

CHAPTER 1057. LIMOUSINE DRIVERS

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Cross References

This chapter cited in 52 Pa. Code § 1051.2 (relating to definitions).

§ 1057.1. Purpose and scope.

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

§ 1057.2. Certification required.

- (a) Only a limousine driver as defined under § 1001.10 (relating to definitions) may provide limousine service.
- (b) A limousine driver shall carry and display an original limousine driver's certificate on the sun visor of the limousine 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 limousine driver may not drive a limousine with a mutilated, damaged or illegible limousine driver's certificate.
- (d) Only one limousine driver's certificate at a time may be displayed in a limousine.
- (e) A limousine driver's certificate is not transferable.

Authority

The provisions of this § 1057.2 temporarily amended under 53 Pa.C.S. § 57B02.

Source

The provisions of this § 1057.2 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 (373577).

§ 1057.3. Continuing certificates.

- (a) 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 certified driver as either a taxicab driv-

er's certificate or limousine driver's certificate at the time those rights are scheduled for renewal as provided in § 1051.3 (relating to annual rights renewal process).

(b) If 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 subsection (a).

(c) This section will not prohibit a limousine driver from obtaining a separate taxicab driver certificate as provided in Subpart B (relating to taxicabs).

Cross References

This section cited in 52 Pa. Code § 1057.5 (relating to standards for obtaining a limousine driver's certificate).

§ 1057.4. Ineligible persons for limousine driver certificate.

In addition to other prohibitions provided in this part, an applicant for a limousine driver's certificate is automatically ineligible under 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 complete limousine driver testing as prescribed by this chapter.
- (4) The applicant is unable to provide information required under this subpart.
- (5) The applicant is 20 years of age or younger.
- (6) 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 § 1051.2 (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 seven years from the filing date of the 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 the DR-1 "Driver Application."

Authority

The provisions of this § 1057.4 temporarily amended under 53 Pa.C.S. § 57B02.

Source

The provisions of this § 1057.4 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 (373578).

Cross References

This section cited in 52 Pa. Code § 1051.8 (relating to limousine service limitations).

§ 1057.5. Standards for obtaining a limousine driver's certificate.

(a) *General.* Except as provided in § 1057.3 (relating to continuing certificates), to obtain a limousine driver's certificate an individual shall complete and file with the Director Form DR-1 "Driver Application," along with the applica-

tion 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. Beginning February 25, 2017, and ending January 1, 2018, the fee for a limousine driver's certificate is \$25. 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 limousine 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).

(b) *DR-1 application.* The completed DR-1 shall 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) An authorization to release 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) An authorization to release 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.
- (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 § 1051.6 (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 § 1057.5 temporarily amended under 53 Pa.C.S. § 57B02.

Source

The provisions of this § 1057.5 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 (373578) and (360507).

Cross References

This section cited in 52 Pa. Code § 1057.9 (relating to limousine driver test).

§ 1057.6. Application changes.

(a) An applicant for a limousine 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 limousine 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.

§ 1057.7. Limousine driver training.

Limousine driver applicants will be provided with training information for review.

§ 1057.8. Certain training subjects.

(a) The Authority will continually monitor issues related to limousine drivers, including safety and customer service, and maintain a current list of limousine driver training subjects on its web site at www.philapark.org/tld, including the following subjects:

- (1) Authority regulations governing limousine drivers.
- (2) Authority regulations governing limousine certificate holders.
- (3) Authority regulations governing equipment.
- (4) Penalties for violation of Authority regulations.
- (5) Overview of the administrative process related to violations.
- (6) Identification and address of the Authority offices responsible for administering the act.
- (7) 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.
- (8) 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.

(b) 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 be scheduled for testing under § 1057.9 (relating to limousine driver test).

(1) An applicant will not be scheduled for testing if the application documents present information that clearly renders the applicant ineligible to be a limousine driver. For example, an applicant who does not possess a valid driver's license or is not in compliance with § 1051.6 (relating to payment of outstanding fines, fees and penalties).

(2) If the applicant is eligible to be scheduled for testing, the applicant may be issued a provisional limousine 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.

(3) Upon confirmation of a completed DR-1 filing, the applicant shall schedule a time and date for testing under § 1057.9 with the Manager of Administration.

Authority

The provisions of this § 1057.8 temporarily amended under 53 Pa.C.S. § 57B02.

Source

The provisions of this § 1057.8 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 (360508).

Cross References

This section cited in 52 Pa. Code § 1057.9 (relating to limousine driver test).

§ 1057.9. Limousine driver test.

(a) The Authority will develop a test to assure applicants for a limousine driver's certificate understand the information identified in § 1057.8 (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 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.
- (2) Multiple choice questions.
- (3) Oral questions.
- (4) Demonstration of an ability to operate a motor vehicle and use limousine related equipment.

(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 the filing of the DR-1 application as provided in § 1057.5 (relating to standards for obtaining a limousine driver's certificate) will render the application void.

(f) Upon the denial or voiding of a DR-1 as provided in this chapter, an applicant may not reapply for registration for 6 months.

Cross References

This section cited in 52 Pa. Code § 1057.8 (relating to certain training subjects).

§ 1057.10. Driver requirements.

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

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

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

(ii) The limousine's tires are full size and the treads are not worn below the level permitted under § 1055.4(b)(4) (relating to basic vehicle standards).

(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 limousine to make certain that the vehicle is clean and otherwise in compliance with this subpart.

(4) Use of the heater and air conditioner to confirm the limousine's ability to maintain the air temperature required under § 1055.4(b)(12).

(b) *Permitted fares.* A limousine driver may not charge fares or rates for service other than those provided in the certificate holder's tariff as provided in Chapter 1063 (relating to tariffs).

(c) *Rules of the road.* A limousine driver shall continually provide limousine service in a manner consistent with 75 Pa.C.S. (relating to Vehicle Code) and the Philadelphia Traffic Code (12 Phila. Code §§ 100—3012).

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

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

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

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

(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 limousine 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 music or electronic noise such as a radio.

(7) Ceasing use of a mobile telephone and removing 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 § 1055.4(b)(12).

(9) Assisting the elderly or persons with disabilities in entering and exiting the limousine.

(10) Maintaining cash capable of providing change for a \$20 bill.

(11) Immediately reporting possessions of passengers left behind in a limousine after service to the Manager of Enforcement and the limousine certificate holder, then delivering the possessions to TLD Headquarters.

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

(1) The driver's certificate of a limousine 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 limousine 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 limousine driver.

Authority

The provisions of this § 1057.10 temporarily amended under 53 Pa.C.S. § 57B02.

1057-6

Source

The provisions of this § 1057.10 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 pages (360509) to (360510).

§ 1057.11. Additional requirements.

(a) Each limousine driver shall know the rights and limitations of any limousine used to provide limousine service, including applicable geographical limitations.

(b) A limousine driver may not provide limousine service with an expired limousine driver's certificate.

(c) A limousine driver may not provide limousine service without a valid driver's license.

§ 1057.12. Interstate commerce regulation.

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.

§ 1057.13. Limousine driver's certificate upon cancellation.

(a) A cancelled limousine driver's certificate may not be reinstated.

(b) An individual subject to cancellation of a limousine driver's certificate may not apply to the Authority for a new driver's certificate, including a taxicab driver's certificate as provided under § 1021.5 (relating to standards for obtaining a taxicab driver's certificate), for 2 years from the date the cancellation was entered. If the individual subject to cancellation also holds a taxicab driver's certificate, that driver's certificate will be cancelled with the limousine driver's certificate.

(c) The circumstances related to the cancellation of a limousine driver's certificate will be considered by the Authority when reviewing any subsequent application submitted by that individual.

Cross References

This section cited in 52 Pa. Code § 1021.13 (relating to taxicab driver's certificate upon cancellation).

§ 1057.14. General limousine driver reports.

A limousine driver shall make timely written reports to the Manager of Administration as required under the act, this part or an order of the Authority, including the following:

(1) Invalidation of a driver's license for any reason shall be reported within 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 § 1057.14 amended September 12, 2014, effective September 13, 2014, 44 Pa.B. 5867. Immediately preceding text appears at serial page (360511).

§ 1057.15. Limousine driver reports after accident.

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

- (1) Stop immediately.
- (2) Provide driver's license, registration, insurance, other information required by Pennsylvania law and the name of the limousine's certificate holder.
- (3) Report the details of the accident as soon as practicable as follows:
 - (i) To the police if required under 75 Pa.C.S. § 3746 (relating immediate notice of accident to police department).
 - (ii) To the certificate holder.

§ 1057.16. Trip sheet requirements.

(a) A driver of any classification of a limousine vehicle engaged in providing limousine service shall have a trip sheet in the vehicle, whether maintained in a paper form or digital form, evidencing that the vehicle is in service. The trip sheet must contain all of the following information:

- (1) The limousine driver's name, the limousine number, the certificate holder and the dispatcher.
 - (2) The starting location and time of each trip.
 - (3) The ending location and time of each trip.
 - (4) A designation indicating whether a trip resulted through the dispatcher or direct call from the passenger.
 - (5) The fare paid for the trip.
 - (6) The amount of any gratuity paid to the limousine driver.
- (b) At the conclusion of the trip, the driver shall record the ending time on the trip sheet.
- (c) The trip sheet shall be retained by the certificate holder as provided in § 1051.10 (relating to record retention).

Authority

The provisions of this § 1057.16 temporarily amended under 53 Pa.C.S. § 57B02.

Source

The provisions of this § 1057.16 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 (373579) to (373580).

Cross References

This section cited in 52 Pa. Code § 1053.1 (relating to standard classifications of limousine service); 52 Pa. Code § 1053.43 (relating to certain limousine requirements); and 52 Pa. Code § 1055.5 (relating to required documents).

§ 1057.17. Expiration and renewal of certificate.

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

Authority

The provisions of this § 1057.17 temporarily issued under 53 Pa.C.S. § 57B02.

Source

The provisions of this § 1057.17 temporarily adopted 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.

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