

**Taxicab Board Meeting Minutes
February 28, 2013**

Members Present: Sarah Singleton Michael Benson
 Stephen Kunselman Tom Oldakowski
 Tom Crawford

Members Absent: None

Guests:

Steven Harrington, Metro Cab
Tim Tobias, Michigan Green Cabs
Rick Clark, Amazing Blue Taxi
Robert Goeddel, Local Citizen
John Heed, Yellow Car
Mark Neumann, Stadium Taxi
Mark LaSarge, Select Ride/Yellow Car
Mark H. Grabow, Brentwood's DET
Nicholas Kokas, GLLA
Elliot Snow, Yellow Car (semi-retired)
J. Paul Epstein, Yellow Car
Gordon Berry, Yellow Car
Ryan Stanton, Ann Arbor.com
Dave Askins, Ann Arbor Chronicle
Officer Jamie Adkins, Ann Arbor Police
Kristen Larcom, Ann Arbor City Attorney's Office

I. CALLED TO ORDER – 5:35 p.m.

Mr. Benson moved to call the meeting to order, seconded by Mr. Oldakowski. The motion passed.

Mr. Benson moved that the Board open the agenda and in one step add a resolution establishing public commentary rules for the Taxicab Board as a new item, seconded by Mr. Oldakowski. The motion passed.

Mr. Benson moved to amend the resolution establishing public commentary rules for the Taxicab Board stating that section "Public Speaking Rules", item 2 be amended to say "All public speakers must speak from the podium or space designated by the chair", item 4 be amended to say " If speakers have materials they wish to distribute..." and Section "Disorderly Conduct at Meetings" in the last sentence be amended to say "Failure to come to order may result in the forfeiture of any remaining speaking time, or at the direction of the Chair, expulsion from

the meeting. The motion was seconded by Mr. Oldakowski. The motion passed.

Mr. Benson moved to approve the resolution establishing public commentary rules for the taxicab board as amended, seconded by Mr. Oldakowski. The motion passed.

II. PUBLIC COMMENTARY

- a. John Heed, 7720 Talladay Road, Milan, MI
Discussed dual licensing of taxicab and limousine.
- b. Mark Neumann, Stadium Taxi, 6205 Shelton Street, Ypsilanti, MI
Discussed the limousine act and how it addresses hailing taxicab.
- c. Paul Epstein, 2722 Packard, Ann Arbor, MI
Discussed the differences between taxicab and limousine service.
- d. Mark LaSarge, 9250 St. Auburn Ave., Ann Arbor, MI
Discussed the distinction between hailing a limousine versus calling to reserve a cab.
- e. Ken Bacon, Ann Arbor, MI
Discussed the need for more cabs/limousine in the city.

III. OLD BUSINESS

Mr. Oldakowski moved to approve the Board minutes from January 24, 2013, Mr. Benson seconded. The motion passed.

IV. NEW BUSINESS

- a. Mohamed Ahamok – Taxicab Driver’s License Suspension
Tom Crawford advised the Board that within the last month a driver violated the city ordinance and his license was suspended. He was informed of the appeal process but has not contact us to come before the Board.
- b. Taxicab Ordinance Enforcement
Officer Adkins informed the Board of police enforcement of two sections of the city ordinance: Chapter 85, Section 7:167(5) and Section 7:172(4). Over the past week, officers handed out a blue information card informing limousine drivers of the city ordinance that states only City of Ann Arbor licensed taxicabs can solicit and/or accept passengers without pre-arrangement and also no person shall operate a vehicle held out to the public as a taxicab by way of advertising, “for hire” lights on the roof, or any other means without obtaining appropriate licenses from the City of Ann Arbor. Recently, officers issued five citations to limousine drivers for operating as taxis.

Mr. Benson asked, prior to enforcement of the ordinance, what information was given out to education and let people know that a top light, for example, was a violation so that they would have a chance to remove it.

Officer Adkins stated that a media release was made public by the city in addition to officers handing out cards citing the city ordinance. Officer Adkins also stated that the top light violation is not a standalone violation. It would have to be held in conjunction with acting or putting oneself out as a taxicab.

- c. Nick Kokas – President of the Great Lakes Limousine Association (GLLA) and vice-president of global operations for Brentwood's DET, headquartered in Macomb Township, 20125 Twenty-five Mile Road, Macomb, MI 48044.

Mr. Kokas discussed operation of limousines and stated that since inception nearly 20 years ago, the GLLA has had the same stance, "a taxicab is not a limousine and a limousine is not a taxicab". The organization's opinion has never changed. The two never compete for the same clientele. The key difference between the two is a state licensed limousine operates in a pre-reserved manner. When the client's limo arrives, the passenger knows what company is providing the car, the type of car they are sending and who the driver is of the vehicle. A taxicab company, however, not only operates in this manner but also gets the majority of its trip via hailed fares or at taxi stands. Separate taxi laws are required because when a person is standing on the side of the street hailing a taxi, that person usually has no idea who they are getting in the car with. This is why there are separate taxi laws. These laws add layers of safety so that the traveling public that does not know who the driver is can rest assured that the city regulating the taxi has done its due diligence in registering and licensing the driver and the vehicle. In addition, taxi companies also do the majority of their work in the city that they are licensed and bonded. Taxis usually travel short distances within the municipalities where they operate. Whereas, limousine rarely operate within one municipality which is why they are state licensed.

Mr. Kokas said he hope his statement will help the general public better understand that there is more to the differences between taxicab and limousine and how they operate than just seeing a black luxury sedan compare to a yellow taxi cab. In 2011, the GLLA help introduce legislation that passed both the house and the senate transportation committees. The bill included language that would require a carrier of limousines to operate in a pre-arranged manner. This language will help differentiate limousine operators from taxi operators and allow the taxi industry to exclusively be able to accept hailed passengers off the street. Unfortunately, the bill was halted when the city of Detroit and a Detroit based taxi company lobbied state democrats to hold the bill up in negotiation until the bill expired at the turn of the New Year. The GLLA is considering its options for the new legislative year. They hope the city of Ann Arbor can work with and support

the GLLA to make the law clearer in differentiating between a state licensed limousine and a licensed taxi. The GLLA will always only support their industry as state regulated. Mr. Kokas continue to say that if it looks like a taxi, smells like a taxi, and operates as a taxi, then it should be licensed as a taxi. And the same would be true for a limousine.

Mr. Kokas said in regards to citations that were recently issued to limousines, their legal department has advised that any municipality with a population under 750,000, cannot enforce any regulation outside of what is in the state law. Any tickets that have been issued outside of the scope of the state regulation would and should be considered an illegally written ticket.

Mr. Kunselman asked Mr. Kokas about the stance on dual licensing. Mr. Kokas said the key word for them is “pre-arranged”. If a limo is going to be licensed under the limo act, than picking up a person hailing a cab could be a conflict. Attorneys would need to analyze the language to determine if dual licensing would be a conflict. Mr. Kunselman asked if Mr. Kokas knew of any communities that have dual licensing. Mr. Kokas said they are unaware of communities that have dual licensing on their books but if there are, it would be unenforceable.

Mr. Benson asked Mr. Kokas to elaborate on his comment that limo operator would jump at the chance to register as taxicabs if the ordinance was made easier and the process made business sense. Mr. Kokas said it was taxicab companies that are not currently registered in the city that made the statement. The companies feel their ability to charge certain fares would make them a profitable company. They feel they are restricted in what they are able to charge the public especially at \$4.00 per gallon of gas.

Mr. Benson asked if there is dual licensing outside of the state. Mr. Kokas said across the United States, limousine laws are kept separate from taxicab laws. The GLLC believes dual licensing does not work and he is not aware of any dual licensing, although there may be some small municipalities that offer it.

V. Administrator Comments

None

VI. PUBLIC COMMENTARY

1. Mark Grabow – President of Operations for Brentwood’s DET, Macomb, MI
Discussed the safety of the city of Ann Arbor resident as the key issues he felt should be address.
2. Gordon Berry, 2225 Garden Homes, Ann Arbor, MI
Discussed the recent assaults, an arrested cab driver and the police action against limousine drivers.
3. Tim Tobias, Michigan Green Cabs, 1628 Hill Ridge, Ann Arbor, MI

Discussed the safety of Ann Arbor citizens as being essential to transportation. He said Michigan Green Cab has been accused of impersonating a cab but they are a licensed limousine. He also said misinformation was shared previously from someone else saying insuring a limousine is less expensive than a taxicab. The state of Michigan requires \$1,000,000 per incident and taxicab are required to have \$500,000 per incident.

4. Rick Clark, Amazing Blue Taxi, Ypsilanti , MI
Discussed the taxicab versus limousine issue. Mr. Clark said some vehicles licensed as a limousine are operating like a taxicab. He also discussed deregulating taxicabs and asked the Board to consider deregulating.

Mr. Benson asked to have a chart of the number of points for each taxicab driver. He also asked to discuss at the next Taxicab Board meeting about the city's regulation of rates as well as a history of gas prices.

Mr. Kunselman said Mr. Clark's comments regarding deregulation were constructive. He would like to see companies come back into the fold and operate as licensed taxis. He agrees with all that was said about safety to citizens being the most important issue. It is the responsible of the Taxicab Board to ensure the safety of citizens using taxicabs. The city regulates taxi and not limousine. He has no interest in dual licensing of taxi and limousine.

5. ADJOURNMENT

Mr. Benson moved to adjourn the meeting, Mr. Oldakowski seconded. The motion carried and the meeting was adjourned at 6:30 p.m.