

Continuing Eligibility: Applicant understands that eligibility for the issuance of a TNC license under 53 Pa.C.S. Chapter 57 and any applicable Authority regulations shall be a continuing requirement for maintaining such license and as a condition of receipt of the license. The license must be annually renewed through filings to the Authority to prove such eligibility each year.

Transportation Network Company "TNC" Ownership Form
List Personal Contact Information for Company Owners, including Holding Companies,
Officers, Directors, Member, Partners, etc.

THE INFORMATION PROVIDED IN THIS SECTION MUST COMPLY WITH APPLICABLE STATE LAWS CONCERNING CORPORATIONS, LLC'S, ETC. THE TNC IS REQUIRED TO MAINTAIN UP-TO-DATE INFORMATION ON FILE WITH THE AUTHORITY.

- All Persons listed below shall be at least 18 years of age and shall not have been convicted of a crime as identified in 53 Pa.C.S. § 57A12 (C).

TNC NAME: _____

Provide the Applicable Information Below:

President **Partner** **Managing Member (choose one)**

Name: _____ Percentage of Ownership _____ %
 Address: _____ Director Yes No
 Phone #: _____ DOB _____
 E-mail: _____ S.S.N. _____

Vice President **Partner** **Member (choose one)**

Name: _____ Percentage of Ownership _____ %
 Address: _____ Director Yes No
 Phone #: _____ DOB _____
 E-mail: _____ S.S.N. _____

Secretary **Partner** **Member (choose one)**

Name: _____ Percentage of Ownership _____ %
 Address: _____ Director Yes No
 Phone #: _____ DOB _____
 E-mail: _____ S.S.N. _____

Treasurer **Partner** **Member (choose one)**

Name: _____ Percentage of Ownership _____ %
 Address: _____ Director Yes No
 Phone #: _____ DOB _____
 E-mail: _____ S.S.N. _____

Transportation Network Company “TNC” Key Employees Form

List Personal Contact Information for All TNC Key Employees as defined in 52 Pa. Code § 1011.2 (relating to definitions) who will be an authorized representative to conduct business with the Authority on behalf of the TNC

- **All Persons listed below shall be at least 18 years of age and shall not have been convicted of a crime as identified in 53 Pa.C.S. § 57A12 (C).**

Check here if there are no other persons as key employees other than those listed in the Transportation Network Company “TNC” Ownership Form and the authorized agent/manager as listed above in this application.

TNC NAME: _____

Provide the Applicable Information Below:

Key Employee

Name: _____
Address: _____
Phone #: _____ DOB _____
E-mail: _____ S.S.N. _____

Key Employee

Name: _____
Address: _____
Phone #: _____ DOB _____
E-mail: _____ S.S.N. _____

Key Employee

Name: _____
Address: _____
Phone #: _____ DOB _____
E-mail: _____ S.S.N. _____

Key Employee

Name: _____
Address: _____
Phone #: _____ DOB _____
E-mail: _____ S.S.N. _____

VERIFICATION

*THIS PAGE IS TO BE EXECUTED BY ALL PARTIES AT ONE TIME BEFORE A
DESIGNATED TLD STAFF MEMBER*

APPLICANT VERIFICATION OF APPLICATION

I, _____, on behalf of Applicant hereby state that the facts above set forth are true and correct (or are true and correct to the best of my knowledge, information and belief) and that I expect to be able to prove the same at a hearing held in this matter. I understand that the statements herein are made subject to the penalties of 18 Pa.C.S. § 4904 (relating to unsworn falsification to authorities). I understand that if there are any changes to the information contained herein after the filing of this TNC-1 Application, I shall notify the Taxicab and Limousine Division's Director in writing immediately. Lastly, I affirm that I have read and understood all of the instructions and requirements for filing this TNC-1 application.

Signature: _____ Date: _____

SELLER VERIFICATION OF APPLICATION

I, _____, on behalf of Seller hereby state that the facts above set forth are true and correct (or are true and correct to the best of my knowledge, information and belief) and that I expect to be able to prove the same at a hearing held in this matter. I understand that the statements herein are made subject to the penalties of 18 Pa.C.S. § 4904 (relating to unsworn falsification to authorities). I understand that if there are any changes to the information contained herein after the filing of this TNC-1 Application, I shall notify the Taxicab and Limousine Division's Director in writing immediately. Lastly, I affirm that I have read and understood all of the instructions and requirements for filing this TNC-1 application.

Signature: _____ Date: _____

EXECUTED AND WITNESSED BEFORE TLD

Signature of TLD Employee: _____ Date: _____