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FOR INFORMATION CALL

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Ald. Robert Bauman
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Legal opinion: City cannot delegate regulation of taxicabs to county

The City of Milwaukee may not legally delegate its authority to regulate and license taxicabs and taxicab operators to Milwaukee County, according to an opinion released this week by the Office of **City Attorney Grant F. Langley**.

The opinion – requested by **Alderman Robert J. Bauman** and **Alderman Jim Bohl** in September after the Milwaukee County Board of Supervisors adopted a resolution calling for the negotiation of an intergovernmental agreement between the city and county “in order to transfer all operation and regulation of taxicab services to Milwaukee County” – states that such an agreement would not be legal or enforceable.

The opinion cites state law, which provides that only cities, villages and towns in Wisconsin may regulate and license taxicabs and taxicab operators.

Alderman Bauman, chair of the Common Council’s Public Works Committee and the city’s Public Transportation Review Board, said the legal opinion does not diminish the effort and intent of Supervisors **Russell Stamper II** and **John Weishan Jr.**, authors of the county resolution.

“Though an intergovernmental agreement between the city and county that would establish the county as the regulator of taxicabs throughout Milwaukee County appears infeasible under current law, I appreciate the efforts of Supervisors Stamper and Weishan to forge more intergovernmental cooperation between the city and county, and I look forward to additional discussions on the many areas of overlapping concern between the city and county,” Alderman Bauman said.

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Legal Opinion/ADD ONE

In November 2013 the Council adopted an ordinance that established a system of affiliation that all (permittee) taxicabs in the city are required to belong to. It also requires taxicab fleet affiliations to receive, maintain and report dispatch information, and to assure that affiliated permittees and vehicle drivers comply with requirements that include driver training, driver appearance standards, vehicle inspection standards, written plans to assure passenger and driver security and rear-seat credit card payment capacity.

The ordinance as approved also authorizes the addition of 100 new taxicab vehicle permits and provides for an annual review of the need for additional permits. The ordinance also requires fleet affiliations to provide citywide service on a 24-hour basis.

The ordinance takes effect on February 1, and at that time the city's License Division (Room 105 at City Hall) will begin taking notice of intent to apply taxicab licenses and will also begin licensing certified taxicab affiliations.

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