



November 10, 2009

Urban Transportation Commission
505 Barton Springs Road, Ste 800
Austin, Texas 78704
512-974-7092

Re: Electric/Green Taxis

Dear Commissioners:

This letter attempts to explain the impact of a new class of taxi in Austin. Established law governs the day to day operations of taxis in Austin and the allowance of a new type of taxi would inflict direct, measurable harm to taxi drivers, while placing a considerable burden on the system, and most importantly, would be unsafe for passengers and operators.

1) Direct harm to taxi drivers:

There are already too many vehicles for hire that are not required to operate under the same strict guidelines of taxis, but compete for the same business. The streets of Austin are swarming with taxis and pedicabs. Look around on any night, and you'll see both taxis and pedicabs lined up or driving around looking for passengers. Taxi drivers already wait an intolerable amount of time to pick up passengers, even on the busiest nights. More taxis only causes harm, since the proposed taxis will specifically operate during this already overly competitive time.

As it stands, there is not enough business to justify adding new taxis. Today, there is just not enough business to go around!

The overall majority of taxi drivers in Austin already work more than 80 hours every week just to scrape out a minimal living. As it stands, most are unable even take a single day off from work.

The proposed taxis will cause a disproportionate loss of income to taxi drivers. Drivers often make between 30-50% of their entire weekly income from weekend nighttime business. The proposed new class of taxis will hit taxi drivers very hard, because the new taxis will operate during the few hours where drivers are able to at least 'catch up' after a slow week.

Since taxis are regulated in a way that does not allow them to compete for business, new taxis would further divide the available business from already deprived and overworked taxi drivers, who scrape out a very meager living, week after week.

For only about 6 hours per week, specifically the hour before and after the bars close on certain nights, there is a surplus of passengers.

2) The proposed new class is an unnecessary burden for everyone!

The idea that we need a new law to allow for so called 'green taxis' no less than naïve. The City of Austin already has 'green taxis', by the use of hybrid vehicles which have proven to be safe and comfortable, while operating under established law. A new class of taxi and its subsequent regulation and enforcement is pointless since electric golf carts would be nothing more than a gimmick or novelty.



Certain interests are asking to be a taxi, but only want to operate under their own very favorable version of the law.

Laughing in the face of the City Council, they have continued illegally operate golf cart taxis, after the City Council declined an earlier request. Now those same interests are seeking to be rewarded by having the law changed. They want to benefit from the law, while not being required to operate under the very structured and restrictive laws that govern taxis.

The Austin City Code governing taxis would have to be practically dismantled, and rewritten to allow for a new class of taxi.

Under what merit would the entire City of Austin yield to the wishes of this company?

The entire purpose of sections § 13-2-322, § 13-2-324, § 13-2-325, 13-2-266, 13-2-343, § 13-2-389 of the Austin City Code is meant to prevent these types of vehicles and unregulated competition, and would have to be rewritten to accommodate them!

Under the Austin City Code “§ 13-2-322, there is not enough business to allow for ANY new taxi permits.

The number of taxis permits allowed are governed under a set of guidelines set out in Austin City Code:

“§ 13-2-322 CALCULATION OF NECESSARY FRANCHISE PERMITS.”

(A) The department shall determine the annual increase or decrease in the number of necessary franchise permits by multiplying the number of franchise permits that were determined to be necessary in the previous year by the average of the percent of annual change in:

- (1) the population of the City; and
- (2) the number of taxicab departures from Austin-Bergstrom International Airport.

(B) The population figure for the City shall be based on the annual population estimate as determined by the department as of December 31 of the preceding year.

The Code does not allow for ANY additional taxis at this time, and if they did, the permits MUST GO TO ESTABLISHED franchise holders.

Any additional taxis are governed by “§ 13-2-324 ALLOCATION OF ADDITIONAL FRANCHISE PERMITS.” and “§ 13-2-325 ELIGIBILITY FOR ADDITIONAL FRANCHISE PERMITS.”, for which the new class of taxis do not qualify.

The golf cart type vehicles are not even allowable as taxis. The Austin City Code “§ 13-2-389 VEHICLE DESIGN AND AGE REQUIREMENTS.” is very clear:

(A) The body design of a vehicle to be used as a taxicab is limited to the following:

- (1) a sedan, station wagon, or sport utility vehicle with at least four doors for passenger loading and unloading and with front and rear seats; and



(2) a full-size van or minivan with at least three doors for passenger loading and unloading and with front and rear seats.

(B) A vehicle used as a taxicab must have a minimum occupancy capacity of five, including the driver, and a maximum occupancy capacity of six, including the driver. The seating capacity of station wagons, sport utility vehicles, vans, and minivans may be modified to comply with the occupancy capacity limitation in this subsection.

However, all taxis must operate under Austin City Code 13-2-266, Taximeter Standards. They must also operate under the same taxi rates as approved by the City Council.

Certain interests wish to operate as a taxi, but only would provide service in a certain area, however Austin City Code “§ 13-2-343 CITY-WIDE TAXICAB SERVICE REQUIRED.” requires all taxis to be available throughout the city.

Ratio of taxi ownership is regulated by the Austin City Code “§ 13-2-342 OWNER-OPERATED TAXICABS.” The new class of taxi seeks to be the sole operator of the taxis, even though the current law requires that a certain percentage of the fleet be owned by individual owners.

Third, and most important: Safety

A full 65% of the “Traffic Crashes Involving Golf Carts” resulted in injury or death!

Someone will be hurt in a crash if you allow this new class of taxi!

There is no way to make these golf cart type vehicles safe for passenger operation!

According to Texas Department of Transportation, “TxDOT Reportable Traffic Crashes Involving Golf Carts”, the injuries sustained from these types of vehicle crashes is staggering. Since TxDOT started collecting this information this is what we know about injuries and fatalities:

Fatalities:	5%
Incapacitating Injury Crashes:	11%
Non Incapacitating Injury Crashes:	33%
Possible Injury:	16%
Non Injury Crashes:	34%

The rules are already in place, and should not be changed.

In closing, please consider the points offered in this letter. After careful consideration, a number of safeguards have already been put into place to account for any future taxi additions. The formula for adding taxis was set in place to ensure we don't harm the drivers who earn a living providing for public of Austin. If the city wants to have green taxis, it might require a certain percentage of hybrid taxis, or give some special incentive to taxi drivers to operate these types of vehicles

Sincerely,

Board of Directors
Taxi Drivers Association of Austin

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