

**Taxicab Board Meeting Minutes  
August 25, 2011**

**Members Present:** Sarah Singleton Tom Oldakowski  
Stephen Kunselman Timothy Hull  
Tom Crawford Barbara Krick

**Members Absent:** None

**Guests:**

Bill Clock, AAPD  
Owl DiBiassio, Yellow Cab  
Tim Tobias, Michigan Green Cabs  
Mark Neumann, Stadium Taxi  
Rick Clark, Amazing Blue Taxi  
Tom Heed, Custom Transit  
Fred Peebles, Blue Cab

**CALLED TO ORDER**

The meeting was called to order at 8:10 a.m. by Barbara Krick

**PUBLIC COMMENTARY**

Fred Peebles from Blue Cab said the word “commercial” need to be inserted into the statute to replace “motor vehicle” on page 9 of the new Ordinance, section 7:167. Blue Cab feels the word “commercial” would make the law less broad.

Tom Heed from Custom Transit said four years ago when the Ordinance was rewritten, Customer Transit predicted that the city was going to have a huge swell of vehicles move from being licensed taxicab to limos and that is exactly what happened. Now it is being undone by inserting more language into this resolution. Their concern is the playing field now is going to get very difficult for a number of carriers in Ann Arbor because by saying that in order to pickup people in Ann Arbor without a reservation the vehicle must be a taxicab. The Board still does not allow dual licensing and as a result when Ann Arbor licensed vehicles go to Metro Airport, if they flat rate, they are subject to a \$500 fine. He believes that is going to cause a lot of problems as we go into the fall. The competitor in the geography region will be watching this. This is one of the things that have driven so many of the operators in Ann Arbor to be licensed as limos.

Mark Neuman from Stadium Taxi asked if he is allowed to flat rate as a taxicab company to the airport. Officer Clock stated that issues were brought out with other taxicab companies that transported passengers to the airport. Once they arrived they requested a flat fee. A compliant was made to the department of transport for the State of Michigan and the taxicab company was sent a cease and desist operators letter. Officer Clock spoke with a representative from the State of Michigan and was told as long as the taxicab run their meter they are ok. A department of transportation representative said that their definition of a basis is a flat rate.

Tom Heed said there have been people that were fined \$500 because the city of Ann Arbor has a different interruption of the law then the State of Michigan limo licensing unit.

Tim Tobias from Michigan Green Cabs said he would like to leave this meeting with an understanding of the impact to his company. Michigan Green Cabs is a licensed limousine company. They do primarily pre-arranged transportation. They do fine themselves competing with metered taxicab operation that do in fact advertise flat rate of \$45 to the airport. He understands that this is against the State of Michigan limousine laws. If a taxicab takes someone to the airport, they should charge what is on the meter. As a transportation services in Ann Arbor, when they are called by a hotel to take someone to a restaurant from the hotel and when leaving the restaurant area and someone waves them down in the rain for a ride; will they get a ticket for picking up the person hailing the cab or would the person need to call the company's dispatch to arrange for a ride?

Owl from Select Ride said that the state limo law said that limo vehicle can actually be hailed without prior arrangement. This is conflicting with state law.

Mark Neumann from Stadium Taxi said going back to fact rate discussion, some of his customers like the idea of him charging \$45 to the airport. He feels it will compete with the limousine companies that charge lower rate. If he charge what is on the meter, the customer will want to take a limo company and he will lose customers.

Tom Heed wanted to know what is driving these changes.

Tom Crawford said that the overall purpose of the Ordinance changes is to insure that the health and safety of the public is insured in the delivery of service of taxicab. It's within that frame work that all the rules and regulations around this exist. Having a person in this community get into a vehicle with a person they don't know can be risky. It is important that people understand what they are getting into and there is an expectation that if it is a taxicab, there is some credibility behind someone advertising themselves as such. In regarding to the question about the flat rate, that seem like a issue that is unrelated to the Ordinance we have. It sound like an issue between the State and the driver of the vehicle who received the ticket. What is on the table today is not really related to the flat rate discussion.

The basis for the change in the Ordinance helps to understand what a taxicab is and how taxicabs should operate. What it is saying is that anyone who hails a vehicle to get taxicab ride and that vehicle picks them up, that vehicle is operating as taxicab. That is an expectation that this Ordinance says they be licensed under the provision of the Ordinance.

Stephen Kunselman said that the issue of a driver being ticketed was heard at the last meeting. If any taxicab companies that are operating as limo and charging a flat rate, the issue would be between them and the State not the Taxicab Board.

### **Taxicab Administrator's Comments**

Tom Crawford said at the last meeting the Board wanted him to move forward with all the Ordinance changes. It has not gone to council yet because him wanted the Board to consider the modification as stated on the agenda. If the Board would consider the modification today, the Ordinance will be moved forward to council.

The modification is as follows:

1. Approval of addition to Ordinance section 7:167(5)

“No personal shall operate a motor vehicle and solicit or accept passengers who have not previously arranged to be transported in the motor vehicle without first obtaining the driver’s license and vehicle license provided for in this chapter”

**Stephen Kunselman moved that the Board adopt this as a section of the amendment to the Ordinance. Tom Oldakowski seconded the motion. The motion passed.**

Mr. Kunselman said again that we are a taxicab Board, not a limo board. There are a number of issues that are going on that are relative to state law not to our local Ordinance. We are here to protect the public health, safety and welfare of our community under our Ordinances in regulating taxicabs. He fully support this and believes there should be clear differentiation between taxicabs and limos and he doesn’t believe limos should be picking up people that are standing in the rain hailing a ride. There is a very competitive market and it needs to be very regulated. He supports the Ordinance and will be support it as it goes to council.

Tom Oldakowski also supported the Ordinance. He has heard complaints in the last couple of weeks saying if they get picked up on a street corner and need to go three blocks, they are being charged a \$20 flat fee. He said that has to be a way to safeguard the public which he believe this Ordinance does.

## **OLD BUSINESS**

Approval of Taxicab Board Meeting Minutes– June 23, 2001

Barbara Krick made a correction on page four, first paragraph, last line should say “He also issued a ticket...”

Stephen Kunselman moved to approve the Board minutes from June 23, 2011, Tom Oldakowski seconded. The motion passed.

## **NEW BUSINESS**

None

## **PUBLIC COMMENTARY**

Tom Heed said he finds it a little disappointing that the cab Board said that it is in the field of licensing only taxicabs when the entire home rule authorization for the city of Ann Arbor to be able to enact anything regarding ground transportation is within the State of Michigan’s limousine act. The reason they were opposed to that particular section that was just approved was because companies that took people to the airport back in 2007-2008 received tickets. The tickets cause operator to switch from being licensed as city of Ann Arbor taxicab to limousine because that’s the only way the state says that you’re allowed to make a flat rate run. He said the cure to all of this is to only dual registration. They are licensed as a limousine company. He attends as a concerned local citizen. This is not going to have an impact on his business. Custom Transit does 100% prearranged trips to the airport. The believes this is going to cause havoc during the fall and winter season. When complaints are received by the state, they will send someone out to enforce the State Ordinance.

Tim Tobias said that he agrees with Tom Heed. He understands the difference between the limousine and taxicab, but there are a ton of meter Ann Arbor taxicab companies taking people to the airport on a flat rate. This is not a fair situation. He does not understand how Michigan

Green Cabs in providing the service they are providing is jeopardizing the public safety in Ann Arbor. He is still not clear what is driving the changes in the Ordinance.

Owl from Select Ride said it seem that the safety of the public is truly the goal then dual licensing would be the solution.

Tim Tobias said MI Green Cab is open to dual licensing. When they first started operations he filled out all the paperwork to because a taxicab operation as well as a licensed limo and he is still in position to do that.

Mark Neumann said that allowing the dual is kind of a good idea but we would see a lot more taxicab companies changing to limo because of the cheaper insurance.

Tom Heed said that is not correct because if a vehicle is dual licensed the insurance companies will force you to pay the taxicab insurance rates.

Fred Pebbles asked when does the taxi become a limo and the limo become a taxi. Is it at the well of the driver? The customer will not know what type of vehicle they are getting into. This is what was trying to be resolve today.

Tom Heed said that the city of Ann Arbor has the authority to recognize you as either one or the other. The Ordinance itself can say if you are dually licensed and you are within the jurisdiction of the city of Ann Arbor, you are taxicab. This was the proposal four years ago and is still the proposal. So, when the police in Ann Arbor pull you over, they consider you a taxicab under the taxicab Ordinance. The would still be able to flat rate out to the airport because they are limo. Under the limo law, there is a provision for having meters in the limousines. Other states allow dual licensing and it works fine. He believe dual licensing will improve the city ability to regulate local ground transportation.

Tim Hull ask why we can't have dual licensing. Barbara Krick said that we don't have the information today to response to Mr. Hull's question. Mr. Crawford said we haven't talked about dual licensing in a while. He remembers that it was an issue for enforcement. Drivers were trying to pick and choose what they were at the moment.

Rick Clark from Amazing Blue recalls discussing dual licensing. At the time it was the enforcement issue and to eliminate people from jumping in a vehicle wanting to go across town but the driver don't turn on his meter, which may run around \$12, but would say he is a limo and charge \$30.

## **ADJOURNMENT**

**Stephen Kunselman moved to adjourn the meeting, Tom Oldakowski seconded. The motion carried and the meeting was adjourned at 8:45 a.m.**