



City of Milwaukee

200 E. Wells Street
Milwaukee, Wisconsin 53202

Meeting Minutes TAXICAB REVIEW BOARD

ALD. JAMES BOHL, JR, CHAIR
*Justice Khalsa, Elizabeth A. Nicols, Todd O'Leary, Carmela Peot,
Michael Sanfelippo, Peter N. Tsounis*

Staff Assistant, Terry MacDonald
**Phone: (414)-286-2233; Fax: (414) 286-3456, E-mail:
tmacdo@milwaukee.gov**

Friday, December 4, 2009

9:00 AM

Room 301-B, City Hall

Meeting convened: 9:02 A.M.

1. Roll call

Present 6 - Bohl, Sanfelippo, O'Leary, Peot, Khalsa and Tsounis

Excused 1 - Nicols

Also present: Richard Withers, Legislative Reference Bureau and Richard Pfaff, License Division

2. Approval of the minutes of the December 4, 2010 meeting

Mr. Khalsa moved approval of the minutes, Mr. O'Leary seconded. There were no objections.

3. Discussion relating to the ordinance requirements for waiting time

Ald. Bohl referred members to the memorandum dated, November 25 2009, prepared by Mr. Withers (Exhibit 1).

Mr. Withers said he contacted the largest manufacturer of taxicab meters, Pulsar Technology Systems, Inc., and asked them how a taximeter registers and computes waiting time and they advised him that a taxicab meter waiting time rate is computed when the taxicab is moving less than 8.4 miles per hour and there is no charge when a taxicab is stopped for one full continuous minute. He said if members want additional information he has a copy of taxicab meter handbook that the company prepares as well as the National Institute of Standards & Technology, Dept. of Commerce meter specifications.

Ald. Bohl asked how does the City's code of ordinances compare to the national standards as far as what it expects taxicab meters to do?

Mr. Withers replied that the ordinance has a provision that states that no charge shall be made for inefficient operation of the driver or the taxicab and since they have to charge what is on the meter that part of the ordinance is impractical and is not enforceable.

Ald. Bohl said that he doesn't know if there is a problem that needs to be fixed. He said he doesn't know if there are complaints that would require an ordinance change.

Mr. Khalsa said he get complaints from costumers about the rate charges and more so now that the meter rates have increased.

Ald. Bohl asked if there is standard in the taxicab industry for when the wait time charge begins?

Mr. Khalsa replied that eight minutes after the taxicab arrives is when the wait time charge begins, but in the downtown area taxicabs cannot wait more than a minute or two for a fare.

Mr. Sanfelippo said his company gives five minutes before it considers a client a no show. He also said that his drivers can not take another ride until the dispatcher releases it.

Ms. Peot replied that she tells her clients that they need to be ready when the taxicab arrives. She said she would like a little more leeway than five minutes.

Ald. Bohl asked Mr. Withers to find out how long other communities taxicabs are waiting before they begin to charge for waiting time. He said this committee will discuss Mr. Withers wait time findings at the next meeting.

Mr. Khalsa replied that he doesn't see that the waiting time is a big problem.

4. Discussion relating to regulations for limousine and shuttles

Ald. Bohl referred members to the memorandum dated, November 25 2009 submitted by Mr. Withers (Exhibit 1).

Mr. Withers said the memo outlines the ordinance provisions for limousines and shuttles.

Mr. Khalsa asked if limousines are required to have inspections?

Mr. Pfaff replied that the requirements for license, vehicle inspection, approval process and grounds for denial are the same as other public passenger vehicles. The differences is in the manner in which they can secure rides; the rides have to be prearranged or in case of shuttles a set route. Another thing that is different is the manner in which fees are charged, they are required to disclose their fees, rather than the City setting their fees. Limousines do not have a permit number, but they are required to have an inspection sticker on the vehicle.

Mr. Khalsa said one of the biggest problems that taxicab drivers face is that it is hard to distinguish between a luxury car and a limousine. He said other cities have a special license plate for limousines and some are required to have a decal on the limousine that shows what company they are with.

Mr. Tsounis replied that in order for a limousine to get in the tunnel at the airport they are required to have an ID card.

Mr. Khalsa said there is no way to distinguish between the limousine service and a regular luxury car. A person may have one limousine license and operate's six different vehicles, including a luxury car.

Ms. Peot asked if that is against the law?

Mr. Pfaff replied in the affirmative.

Mr. Khalsa asked if something could be put in the ordinance that would require a limousine to have a permit and require it to be posted on the vehicle. He said that way violations can be enforced.

Ms. Peot said she would like to know what the limousine owners and drivers have to say about this situation.

Mr. Khalsa suggested that limousine companies be required to post their company name on the vehicle in the rear window.

Mr. Peot asked how would a police officer know if a limousine isn't licensed?

Mr. Pfaff said the absences of that inspection sticker, which has an expiration date on it, is an indication that the limousine or shuttle isn't licensed. He said the police department has access to an online data base where he or she could find out if limousine or shuttle license is valid or expired. He said the sticker is posted inside of the vehicle on the lower left side of the front wind shield.

Mr. Withers asked if the location of the inspection sticker in the rear view window would be better location for it?

Mr. Khalsa replied that the company's name posted in the rear window would work the best.

Mr. Tsounis said limousines are prearranged rides. He said City of Milwaukee hotels do not have limousine stands.

Ald. Bohl asked how many luxury sedans does the city license?

Mr. Pfaff replied that the city issued 150 limousine and shuttle licenses this last license period. He said that is a drop from the previous license period.

Ald. Bohl asked Mr. Withers to contact the Police Department and the Wisconsin Limousine Association to get their thoughts on limousine permits and posting issues.

Mr. Khalsa asked Mr. Pfaff how many shuttles are licensed by the City of Milwaukee to work at the airport?

Mr. Pfaff replied that he doesn't know off hand. He said he believes that the one airport shuttle is exempted through the County.

Mr. Khalsa said GO Airport Connection is picking up people from the Summerfest grounds and dropping them off at other City locations.

Ald. Bohl said those shuttles should be licensed and he will inform the first district police department that some shuttles are doing that and are in violation of the City's code of ordinances.

Mr. Tsounis said that there was a state supreme court decision back in the 1960's that says that if limousine or shuttle is picking up from one part of a City, which includes the airport, and dropping off in another part of the same City, it needs to be licensed by that City. He said the County exemption is just a maneuver to avoid the City of Milwaukee licensing requirement. He said the state law supersedes County or City law.

Mr. Pfaff said the current code says that a public passenger vehicle can not operate in the City of Milwaukee without a license, but he received a City Attorney's opinion that clarified that a public passenger vehicle cannot operation wholly in the City; it can pick up a passenger in the City and drop off in a location outside the City and doesn't have to be licensed by the City.

Ald. Bohl said he will send a letter to GO Airport Connection and will cc: the Police Department advising them that its shuttle vehicle operation is restricted to the airport and if there is a desire to extend its business to pickup persons from other locations throughout City there is a City license that is required.

5. Discussion relating to taxicab passenger survey issues

Ald. Bohl referred members to the memorandum dated, November 25 2009 submitted by Mr. Withers (Exhibit 1).

Mr. Withers said he contacted the Southeast Wisconsin Regional Planning Commission (SWRPAC) and they say that they had passed funding from the US Dept of Transportation through to the City of Milwaukee Dept. of City Development to conduct a taxicab survey 30 years ago, He said he also spoke with the SWRPAC Chief Engineer and he said they had not done a taxicab survey or sponsored a survey for over 30 years and that there are no funds available right now to do a survey.

Mr. Withers suggested that the taxicab companies may want to consider conducting or sponsoring a survey on its own.

Ms. Peot asked what was the purpose of the survey that was done 30 years ago? Was it used as a basis to create the City's code of ordinance for public passenger vehicle?

Mr. Withers replied that the survey that was done back in 1978 was used to address passenger satisfaction on the standards of taxicab and on what passengers were using taxicabs for.

6. Discussion relating to establishing a temporary process for taxicab vehicle inspection

Ald. Bohl referred members to the memorandum dated, November 25 2009 submitted by Mr. Withers (Exhibit 1).

Ald. Bohl said that he directed Mr. Withers to prepare a resolution that would direct the Department of Public Works to develop an alternative plan for temporary inspection of taxicab vehicles and to limit that temporary permit to a two week period.

Mr. Pfaff said that the License Div. has put together a public passenger vehicle work group that has been working on changing the way the License Division handles its public passenger vehicles permits, vehicle inspection process and other related issues. He said the work group has been meeting monthly and once it finalizes its proposed plan he will bring it before this board for review and then on to the Council's Public Safety Committee for final review and approval.

A motion was made by Mr. Sanfelippo to hold the creation of a draft resolution to create a temporary taxicab inspection process until board reviews the work group's proposed plan.

Ald. Bohl asked Mr. Pfaff to notify him when the public passenger vehicle work group meets again.

Ald. Bohl said if the work group's proposed plan is ready by the next board meeting he will schedule it.

7. Next meeting date, time and agenda

Ald. Bohl said the next meeting will take place on Friday, March 5, 2010 at 9:00 A.M.

Agenda items for discussion at future meetings:

1. Discussion relating to limousine and shuttle permits

2. Discussion relating to establishing a temporary process for vehicle inspections

3. Discussion relating to requirements for display of payment by credit card, fee charges and minimum fare amount for acceptance of a payment by credit card.

Meeting adjourned: 10:36 A.M.

Terry J. MacDonald
Staff Assistant



*INTERDEPARTMENTAL CORRESPONDENCE
LEGISLATIVE REFERENCE BUREAU*

Memorandum

To: Ald. James A. Bohl, Jr., Chair
Taxicab Review Board

From: Richard Withers, Legislative Fiscal Analyst ext. 8532

Date: November 25, 2009

Re: Taxicab Review Board – Memo 9
Information Relating to Agenda Items 3 through 6 for the Meeting of the
Taxicab Review Board on Friday, December 4, 2009 at 9:00 a.m.

This memorandum provides background information to assist discussion of Agenda Items 3 through 6 for the meeting of December 4, 2009. I am available for the first hour or so of the meeting before a scheduled outpatient procedure. Please let me know if you have any questions or would like further information. If you approve, I will provide this memorandum to the other members of the Taxicab Review Board.

Ordinance Requirements for Waiting Time (Agenda Item 3)

Information from several sources has been conflicting about the manner in which taximeters register and compute “waiting time.” The applicable ordinance provides that the charge per minute of waiting time is \$0.35. Section 110-52-4-a-3 also provides that “...no charge shall be made for the time lost for inefficiency of the meter fare taxicab or its operator....”

At the suggestion of Review Board member Justice Khalsa, I contacted Pulsar Technology Systems, Inc., the largest manufacturer of taximeters in the United States. I spoke with Rudolph Robinson, Chief Engineer for Pulsar. The answers to questions about how waiting time is registered and computed on taximeters is more complicated than originally assumed.

The manufacturing of taximeters is subject to standards set by the United State Department of Commerce. Section 5.54 of Handbook 44 published by the National Institute of Standards and Technology (NIST), Department of Commerce, provides for specifications, tolerances and other technical requirements for taximeters. Most taximeters manufactured and used in the United States comply with these standards.

Programming built into most taximeters contemplates “critical speed,” which is sometimes referred to as “cross over speed.” This is tested by NIST in its manufacture approval process and has not been subject to local regulation. The critical speed is computed by dividing the charge per hour of waiting time by the charge per mile. Currently, the charges in Milwaukee result in a critical speed of 8.4 miles per hour. This means that charges are computed at waiting time rates whenever the taxicab is moving at less than 8.4 miles per hour. Waiting time charges accumulate on the meter. Waiting time is not charged only when the taxicab is stopped for a full continuous minute, but accumulates whenever the taxicab is moving at less than 8.4 miles per hour.

In practice, the ordinance provisions prohibiting a charge “...for time lost for inefficiency of the meter fare taxicab or its operator...” are unenforceable. Alternatives could include creation of complaint procedures and penalties for drivers who take inefficient or ‘fraudulent’ routes to artificially increase fares and charges.

Regulations for Limousines and Shuttles (Agenda Item 4)

Issues for possible discussion in the following ordinance language have been indicated in bold type.

Section 100-3-11 of the code defines “luxury limousines” as follows:

11. LUXURY LIMOUSINE means a category of for-hire, unmetered, unmarked ground transportation vehicles **solely** engaged in the business of carrying passengers on a prereserved basis only and which meets the definition of one of the following classifications:

a. Stretched limousine, which is a luxury custom motor vehicle whose chassis and wheelbase have been altered, whether at the time of manufacture or after, beyond the length of the manufacturer’s original specifications for the vehicle and which has safety features that comply with all applicable federal motor vehicle safety standards.

b. **Executive sedan, which is a luxury production** 4-door sedan, van or sports utility vehicle that may have custom nonproduction features and which is of a make and model approved for use by the common council.

b-1. A list of all makes and models of vehicles approved for use shall be maintained by the city clerk and shall be accessible to the public.

b-2. Specific vehicles not meeting this definition may be permitted if approved by the common council pursuant to s. 100-50-9.5.

There has been interest expressed by several Council members in redefining “limousine” to include automobiles that have unique energy-efficient technologies or which may be considered “classic” or antique automobiles.

Alternatively, rather than establishing a list of approved makes and models, limousines could be approved based on general condition and criteria for appearance.

Other areas for possible discussion include:

- Whether the party reserving the limousine should be told or guaranteed the make and model of the vehicle prior to pick-up
- Whether chauffeur uniforms should be required
- Whether round trip arrangements, such as dropping off a passenger at Mitchell Airport and, on a separate day, picking up the passenger should be regulated or limited

Section 100-3-4 of the code defines “shuttle vehicle” as follows:

23. SHUTTLE VEHICLE means a privately owned vehicle which is **solely engaged in** the business of carrying passengers in either a:

a. Shared ride service for hire on a fixed route and fixed schedule to and from predetermined locations; or

b. Group travel service for hire on a prereserved basis only, provided that the vehicle has a passenger-carrying capacity of 11 or more persons, excluding the driver. “Passenger-carrying capacity” is the seating capacity of the vehicle which has been specified by the manufacturer, or established by the chief of police upon visual inspection of the vehicle.

Enforcement issues have been discussed related to questions of fixed routes and schedules. For example, it has been observed that some shuttles from Mitchell Airport to UWM drop passengers off at their residence rather than on campus. These shuttles may include vehicles that are not specifically permitted by Milwaukee County.

Other potential areas for discussion include:

- Whether shuttle charges should be established
- Whether ordinances or state laws should be revised to provide consistent regulation of human service vehicles and other shuttles
- Whether the exemption for shuttles authorized by Milwaukee County for transportation to and from Mitchell Airport should be revised

Taxicab Passenger Survey Issues (Agenda Item 5)

The last taxicab passenger survey for the City of Milwaukee was conducted in 1978 with funding from the U.S. Department of Transportation (D.O.T.) and the Southeast Wisconsin Regional Planning Commission (SWRPAC). I spoke with Christopher

Hiebert, Chief Transportation Engineer for SWRPAC, inquiring whether SWRPAC had engaged in any more recent review, analysis or surveying related to taxicabs. He advised that, though SWRPAC has examined publicly supported taxi operations outside the Milwaukee area, there has been no recent examination of Milwaukee taxicab experience. He was not aware of specific resources to support a new Milwaukee passenger survey, but advised that he would explore this and report back in the next week to 10 days.

Temporary Taxicab Inspection Process (Agenda Item 6)

Following discussions about the possibility of creating a mechanism for temporary inspection approval when taxicabs are replaced due to a crash, mechanical malfunction or other disabling event, it has been suggested that the initial step should be to direct the Department of Public Works by resolution to develop a procedure for certifying one or more appropriate garages to conduct temporary taxicab inspections and issues temporary permits. Language that could be included in such a resolution is as follows:

Whereas, Resources available to the Department of Public Works for inspection of replacement taxicabs upon crash, mechanical malfunction or other disabling event are limited to fixed appointment dates; and

Whereas, When a taxicab must be replaced due to crash, mechanical malfunction or other disabling event, the potential loss in revenues to drivers and taxicab owners may be significant due to the regular scheduling of taxicab inspections; and

Whereas, The short-term and temporary grant of a permit upon inspection by certified mechanics will protect the health, safety and welfare of the public; now therefore, be it

Resolved that the Milwaukee Department of Public Works shall develop a plan for certifying one or more private automotive repair garages or individuals to conduct inspections of replacement taxicab vehicles when immediate inspection is not provided or available through the Department of Public Works; and be it

Further Resolved, that the Department of Public Works develop a program for temporary taxicab permitting to allow temporary permits not to exceed 2 weeks from the granting of the temporary permit; and be it

Further Resolved, That the Department of Public Works is directed to report its plan for certifying inspectors for temporary taxicab permits and for a program of temporary taxicab permitting to the Common Council within 90 days of the adoption of this resolution.

Please let me know if you have any questions or require further information.