City of Fredericksburg, Virginia

City Council

AGENDA

Council Chambers

715 Princess Anne Street

Fredericksburg, Virginia 22401

Tuesday, November 8, 2016
5:30 p.m.
Suite, Room 218

Hon. Mary Katherine Greenlaw, Mayor
Hon. William C. Withers, Jr., Vice-Mayor, Ward Two
Hon. Kerry P. Devine, At-Large
Hon. Matthew J. Kelly, At-Large
Hon. Bradford C. Ellis, Ward One
Hon. Timothy P. Duffy, Ph.D., Ward Three
Hon. Charlie L. Frye, Jr., Ward Four

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1. **Call To Order**

2. **Topics**

   A. Aggressive Solicitation Ordinance

      Documents:

      SOLICITATION-WS.PDF

   B. Proposed Revisions To Taxi Regulations

      Documents:

      TAXI-WS.PDF

   C. Pay And Compensation Plan Update

3. **Adjournment**

MEMORANDUM

TO: Kathleen Dooley, City Attorney

FROM: Rob Eckstrom, Assistant City Attorney

DATE: October 31, 2016

RE: Aggressive solicitation ordinance

Issue

On the advice of the City Attorney's Office, the Police Department has suspended enforcement of the City's aggressive solicitation ordinance. That advice was based on several recent court cases in which similar ordinances were successfully invalidated on Constitutional grounds. The Police and the City Attorney have been working diligently on a replacement ordinance that advances the City's interest in maintaining public safety while respecting the First Amendment.

Recommendation:

The proposed ordinance focuses on behaviors that endanger the safety of drivers and pedestrians. Its three main prohibitions are on:

1) Approaching, speaking to, or following a person in a way that would cause a reasonable person to fear physical harm or property damage;
2) Intentionally interfering with the safe and free passage of a pedestrian or vehicle; or
3) Being in the roadway, roadway media, or roadway shoulder in areas where doing so is most likely to be dangerous—on or near 35MPH+ roads, on 4-lane roads, and near intersections controlled by traffic lights.

This is in contrast to the current ordinance, which prohibits only the particular act of "solicitation" in certain situations.

Background:

Under Chief Justice John Roberts, the U.S. Supreme Court has made several major changes to First Amendment law, including decisions on legislative prayer, corporate speech, and local sign ordinances. One effect of this has been federal appellate and trial court decisions invalidating state and local ordinances prohibiting soliciting or "panhandling."

Parks, streets, and sidewalks have long been considered traditional forums for public speech, entitled to the highest degree of First Amendment protection. The level of regulation permissible in one of these traditional public forums depends on what speech is being regulated and how it is regulated.

The government can impose reasonable time, place, and manner restrictions if they are narrowly tailored to serve a significant government interest, leave open ample alternative channels of communication, and if the regulations are content-neutral (meaning they don't target a particular viewpoint or target a particular form of speech). Content-based regulations on speech are presumptively unconstitutional.

The Fourth Circuit in 2013 expressly stated that panhandling in a form of speech protected by the First Amendment. It also ruled that a regulation that only applies to solicitation of money or another thing of value is a content-based regulation.

The court stated that a plausible and legitimate, content-neutral, and significant governmental interest is to facilitate the normal flow of traffic on public streets and to promote the safety and convenience of citizens on the public streets. The proposed ordinance does not single out any particular type of speech, or even speech in general. It is based on behaviors that would impede traffic and endanger the safety of motorists and pedestrians.

The Fourth Circuit has also held that an ordinance prohibiting solicitation on *all* of a locality's roadways is not narrowly tailored. In other words, what's dangerous on Route 3 might not be dangerous on Littlepage Street. The proposed ordinance identifies the areas where being in the roadway would be most dangerous (high-speed traffic, busy intersections, and roads with many lanes), and limits the prohibition to those areas.

The Police Department believes that this ordinance will be adequate to address unsafe behavior formerly regulated by the aggressive solicitation ordinance. The Commonwealth's Attorney has reviewed the proposed ordinance, and her comments have been incorporated into the proposed draft.

Fiscal Impact:

None.

MOTION:

SECOND:

Date
Regular Meeting
Ordinance No. 16-__

RE: **REPEALING THE AGGRESSIVE SOLICITATION ORDINANCE; ADOPTING ORDINANCES ON IMPEDING OR INTERFERING WITH PEDESTRIAN OR VEHICLE TRAFFIC AND PEDESTRIANS IN THE ROADWAY.**

ACTION: **APPROVED: Ayes: 0; Nays: 0**

IT IS HEREBY ORDAINED by the Fredericksburg City Council that Chapters 54 and 66 of the City Code are amended as follows:

SEC. I. City Code Amendment.

1. Sec. 54-16 Aggressive or dangerous solicitation.

This section is hereby repealed.

2. **Chapter 66 of the City Code is hereby amended by adding the following sections:**

Sec. 66-17 Impeding or Interfering with Pedestrian or Vehicle Traffic.

A. Purpose. The purpose of this section is to facilitate the normal flow of traffic on public roadways and to promote the safety and convenience of persons on the public streets and in other public places.

B. Definitions. For the purposes of this section, the following terms shall have the meanings indicated:

MOTOR VEHICLE shall have the same meaning as in Code of Virginia § 46.2-100.

ROADWAY means that portion of a highway improved, designed, or ordinarily used for vehicular travel.

ROADWAY MEDIAN means a physical barrier or barriers or unpaved area that divides two or more roadways.

ROADWAY SHOULDER means that part of a roadway between the portion regularly traveled by vehicular traffic and the lateral curbline or ditch.

C. Prohibition. No person on public roadways, roadway medians, roadway shoulders,

sidewalks, trails, or in public parks, parking lots, or buildings shall do any of the following:

(1) Approach, speak to, or follow a person in a manner that is intended to cause a reasonable person to fear bodily harm to oneself or to another, or damage to or loss of property;

(2) Intentionally block or interfere with the safe and free passage of a pedestrian or motor vehicle by any means, including unreasonably causing a pedestrian or vehicle operator to take evasive action to avoid physical contact;

(3) Solicit donations of money from a person within 5 feet of an automated teller machine.

D. Penalties. Violation of this section shall constitute a Class 4 misdemeanor. A third or subsequent violation of this section shall constitute a Class 1 misdemeanor.

Sec. 66-56 Pedestrians in the Roadway.

A. Purpose. The purpose of this section is to facilitate the normal flow of traffic on public roadways and to promote the safety and convenience of persons on the public streets and in other public places.

B. Definitions. For the purposes of this section, the following terms shall have the meanings indicated:

INTERSECTION shall have the same meaning as in Code of Virginia § 46.2-100.

MOTOR VEHICLE shall have the same meaning as in Code of Virginia § 46.2-100.

ROADWAY means that portion of a highway improved, designed, or ordinarily used for vehicular travel.

ROADWAY MEDIAN means a physical barrier or barriers or unpaved area that divides two or more roadways.

ROADWAY SHOULDER means that part of a roadway between the portion regularly traveled by vehicular traffic and the lateral curbline or ditch.

TRAFFIC LIGHT means a traffic control signal, intersection control beacon, or beacon as defined by the Federal Highway Administration's Manual on Uniform Traffic Control Devices.

C. No person shall stand, sit, or lay in the public roadway, public roadway median, public roadway shoulder, or within 3 feet of the public roadway shoulder:

a. where the roadway has four or more travel lanes, including when those lanes are divided by a median;

b. where the roadway has a posted speed limit of 35 miles per hour or greater;

c. within 75 feet of any intersection that has a posted speed limit of 35 miles per hour or greater on one of the intersecting roadways; or

d. within 75 feet of any intersection that is controlled by a traffic light.

D. The prohibition in § 66-56(C) does not apply to:

A. Pedestrians legally crossing the street;

B. Emergency personnel and City, state, and federal employees and contractors when performing within the course of their duties;

C. Activities within the scope of a special event permit approved under Chapter 66, Article II of the City Code.

D. Emergency situations.

E. *Penalties. Violation of this section shall constitute a Class 4 misdemeanor. A third or subsequent violation of this section shall constitute a Class 1 misdemeanor.*

SEC. II. Effective Date.

This ordinance is effective immediately.

Votes:
Ayes:
Nays:
Absent from Vote:
Absent from Meeting:

Approved as to form:

_____
Kathleen Dooley, City Attorney

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Clerk's Certificate

I, the undersigned, certify that I am Clerk of Council of the City of Fredericksburg, Virginia, and that the foregoing is a true copy of Ordinance No. 16-_ duly adopted at a meeting of the City Council meeting held Date, 2016 at which a quorum was present and voted.

_____

Tonya B. Lacey, CMC
Clerk of Council

MEMORANDUM

TO: **City Council**

FROM: **David W. Nye, Chief of Police**
Kathleen Dooley, City Attorney

DATE: **November 2, 2016**

RE: **Proposed revisions to taxi regulations**

ISSUE:

This item is presented to City Council for its November 8, 2016 work session. No action is planned for November 8, but Council may direct staff to bring the proposed ordinance to a regular meeting for formal consideration.

SUMMARY:

The City Council and staff have worked for several years to find a good solution to the revision of the City's taxi fares and zone system, studying a conversion to taximeters, approving a gasoline surcharge, and considering imposing a flat fare rate. Meanwhile, the market has changed with the introduction of online services such as Uber and Lyft; technology has changed with the introduction of GPS and smartphone apps that connect drivers and ride seekers. The City's fare regulations may in fact harm the competitiveness of local taxis vis a vis Uber and Lyft, because while taxis are required by law to charge one rate 24/7, their competition may raise and lower rates as market conditions may require. The fare regulations, last over hauled in 2004, should be repealed.

But the City continues to have an important interest in public safety, and it should continue to advance that interest through its taxi regulations. The interest in public safety is effectuated through the taxi driver permit system, which includes background checks, and through safety inspections of motor vehicles used as taxis. The public is also interested in non-discriminatory fares and services.

Fredericksburg Police officers met with six taxicab operators on Tuesday, April 19, 2016, to review a previous draft of the proposed ordinance.

The proposed ordinance modernizes the City Code, in light of the evolution of the taxicab business and technology, while still protecting the public interest in safety, service, and nondiscrimination.

BACKGROUND:

Today, 60 motor vehicles are licensed by the Fredericksburg Police Department to offer taxicab service in the city of Fredericksburg. The 60 taxicabs are owned or licensed through 8 companies. Taxicab service is regulated by the City if both the point of origin and the destination are within City limits. The local regulations address public safety (motor vehicle and driver), service standards, and fares. Many cities in Virginia regulate taxicab service; counties typically do not do so.

With respect to public safety, the City requires an annual safety inspection of the motor vehicle, and the Police Department conducts annual criminal history and driving record checks for each licensed driver. Taxicabs must always be clean, and police officers may inspect the cabs to confirm that they meet standards. The taxicabs must be clearly identified as such; drivers carry photo identification. The taxicabs must carry insurance that meets state requirements. The motor vehicle approvals all expire on December 31, at this time. This creates a sudden demand by all 60 cabs for inspections, every year in December. The proposed ordinance Provides for the expiration of permits on a rolling basis throughout the calendar year.

The City first regulated taxi fares and charges in 1948. In 1964 the City was divided into 2 zones; in 1989, the 3 zone system was introduced. The ride fares are determined by the number of zones through which the taxi travels from the point of origin to the point of destination. Today, taxicabs are required to display the 1989 zone map, because it continues to form the framework for fare calculations.

Fares were last revised in 2004, but City Council approved a variable gasoline cost surcharge in 2005, and a surcharge for trips affected by construction on Fall Hill Avenue in 2008. In 2008, City Council considered requiring the installation of taximeters. However, that proposal ultimately failed to gain Council approval. The taximeter proposal was renewed in 2013, again failing to gain Council support. The Council created a taxicab advisory board, which recommended going to a flat fare structure in 2014. But the Board was not able to answer Council's questions about the reasonableness of the proposed amount of the flat fare, so that proposal failed. Taxi fares are now governed by the 1989 zone map, the 2004 rates, and the surcharges, when applicable. One of the taxicab company owners addressed the City Council in March 2016, asking for another review of the local ordinance.

Meanwhile, the availability of GPS service, combined with online marketing and payment technologies, combined to create "transportation network companies," better known as Uber and Lyft. These companies use the Internet, not public streets, for ride-hailing, and they require online payment in advance with a credit card, instead of payment to the driver. Their fares and charges may rise or fall based on market conditions, to the delight or consternation of their passengers, but the fares and charges are disclosed to the passenger before the ride is confirmed, for the passenger to either accept or reject.

The emergence of this new service led to the creation of new state laws and regulations in 2015, to govern transportation network companies. The 2015 law is focused on issues of public safety, primarily. Virginia does not regulate the fares that these new market entrants may charge. Uber and Lyft services are available in Fredericksburg, although the number of drivers appears to be small. Under state law, TNC businesses are subject to the exclusive regulation of the Commonwealth. There is no local authority to regulate TNC businesses.

With this background in mind, the Police Department and the City Attorney worked together to generate draft revisions to the City Code taxicab regulations. The draft revisions create a level playing field between local cabs and cab drivers and "TNCs" with respect to public safety inspections, background checks, insurance compliance, etc. The City's regulations for taxicab driver qualifications, for example, are updated to match the state regulations for TNC drivers.

The proposal is to repeal local taxicab fare regulation, so that local cabs may respond to (or create) emerging market forces. But the regulations also recognize that cab fare may continue to be charged at the conclusion of a trip, creating the possibility of the surprised passenger, and potentially opening the door to allegations that a fare was charged in discriminatory manner. In order to protect both the drivers and the passengers from these pitfalls, the revised regulations provide that taxicab companies shall file their schedule of fares and charges with the Chief of Police. Those schedules may be as flexible as the company may desire. The company may file new schedules as it may choose. But the taxicabs would be required to charge the rates set forth on the company's schedule on file. Taxicabs would be required to post the fare schedule inside the cab, and drivers would be required to provide receipts to passengers. Any passenger who questioned a charge could call the company or the Police Department to compare the charge against the fare schedule on file.

Under the proposed ordinance, there would be no local regulation of the amount of fare that the taxicab service may charge for trips originating and ending within the City limits; just as there is no local regulation of fares for trips that begin or end in a neighboring jurisdiction, and no local regulation of fares for trips handled by transportation network advisors.

The proposed ordinance would have a negligible fiscal impact on the City budget.

We look forward to presenting this proposal to City Council at its work session on November 8. We have included a number of background materials in the work session meeting packet.

MOTION: **[date]**
Regular Meeting
SECOND: **Ordinance No. 16-__**

RE:

ACTION: **Ayes:** **; Nays:** **;**

FIRST READ: _____ SECOND READ:_____

IT IS HEREBY ORDAINED by the City Council of the City of Fredericksburg, Virginia, that Chapter 58 of the City Code is amended as follows:

SEC. I. **Repeal of Resolutions 09-61 and 13-65.**

Resolution 09-61, "Approving an extension of the gasoline surcharge for taxicab fares," adopted by City Council at its regular meeting June 9, 2009, and Resolution 13-65, "Approving a taxicab surcharge during the closure of Fall Hill Avenue," are repealed, effective _____, 2017.

SEC. II. **City Code Amendments.**

1. City Code Chapter 58, Motor Vehicles and Traffic," Article VII, "Public Vehicles," is repealed in its entirety.

2. City Council adopts a new City Code Chapter 58, Motor Vehicles and Traffic, Article VII, "Taxicabs," as follows:

ARTICLE VII
Taxicabs (effective [date])

DIVISION 1
Generally

Sec. 58-430. Definitions.

Taxicab or other motor vehicle performing a taxicab service means a for-hire passenger-carrying, self-propelled motor vehicle not operating on a regular route or between fixed terminals and having a seating capacity of not more than six persons.

Waiting time means time consumed while the taxicab is waiting and available for passengers, beginning five minutes after the time of arrival at the place to which the vehicle has been called, and time consumed while standing at the direction of the passengers. Waiting time shall not include time lost on account of time consumed by premature response to a call, or a motor vehicle accident or breakdown.

Sec. 58-431. Certificate of public convenience and necessity required.

(a) No person shall own or operate a taxicab or other motor vehicle performing a taxicab service upon the streets or highways of the City without having first obtained from the Chief of Police a certificate of public convenience and necessity.

(b) The Chief of Police shall prescribe the form to be used in initially applying for the certificate and the form to be used in applying for a renewal. The application shall include:

1. the full name and address of the applicant, including;
2. application for a background check of the applicant;
3. the VIN number(s), make, model, seating capacity, and color scheme of each taxicab;
4. a copy of the current for-hire registration for each taxicab;
5. proof of Virginia title and registration for each taxicab;
6. proof of current Virginia safety inspection for each taxicab;
7. information on the wheelchair accessibility of each taxicab;
8. a certificate of insurance;
9. schedule of rates and charges, and methods of payment;
10. customer support telephone number and instructions for reporting a complaint;
11. proposed schedule and customer complaint notice for taxicabs;
12. the operator's policy of nondiscrimination;
13. for a renewal, records of activities of the certificate holder for the previous 12 months;
14. such other information as the chief of police reasonably may require for the implementation of this article.

(c) The chief of police shall inspect all motor vehicles proposed to be used as taxicabs for compliance with this article.

(d) The chief of police shall promptly investigate the matters stated in the application, and act upon each complete application within 30 days from receipt. In making his decision, he shall consider whether the public convenience and necessity require the operation of the public vehicle(s) for which the application is filed. The chief of police shall consider whether the application, schedule of rates and charges, and motor vehicles, comply with this article. Any denial of an application shall be made in writing, setting forth the grounds for denial.

(e) The chief of police shall report to the Commissioner of Revenue all approved or renewed certificates, together with the number of vehicles allotted.

(f) Upon receipt of the approved applicant's current business license, the chief of police shall issue to the applicant a certificate for each approved motor vehicle, authorizing the use of the motor vehicle to provide taxicab services in the City.

Sec. 58-432. Certificates generally.

(a) The term of validity of a certificate shall expire on the last day of the twelfth month after the date of issuance.

(b) The certificate shall be affixed to the motor vehicle for which it was issued, in the location directed by the Chief of Police.

(c) A certificate shall not be transferable.

(d) A certificate shall lapse with respect to an individual vehicle or any one of the specified number of vehicles for which the certificate has been issued when the particular vehicle has not been used to provide taxicab service for 60 or more consecutive days.

(e) The chief of police may, for cause, suspend or revoke any certificate, for failure to comply with one or more requirements of this article, upon prior notice to the certificate holder, and an opportunity to respond.

Sec. 58-433. Insurance.

Each holder of a certificate shall maintain motor vehicle liability insurance of at least $125,000 or such higher amount required by state law for motor carriers operating exclusively taxicabs or other motor vehicles performing a taxicab service. The policy shall be issued by an insurer licensed to transact the business of insurance in the Commonwealth of Virginia.

Sec. 58-434. Violations.

Any person who:

(a) Owns or operates a taxicab or other motor vehicle performing a taxicab service upon the streets or highways of the City without a current certificate of public convenience and necessity;

(b) Knowingly makes or causes to be made any false statement on an application for a certificate of public convenience and necessity or driver's permit;

(c) Drives a taxicab while performing a taxicab service upon the streets or highways of the City without a current taxicab driver's permit;

(d) Permits a driver without a valid taxicab driver's permit to drive a taxicab owned by the person;

(e) Unlawfully refuses to provide taxicab service to a passenger;

(f) Charges an unlawful rate or charge for taxicab service;

(g) Refuses to provide a receipt for payment of fare to a passenger who has paid the lawful fare;

(h) Engages a taxicab for transportation with intent to obtain service without paying the lawful fare;

shall be guilty of a misdemeanor and upon conviction thereof be fined not more than $100 for the first offense and not more than $500 for each subsequent offense.

Sec. 58-435. Hearing on denial, suspension, or revocation of a certificate or permit.

(a) A decision to deny an application for a certificate of public convenience and necessity or for a taxicab driver's permit, or to suspend or revoke a certificate or taxicab driver's permit, shall be made in writing, stating the reasons therefor. The written notice of denial shall inform the applicant or holder of his right to request a hearing within ten days of the notice.

(b) If a request for a hearing is not made within ten days of the notice, the decision of the chief of police shall be final.

(c) If a hearing is requested, then it shall be held by the chief of police or his designee, and the applicant shall have the right to present his own case or have counsel do so. Within a reasonable time after the hearing, the chief of police shall render his decision. If the chief of police refuses to issue or reinstate the certificate or permit, then the applicant or holder may, within ten days after the date of such action, file a petition with the Fredericksburg Circuit Court seeking judicial review of the action of the chief of police, with a copy of the petition to be served on the chief of police.

(d) The filing of the petition with the circuit court shall not postpone the effective date of the decision of the chief of police except by order of the court.

DIVISION 2
Motor Vehicles Used as Taxicabs

Sec. 58-437. Requirements for taxicabs.

(a) Each taxicab shall:

1. Be validly titled and registered in the Commonwealth of Virginia;

2. Not have been issued a certificate of title, either in Virginia or in any other state, branding the vehicle as salvage, nonrepairable, rebuilt, or any equivalent classification;

3. Be equipped with a working, standard dome light;

4. Have a valid Virginia safety inspection and carry proof of that inspection in the vehicle;

5. Be covered by an insurance policy meeting the requirements of §58-433;

6. Be at least a four-door vehicle having a front seat and a rear seat. Each taxicab shall be maintained in good order and repair at all times. It shall be unlawful to use as a public vehicle one which has been subjected to such use that its continued use as a taxicab may endanger the occupants.

(b) Each taxicab shall have the name and telephone number of the taxicab owner or operator painted on the outside of the vehicle in letters not less than three inches high and of such color and at such location as specified by the Chief of Police. A sign attached to the vehicle, whether removable or not, shall not be deemed to comply with this section.

(c) Each taxicab covered operated by a single owner shall be of uniform color scheme and shall be numbered consecutively. The number of a particular vehicle shall be painted at least three inches high on both sides and on the rear of the vehicle.

(d) No motor vehicle shall be substituted for one described in the certificate until the substitution is approved by the Chief of Police and he endorses the fact of the approval on the certificate.

[Sec. 58-438 – Reserved.]

DIVISION 3.
Taxicab drivers

Sec. 58-439. Taxicab driver's permit.

(a) No person shall drive a taxicab within the City without a taxicab driver's permit issued by the chief of police.

(b) No owner of a taxicab shall permit any person who does not possess a taxicab driver's permit issued by the chief of police to drive his taxicab.

(c) Before issuing a taxicab driver's permit to any individual, or renewing a taxicab driver's permit, the chief of police shall perform the following background check:

1. Confirm the person possesses a valid driver's license issued by the Commonwealth of Virginia.

2. Obtain a Virginia criminal history records check of that person. The background check shall include (i) a Multi-State/Multi-Jurisdiction Criminal Records Database search or a search of a similar nationwide database with validation (primary source search) and (ii) a search of the Sex Offender and Crimes Against Minors Registry and the U.S. Department of Justice's National Sex Offender Public Website.

3. Obtain and review a driving history research report on that person.

(d) Each applicant for a taxicab driver's permit shall pay an initial application fee of $50_, and a renewal fee of $25. The application shall contain such information as the chief may require to conduct the background check or to issue the driver's permit.

(e) Upon approval or renewal of an application, the chief of police shall issue a taxicab driver's permit. The permit shall include a picture of the driver. The driver shall post his taxicab driver's permit in the taxicab driven by him in such manner that it will be in full view of passengers. The driver shall keep the permit in good condition, and shall replace the permit whenever, in the opinion of the chief of police, it has become dirty, disfigured or mutilated so that it cannot be read or the driver cannot be identified by his photograph.

(f) The chief of police shall deny a taxicab driver's permit or renewal if the background check reveals one of the disqualifying factors listed in Code of Virginia §46.2-2099.49 for transportation network company partners.

(g) The chief of police shall suspend or revoke a taxicab driver's permit for any cause which would have been grounds for refusing to issue the permit, whether the cause occurred before or after the permit was issued.

(h) The taxicab driver's permit shall be valid for a period of twenty-four months from the date of issuance, unless suspended or revoked as provided in this section.

(i) The taxicab driver's permit shall not be transferable.

[Sec. 58-439 through 58-442 – Reserved.]

DIVISION 4
Taxicab operations.

Sec. 58-443. Fares and charges, filing and posting.

(a) Each operator shall file with the chief of police a schedule of the rates and charges, discounts, and methods of payment accepted, for taxicab services for the transportation of passengers for consideration on any highway, street, road, lane or alley of the City. The filing of the schedule shall accompany the initial application for a certificate or renewal, or at least five business days prior to the effective date of any change in rates and charges.

(b) The schedule may provide a discount for:

1. senior citizens.

(c) The schedule may provide a charge for:
1. hazardous snow conditions;
2. high-demand conditions;
3. each additional passenger who initially engages the public vehicle;
4. the transport of animals other than service animals;
5. baggage, packages, or suitcases carried by the driver;
6. waiting time or sightseeing time.

(d) There shall be no additional charge for:
1. providing services to persons with disabilities because of those disabilities;
2. any additional passenger accepted after the taxicab has been engaged for hire, unless the additional passenger rides beyond the first passenger's destination, in which chase the additional passenger shall only be charged for the additional distance traveled;
3. passengers under the age of three years, if accompanied by a parent or adult.

(e) The approved schedule shall be posted inside each taxicab, in a conspicuous location in view of passengers. The approved complaint telephone number shall be included on the posted schedule.

(f) The driver of a taxicab shall charge only those rates and charges, and provide those discounts, included in the schedule approved by the chief of police.

(g) The driver of a taxicab shall accept those methods of payment included in the schedule approved by the chief of police.

Sec. 58-444. Receipt for fare and charges.

Upon request, the driver of a taxicab shall provide any passenger who has paid the legal fare and charges with a receipt for payment. Such receipt shall be in legible type or writing and shall contain the name of the driver of the vehicle, the license number of the vehicle, the amount of the fare, any charges and discounts, and the date of the transaction.

Sec. 58-445. Accepting passengers.

(a) No driver of a taxicab shall willfully refuse to accept any orderly person as a passenger unless the taxicab is already engaged by another passenger or the driver is off duty.

(b) Drivers shall comply with all applicable laws regarding nondiscrimination against passengers and potential passengers.

(c) If a passenger requires a wheelchair accessible vehicle, and the taxicab is not wheelchair accessible, the driver shall refer the passenger to a provider of wheelchair accessible service, if available.

(d) Drivers shall comply with all applicable laws relating to accommodation of service animals.

(e) Once a passenger has engaged a taxicab for hire, the driver shall accept no other passenger without the consent of the first passenger.

(f) A driver of a taxicab may refuse to transport a passenger for any reason not prohibited by law, including any case in which (i) the passenger is acting in an unlawful, disorderly, or endangering manner; or (ii) the passenger is unable to care for himself and is not accompanied by a responsible companion.

Sec. 58-446. Completion of calls; manifests.

(a) An on-duty driver shall complete or cause to be completed all accepted calls as promptly as possible.

(b) Every driver of a taxicab shall keep and maintain a daily written or electronic manifest and therein record all trips made by such driver each day and shall include therein a record showing the time and place of the origin and destination of each trip and the amount of each fare. The driver shall record any instance in which the transport of a passenger is refused or declined, including the date, time, and place of the encounter, and the reason for refusing transport. The owner shall preserve and keep in his possession and control each manifest for a period of one year next following its date. All manifests shall be subject to inspection by the Chief of Police.

Sec. 58-447. Additional operational regulations.

(a) The owner shall immediately report to the chief of police every accident in which a taxicab is involved.

(b) On public streets, drivers shall use only taxicab stands designated and assigned by the chief of police.

SEC. III. Effective date.

This ordinance shall take effect on [date].

Approved as to form:

_____

Kathleen Dooley, City Attorney

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Clerk's Certificate

I, the undersigned, certify that I am Clerk of Council of the City of Fredericksburg, Virginia, and that the foregoing is a true copy of Ordinance No. 16-____ duly adopted at a meeting of the City Council held _____, at which a quorum was present and voted.

_____

Tonya B. Lacey
Clerk of Council

2016 08 21 Conversion table for revised taxicab ordinance:

Subject	Former Article VII	August 2016 Article VII	Comments
Taxicab defined	58-381	58-430	Change name from “public vehicle” to “taxicab.” Plain English, and term used in Code of Virginia.
Penalties	58-382	58-434	Code of Virginia limits penalties to $100 on first occurrence, $500 for each subsequent offense. New ordinance adopts these penalties.
Motor vehicle carrying capacity and condition	58-384	58-437	Current local requirements are supplemented by some of the basic TNC requirements, such as title and registration.
Lettering, numbering	58-385	58-437	No substantive change.
Insurance	58-386	58-433	The proposed ordinance clarifies this requirement, and makes direct reference to the minimum required liability insurance under state law.
Report of accidents	58-387	58-447	Moved to operational division.
Stands	58-388	58-447	Moved to operational division.
Completion of calls;	58-389	58-446	Moved to operational division.
Manifests	58-389	58-446	Moved to operational division; added permission to maintain manifest in electronic form.
Availability of service	58-390	--	Repealed. See proposed lapse of certificate for any vehicle not in use for 60 days.
Substitution of vehicles	58-391	58-437	No substantive change.
Driver’s permit	58-392	58-439	No substantive change.
Employment of driver without permit	58-393	58-439	No substantive change.
Driver’s identification card	58-394	58-439	No substantive change.
Fares generally	58-395	58-443	The zone system is repealed and replaced with new requirement to file a schedule of rates and charges with the chief of police with the initial application for a certificate, or upon renewal, or at least 5 days prior to the effective date of a change in rates and charges. The filing of these schedules is expressly authorized by Code of Virginia §46.2-2062. The schedule may include lawful extra

Subject	Former Article VII	August 2016 Article VII	Comments
			charges, discounts. The owner/driver may charge only in accordance with an approved schedule. Charging an unlawful rate or charge is a violation of the ordinance under §58-433.
Additional passengers, animals	58-395	58-443	Surcharges permitted.
Baggage and parcels	58-395	58-443	Surcharges permitted.
Waiting time	58-395	58-443	Surcharge permitted for waiting time. "Waiting time" is now defined in §58-430, "Definitions." It begins five minutes after arrival, and includes time consumed while standing at the direction of the passengers.
Senior citizen discount	58-396	58-443	The requirement to provide a senior citizen discount is repealed and replaced with permission to include a discount on the fare schedule.
Fare surcharge for hazardous conditions	58-397	58-443	The requirement to charge a hazardous snow condition surcharge is repealed and replaced with authorization to include a surcharge on the fare schedule.
No surcharge for persons with disabilities	--	58-443	Imported from Code of Virginia §46.2-2099.48(K).
Division of fare among passengers	58-398	58-445 58-443	No substantive change
Posting of fares	58-399	58-443	Taxis continue to be required to post the fare, but the taxicab company will provide the fare card, as opposed to chief of police.
Receipt for payment of fare	58-400	58-444	No substantive change. Receipt required to show fares, charges and discounts. Refusal to provide a receipt is a violation under §58-434.
Refusal to pay fare	58-401	58-434	Moved to violations §58-434.
Refusal to accept passengers	58-402	58-445	Added state code non-discrimination provisions; provisions regarding permissible refusal of service; requirement to record any refusals in the manifest is in new58-446.
Certificate required	58-421	58-431	This is the basic requirement of the article, and it is therefore moved to the beginning of the new article. The

Subject	Former Article VII	August 2016 Article VII	Comments
			authority to limit the number of certificates has been removed, in light of the emergence of the transportation network companies. The issuing authority is proposed to be transferred to the Chief of Police.
Form and contents of application	58-422	58-431	
Investigation/report	58-423	58-431	
Grounds for granting/denying certificate	58-424	58-431	
Report to Commissioner of Revenue	58-425	58-431	No substantive change.
Issuance	58-426	58-431	No substantive change.
Contents of certificate	58-427		Not carried over. Administrative matter.
Term of validity	58-427	58-432	Proposed term of 12 months, so that all certificates do not expire on the same day (December 31). More convenient to administer renewals throughout the year.
Transfer	58-428	58-432	No substantive change.
Cancellation, revocation or suspension.	58-429	58-432	Chief of Police is authorized in lieu of City Manager. Updated to permit suspension or revocation based on violation of City Code taxicab article. Eliminated “cancellation” term as redundant. Set out due process – notice and hearing in 58-435.
Lapse of certificate for non-use	--------	58-432	Proposed: non-use of a vehicle for 60 days would cause its authorization to lapse. This would substitute for the current availability requirements, and be more enforceable.

TAXI FARES IN FREDERICKSBURG 1948 TO 2016

BASIC FARES

Date	Zone 1	Zone 2	Zone 3	Zone 1 to 2	Zone 1 to 2 to 3	Zone 2 to 1	Zone 2 to 3	Zone 3 to 2	Zone 3 to 2 to 1
1948 12 21	$0.40								
1953 03 17									
1964 01 23	$0.50	$0.75		$0.75		$0.75			
1979 04 12	$1.75	$1.75		$2.00		$2.00			
1985 07 01	$2.00	$2.00	$2.50	$2.25	$3.00	$2.25	$2.75	$2.75	$3.00
1989 12 12	$3.00	$3.00	$3.50	$3.50	$4.00	$3.50	$3.75	$3.75	$4.00
2000 04 11	$3.24	$3.25	$3.75	$3.75	$4.25	$3.75	$4.00	$4.00	$4.25
2004 06 22	$4.25	$4.25	$4.75	$4.75	$5.25	$4.75	$5.00	$5.00	$5.25

ADDITIONAL CHARGES

Date	Additional zone	Additional passenger	Hand baggage per piece	Waiting per minute	Senior citizen discount	Snow emergencies	Gasoline price surcharge per trip	Fall Hill Avenue surcharge
1948 12 21		$0.10 for 1st $0.25 for more		$0.05[1]				
1953 03 17								
1964 01 23		$0.25						
1979 04 12		$0.25		$0.08[2]				
1985 07 01	$0.25	$0.50	$0.50	$0.15	$0.25/0.50	$2.00		
1989 12 12	$0.25	$0.50	$0.50	$0.15	$0.25/0.50	$2.00		
2000 04 11	$0.25							
2004 06 22	$.025	$1.00	$0.50	$0.20		$2.00		
2005 09 27							$0.50 for $2 gas	
							$1.00 for $2.50 gas	

[1] The 1948 waiting time surcharge was $3.00 prorated by quarter hour. The figure shown is $3.00 ÷ 60 for comparison purposes.
[2] The 1979 waiting time surcharge was $5.00 prorated by quarter hour. The figure shown is $5.00 ÷ 60 for comparison purposes.

							$1.50 for $3 gas	
							$2 for $3.50 gas	
2013 08 13								$2 per re-routed trip

Fredericksburg Taxi List

Dominion Cab (540) 548-3966
Stand: 510 Princess Anne Street Fredericksburg, VA 22401
Mailing address: 4121 Plank Road Fredericksburg, VA 22407
No email access

Virginia Hilldrup (540) 373-8294
Stand: 241 Charles Street #C Fredericksburg, VA 22401
Mailing address: PO Box 141 Woodbridge, VA 22194
Owner- Matt Haney; matthaney1963@gmail.com
Office- Sylvia Harding; sylvia.harding@hilldrupvacab.net
Daily Operations- Tammy Beard (also owns Yellow Cab in Prince William); tammy@yellowcabpw.com

Yellow Cab (540) 371- 8294
Mailing address: 100 Princess Anne Street Apt 228 Fredericksburg, VA 22401
Owner- Amir Shahzad; yellowcaboffredericksburg@gmail.com

Gary's Taxi (540) 891- 6555
Mailing address: PO Box 3491 Fredericksburg, VA 22402
Owner- Ashby Powell; garystaxi2014@gmail.com

Global Cab (540) 657-2227
Mailing address: 1320 Central Park Blvd Fredericksburg, VA 22401 # 200
Mailing address (optional): PO Box 1051 Stafford, VA 22555
Owner- Robbie Franklin; rfranklin@global-cab.com
Generic office email- dailyrides@global-cab.com

Bumbrey Cab (540) 373-6111
Stand: 209 Lafayette Blvd Fredericksburg, VA 22401
No email access

H&A Transportation (540) 277-5480
Owner- Hatim Mahgoub
Email- hatransllc@gmail.com

On Time Taxi/ Time is Money
ontimetaxi@aol.com
Owner- Anthony Thomas
Mailing address: 1320 Central Park Blvd #246 Fredericksburg, VA 22401

Updated 9/20/2016 C Hill

Fredericksburg Taxis – September 20, 2016

Dominion Cab (540) 548-3966
4 cabs

Virginia Hilldrup (540) 373-8294
25 cabs

Yellow Cab (540) 371- 8294
4 cabs

Gary's Taxi (540) 891- 6555
11 cabs

Global Cab (540) 657-2227
9 cabs

Bumbrey Cab (540) 373-6111
4 cabs

H&A Transportation
2 cabs

On Time Taxi/ Time is Money
1 cab

- 60 cabs as of 10/25/2016
- 65 current maximum
- No waiting list for cabs as of 10/25/2016

Harvard Business Review

TRANSPORTATION

Regulation Is Hurting Cabs and Helping Uber

by Rafi Mohammed

JULY 09, 2014

Upfront confession: I'm a big fan of Uber and regularly use this private car service both personally and professionally. After years of experiencing taxi monopoly-like "we'll get to you when, and treat you how, we please" service, riding with Uber is pure joy. And it's not just me who shares this love. The company was recently valued at $18.2 billion (only Facebook has raised capital from private investors at a higher valuation). As much as I want Uber to succeed, it should do so fairly.

Much of its spectacular growth has been fueled by outdated regulation. This is because the rates of Uber's primary competitors, taxi cabs, are set by local regulators. In Boston, for instance, the rates applicable 24/7 are standardized at $2.60 for the first 1/7 of a mile and then 40 cents for each additional 1/7 mile. These fixed rates effectively render taxi cabs to be sitting ducks. Uber and fellow ride sharing services (such as Lyft and Sidecar) can easily advertise big discounts and regulation-laden taxis are unable to respond. Conversely, during

peak times, Uber can dynamically raise its prices while taxis are tied to the same static one-size-fits-all rates.

Uber is further capitalizing on this uneven pricing field by running sales this summer. In Boston. Los Angeles, San Francisco, and Seattle, for instance, the company cut UberX prices by an additional 25%. On Monday, UberX prices in New York were discounted by 20%, making the service cheaper than regular taxis. As a result, with the gulf between Uber's prices and regulated fares widening, taxi drivers are at a further disadvantage.

Illustrating its aggressive intent on stealing market share, Uber has announced that in some markets (e.g., California), its drivers will be paid their standard 80% split on what the fare would have been before the summer discount is applied. So on a normal $20 fare (which discounted at 25% is $15), the driver would receive $16 and as a result, Uber loses $1 (plus credit card fees) on the fare. Thus, Uber is pricing below its variable costs. Interestingly, if Uber had a large market share (which to be clear, it doesn't), pricing below its variable costs would have put the company at risk of being charged with predatory pricing by the Antitrust Division of the Department of Justice.

Local governments are the lynchpins to Uber's growth in the car transportation services. The key issue so far has been whether Uber is providing taxi services and if so, this would require owning medallion licenses (which are expensive and in limited supply) and strict regulation. Uber has successfully argued that since its vehicles aren't hailed from the street (a key privilege of a medallion), it's not offering taxi services. While this distinction is subtle (using their app is

so convenient that it's arguably easier than hailing on the street), so far Uber's argument is holding up in government decisions. Local governments need to understand that consumers view ride sharing services like Uber as close substitutes to taxis. Regulators are doing its residents an injustice by regulating taxi prices (consumers would benefit from a taxi vs. Uber price war) — and in the process unwittingly fueling Uber's growth and enriching its stockholders.

While price regulation was relevant in the days when taxis had a virtual monopoly over private car transportation, technology has changed this market. As has occurred in a variety of markets including airlines and telecommunications, it's time for governments to deregulate the prices of taxis to generate fair competition and truly allow the best service win. The longer local governments delay taxi price regulation, the bigger advantage Uber gains in dominating the private car transportation market.

Rafi Mohammed is a pricing strategy consultant and author of *The 1% Windfall: How Successful Companies Use Price to Profit and Grow*. Follow him on Twitter @cultureofprofit

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This article is about TRANSPORTATION

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Rolly Misenhimer 2 years ago

Ok you people need to STOP talking like taxis have had a monopoly!! the exclusive possession or control of the supply or trade in a commodity or service.
"his likely motive was to protect his regionalmonopoly on furs"
No one taxi cab company owns a city, there are SEVERAL companies. Meaning that if there are SEVERAL companies there can be NO monopoly!! And uber safer then a taxi??? Are you smoking crack!?! Taxi drivers go thru a federal and state background check for criminal backgrounds. Uber does NOT do a federal or state background check! So when you get into a taxi cab they are held to a higher standard then some random person that could be any kind of unstable person. And yet people still feel safer with uber and refuse to acknowledge that they are getting in a car with someone that could be a violent individual. And there are reasons why taxis are regulated, its to protect the consumer. Where as uber IS a dispatcher and they ARE dispatching calls to their drivers and YES their drivers are considered employees. Because if your rating drops to low they will block you from picking up calls, ergo they fire you. Which means you are an employee. This is not including that uber is not abiding by any city, state or federal laws. Last time I checked if you don't abide by city, state or federal laws, that is jail time if not a prison sentence. So before people cheer for uber you may want to check your facts and stop believing what your being told! Leave it to the media to tell the sheep what opinion to have and what to believe!!

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In an Era of Uber and Lyft, One City's Taxi Regulations Make No Sense

Santa Monica's dysfunctional rules for cabs

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Text Size

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SANTA MONICA, Calif.—When city officials in this prosperous, highly regulated municipality last interfered with its taxi industry, circa 2009, the existing rules were simple. As the *Los Angeles Times* put it in a contemporaneous article, "anyone with a clean driving record and no criminal history can get permission to operate a cab, provided the vehicle meets set standards." As a result, "anyone looking for a taxi has plenty to choose from, but the fares and quality of service vary."

Lots of choices with varying prices and quality describes Santa Monica's restaurants, bars, dry cleaners, nail salons, clothing boutiques, and cold-pressed juice emporiums. But city officials believed that the taxicab industry should be standardized and that Santa Monica's residents were being afforded *too many* choices. A study found that a population of 84,000 was served by 454 licensed taxis. "It's just too many," then-Deputy City Manager Elaine Polacheck said at the time.

With that questionable premise, the city decided that the best way to improve transportation going forward was to pass a more thorough regulatory framework. City experts settled on a franchise system: Competition would be limited to five cab companies. The total number of taxis would be fixed at around 200. The biggest losers, besides the Santa Monica residents who had a tougher time finding a taxi, were the single proprietors who'd bought taxis and earned their livings in the city only to be told that they were no longer welcome there.

A little while back, I hired a taxi under the new regulatory regime.

My sister was living in Santa Monica at the time. One of my best friends and I met at her apartment with the intention of walking the length of Sunset Boulevard in one day. To start, we would take a taxi about 20 miles to the eastern terminus of Sunset, near Dodger Stadium. We expected a relatively pricey ride that wouldn't be so bad split three ways. I was shocked, as someone who'd taken a lot of cab rides in New York and Washington, D.C., at how fast the numbers were changing on the meter. Seeing that the total would be outrageous we told the driver that he should either drop us at a bus stop or negotiate a discounted rate. Finally we agreed he'd take us at a substantial discount: $80 for the ride.

I can still hardly believe it.

* * *

I have no expertise in city planning or transportation. But in 2009, at around the same time that municipal experts in Santa Monica decided that the future of taxis in their city should be five companies with fixed fleets and a consistent, expensive fare structure, I was blogging about a different idea: Based on a chance conversation with a friend and a few minutes of speculation, I suggested that GPS technology and credit cards could enable most anyone to act as a taxi driver. One of my colleagues independently suggested that existing taxi fleets should use GPS.

Neither of us knew at the time that some savvy entrepreneurs were already way ahead of us. A couple months prior, Uber was founded in San Francisco. Along with competitors like Sidecar and Lyft, they'd radically improve urban transportation. Right now, if I wanted to be taken from

the beach in Santa Monica to the easternmost terminus of Sunset Boulevard, I could do it in a shared Uber for a flat rate of $15 or my own private Uber for a sum significantly less than $80.

To what extent do Santa Monica residents prefer these apps to old-style taxis? According to the most recent available data, the five taxi companies permitted to operate in the city saw more than a quarter of their business evaporate between 2013 and 2014, even as the city's population grew and tourists continued flocking there. If you can find a Santa Monica cab when Uber is surge-pricing—at rush hour or right as the bars are getting out on a Saturday night, for example—it might be the better option. Most times, Santa Monica cabs are harder to find and more expensive.

In other words, city officials locked in an inferior model.

Luckily for residents, Uber and Lyft are regulated at the state level by a regime that limits the restrictions municipalities can impose, so Santa Monica officials weren't able to stymie an innovation that never would've arisen from within its system. In a more rational world, the foregoing events would've caused city officials to recognize the limits of their expertise and the harm regulation can do in this sector.

But right now, they're once again considering how taxis should be regulated in their city, due to problems with their existing model, and while city staff has suggested getting rid of some regulation the old hands-off approach isn't being considered.

The five incumbent taxi firms are predictably self-interested.

Back in 2009, just before Santa Monica destroyed the taxi businesses of all but five firms, including all the single-proprietors operating in the city, the *L.A. Times* reported:

Husband-and-wife team Wendy and Ayman Radwan started off 14 years ago with a single cab. With their partners, they now run an award-winning fleet of 60 vehicles and 90 drivers called Taxi! Taxi! Although Wendy Radwan agrees with many of the city's recommendations and says their firm already includes 10 hybrid vehicles, she worries that she has never prepared a franchise bid before. "It's nerve-racking," Radwan said. "We don't want to lose everything that we have worked so hard to build."

The couple was fortunate: They won one of the five franchise agreements. Yet now Wendy Radwan is urging steps that would arguably cause other people to lose everything that they have worked so hard to build. The *Santa Monica Daily Press* reports:

One solution to the looming franchise agreement changes, proposed by Taxi! Taxi!, is to cut the competition among cab drivers. “If the City does not reduce the number of franchises and taxicabs in the City, the drivers cannot financially survive or meaningfully compete with Uber, Lyft and Sidecar,” Radwan said in a letter to council. “Taxi! Taxi! is a small local company that has remained dedicated to serving only the City of Santa Monica, and its operational costs will easily exceed its revenues if the City reduces the number of taxicabs in its fleet. It is simply not economically feasible to reduce the number of taxicabs across the existing five franchises.”

Ultimately, Radwan suggests allowing two taxi franchises with 125-cab maximums. Taxi! Taxi! took more trips than any of the other franchises in 2013 and 2014.

One cannot help but sympathize with someone who built up a business over years of hard work only to see new technology make its future uncertain. Perhaps the husband and wife team thinks this is the only way to save their business in the Uber era. At the same time, I imagine that the Radwans would find it deeply unfair if a member of the city council proposed that, henceforth, Santa Monica would allow only two transportation companies to operate: Uber and Lyft.

The article adds that the other four franchises wrote a separate letter to city council urging it to extend the five existing franchises. "They, too, note the negative impact ride-hailing apps have had on the taxicab industry," the article said. "They claim that Uber and Lyft drivers don't face the same regulations that cabbies do."

They have a point.

Uber and Lyft are subject to less onerous rules. As the taxi companies put it, "one of the major ways that the TNCs [an acronym for companies like Uber and Lyft] have been able to take business from the taxi industry is by giving away promotional codes... sometimes in large amounts. The TNCs are essentially buying our business. We must have the right to fight back. We need to have the ability to discount fares and give away promo codes just like the TNCs do. This will only benefit the consumers in the City of Santa Monica, and we hope you agree." If business owners have to plead to be allowed to give consumers a better deal it's a pretty sure sign that you've put an extremely dubious regulatory policy into place.

Other legal changes the taxi companies are requesting include renewing their driver permits every two years rather than every year, pro-rating driver fees for new employees, speeding up the driver application and permitting process, and ending the revocation of permits that belong to immigrant drivers when they go on leave to visit their home countries. On the whole, it's an extremely reasonable list of reforms to advocate. But what if instead the city just abandoned the pretense that it needs an artificial cap on the number of cab companies operating there? What if the market determined the number of cabs the city "needs," the appropriate rates that they should charge, and most other questions too?

Taxi! Taxi!, the franchise that's urging a duopoly, began as a one-car enterprise back in the comparatively unregulated era in Santa Monica cabs. It built itself into the industry leader with business practices that earned it local awards. Its rise is an impressive story that reflects well on the company's owners. But ever since 2009 Santa Monica has prevented anyone else from following a similar trajectory.

An ambitious man or woman with a single car and a knack for innovation could never start anything for themselves save a job driving a taxi for an incumbent firm.

Why not admit the weaknesses of the franchise era and go back?

Especially in an era of apps that are superior to traditional taxis, returning to the old, relatively laissez-faire regulations is unlikely to leave Santa Monica overrun with cabs. And if the Uber era has proved anything, it's that residents wanted a lot more drivers than the city imagined, at least if they were offering a superior product. In every era, entrepreneurs relying on market signals prove better than city officials at anticipating future needs and innovating. Santa Monica officials should regulate taxis by making them subject to the same insurance requirements and background checks that exist at the state level and then stay out of the way.

Instead, they're poised to consider incremental changes to the existing regime, as if a taxi industry frozen at a slightly different moment is a sustainable solution. More change is ahead. It will happen more quickly than we can understand it. Uber and Lyft will attract new competitors. Technology will drive new innovation. And Santa Monica will keep finding itself unable to plan its way forward.

Juristiction	Population	Driver	Vehicle	Fares	Meters	Limit # of Vehicles
Virginia Beach	447,021	Yes	Yes	Yes	Yes	No
Norfolk	245,782	Yes	Yes	Yes	Yes	No
Chesapeake	228,417	Yes	Yes	Yes	Yes	No
Richmond	210,309	Yes	Yes	Yes	Yes	Yes
Newport News	180,726	Yes	Yes	Yes	Yes	Yes
Alexandria	146,294	Yes	Yes	Yes	Yes	Yes
Hampton	136,836	Yes	Yes	Yes	Yes	No
Roanoke	97,469	Yes	Inspection Sticker	Yes	Yes	Yes
Portsmouth	96,470	Yes	Yes	Yes	Yes	Yes
Suffolk	85,181	Yes	Yes	Yes	No	No
Lynchburg	77,113	Yes	Yes	Yes	Yes	No
Harrisonburg	50,981	Yes	Yes	Yes	Yes	Yes
Charlottesville	43,956	Yes	Yes	Yes	Yes	No
Danville	42,996	Yes	Yes	Yes	Yes	No
Manassas	40,605	Yes	Yes	Yes	Yes	No
Petersburg	31,973	Yes	Yes	Yes	No	Yes
Winchester	26,881	Yes	Yes	Yes	No	No
Salem	24,970	Yes	Yes	Yes	Yes	Yes
Hopewell	22,348	Yes	Yes	Yes	No	Yes
Staunton	23,921	Yes	Yes	Yes	No	No
Waynesboro	21,107	Yes	Yes	Yes	Yes	Yes
Bristol	17,835	Yes	Yes	Yes	Yes	No
Radford	16,685	Yes	Yes	Yes	No	No
Manassas Park	15,798	Yes	Yes	Yes	Yes	No
Williamsburg	15,167	Yes	Yes	Yes	Yes	Yes
Martinsville	13,733	Yes	Yes	Yes	Yes	No
Falls Church	13,229	Yes	Yes	Yes	Yes	No
Franklin	8,528	Yes	Yes	Yes	No	No
Lexington	6,998	Yes	Yes	Yes	No	No
Galax	6,908	Yes	Yes	Yes	No	No
Buena Vista	6,707	Yes	Yes	Yes	No	Yes
Covington	5,771	Yes	Yes	Yes	No	Yes
Emporia	5,740	Yes	Yes	Yes	No	No
Norton	4,068	Yes	No	No	No	No

Does Not Regulate

Fairfax
Colonial Heights
Poquoson

Juristiction	Does Regulate	Does Not Regulate
Prince William County	Yes	
Stafford County		No
Spotyslvania County		No
Fauquier County		No
Culpeper County		No
Caroline County		No
Orange County	Yes	
Louisa County		No
King George County		No
Westmoreland County		No
Essex County		No
Fairfax County	Yes	
Hanover County	Yes	
Henrico County	Yes	
Goochland County		No

Henrico supervisors hear taxi ordinance proposal aimed at leveling playing field with Uber

By ELLIOTT ROBINSON Richmond Times-Dispatch | Posted: Tuesday, May 10, 2016 8:45 pm

Uber Fine

An Uber decal is displayed in a car window in State College, Pa.

The Henrico County Board of Supervisors on Tuesday received proposed changes to its taxicab ordinance. These changes are set to go before a public hearing at the June 14 meeting.

If implemented, the changes would be a step toward making regulations in Richmond and the counties of Henrico, Chesterfield and Hanover uniform again. The local taxi industry requested the changes in hopes that they would lessen some of the burden it faces because of the growth of ride-hailing services.

“There is no question that the reason we’re here is because of Uber,” said Andrew R. Newby, assistant county attorney, during his proposal on the changes.

Uber and Lyft, which is not yet in the Richmond area, operate under state regulations that are less stringent than requirements for taxi companies. Additionally, the General Assembly does not allow localities to place additional requirements on the new ride-hailing services, which have smartphone apps that connect drivers and ride seekers.

The push for uniform regulations is due to Henrico being a jurisdiction operating

with reciprocal agreements under the Capital Region Taxicab Advisory Board. The 26-year-old organization's duties include aiding in unifying and updating regional taxi regulations, setting minimum requirements for equipment and training, and creating a rate review process.

The proposed changes include standardized fees of $150 per taxi every three years and $171 per driver for the same period; allowing taxi companies to offer discounts to active-duty military members and veterans; allowing cabs that are less than 8 years old to exceed 300,000 miles; and allowing smaller vehicles to operate as taxis.

Hanover is hearing the proposed changes today and is proposing to have a public hearing June 14. Richmond, which began adjusting its ordinance in November, and Chesterfield are awaiting Henrico's actions before moving forward with changes.

Also at the meeting, supervisors concurred that a planned park on the site of what was once a proposed Family Dollar in Varina is compatible with the 2026 Comprehensive Plan.

In November, the county purchased the 2½-acre commercial parcel in the 1200 block of New Market Road for $415,000. The deal came about 16 months after nearby residents, including those in the adjacent North James Estates, launched a campaign against the discount retailer. The county could not ban the company because the land already was zoned for businesses.

The unnamed park does not yet have a site plan but would be linked to the Virginia Capital Trail, officials have said.

In the Fairfield District, construction is expected to be complete by summer's end on the Eastern Henrico Recreation Center Water Play Area. The zero-depth spraying fountain will be located adjacent to the existing playground area at the recreation center.

Sandston-based Enviroscape Inc., the only bidder after others pulled out, is expected to begin construction on the $163,000 project in June. Its bid came below the county's estimate of more than $170,000.

Taxi Fiscal Impact Using 2014 and 2015 Data:

Fiscal impact of extending the validity of ID cards from 1 year to 2 years:

- 2014 Taxi ID cards- FPD issued 159- Approximately 26 work hours, at 10 minutes for each ID card
- 2015 Taxi ID cards- FPD issued 117- Approximately 19 work hours, at 10 minutes for each ID card

Work hours committed over this 2 year period was 45; this number could be cut in half, 22 ½.

- 2014 Taxi ID cards- Spent approximately $159 in supplies*
- 2015 Taxi ID cards- Spent approximately $117 in supplies*

Money spent over this 2 year period was $276; this number could be cut in half, $138

2 year savings of $138

**Each ID card costs approximately $1 to create; ink usage, paper, and lamination supplies.*

FPD has issued 97 ID cards during the year of 2016 and has a total of 145 active ID cards as of 10/25/2016.

Fiscal impact of implementing the usage of taxi convenience certificate stickers instead of paper certificates:

- FPD issues approximately 65 taxi convenience certificates per year
- Supplies used for each convenience certificate is approximately $1: $65 per year ($130 over 2 years)
- The new system will be $1.48 per convenience certificate- $96.20 per year ($192.40 over 2 years)

- There will be no change in the work hours that it takes to inspect a taxi or issue the certificate: 20 minutes per inspection and certificate issuance.

FPD has a total of 60 active convenience certificates as of 10/25/2016.

2 year loss of $62.40

Net savings to the City of $75.60