

CHAPTER 1021. TAXICAB DRIVERS

- Sec.
- 1021.1. Purpose and scope.
 - 1021.2. Certification required.
 - 1021.3. Designation of taxicab driver's certificates.
 - 1021.4. Ineligible persons for taxicab driver certificate.
 - 1021.5. Standards for obtaining a taxicab driver's certificate.
 - 1021.5a. Special wheelchair accessible vehicle taxicab driver's certificate and requirements.
 - 1021.6. Application changes.
 - 1021.7. Taxicab driver training.
 - 1021.8. Certain training subjects.
 - 1021.9. Taxicab driver test.
 - 1021.10. Expiration and renewal of certificate.
 - 1021.11. Driver requirements.
 - 1021.12. Additional requirements.
 - 1021.13. Taxicab driver's certificate upon cancellation.
 - 1021.14. General taxicab driver reports.
 - 1021.15. Taxicab driver reports after accident.
 - 1021.16. Service issues regarding people with disabilities.
 - 1021.17. Partial-rights taxicab driver log.

Cross References

This section cited in 52 Pa. Code § 1001.10 (relating to definitions).

§ 1021.1. Purpose and scope.

- (a) This chapter establishes minimum qualifications for taxicab drivers.
- (b) A certificate holder may impose more stringent standards in the selection of its taxicab drivers.

§ 1021.2. Certification required.

(Editor's Note: This regulation has been recognized as invalid as applied to partial-rights taxicabs. Germantown Cab Company v. Philadelphia Parking Authority, 155 A.3d 669 (Pa. Cmwlth. 2017).)

- (a) Only a taxicab driver as defined under § 1001.10 (relating to definitions) may provide taxicab service.
- (b) A taxicab driver shall carry and display an original taxicab driver's certificate on the protective shield of the taxicab on the driver's side with the front of the certificate (picture) facing the rear seat at all times or in the center of the front compartment of the vehicle so long as it is plainly visible to all passengers in the vehicle.
- (c) A taxicab driver may not drive a taxicab with a mutilated, damaged or illegible taxicab driver's certificate.
- (d) Only one taxicab driver's certificate at a time may be displayed in a taxicab.
- (e) A taxicab driver's certificate is not transferable.

Authority

The provisions of this § 1021.2 temporarily amended under 53 Pa.C.S. § 57B02.

Source

The provisions of this § 1021.2 temporarily amended May 5, 2017, effective February 25, 2017, expire upon promulgation of final-form regulations or on November 5, 2018, whichever is later, as set forth in 53 Pa.C.S. § 57B02(b), 47 Pa.B. 2558. Immediately preceding text appears at serial page (373555).

§ 1021.3. Designation of taxicab driver's certificates.**(a) Driver designation.**

(1) Beginning on December 3, 2011, driver certification rights previously issued by the Authority under section 5706 of the act (relating to driver certification program) shall be designated by the driver as either a taxicab driver's certificate or limousine driver's certificate at the time those rights are scheduled for renewal as provided in § 1011.3 (relating to annual rights renewal process).

(2) Provided that all other terms of renewal are met, the TLD will renew the driver's certificate only for the rights selected by the renewing driver as provided in paragraph (1).

(3) New driver's certificates will identify each driver as either a taxicab driver or a limousine driver.

(b) Dual driver authority.

(1) This section does not prohibit a taxicab driver from obtaining a limousine driver certificate as provided in Subpart C (relating to limousines).

(2) This section does not prohibit a limousine driver from obtaining a taxicab driver certificate as provided in this chapter.

§ 1021.4. Ineligible persons for taxicab driver certificate.

(Editor's Note: Paragraph (3) has been recognized as invalid as applied to partial-rights taxicabs. Germantown Cab Company v. Philadelphia Parking Authority, 155 A.3d 669 (Pa. Cmwlth. 2017).)

In addition to other prohibitions provided in this part, an applicant for a taxicab driver's certificate is automatically ineligible under all of the following circumstances:

(1) The applicant does not hold a current driver's license.

(2) The applicant does not speak the English language sufficiently to communicate with the general public, to understand highway traffic signs and signals in the English language, to respond to official inquiries and to make verifiable entries on reports and records.

(3) The applicant has failed to satisfactorily complete taxicab driver training and testing as prescribed by this chapter.

(4) The applicant is unable to provide information required by this subpart.

(5) The applicant is 20 years of age or younger.

(6) Unless otherwise permitted by the Authority, the applicant does not have a driving history in the United States of at least 1 continuous year prior to the date of application.

(7) The applicant's driver's history reflects three moving violations or a major violation as defined in § 1011.2 (relating to definitions) in the 3-year period prior to the driving history check.

(8) The applicant has been convicted of driving under the influence of drugs or alcohol in the preceding 7 years from the filing date of DR-1 “Driver Application.”

(9) The applicant has been disqualified by the Authority from being a TNC driver under section 57A12(e) of the act (relating to transportation network company drivers) within the 5 years immediately preceding the filing date of DR-1 “Driver Application.”

Authority

The provisions of this § 1021.4 temporarily amended under 53 Pa.C.S. § 57B02.

Source

The provisions of this § 1021.4 amended September 12, 2014, effective September 13, 2014, 44 Pa.B. 5867; temporarily amended May 5, 2017, effective February 25, 2017, expire upon promulgation of final-form regulations or on November 5, 2018, whichever is later, as set forth in 53 Pa.C.S. § 57B02(b), 47 Pa.B. 2558. Immediately preceding text appears at serial page (373556).

Cross References

This section cited in 52 Pa. Code § 1011.9 (relating to taxicab service limitations).

§ 1021.5. Standards for obtaining a taxicab driver’s certificate.

(a) *General.* To obtain a taxicab driver’s certificate an individual shall complete and file with the Director Form DR-1 “Driver Application,” along with the application fee which shall be paid as provided in § 1001.42 (relating to mode of payment to the Authority). The DR-1 may be obtained on the Authority’s web site at www.philapark.org/tld and be completed in person before TLD staff. The fee for a taxicab driver’s certificate is \$25 beginning November 4, 2016, and ending January 1, 2018. Thereafter, any annual increase to the fee may not exceed the percentage annual change in the Gross Domestic Product Price Index, as calculated by the United States Department of Commerce. The current taxicab driver certificate fee will be posted on the Authority’s web site at www.philapark.org/tld under § 1001.43 (relating to Authority fee schedule). The taxicab driver certificate fee does not include the fees associated to attend taxicab driver training whether conducted by the Authority or an approved third party under § 1021.7 (relating to taxicab driver training).

(b) *DR-1 application.* The completed DR-1 must be verified as provided in § 1001.36 (relating to verification and affidavit) and include the information required by the Authority, including all of the following:

- (1) The full and legal name of the individual applicant.
- (2) The applicant’s residential address and telephone number. Applicants may submit an email address to become eligible for service of notice as provided in § 1001.51 (relating to service by the Authority).
- (3) The applicant’s driver’s license.
- (4) The applicant’s Social Security card or documents confirming a legal permanent resident status or an alien authorized to work status, if applicable.
- (5) Authorization for release of the applicant’s criminal history report from the State Police to the Authority, if necessary, and authorization for the release of the applicant’s criminal history report from a certificate holder.

(6) Authorization for the release of the applicant's driver history report from the Department of Transportation to the Authority, if necessary, and authorization for the release of the applicant's driver history report from a certificate holder.

(7) Submit Form DR-2 "Driver Medical History," which is available on the Authority's web site at www.philapark.org/tld. The requirement to complete the DR-2 will be waived for an applicant who possesses a current physical exam card issued under the requirements of a commercial driver's license in Pennsylvania. See 49 CFR 391.41—391.49 (relating to physical qualifications and examinations).

(8) A list of all Authority or PUC certificates in which the applicant has any controlling interest, including taxicab medallions.

(9) A written statement verified as provided in § 1001.36, which provides that:

- (i) The applicant has not been subject to a conviction as provided in § 1001.10 (relating to definitions).
- (ii) The applicant is in compliance with § 1011.7 (relating to payment of outstanding fines, fees and penalties).
- (iii) The applicant can comply with the requirements in this chapter.

Authority

The provisions of this § 1021.5 temporarily amended under 53 Pa.C.S. § 57B02.

Source

The provisions of this § 1021.5 temporarily amended May 5, 2017, effective February 25, 2017, expire upon promulgation of final-form regulations or on November 5, 2018, whichever is later, as set forth in 53 Pa.C.S. § 57B02(b), 47 Pa.B. 2558. Immediately preceding text appears at serial pages (373557) and (373125) to (373126).

Cross References

This section cited in 52 Pa. Code § 1021.9 (relating to taxicab driver test); and 52 Pa. Code § 1057.13 (relating to limousine driver's certificate upon cancellation).

§ 1021.5a. Special wheelchair accessible vehicle taxicab driver's certificate and requirements.

(a) *Purpose.* The WAV taxicab driver's certificate is created to ensure that the needs of the disabled community are known and fully addressed by the drivers of WAV taxicabs and to ensure that those in need of WAV taxicab transportation are efficiently and adequately provided with that transportation by the best qualified drivers available.

(b) *WAV taxicab drivers.*

(1) The Authority will issue a special driver's certificate for individuals to provide WAV taxicab service as provided in section 5706(a.1)(1) of the act (relating to driver certification program).

(2) A WAV taxicab driver's certificate will identify the driver as having been trained in the operation of a WAV taxicab and in the best practices of transporting a person in a wheelchair.

(3) To obtain a WAV taxicab driver's certificate, an individual, including a current taxicab driver, shall comply with the taxicab driver requirements of this

chapter and submit a completed Form DR-4 “WAV Driver Application.” Form DR-4 is available on the Authority’s web site at www.philapark.org/tld.

(4) An applicant may apply for a taxicab driver’s certificate and a WAV taxicab driver’s certificate at the same time. If an applicant discontinues the WAV taxicab driver certification process or is unable to successfully complete the training, the applicant may pursue taxicab driver’s certification.

(5) Applications for a WAV taxicab driver certificate will be processed by the Director in the order accepted for filing.

(6) A WAV taxicab driver certificate includes the authorizations applicable to a taxicab driver’s certificate.

(7) An applicant for a WAV taxicab driver’s certificate shall maintain a record of compliance with the act, this part and orders of the Authority as follows:

(i) A WAV taxicab driver applicant shall have at least 1 year of Philadelphia taxicab driver experience as an Authority-certificated driver completed within the immediately preceding consecutive 24-month period prior to the date of application.

(ii) A WAV taxicab driver application will be denied if an order has been entered against the applicant by the Authority or the PUC related to the provision of unsafe or discourteous taxicab service.

(iii) A WAV taxicab driver application will be denied if the applicant’s taxicab driver’s certificate or limousine driver’s certificate has ever been cancelled or revoked.

(iv) A WAV taxicab driver application will be denied if the applicant’s taxicab driver’s certificate has been suspended for any reason in the immediately preceding consecutive 36 months.

(8) Only a taxicab driver certificated by the Authority as provided in this section may provide taxicab service in a WAV taxicab.

(c) *WAV taxicab driver renewal.*

(1) A WAV taxicab driver’s certificate may be renewed by filing the completed Form DR-4 with the Manager of Administration and adhering to standard renewal requirements as provided in § 1011.3 (relating to annual rights renewal process).

(2) The Authority will not renew a WAV taxicab driver’s certificate if the driver has failed to provide taxicab service in a WAV taxicab for at least 800 hours in the immediately preceding consecutive 12-month period.

(3) The annual taxicab driver renewal fee charged by the Authority shall be paid from the proceeds of the sale of WAV medallions authorized by section 5711(c) of the act (relating to power of authority to issue certificates of public convenience) for each successfully renewed WAV taxicab driver.

(4) When a WAV taxicab driver’s certificate is denied as provided in paragraph (2) and not on another basis, the Authority will issue the renewing driver a standard taxicab driver’s certificate.

(d) *Wheelchair service preference.*

(1) A person seated in a wheelchair who requests taxicab service shall be given preference by a WAV taxicab driver over a potential customer that is not

in a wheelchair. For example, if a WAV taxicab is hailed by two people at the same time but only one of those people is seated in a wheelchair, service shall be provided to the person seated in the wheelchair first.

(2) A customer already seated in a taxicab may not be asked to exit the taxicab to accommodate a person seated in a wheelchair.

(3) When a WAV taxicab has been dispatched and is in route to provide taxicab service to a person not in a wheelchair and is hailed by a person seated in a wheelchair, the WAV taxicab driver shall stop and provide taxicab service to the person in a wheelchair. Prior to assisting the hailing customer into the WAV taxicab, the driver shall notify his dispatcher of the hail. The dispatcher shall arrange for an alternate taxicab to provide service to the original customer.

(4) A WAV taxicab driver shall notify his dispatcher each time taxicab service is provided to a person in a wheelchair. The notification required under this paragraph shall be made once the customer is secured in the taxicab.

Authority

The provisions of this § 1021.5a temporarily amended under 53 Pa.C.S. § 57B02.

Source

The provisions of this § 1021.5a adopted August 29, 2014, effective August 30, 2014, 44 Pa.B. 5662; temporarily amended May 5, 2017, effective February 25, 2017, expire upon promulgation of final-form regulations or on November 5, 2018, whichever is later, as set forth in 53 Pa.C.S. § 57B02(b), 47 Pa.B. 2558. Immediately preceding text appears at serial pages (373126) to (373128).

Cross References

This section cited in 52 Pa. Code § 1011.2 (relating to definitions); and 52 Pa. Code § 1021.9 (relating to taxicab driver test).

§ 1021.6. Application changes.

(a) An applicant for a taxicab driver's certificate shall immediately notify the Authority in writing of any changes that affect the accuracy of the information in the application while the application is under review by the Authority.

(b) False information provided by an applicant for a taxicab driver's certificate will result in the denial of the application or cancellation of the driver's certificate if issued prior to discovery of the false information.

§ 1021.7. Taxicab driver training.

(Editor's Note: This regulation has been recognized as invalid as applied to partial-rights taxicabs. Germantown Cab Company v. Philadelphia Parking Authority, 155 A.3d 669 (Pa. Cmwlth. 2017).)

(a) *Training required.* An applicant shall complete a training program.

(b) *Training options.* An applicant has the option to complete the taxicab driver training program conducted by the Authority under subsection (d) or conducted by a third party that has been approved by the Authority under subsection (e).

(c) *Eligibility.* Upon submission of a completed DR-1 application as provided in this chapter, the DR-1 will be reviewed to determine if the applicant is eligible

to attend the required training program conducted by either the Authority or an approved third party as provided in subsection (d) or (e).

(1) An applicant will not be scheduled for training conducted by the Authority or receive clearance from the Authority to attend an approved third-party training program if the application documents present information that clearly renders the applicant ineligible to be a taxicab driver. For example, an applicant who does not possess a valid driver's license or is not in compliance with § 1011.7 (relating to payment of outstanding fines, fees and penalties) will not be scheduled for training or receive clearance to attend training.

(2) If the applicant is eligible to attend training, the applicant may be issued a provisional taxicab driver certificate, for up to 90 days from the filing date of the DR-1, or until a certificate is issued by the Authority, whichever is earlier.

(d) *Training by the Authority.* Taxicab driver training conducted by the Authority will be held at TLD Headquarters and will consist of a minimum of 18 hours of in-class instruction addressing the training subjects as provided in § 1021.8 (relating to certain training subjects).

(1) The fee to attend training conducted by the Authority is \$100 beginning February 25, 2017, and ending June 30, 2017, or when a new fee schedule is adopted under sections 5707 and 5710 of the act (relating to budget and assessments; and fees), whichever is later.

(2) The training fee shall be paid prior to attending training and as provided in § 1001.42 (relating to mode of payment to the Authority).

(e) *Training by an approved third party.* An Authority approved third-party taxicab driver training program will be conducted at a location, date and time determined by the third party and will address training subjects as provided in § 1021.8.

(f) *Approval of third-party training program.* A person may submit a written request to be an approved third-party trainer under this chapter by submitting all of the following to the Director:

(1) A proposed curriculum that includes the training subjects as outlined in § 1021.8.

(2) A detailed comprehensive plan identifying all of the following:

(i) The location of where the training program will be conducted.

(ii) The frequency of when the training program will be offered, including days and hours of the training program's operations.

(iii) The number of days and hours that a taxicab driver applicant will have to attend to complete the program.

(iv) The cost per taxicab driver applicant for attending the training program.

(v) Explanation as to how the training program will be advertised.

(vi) Nondiscrimination policy to offer the training program to any taxicab driver applicant regardless of which dispatcher or medallion taxicab owner the driver may associate with.

(vii) Rules governing the completion of the training program and procedure for issuing certificates of completion to taxicab driver applicants under § 1021.8(d).

(viii) Explanation as to how the training program will demonstrate and conduct tutorials of all Authority-approved medallion taxicab meter systems.

(3) Upon approval of the third-party training program, the Authority will issue a certificate of approval to be displayed at all times at the third-party training program location.

(4) The Authority will maintain a list of approved third-party training programs on the Authority's web site at www.philapark.org/tld.

Authority

The provisions of this § 1021.7 temporarily amended under 53 Pa.C.S. § 57B02.

Source

The provisions of this § 1021.7 temporarily amended May 5, 2017, effective February 25, 2017, expire upon promulgation of final-form regulations or on November 5, 2018, whichever is later, as set forth in 53 Pa.C.S. § 57B02(b), 47 Pa.B. 2558. Immediately preceding text appears at serial page (373128).

Cross References

This section cited in 52 Pa. Code § 1021.5 (relating to standards for obtaining a taxicab driver's certificate).

§ 1021.8. Certain training subjects.

(Editor's Note: This regulation has been recognized as invalid as applied to partial-rights taxicabs. Germantown Cab Company v. Philadelphia Parking Authority, 155 A.3d 669 (Pa. Cmwlth. 2017).)

(a) *Continued training subjects.* The Authority will continually monitor issues related to taxicab drivers, including safety, wheelchair accessible vehicle (WAV) taxicab service and customer service, and maintain a current list of taxicab driver training subjects on its web site at www.philapark.org/tld.

(b) *Basic training issues.* Taxicab driver training will be developed to address all areas of the act, this part and orders of the Authority. The dress code applicable to taxicab drivers applies to applicants during training whether conducted by the Authority or an approved third party. Training will address issues provided for in subsection (a), including the following subjects:

- (1) Authority regulations governing taxicab drivers, including differences between the services medallion taxicabs and partial-rights taxicabs provide.
- (2) Authority regulations governing taxicab certificate holders.
- (3) Authority regulations governing equipment.
- (4) Penalties for violation of Authority regulations.
- (5) An overview of the administrative process related to violations.
- (6) The identification and address of the Authority offices responsible for administering the act.
- (7) Customer service issues, including the following:
 - (i) Personal appearance of drivers.
 - (ii) Driver courtesy and hygiene.
 - (iii) Assistance to elderly and people with disabilities.

- (8) Driving and customer safety issues, including the following:
 - (i) Defensive driving techniques.
 - (ii) Emergency aid.
 - (iii) Vehicle and equipment inspections.
 - (iv) Crime prevention.
 - (v) Accident reporting procedures.
 - (9) Issues related to the geography of Philadelphia, including the following:
 - (i) Map reading.
 - (ii) Overview of major street and traffic patterns.
 - (iii) Identification and location of popular landmarks and locations.
- (c) *WAV taxicab driver training.*
- (1) In addition to training required under this section, WAV taxicab driver training will consist of a minimum of 6 hours of in-class instruction and field training necessary to address current and evolving issues related to WAV taxicab service, including sensitivity training, safe and proper use of applicable equipment, and regulations regarding WAV taxicab service.
 - (2) WAV taxicab driver training will consist of training in all aspects of WAV taxicab service, including the operation of a WAV taxicab and the entry, exit and securing of a passenger in a wheelchair.
 - (3) A WAV taxicab driver must attend a minimum of 4 hours of continuing WAV taxicab service training every 2 years.
 - (d) *Testing.* The applicant will be scheduled for testing conducted by the Authority at TLD Headquarters under § 1021.9 (relating to taxicab driver test) upon completion of training conducted by the Authority or upon the applicant's submission of a certificate of completion to the Authority from an approved third-party training program.

Authority

The provisions of this § 1021.8 temporarily amended under 53 Pa.C.S. § 57B02.

Source

The provisions of this § 1021.8 amended August 29, 2014, effective August 30, 2014, 44 Pa.B. 5662; temporarily amended May 5, 2017, effective February 25, 2017, expire upon promulgation of final-form regulations or on November 5, 2018, whichever is later, as set forth in 53 Pa.C.S. § 57B02(b), 47 Pa.B. 2558. Immediately preceding text appears at serial pages (373128) to (373130).

Cross References

This section cited in 52 Pa. Code § 1011.2 (relating to definitions); 52 Pa. Code § 1021.7 (relating to taxicab driver training); and 52 Pa. Code § 1021.9 (relating to taxicab driver test).

§ 1021.9. Taxicab driver test.

(Editor's Note: This regulation has been recognized as invalid as applied to partial-rights taxicabs. Germantown Cab Company v. Philadelphia Parking Authority, 155 A.3d 669 (Pa. Cmwlth. 2017).)

- (a) The Authority will develop a test to assure that applicants for taxicab driver's certificates and wheelchair accessible vehicle (WAV) taxicab driver's certificates understand the information presented during training as provided in § 1021.8 (relating to certain training subjects).

(b) The test will be administered in the English language. The assistance of interpreters will not be permitted. An applicant's responses to all test questions shall be in the English language.

(c) Except as limited by this chapter, the test may be administered in a manner and in a form deemed appropriate by the Authority. The test may include:

(1) Questions requiring a written response. 5662. Immediately preceding text appears at serial pages (360448) to (360449).

(2) Multiple choice questions.

(3) Oral questions.

(4) The demonstration of an ability to operate a motor vehicle and use taxicab related equipment.

(5) For WAV taxicab driver applicants, the demonstration of an ability to operate a WAV taxicab and to assist with the entry, exit and securing of a passenger in a wheelchair in the WAV taxicab.

(d) Failure to pass the test required by this section after three attempts will render the application void.

(e) Failure to pass the test required by this section within 90 days of filing Form No. DR-1 application as provided in § 1021.5 (relating to standards for obtaining a taxicab driver's certificate) will render the application void.

(f) Except as provided in § 1021.5a (relating to special wheelchair accessible vehicle taxicab driver's certificate and requirements), upon the denial or voiding of a Form No. DR-1 or Form No. DR-4 as provided in this chapter an applicant may not reapply for a driver's certificate for 6 months.

Source

The provisions of this § 1021.9 amended August 29, 2014, effective August 30, 2014, 44 Pa.B. 5662. Immediately preceding text appears at serial page (360449).

Cross References

This section cited in 52 Pa. Code § 1021.8 (relating to certain training subjects).

§ 1021.10. Expiration and renewal of certificate.

An individual with a taxicab driver's certificate that has been expired for more than 2 years shall attend taxicab driver training and pass the taxicab driver test provided in this chapter before providing service.

Authority

The provisions of this § 1021.10 temporarily amended under 53 Pa.C.S. § 57B02.

Source

The provisions of this § 1021.10 temporarily amended May 5, 2017, effective February 25, 2017, expire upon promulgation of final-form regulations or on November 5, 2018, whichever is later, as set forth in 53 Pa.C.S. § 57B02(b), 47 Pa.B. 2558. Immediately preceding text appears at serial page (373130).

§ 1021.11. Driver requirements.

(a) *Preservice inspection.* Prior to driving a taxicab before each shift, a taxicab driver shall perform a vehicle inspection to confirm that the taxicab complies with this subpart. The inspection must include all of the following:

1021-10

(1) At least one full walk around the taxicab to assure the exterior of the vehicle is in compliance with this subpart, including all of the following:

(i) The exterior of the taxicab is not damaged, no sharp edges are present and no parts of the vehicle have been removed. For example, the hood and doors of the taxicab are present and in the proper location.

(ii) The appropriate name, colors and markings scheme are affixed to the taxicab.

(iii) The taxicab's tires are full size and the treads are not worn below the level permitted under 67 Pa. Code Chapter 175 (relating to vehicle equipment and inspection).

(2) The opening and closing of all doors, the hood and the trunk to assure proper functionality and the absence of any sharp edges that may injure a passenger or damage clothing, luggage or other property.

(3) An inspection of the interior of the taxicab to make certain that the vehicle is clean and otherwise in compliance with this subpart.

(4) Operation of the heater and air conditioner to confirm the taxicab's ability to maintain the air temperature required under § 1017.5(b)(14) (relating to basic vehicle standards).

(5) An inspection of the taxicab meter to assure it has been approved for use by the Authority, is sealed as provided in § 1017.21(b)(3) (relating to taxicab meters) and is in proper working order at all times. Unsealed or improperly sealed meters and malfunctioning meters shall be reported to the Enforcement Department immediately.

(b) *Presentation and appearance.* A taxicab driver is responsible for providing clean, safe and courteous taxicab service, including all of the following:

(1) Presenting a neat and clean appearance while providing taxicab service.

(2) Dressing in clean clothing which is composed of a shirt with collar, ankle-length trousers, slacks/dress, skirts (if gender appropriate), socks or stockings, and shoes or clean sneakers. For example, shorts, bathing trunks or bathing suits, undershirts, muscle shirts or tank-tops are prohibited unless concealed as undergarments beneath the attire described in this paragraph.

(3) Wearing open toed shoes, sandals or bare feet are prohibited while operating a taxicab.

(4) Ceasing operation of a vehicle known by the driver to be in an unsafe condition.

(5) Being courteous toward passengers, the public, law enforcement officials and representatives of the Authority. A driver may not use obscene, vulgar or offensive language while providing taxicab service.

(6) Maintaining the volume of a radio at a low level and upon the request of a passenger, lowering the volume or switching off any music or electronic noise such as a radio, except that the communications radio required under § 1017.5(b)(3) must remain on and at a reasonable volume at all times.

- (7) Ceasing use of a mobile telephone and remove ear phones or Bluetooth devices from ears when a passenger is in the vehicle.
- (8) Making certain that the taxicab complies with the temperature requirements in § 1017.5(b)(14).
- (9) Assisting the elderly or persons with disabilities in entering and exiting the taxicab.
- (10) Maintaining cash capable of providing change for a \$20 bill.
- (11) Immediately reporting any possessions of passengers left behind in a taxicab after service to the Manager of Enforcement and the taxicab's dispatcher and then deliver the possessions to TLD Headquarters.
- (c) *Permitted fares.* A taxicab driver may not charge fares other than those approved by the Authority as provided in section 5703 or 5720 of the act, or both (relating to rates; and wages).
- (d) *Gratuities or payment method.*
- (1) A taxicab driver may not request the payment of a gratuity by a passenger.
- (2) A taxicab driver may not insist upon or express a preference for fare payment method. For example, a taxicab driver may not demand payment in cash as opposed to credit card, nor may a taxicab driver suggest that the passenger be driven to a bank or automatic teller machine to secure cash to pay the fare as opposed to use of a credit card or other cashless payment option.
- (3) A taxicab driver may not ask a potential customer for fare payment method information in advance of providing taxicab service.
- (4) A taxicab driver shall accept payment by credit card, debit card and other cashless payment options identified by the Authority.
- (5) A taxicab driver shall provide each fare-paying customer with a receipt for the taxicab service required under § 1017.24(d) or § 1017.63(a) (related to meter activation and display; and receipts), or both, unless the approved meter system is capable of providing a digital receipt.
- (e) *Lease or employment documents.* A taxicab driver is responsible for maintaining a copy of the lease agreement, employment contract and employee identification card in the taxicab at all times.
- (f) *Direct route.* Unless directed otherwise by a fare-paying customer, a taxicab driver shall select and use the most direct route consistent with prevailing road and traffic conditions from the point of pick-up to the passenger's point of destination.
- (g) *Rules of the road.* A taxicab driver shall continually provide taxicab service in a manner consistent with 75 Pa.C.S. (relating to Vehicle Code) and the Philadelphia Traffic Code (12 Phila. Code §§ 100—3012).
- (h) *Meter operation.* The meter must be in operation during the entire time the taxicab is engaged by a passenger, and the passenger shall be required to pay only the amount recorded by the meter, except that, when back-mileage or surcharge provisions of the tariff of the certificate holder apply, the back-mileage

charge or surcharge shall be added to the amount recorded by the meter, or if there is a discounted rate under § 1030.2(b) (relating to taxicab rates and tariffs). Each meter charge shall be collected only once regardless of whether the taxicab is being used in exclusive service or in nonexclusive service.

(i) *Zero-tolerance policy.* A taxicab driver may not be under the influence of drugs or alcohol while providing taxicab service. The Authority will and certificate holders shall enforce a zero-tolerance policy on the use of drugs or alcohol by a taxicab driver while providing taxicab service.

(1) The driver's certificate of a taxicab driver who is the subject of a TLD investigation or a passenger complaint and whom the inspector or passenger reasonably suspects was under the influence of drugs or alcohol during the course of providing taxicab service shall be immediately placed out of service under § 1003.32 (relating to out of service designation).

(2) The Authority may conduct a drug and alcohol test upon written consent by the taxicab driver.

Authority

The provisions of this § 1021.11 temporarily amended under 53 Pa.C.S. § 57B02.

Source

The provisions of this § 1021.11 amended September 12, 2014, effective September 13, 2014, 44 Pa.B. 5867; temporarily amended May 5, 2017, effective February 25, 2017, expire upon promulgation of final-form regulations or on November 5, 2018, whichever is later, as set forth in 53 Pa.C.S. § 57B02(b), 47 Pa.B. 2558. Immediately preceding text appears at serial pages (373559) to (373560) and (379399).

§ 1021.12. Additional requirements.

(a) Each taxicab driver shall know the rights and limitations of any taxicab used to provide taxicab service, including the geographical limitation of partial-rights taxicabs, if applicable.

(b) A taxicab driver may not provide taxicab service beyond the 14th consecutive hour after coming on duty. Time spent on any break from taxicab service does not extend the 14-hour period. A taxicab driver may operate for another 14-hour period only after 8 consecutive hours off duty.

(c) A taxicab driver may not provide taxicab service with an expired taxicab driver's certificate.

(d) A taxicab driver may not provide taxicab service without a valid driver's license.

(e) Whenever a taxicab is occupied by a fare-paying passenger or by members of a party of fare-paying passengers who have engaged the taxicab on an exclusive basis, the taxicab driver may not permit another person to occupy or ride in the taxicab.

(f) No requirement of this subpart, or any Authority regulation, may be interpreted to disrupt or interfere with interstate commerce exclusively regulated by or preempted by the government of the United States.

(g) If a taxicab is equipped with a meter system that utilizes a distress button under § 1017.24(e) (relating to meter activation and display), a taxicab driver

may not activate the distress button except when the driver is in need of emergency assistance by law enforcement or other emergency responders.

Authority

The provisions of this § 1021.12 temporarily amended under 53 Pa.C.S. § 57B02.

Source

The provisions of this § 1021.12 amended November 13, 2015, effective November 14, 2015, 45 Pa.B. 6596; temporarily amended May 5, 2017, effective February 25, 2017, expire upon promulgation of final-form regulations or on November 5, 2018, whichever is later, as set forth in 53 Pa.C.S. § 57B02(b), 47 Pa.B. 2558. Immediately preceding text appears at serial page (379399).

§ 1021.13. Taxicab driver's certificate upon cancellation.

- (a) A cancelled taxicab driver's certificate may not be reinstated.
- (b) An individual subject to cancellation of a taxicab driver's certificate may not apply to the Authority for a new driver's certificate, including a limousine driver's certificate as provided in § 1057.13 (relating to limousine driver's certificate upon cancellation), for 2 years from the date the cancellation was entered. If the individual subject to cancellation also holds a limousine driver's certificate, that driver's certificate will be cancelled with the taxicab driver's certificate.
- (c) The circumstances related to the cancellation of a taxicab driver's certificate will be considered by the Authority when reviewing any subsequent application submitted by that individual.

§ 1021.14. General taxicab driver reports.

A taxicab driver shall make timely written reports to the Authority as required by the act, this part or an order of the Authority, including the following reports which shall be made to the Manager of Administration:

- (1) Invalidation of a driver's license for any reason must be reported with 48 hours.
- (2) A change of address or telephone number, or both, shall be reported within 15 days.
- (3) A change of name shall be reported to the Authority within 15 days of occurrence or if a court proceeding is required, within 15 days of the court filing.

Source

The provisions of this § 1021.14 amended September 12, 2014, effective September 13, 2014, 44 Pa.B. 5867. Immediately preceding text appears at serial page (373134).

§ 1021.15. Taxicab driver reports after accident.

A taxicab driver who is involved in an accident while driving a taxicab that results in property damage, personal injury or death shall do the following:

- (1) Stop immediately.
- (2) Provide driver's license, registration, insurance, and other information required by law of the Commonwealth, and the name of the taxicab's certificate holder.
- (3) Report the details of the accident as soon as practicable as follows to:

- (i) The police if required under 75 Pa.C.S. § 3746 (relating immediate notice of accident to police department).
- (ii) The certificate holder.
- (iii) The Manager of Enforcement if required under § 1017.37 (relating to inspection subsequent to vehicular accident or damage).

§ 1021.16. Service issues regarding people with disabilities.

(a) If on-duty and not already transporting a passenger, a taxicab driver shall stop the taxicab when hailed by a person with a disability. The driver shall determine if the services requested by the person can be reasonably accommodated by the vehicle and adhere to the following procedure:

(1) If the service request can be reasonably accommodated, the driver shall provide the service.

(2) If the service request cannot be reasonably accommodated, the driver shall call a dispatcher immediately to arrange for service by the closest taxicab available that can accommodate the person's request.

(b) This section may not be interpreted to require or permit a taxicab to provide service in an area outside the rights identified in the taxicab certificate holder's rights. For example, this section does not permit a partial-rights taxicab to stop for a hail outside of its defined geographical area.

Source

The provisions of this § 1021.16 amended September 12, 2014, effective September 13, 2014, 44 Pa.B. 5867. Immediately preceding text appears at serial page (373134).

Cross References

This section cited in 52 Pa. Code § 1019.8 (relating to dispatcher requirements).

§ 1021.17. Partial-rights taxicab driver log.

(a) A taxicab driver providing service in a partial-rights taxicab shall maintain a service log, whether maintained in paper or digital form, identifying all taxicab service provided during each shift.

(b) The partial-rights taxicab service log must identify all of the following information:

- (1) The date of service.
- (2) The taxicab driver's name and driver's certificate number.
- (3) The taxicab number, the certificate holder and the dispatcher.
- (4) The times and places of origin and destination of each trip including the odometer or meter mileage at the origin and destination of each passenger trip. Origin and destination places must contain a street name and address or, if unavailable, an identifiable landmark.
- (5) A designation indicating whether a trip resulted from a hail or through the dispatcher.

- (6) The fare paid for the trip.
 - (7) The amount of any gratuity paid to the taxicab driver.
 - (8) The number of passengers on each trip, indicating separately each fare collected from each passenger or party of passengers sharing the ride.
 - (9) Each trip on which packages were delivered and the charge for the trip.
 - (10) The signature of the driver attesting to the accuracy of the data recorded.
- (c) A partial-rights taxicab driver shall completely enter the information required by the log immediately upon the conclusion of each taxicab service trip.
- (d) The taxicab log required under this section shall be maintained in the taxicab until the driver's shift has ended and be presented to an inspector at any time upon demand.
- (e) Upon the conclusion of a partial-rights taxicab driver's shift, the taxicab log shall be delivered to the certificate holder and maintained by the certificate holder as provided in § 1011.11 (relating to record retention).

Authority

The provisions of this § 1021.17 temporarily amended under 53 Pa.C.S. § 57B02.

Source

The provisions of this § 1021.17 temporarily amended May 5, 2017, effective February 25, 2017, expire upon promulgation of final-form regulations or on November 5, 2018, whichever is later, as set forth in 53 Pa.C.S. § 57B02(b), 47 Pa.B. 2558. Immediately preceding text appears at serial pages (373563) to (373564).

[Next page is 1025-1.]