

**CITY OF ALEXANDRIA
TRAFFIC AND PARKING BOARD
MONDAY, NOVEMBER 24, 2008, 7:30 P.M.
301 KING STREET, 2ND FLOOR
COUNCIL CHAMBERS**

D O C K E T

1. Announcement of deferrals and withdrawals.
2. Approval of the minutes from the October 27, 2008, Traffic and Parking Board meeting.
3. Staff Reports and Updates

ANNUAL REVIEW OF THE TAXICAB INDUSTRY

PUBLIC HEARING:

4. **ISSUE:** [Annual Review of the Alexandria Taxicab Industry.](#)
 - [Attachment](#)
5. **ISSUE:** [Renewal of Certificates of Public Convenience and Necessity and Taxicab Owner Transfer Requests](#)
 - [Attachment](#)
6. **ISSUE:** Proposed Regulations for the Alexandria Taxicab Industry
 - [Attachment](#)

NEXT TRAFFIC & PARKING BOARD PUBLIC HEARING DECEMBER 15, 2008

NOTE: The City of Alexandria complies with the terms of ADA. An individual with a disability who wishes to request an accommodation may contact the Department of Transportation and Environmental Services at 703-838-4411 or TTY/TTD 703-838-5056. Please provide at least 7 calendar days advance notice. Amplified sound devices are available from the sound technician in the City Council Chamber.

Docket Item # 4

Issue: Annual Review of the Alexandria Taxicab Industry

Issue: Annual review and public hearing on conditions within the Alexandria taxicab industry.

Staff Recommendation: That the Traffic and Parking Board receive the information provided herein and the testimony offered during the public hearing for consideration of conditions within the Alexandria taxicab industry.

Background: City Code Section 9-12-31 requires that the Traffic and Parking Board and City Manager conduct a review of the taxicab industry in Alexandria. As part of this review, the Board is to hold a public hearing to receive testimony from industry representatives and the public as to the economic condition of the industry, the adequacy of the public service provided, and necessary or desirable changes in the regulation of the industry, including the number of taxicabs authorized for each company. Every second year, starting in 2005, the annual review is to include a review of the city's taxicab fares and industry fees.

In consideration of the public testimony and other available information, the Board is to forward its conclusions as to the status of the industry and its recommendations on all matters included in the annual review to the City Manager for consideration in making final determinations on any pending applications or proposals under section 9-12-30.

Discussion: Following is a summary of staff observations regarding current taxicab service, factors influencing the economic condition of the industry and overall industry performance. This information is intended to provide the Board with staff perspective on current conditions in Alexandria's taxicab industry for consideration along with testimony provided during the public hearing and other information that is otherwise available to the Board.

(Note: In prior years, this summary has been accompanied by a compilation of industry statistics, market and performance measures. Recognizing that these statistics remain relatively stable from year to year, staff has not prepared a comprehensive update of the 2007 report. Updates of key industry information are provided throughout following summary discussion and other memoranda accompanying the 2008 annual review docket. Staff anticipates that future

comprehensive updates will be prepared; however, on a more episodic schedule.)

Factors Influencing Industry Conditions:

During the past year, the following factors have influenced conditions in the taxicab industry.

1. Gasoline prices have continued to fluctuate markedly. Following the 2007 annual review, area prices increased from an average of \$3.03 per gallon in November 2007 to a high of \$4.09 per gallon in July 2008, before a recent sharp decline to \$2.34 per gallon in November 2008. The most recently reported average price for unleaded regular gasoline in the metropolitan Washington area was \$2.16 per gallon on November 16, 2008.

The baseline price of gasoline established by the January 2008 taxicab fare increase was \$3.00 per gallon. Since that fare increase, gasoline prices have averaged \$3.56 per gallon, and fuel surcharges have been authorized 62% of the time, averaging \$0.79 per trip.
2. Following the 2007 annual review, 120 taxicab owner requests to transfer to another taxicab company were received. Of these, 96 were approved and 24 were not approved based on the 15% maximum net loss criterion.
3. GoGreen Taxi, an environmentally-friendly taxicab company, was approved for a certificate of public convenience and necessity to commence service on January 1, 2009. No additional taxicabs were authorized by this certificate and the company is relying on voluntary owner transfers during the 2008 annual review period to establish its initial taxicab fleet.
4. The city approved the merger of two taxicab companies, Alexandria Yellow Cab and Alexandria Diamond Cab. The merged company, doing business as Alexandria Yellow Cab,
5. Alexandria's taxicab fares are generally consistent with those of surrounding jurisdictions. The base fare rates are an initial drop charge of \$2.75 and a mileage rate of \$2.04 per mile (\$0.34 per 1/6 mile). These rates became effective in January 2008, based on findings of the 2007 annual review and are next scheduled for review in 2009. Staff does not recommend an out-of-cycle rate review as part of this 2008 industry review.
6. Alexandria taxicabs serve two distinct markets, city-based (dispatch, city stands and some driver personals) and airport. Based on company-reported data, dispatch service has increased to about 2,100 calls per day since the 2007 annual review, growth of approximately 5 percent. Demand at Ronald Reagan Washington National Airport appears to have remained relatively constant, with Alexandria-regulated taxicabs providing about 75 percent of all Virginia-based airport taxicab service. Overall, approximately 55 percent of the service provided by Alexandria-regulated taxicabs is city-based, while the remaining 45 percent is airport service.

Issues of Concern to the Industry

During the past year, the industry has expressed concern over the following issues.

1. In January 2007, four taxicab companies were placed on probation for failure to meet the dispatch service requirements set forth in City Code. One of the four companies demonstrated that it had increased its dispatch service to the required level and was removed from probation in April 2007. The other three companies completed the nine-month probation period without successfully increasing their dispatch service levels to the minimum level required by city code. These three companies were advised that their respective certificates of public convenience and necessity were revoked, effective February 1, 2008; however, subsequent legal actions led to the city extending the period of probation for an additional nine months, to June 30, 2008.

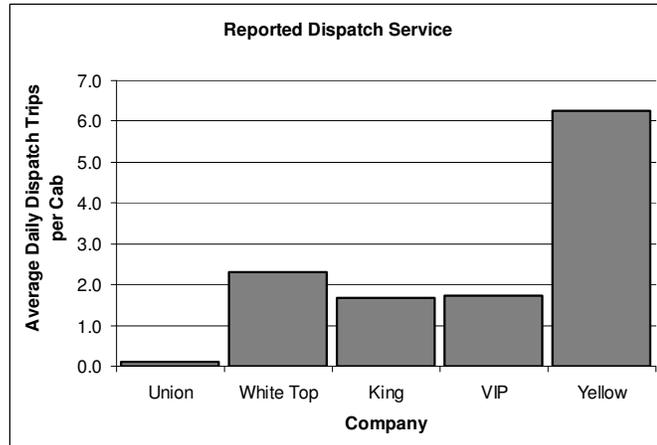
At the end of the extended probation, one company, Columbus Cab, advised the city that it had not been successful in increasing its dispatch service to the required minimum of 2 dispatch trips per affiliate per day. Columbus Cab has since remained in operation in order to allow its affiliated drivers to continue working until their transfers to another company have been completed. The remaining companies, King and VIP, reported they had increased dispatch service to the required level and submitted dispatch records in substantiation of their claims. Staff has since been reviewing these records in order to verify dispatch service levels for King and VIP, and expects that final determinations will soon be reached on their probationary status. Staff will update the Board on the probationary status of King and VIP at the November 24 meeting.

Approximately 127 taxicab owners are currently affiliated with these three companies. Based on the findings of a public hearing in December 2007, the Board recommended that owners affiliated with a company whose certificate is revoked be permitted to transfer to another taxicab company, and the City Manager has concurred with this recommendation. Staff recommends that the transfer requests of owners affiliated with a revoked certificate be given priority for approval during the 2008 owner transfer process.

Company	Affiliates	Probationary Status
King Cab	43	Final determination pending
VIP Cab	62	Final determination pending
Columbus Cab	21	Certificate revoked effective January 1, 2009

- The city's primary providers of dispatch service, Yellow and White Top, continue to express concern over their loss of taxicab authorizations due to owner transfers each year and the cumulative impact of these losses on their ability to provide high-quality, responsive dispatch service. A review of the records since 2005 revealed that Yellow Cab (now merged with Diamond Cab) has lost over 90 taxicab authorizations due to owner transfers, about 25 percent of its 2005 fleet, while continuing to deliver over 80 percent of the dispatch service in Alexandria. Similarly, White Top Cab, the second highest provider of dispatch service, has lost 36 taxicab authorizations over the same period.

Two key interests in the 2005 revised taxicab ordinance were (1) improving dispatch service in Alexandria, and (2) providing greater opportunity for taxicab owner-operators to change companies. In order to maintain balance between these interests, the revised ordinance established the annual owner-initiated transfer process and provided the Board and City Manager the ability to manage the number of taxicabs affiliated with each certificate holder based on dispatch service requirements.



In each of the last three years, changes in the number of taxicabs that are authorized to affiliate with individual certificate holders have been determined solely by the net increases or decreases resulting from approved owner-initiated transfers. Approval of these transfers has been limited only by the maximum net loss limits specified in code section 9-12-31(c)(1). Since 2005, 258 owner-operator transfers have been approved under this process.

In adopting recommendations regarding the maximum and minimum number of taxicabs that should be authorized to affiliate with each certificate holder, staff recommends that the Board consider, as is permitted by code, the dispatch service needs of the certificate holder.

Attachment: City Code Sections 9-12-30 and 31

Staff: Tom Culpepper, Department of Transportation & Environmental Services
 Chris Spera, Office of the City Attorney
 Monte Rosson, Hack Inspector's Office
 Richard Garcia, Hack Inspector's Office

Attachment 1

CODE OF THE CITY OF ALEXANDRIA, VIRGINIA CHAPTER 12 Taxicabs and Other Vehicles for Hire ARTICLE A. Taxicabs

Sec. 9-12-30 Amending certificates of public convenience and necessity.

(a) The number of taxicabs authorized by a certificate may be amended once a year during the annual review of the industry and the following procedures shall apply:

(1) A certificate holder may apply for an amendment to the number of vehicles authorized by the certificate, no later than August 1 of each year, on the form provided by the city manager.

(2) An owner whose vehicle is affiliated with one certificate holder may apply not more frequently than once a year, on the form provided by the city manager, to have that affiliation transferred to a different certificate holder. Any such application shall be submitted to the city manager no later than November 15 of each year. All applications from eligible owners will be approved in order of seniority, subject to the net authorization loss limitations set forth in section 9-12-31(c) herein. Notwithstanding the foregoing, no owner shall be denied his or her application for a transfer pursuant to this section more than two consecutive years, regardless of whether or not granting such an application results in the limit set forth in section 9-12-31(c) being exceeded by application of this policy. In the event the application of this policy results in the net reduction of more than the limit set forth in section 9-12-31(c) of any taxicab company's authorized vehicles, the city manager shall have the authority to grant the impacted taxicab company such additional authorized vehicles as to allow the company to only suffer a net reduction in authorized vehicles equal to the limit set forth in section 9-12-31(c), upon a finding that such a grant will be in the public convenience and necessity including, without limitation, promoting high quality dispatch and customer service. Each such application shall be signed by the prospective certificate holder, certifying acceptance of the owner if the transfer of affiliation is approved.

(3) A public hearing on all such applications shall be held by the board as part of the annual review of the taxi industry pursuant to section 9-12-31, and the board shall make a recommendation thereon to the city manager.

(4) The board in making its recommendation, and the city manager in making the determination on such applications and proposed amendments, shall consider the factors prescribed in section 9-12-31.

(c) The decision on such applications shall be part of the city manager's order setting forth the conditions of the taxicab industry pursuant to section 9-12-31.

(d) Upon amendment as to the number of vehicles the certificate holder shall forthwith surrender the old certificate to the city manager, and the city manager shall issue a new certificate to the certificate holder. (Ord. No. 4402, 6/14/05, Sec. 1)

Sec. 9-12-31 Annual review of taxi industry.

(a) Between September 1 and November 15 of each year, the board and city manager shall conduct a review of the taxicab industry in Alexandria. The board shall conduct a public hearing, after giving reasonable notice to all applicants, existing certificate holders and the public. The board shall receive comment as to the economic condition of the taxicab industry, the adequacy of public service rendered by the industry, and whether any changes to the regulation of the industry are necessary or desirable, including changes to the number of taxicabs authorized for each taxicab company holding a valid certificate.

(b) Performance information required to be submitted by certificate holders pursuant to section 9-12-32 shall be considered by the board and the city manager as part of the review.

(c) In reviewing applications to renew certificates of public convenience and necessity, the board and city manager shall consider the certificate holder's record of compliance with section 9-12-32, and shall establish the maximum and minimum number of vehicles that may be affiliated with each certificate holder, as follows:

(1) the minimum number of authorized taxicabs for each certificate holder shall not be fewer than: 1) during the first year after the effective date of this ordinance, 10 percent less than the number then authorized; 2) during the second and third years after the effective date of this article, 15 percent less than the number then authorized, except by operation of section 9-12-30(a)(2).; and 3) during the fourth year after the effective date of this article and thereafter, 10 percent less than the number then authorized, except by operation of section 9-12-30(a)(2).

(2) the maximum number shall provide a sufficient number of taxicab authorizations for each certificate holder to provide a satisfactory level of dispatch service based on current and anticipated number of dispatch trips provided.

(3) in the event that the board and city manager shall authorize the issuance of one or more new certificates, the minimum number of taxicabs authorized for each existing certificate holder may be further reduced by an additional five percent below the current authorization.

(d) The board and city manager shall set the total number of vehicles to be authorized for each taxicab company holding a valid certificate, giving consideration to such factors as bear on public convenience and necessity, including but not limited to:

- (1) the demonstrated need on a company-by-company basis on the number of cabs necessary to provide satisfactory public service, including ensuring adequate availability of taxicabs for dispatch service and taxi stands;
- (2) changes in the number of trips actually served by taxicabs for each existing company;
- (3) the ability of current drivers to earn a living wage; and
- (4) such factors listed in section 9-12-25(d) as the board or city manager deem applicable.

(e) [Reserved B see subsection(i).]

(f) Giving consideration to the comments received at the public hearing, and to any additional information made part of the record before it, the board shall forward its conclusions as to the status of the industry, and its recommendations as all matters included in the annual review of the industry, to the city manager. The report shall include the findings of fact upon which board's conclusions and recommendations are based. The report shall be transmitted to the city manager no later than November 15.

(g) Every second year, starting in 2005, the annual review of the taxicab industry shall also include a review of the fares and industry fees, including a review of the base fare, permitted additional charges and all fees charged to and by the certificate holders, owners and drivers. The public hearing before the board shall include comments on such fares, charges and fees and any recommended changes thereof. The board shall forward its conclusions, recommendations and findings of fact as to such fares, charges and fees as part of its report pursuant to subsection (f) of this section. In reviewing such fares, charges and fees, the board and city manager shall, without limitation, take the following factors into consideration:

- (1) driver income compared to the City of Alexandria adopted living wage;
- (2) cost of industry related regulatory and enforcement expenditures; and
- (3) such factors listed in section 9-12-25(d) as the board or city manager deem applicable.

(h) Not later than December 15, the city manager shall issue an order stating the manager's findings and conclusions as to the economic condition of the taxicab industry and determinations as to any pending applications or proposals under section 9-12-30. In issuing his order, the city manager shall presume that the factual findings of the board are prima facie correct. If the manager disagrees with any of the recommendations of the board the manager shall, with the issuance of the order, enumerate the reasons for not accepting such recommendations. The order of the city manager may be used by him in determining the public convenience and necessity under the provisions of this article.

(i) The city manager may approve taxicab owner applications to transfer affiliation from one certificate holder to another certificate holder. In reviewing

transfer applications, preference shall be given based on driver seniority to the extent feasible, and the board and city manager shall give consideration to such factors as bear on public convenience and necessity including but not limited to:

- (1) the individual and cumulative effect of the transfer on the transferee and transferor certificate holders;
 - (2) the individual and cumulative effect of the transfer on the applicant and other drivers;
 - (3) the satisfaction of all financial obligations to the existing certificate holder and acceptance by the new certificate holder.
- (j) After completion of the transfer review process and the review of all applications for new or renewed certificates of public convenience and necessity, the city manager may approve additional authorizations for existing companies that have requested same, based upon a finding that such a grant will be in the public convenience and necessity including, without limitation, promoting prompt dispatch and exceptional customer service. (Ord. No. 4402, 6/14/05, Sec. 1)

Docket Item # 5

Issue: Renewal of Certificates of Public Convenience and Necessity

Issue: Consideration of Board recommendations on the renewal of existing certificates of public convenience and necessity.

Staff Recommendation: That the Traffic and Parking Board consider and adopt recommendations to the City Manager with regard to:

1. Renewal of existing certificates of public convenience and necessity; and
2. The minimum and maximum number of taxicabs authorized to be affiliated with each certificate holder.

Background: A specific consideration for each annual review is the renewal of existing certificates of public convenience and necessity (certificates) and the number of taxicabs that may be affiliated with each certificate holder. Factors to be considered in these determinations are specified in code section 9-12-31, and include the certificate holder's record of compliance with code requirements for certificate holders, the demonstrated need on a company-by-company basis for a sufficient number of affiliated taxicabs to provide satisfactory public service and ensure adequate dispatch service.

Discussion: There are currently 26 certificates of public convenience and necessity that authorize the operation of taxicabs in the City of Alexandria. Of these, six are issued to taxicab companies and 20 are issued to individuals (grandfathered certificates). In aggregate, these certificates authorize the operation of 728 taxicabs, all of which are required to maintain affiliation with a taxicab company. Individually-held certificates authorize operation of one taxicab each or 20 taxicabs in total. Collectively, company-held certificates authorize the operation of 708 taxicabs. In addition, three special authorizations have been issued for vehicles qualifying as ADA-compliant, reserved use taxicabs pursuant to regulations adopted on February 28, 2007.

Certificate number 92 held by Columbus Cab has been revoked effective December 31, 2008 and is therefore not eligible for renewal. All owners affiliated with Columbus Cab will be permitted to transfer to another taxicab company during the 2008 owner transfer period, assuming that there is a company that is both eligible and willing to accept any of those drivers.

A new certificate authorizing GoGreen Cab to begin operations on January 1, 2009 was approved in 2008. No new taxicabs were authorized with approval of this certificate; however, GoGreen is eligible to receive authorizations resulting from 2008 owner transfers.

A summary of the requests to renew certificates of public convenience and necessity for 2009 is attached to this memorandum. Copies of the applications to renew certificates held by taxicab companies and individuals have been separately provided to the Board.

Renewal of Individually-Held Certificates

Individually held certificates are routinely renewed each year as long as the holder intends to remain active in the industry by operating a taxicab at least 50 percent of the year. These certificates are nontransferable and may not be reissued after the holder is no longer active in the industry. Renewal requests for 2009 were received from all 20 current individual certificate holders (see attachment), each indicating they plan to remain active in the taxicab industry during 2009. Staff recommends renewal of these 20 individual certificates as requested.

Renewal and Amendment of Company-Held Certificates

Requests to renew and amend (increase or decrease the number of authorized taxicabs) company-held certificates require consideration of a broader range of factors. As adopted in June 2005, City Code section 9-12-31(c) directs the board and city manager to review and act on requests to renew company-held certificates and to set the maximum and minimum number of authorized vehicles for each certificate holder as follows:

Section 9-12-31. Annual review of the taxi industry

(c) In reviewing applications to renew certificates of public convenience and necessity, the board and city manager shall consider the certificate holder's record of compliance with section 9-12-32, and shall establish the maximum and minimum number of vehicles that may be affiliated with each certificate holder as follows:

- (1) The minimum number of authorized taxicabs for each certificate holder shall not be fewer than: 1) during the first year after the effective date of this ordinance, 10% less than the number then authorized; 2) during the second and third years after the effective date of this ordinance, 15% less than the number then authorized, except by operation of section 9-12-30(a)(2); and 3) during the fourth year after the effective date of this ordinance and thereafter, 10% less than the number then authorized, except by operation of section 9-12-30(a)(2).*
- (2) The maximum number shall provide a sufficient number of taxicab authorizations for each certificate holder to provide a satisfactory level of dispatch service based on current and anticipated number of dispatch trips provided.*

Section 9-12-31(d) provides additional guidance with regard to factors to be considered in this review process.

(d) The board and city manager shall set the total number of vehicles to be authorized for each taxicab company holding a valid certificate, giving consideration to such factors as bear on public convenience and necessity, including but not limited to:

- (1) The demonstrated need on a company-by-company basis on the number of cabs necessary to provide satisfactory public service, including ensuring adequate availability of taxicabs for dispatch service and taxi stands;*
- (2) Changes in the number of trips actually served by taxicabs for each existing company;*
- (3) The ability of current drivers to earn a living wage; and*
- (4) Such factors listed in section 9-12-25(d) as the board or city manager may deem applicable.*

Additional matters of interest to the board in considering requests to renew and amend certificates for 2009 are: (1) owner-requested transfers among Alexandria taxicab companies; (2) company dispatch service requirements established by the 2005 taxicab ordinance; and (3) prohibition of ownership interests in more than one taxicab company.

In addition to any changes in the maximum number of taxicabs that may be affiliated with a certificate holder that are approved based on the certificate holder's renewal request, certificates issued for 2009 will also reflect the net effect of approved owner transfers between taxicab companies.

As provided by Section 9-12-31(c), the minimum number of authorized taxicabs for each certificate holder for 2009 may not be less than 15% fewer than the currently approved number (10% based on being in the fourth year following adoption of the revised taxicab ordinance plus an additional 5% based on the approval of a new certificate during 2008). The maximum number is to provide a sufficient number of taxicab authorizations for the certificate holder to provide a satisfactory level of dispatch service based on the current and anticipated number of dispatch trips served. In this regard, staff recommends that the Board consider the level of dispatch service that is being provided in determining the maximum number of taxicabs that may be affiliated with each certificate holder for 2009.

The taxicab ordinance adopted by City Council in June 2005 introduced new dispatch service requirements for certificate holders, mandating that each must serve an average dispatch call volume of no less than two dispatch calls per driver per day. Discussed extensively prior to and following adoption of the new taxicab ordinance and considered an important part of efforts to improve dispatch service in the city, certificate holders were given one year from the date of final

adoption to achieve compliance with this requirement before enforcement action would be taken. This one year period was completed in June 2006.

Based on a 2006 annual review finding that four certificate holders (Alexandria Diamond Cab, Columbus Cab, King Cab and VIP Cab) were not in compliance with this minimum dispatch service requirement, the board recommended and the city manager concurred that these certificates be placed on probation for a period of up to nine months during which the certificate holders must achieve compliance with this code requirement or their respective certificates would be revoked by operation of law. The nine month probationary period commenced on January 1, 2007 for all four certificate holders and continued until September 30, 2007.

During this period, one company, Alexandria Diamond Cab, submitted satisfactory documentation that it had achieved compliance with the minimum dispatch service requirement and its certificate was removed from probation. Dispatch service information submitted during and at the end of the probationary period by the three remaining companies, Columbus Cab, King Cab and VIP Cab, clearly showed that they had not achieved compliance with the minimum dispatch service requirement.

When the City threatened to revoke the certificates of the three non-compliant companies, each company either threatened or commenced litigation against the City. That litigation was resolved by settlement agreements with each non-compliant company that extended the probationary period until June 30, 2008. One of these companies, Columbus Cab, has agreed to terminate operations effective December 31, 2008. City staff has been assessing the dispatch data for the other two companies to determine their compliance with City Code and the respective settlement agreements. The Board will be provided an update on this matter as part of the annual industry review.

The 2005 taxicab ordinance also includes a prohibition against any entity owning, in whole or part, an interest in more than one taxicab company authorized to do business in the city (Section 9-12-25(d)(9)). The new ordinance provided a period of 18 months from the June 14, 2005 adoption date for companies to comply with this prohibition. Alexandria Yellow Cab and Alexandria Diamond Cab had common ownership and were in violation of this prohibition at the time of the 2006 industry review; however, on December 13, 2006 documentation was submitted to the Office of the City Attorney showing that ownership of these two companies had been restructured so as to come into compliance with this prohibition. During 2008, a merger of Alexandria Yellow Cab and Alexandria Diamond Cab was approved and has been completed. The merged company is operating as Alexandria Yellow Cab, and Alexandria Diamond Cab no longer exists.

Applications to renew company-held certificates were received from six existing taxicab companies (see attachment), copies of which were separately provided to the Board. The current number of authorized taxicabs for each company and the requested amendments of these certificates are summarized in the following table.

Company	2008 Authorized Taxicabs ¹	Requested Amendment
Alexandria Yellow Cab	277 ²	300 authorized affiliates net of any change due to owner transfers
King Cab	43	Increase of 5 authorized affiliates
VIP Cab	62 ³	Increase of 1 authorized affiliate
Columbus Cab	21	Not applicable
White Top Cab	80	Increase of 51 authorized affiliates
Alexandria Union Cab	225 ³	No change in number of authorized affiliates
GoGreen Cab	0 ⁴	Authorized to commence service January 1, 2009

1 Does not include affiliated individual certificate holders or special authorizations for ADA-compliant, reserved use taxicab vehicles.

2 Following merger with Alexandria Diamond Cab.

3 One authorization lost during 2008 due to vacancy in excess of 90 days.

4 No authorizations were provided with approval of certificate of public convenience and necessity. All affiliates are to come from owner transfers.

Based on the renewal applications, findings of the taxi industry survey and other relevant information, staff comments and recommendations on these renewal requests follow.

Alexandria Yellow Cab (Certificate Number 34)

Alexandria Yellow Cab requests renewal of its certificate with 300 authorized taxicabs notwithstanding any approved owner transfers.

The results of this year's industry review show that Yellow Cab is the primary provider of dispatch taxi service in Alexandria, serving over 80% of all dispatch trips in the city. Yellow Cab's dispatch service level of 6.2 dispatch trips per cab per day is well above the required minimum of two dispatch trips per cab per day and significantly higher than for any other Alexandria taxicab company.

Staff believes that renewal of Yellow Cab's certificate will serve the public interest and recommends that it be renewed with a minimum number of authorized taxicabs that is 15% less than the current number and a maximum number of authorized taxicabs that is equal to 50% of the total number of authorized taxicabs, the maximum number of affiliates that is permitted by code. Based on

current data, the recommended minimum number of authorized taxicabs is 235 and the maximum number is 354.

Staff does not recommend that this certificate be amended to provide any new taxicab authorizations at this time. As provided in Section 9-12-31(j), this may be considered by the city manager following review of owner transfer requests and the company's demonstrated need for these additional authorizations to maintain prompt dispatch service and exceptional customer service.

King Cab Company (Certificate Number 46)

King Cab Company requests renewal of its certificate with 5 additional authorized taxicabs.

The results of this year's industry review show that King Cab is currently serving approximately 3.5% of all dispatch trips in 2008. King's dispatch service level of 1.7 dispatch trips per cab per day is below the code-mandated minimum of two dispatch trips per cab per day for the overall reporting period. Data reported by King Cab for the final period of probation (April through June, 2008) indicate a dispatch service level of 2.1 dispatch trips per cab per day has been achieved; however, this information has not yet been validated by staff and a final determination on this company's probationary status is currently pending.

Pending a final determination that King Cab has satisfied the necessary terms of probation, staff believes that renewal of King Cab's certificate will serve the public interest and recommends that it be renewed with a minimum number of authorized taxicabs that is 15% less than the current number and a maximum number of authorized taxicabs that is equal to the number currently held. Based on current information, the recommended minimum number of authorized taxicabs is 37 and the maximum number is 43. In the event King Cab is found not to have satisfied the necessary terms of probation, this certificate will be revoked effective December 31, 2008.

Staff does not recommend that this certificate be amended to provide any new taxicab authorizations at this time.

VIP Cab Company (Certificate Number 77)

VIP Cab Company requests renewal of its certificate with 1 additional authorized taxicab.

The results of this year's industry review show that VIP served approximately 5% of all dispatch trips in 2008. VIP's dispatch service level of 1.7 dispatch trips per cab per day is below the code-mandated minimum of two dispatch trips per cab per day for the overall reporting period. Data reported by VIP for the final period of probation (April through June, 2008) indicate a dispatch service level of 2.2 dispatch trips per cab per day has been achieved; however, this information has not yet been validated by staff and a final determination on this company's probationary status is currently pending.

Pending a final determination that VIP Cab has satisfied the necessary terms of probation, staff believes that renewal of VIP's certificate will serve the public interest and recommends that it be renewed with a minimum number of authorized taxicabs that is 15% less than the current number and a maximum number of authorized taxicabs that is equal to the number currently held. Based on current information, the recommended minimum number of authorized taxicabs is 53 and the maximum number is 62. In the event VIP is found not to have satisfied the necessary terms of probation, this certificate will be revoked effective December 31, 2008.

Staff does not recommend that this certificate be amended to provide any new taxicab authorizations at this time.

Columbus Cab Corporation (Certificate Number 92)

This certificate has been revoked effective December 31, 2008.

White Top Cab Company (Certificate Number 120)

White Top Cab Company requests renewal of its certificate with 51 additional authorized taxicabs.

The results of this year's industry review show that White Top Cab is the second highest provider of dispatch taxi service in Alexandria, serving approximately 9% of all dispatch trips in 2008. White Top's dispatch service level of 2.3 dispatch trips per cab per day is above the code-mandated minimum of two dispatch trips per cab per day.

Staff believes that renewal of White Top Cab's certificate will serve the public interest and recommends that it be renewed with a minimum number of authorized taxicabs that is 15% less than the current number and a maximum number of authorized taxicabs that is equal to the number of taxicabs that can be provided an average of two dispatch calls per cab per day assuming a five percent growth in the average daily dispatch call volume reported for the period September 2007 to August 2008. Based on current data, the recommended minimum number of authorized taxicabs is 68 and the maximum number is 97.

Staff does not recommend that this certificate be amended to provide any new taxicab authorizations at this time. As provided in Section 9-12-31(j), this may be considered by the city manager following review of owner transfer requests and the company's demonstrated need for these additional authorizations to maintain prompt dispatch service and exceptional customer service.

Union Taxicab Cooperative (Certificate Number 130)

Union Taxicab Cooperative requests renewal of its certificate with no change in the number of authorized taxicabs.

Union Taxicab was issued its initial certificate on September 20, 2006 and commenced service delivery on January 1, 2007. As a newly established company, Union was not required to achieve the code-specified minimum

dispatch service levels during its first year of operation. However, for the 2008 annual review, Union reported serving an average of 0.1 dispatch trips per cab per day, well below the minimum performance level of 2 dispatch trips per cab per day as set by code. Union Cab, now completing its second year of operation is required to meet this minimum dispatch service performance standard.

Staff believes that renewal of Union Taxicab’s certificate will serve the public interest; however, in consideration of its failure to meet the code-specified minimum dispatch performance level, it is recommended that the Board schedule a public hearing to consider a recommendation to the City Manager that Union Cab be placed on probation as provided in section 9-12-33. For 2009, staff recommends that this certificate be renewed with a minimum number of authorized taxicabs that is 15% less than the current number and a maximum number of authorized taxicabs equal to the number currently held. Based on current information, the recommended minimum number of authorized taxicabs is 191 and the maximum number is 225.

GoGreen Cab Company (Certificate Number Pending)

GoGreen Cab was approved for a new certificate of public convenience and necessity to begin service delivery on January 1, 2009. All taxicab authorizations affiliated with this certificate are to come from owner transfers in 2008.

Staff recommends that this certificate be issued with a maximum number of authorized taxicabs that is equal to the number of approved owner transfers to GoGreen Cab.

Summary of Staff Recommendations

Company	Current Number of Authorized Taxicabs	Recommendation for 2009	
		Minimum	Maximum
Yellow Cab	277	235	354
King Cab ¹	43	37	43
VIP Cab ¹	62	54	62
Columbus Cab	21	Certificate revoked	
White Top Cab	80	68	97
Union Cab	225	192	225
GoGreen Cab	0	0	Number of approved transfers

1. Pending final determination that the company has satisfied necessary terms of probation.

Attachment: Summary of Existing Certificates and Renewal Requests

Staff: Tom Culpepper, Department of Transportation & Environmental Services
Chris Spera, Office of the City Attorney
Monte Rosson, Hack Inspector’s Office
Richard Garcia, Hack Inspector’s Office

Existing Certificates and Renewal Requests

Part A. Taxicab Company Certificates

Certificate Number and Holder		Authorized Affiliates		Renewal Request
		Regular	ADA Vehicle	
34	Alexandria Yellow Cab	277	1	Renew with 300 authorized affiliates net of any change due to transfers
46	King Cab Company	43	1	Renew with increase of 5 authorized affiliates
77	VIP Cab Company	62	1	Renew with increase of 1 authorized affiliate
92	Columbus Cab	21	0	Not applicable
120	White Top Cab	80	0	Renew with increase of 51 authorized affiliates
130	Alexandria Union Cab	225	0	Renew with no change in number of authorized affiliates
	GoGreen Cab Company	0	0	Authorized to commence service delivery on January 1, 2009
<i>Total Company Certificates</i>		708	3	

Part B. Individual Certificate Holders

Certificate Number	Holder	Authorized Vehicles	Affiliation	Renewal Request
10	Saidan, Mahmoud	1	Yellow	Renew
15	Sabb, Ervin	1	Yellow	Renew
19	Watkins, Robert	1	King	Renew
64	Cymbalisty, John	1	Yellow	Renew
102	Khalaf, Samir	1	VIP	Renew
110	Gebrehiwot, Asmellash	1	Union	Renew
124	Ford, Duke	1	White Top	Renew
141	Harding, Donald	1	Diamond	Renew
143	Imoh, Udosen	1	Union	Renew
152	Hagos, Tesfa	1	King	Renew
173	Omar, Mohammad	1	White Top	Renew
185	Azimi, Said	1	White Top	Renew
188	Nagaasa, Emmanuel	1	Union	Renew
190	Mengistu, Tesfaye	1	Yellow	Renew
197	Stephens, Randolph	1	Union	Renew
237	Hasnain, Zahid	1	Yellow	Renew
272	Bajwa, Jasbir	1	White Top	Renew
277	Cardenas, Jaime	1	Union	Renew
297	Kim, Kyung Yun	1	Columbus	Renew
308	Nanor, Tetteh	1	Yellow	Renew
<i>Total Individual Certificates</i>		20		

Docket Item # 6

Issue: Proposed Regulations for the Alexandria Taxicab Industry

Issue: Consideration of two proposed new taxicab regulations intended to:

1. Encourage voluntary conversion of taxicab vehicles to more environmentally friendly vehicles; and
2. Define the minimum information required to be maintained in taxicab company dispatch records.

Staff Recommendation: Staff recommends that the Traffic and Parking Board approve these proposed regulations and recommend them to the City Manager for adoption effective January 1, 2009.

Background: Alexandria City Code Section 9-12-4(b) authorizes the City Manager to “make such reasonable rules and regulations as may be necessary to administer the provisions of this article [Title 9, Article A].” These rules and regulations are to clarify certain code provisions, more fully define specific code requirements and establish administrative requirements for the industry as permitted by code. The city’s current taxicab regulations are attached.

Discussion: Based on issues that have arisen since the last annual review of the taxicab industry, staff believes that two new taxicab regulations are needed. The first is a regulation that will encourage voluntary conversion of taxicab vehicles to more environmentally friendly vehicle makes and models. The second is a regulation that clearly specifies the minimum information that a taxicab company must maintain in their dispatch service records.

Regulation to Encourage Environmentally Friendly Taxicab Vehicles

Earlier this year, while considering an application for a certificate of public convenience and necessity to operate a new eco-friendly taxicab company, the Board discussed the desirability of Alexandria’s taxicab industry using more environmentally friendly vehicles as taxicabs. During this discussion, the Board was advised that the City’s taxicab ordinance does not contain any provision that would permit restricting any vehicle authorizations to or requiring that taxicab vehicles be replaced with environmentally friendly vehicles. These limitations notwithstanding, the Board noted the need for a conversion to environmentally friendly taxicab vehicles.

The City of Alexandria recently adopted an Eco City Charter outlining its guiding principles, vision, and overall environmental future. The draft Environmental Action Plan developed to support this charter includes a specific call for the taxicab industry to convert to more environmentally friendly vehicles, specifically stating: *“Encourage the development of a green taxi fleet in the City. Require new taxis to meet a minimum 30mpg standard and establish permit incentives for taxi companies.”*

Staff anticipates submitting an ordinance amendment to City Council in 2009 that, if adopted, will require that all taxicabs in Alexandria be replaced with more environmentally friendly vehicles. Pending adoption of such an amendment by Council, staff believes that voluntary conversion to more environmentally friendly vehicles can be encouraged by a pilot program established under the City Managers current authority that will provide financial incentives for their use. The proposed regulation to encourage voluntary conversion provides the following fee waivers for qualifying taxicab vehicles: (1) initial inspection and certification fee (currently \$100); (2) annual inspection and vehicle permit renewal fee (currently \$150); and (3) that portion of the annual renewal fee for a certificate of public convenience and necessity charged per authorized affiliate (currently \$150). Specific vehicle makes and models that would qualify for these fee waivers is proposed to be the same as those approved by the Commonwealth of Virginia Department of Motor Vehicles as qualifying for clean special fuel license plates.

The proposed regulation reads:

To encourage the taxicab industry to voluntarily migrate to more environmentally friendly taxicab vehicles, the City will waive the initial inspection and certification and annual renewal fees, and “per authorized vehicle” certificate of public convenience and necessity renewal fee (currently \$100, \$150 and \$150, respectively) for qualifying hybrid vehicles that are used to provide taxicab service in Alexandria. For purposes of this regulation, qualifying vehicles include those makes and models specified by the Commonwealth of Virginia Department of Motor Vehicles as qualifying for clean special fuel license plates.

These waivers will become effective on January 1, 2009, and will remain in effect for no less than three years or until such time as a revision in city code may require conversion to environmentally friendly taxicab vehicles.

Regulation to Define Minimum Dispatch Service Records Requirements

In drafting and adopting a revised taxicab ordinance in 2005, the City Council emphasized the importance of dispatch service in the city, continuing the

requirement that all taxicab companies offer 24/7 dispatch service and establishing dispatch service performance standards for both companies and individual drivers.

Section 9-12-66(b) requires that “*every taxicab driver shall keep, on a form prescribed by the city manager, a manifest, which shall, at minimum, record the place, date and time the transportation of each paying passenger commenced and terminated, and the amount of the fare ...*” A city-approved manifest form is used by drivers to document all taxicab services they provide. Section 9-12-32(n) requires that all taxicab companies “*maintain monthly performance information and provide the following information to the city manager on a periodic basis, no less than annually, in the manner prescribed by regulation ... dispatch call volumes and detailed call and pick up data files.*” For purposes of maintaining these records, no specific recordkeeping requirements have yet been established.

Recent reviews of company dispatch service records for both administrative and disciplinary purposes have found recordkeeping inconsistencies that, at times, make it challenging to evaluate dispatch service performance. The proposed regulation provides specific guidance to companies on the minimum information that is to be maintained in dispatch service records, particularly in the detailed call and pick up data files.

The proposed regulation reads:

Pursuant to code section 9-12-32(n)(4), information to be maintained by taxicab companies on dispatch service must include, at minimum, the following for each request received for dispatch service:

- 1. Date and time request for dispatch service was received*
- 2. Customer name or other identifier*
- 3. Date and time pick up is scheduled*
- 4. Pick up address*
- 5. Drop off address*
- 6. Time service request was dispatched*
- 7. Time dispatch was accepted*
- 8. Cab number accepting dispatch*
- 9. Service completion status (completed, canceled, no show)*

As requested by the City, this information is to be submitted in an electronic format that can be read by or imported into a standard MicroSoft Office application (Excel, Access, Word or delimited text file).

Attachment: Alexandria Taxicab Regulations

Staff: Tom Culpepper, Department of Transportation & Environmental Services
Chris Spera, Office of the City Attorney
Monte Rosson, Hack Inspector's Office
Richard Garcia, Hack Inspector's Office

**City of Alexandria, Virginia
Taxicab Regulations**

Effective February 28, 2007

AUTHORITY

The following regulations for taxicab services have been adopted by the City Manager as permitted by the *Code of the City of Alexandria*, Section 9-12-4(b).

These regulations supplement the City Ordinance relating to the regulation of taxicabs, contained in Title 9 of the Code of the City of Alexandria. A violation of these regulations carries the same penalties as a violation of any section of Title 9 of the City Code.

1. GENERAL

1.1. Delegation of Hearing Authority

The City Manager's authority to conduct public hearings on taxicab matters is delegated to the City of Alexandria Traffic and Parking Board, except for hearings on appeals of disciplinary actions imposed by the Board pursuant to Section 9-12-60.

(2/28/07)

2. COMPANY REGULATIONS

2.1. Dispatch Service and Response Time Requirements

All companies shall provide dispatch service meeting the following standards:

A. Minimum level of dispatch service: Serve an average of no less than two (2) dispatch calls per authorized affiliate per day. (Ord. 4402, 6/14/05)

B. Dispatch service request response time:

(1) Ninety (90) percent of customers who request dispatch service must be picked up within thirty (30) minutes of the requested time; and

(2) Eighty (80) percent of customers who request dispatch service must be picked up within fifteen (15) minutes of the requested time.

(2/28/07)

2.2. ADA Compliant Handicap Accessible Vehicles

A. As required by Section 9-12-32(f), all certificate holders are required to provide a minimum of one vehicle or one percent of the vehicles authorized by their certificate, whichever is greater, for ADA compliant handicap accessible transportation. For purposes of determining the required number

of handicap accessible vehicles required, the one percent requirement will be rounded to the nearest whole number of vehicles.

- B. Vehicles equipped for ADA compliant handicap accessible service must comply with the applicable requirements of 49 CFR Part 38, *Americans with Disabilities Act (ADA) Specifications for Transportation Vehicles*, and be approved by the Hack Inspector.
- C. In addition to other permitted taxicab vehicle markings, approved handicap accessible vehicles may prominently display the universal handicap symbol and the certificate holder may advertise the availability of accessible service.
- D. If a certificate holder voluntarily restricts the use of an approved handicap accessible vehicle to providing handicap accessible transportation only, the City may, at its sole discretion, provide an additional taxicab vehicle authorization for such period of time as that accessible vehicle remains in service. The vehicle permit for any such vehicle shall state that the vehicle is to be used for handicap accessible transportation only.

(2/28/07)

3. DRIVER REGULATIONS

3.1 Dispatch Service Requirements

Pursuant to code section 9-12-57(n), all drivers shall serve an average of not less than one dispatch call per day.

(Ord. 4402, 6/14/05)

3.2. Refusal to Provide Taxi Service

In the event any driver determines that he or she should not provide service to a potential passenger based upon that potential passenger not being an "orderly person" as set forth in City Code Section 9-12-57(l), that driver shall within one hour of his refusal to provide service notify his dispatcher of the incident, including, without limitation, the time and location of the refusal to provide service and a general description of the potential passengers involved and the nature of the conduct giving rise to the refusal of service.

(2/28/07)

4. VEHICLE REGULATIONS

4.1. Age Limit for Taxicab Vehicles

- A. Pursuant to code section 9-12-81(l), beginning July 1, 2007, taxicab vehicle permits may not be issued or renewed for any vehicle that is more than eight model years old. For purposes of enforcing this limitation, the vehicle model year is assumed to begin on January 1 of the corresponding calendar year.

Thus, when the numerical difference between the current calendar year and the model year of a vehicle exceeds eight, a taxicab vehicle permit may not be issued or renewed for that vehicle. For example, in July 2007, taxicab vehicle permits may not be issued or renewed for vehicles with a model year of 1998 or earlier (2007 – 1998 = 9).

- B. Taxicab vehicles approved by the Hack Inspector as ADA compliant handicap accessible vehicles may remain in service for up to ten model years provided that the vehicle (1) has been used only to serve requests for accessible transportation for at least six of the first eight model years, and (2) remains in proper and safe mechanical and operating condition to the satisfaction of the Hack Inspector.

(2/28/07)

5. Reserved

6. TAXICAB FARES AND INDUSTRY FEES

6.1 Taxicab Passenger Fares and Extra Charges

Authorized taxi fares and permitted additional charges are established by the Alexandria City Council. Current fare rates and permitted charges can be found in Section 9-12-132 of the Code of the City of Alexandria, Virginia.

(2/28/07)

6.2. Taxicab Industry Fees

The following taxicab industry fees are effective beginning January 1, 2007.

Certificates of Public Convenience and Necessity

Application for or transfer of CPCN.....	\$4,000
Issuance and renewal of CPCN	
Certificate	\$4,000
Each authorized vehicle	\$150
Renewal of grandfathered CPCN.....	\$150
Duplicate CPCN.....	\$25

Driver Permits

Application	\$100
Initial and renewal permits (2 year)	
Permit	\$150
Manifest books ¹	\$50
Duplicate permit	\$25

Vehicle Permits

Initial inspection and certification	\$100
Annual renewal	\$150
Transfer of vehicle permit.....	\$100
Duplicate vehicle permit.....	\$25

Miscellaneous

Annual taximeter inspection\$20
Fare cards (interior and exterior).....\$1

1. Fee for manifest books is suspended until further notice. (June 20, 2006)

(1/1/07)

7. DISPUTE RESOLUTION

7.1. Timely Resolution

All dispute resolution procedures shall be completed in a timely manner and the City may impose penalties pursuant to this Title on any party that the City determines to be failing to timely and in good faith participate in any dispute resolution procedure initiated pursuant to this Title.

(2/28/07)

7.2. Expectations and Interim Authorizations

The City will presume that in driver terminations, there is clear basis for such a termination and the terminating company is free to fill the authorization formerly used by the terminated driver. Notwithstanding the foregoing, the City may, in its sole and absolute discretion, create interim authorizations for both the company and the driver for use during the pendency of any dispute resolution process initiated pursuant to this Title. Such interim authorizations will expire upon such terms and conditions as set by the City, including, without limitation, the resolution of the subject dispute or such other terms and conditions as the City may impose.

(2/28/07)