

MINUTES OF PUBLIC CARRIER WORKSHOP

April 28, 2010

How can the Office of Public Carrier Regulation streamline the process for adding vehicles for existing public carriers?

The public carrier workshop was called to order by Jeffrey S. Kohel, Public Carrier Division, Compliance Operations Manager on April 28, 2010 at approximately 1:05pm in the Division of Motor Vehicle Conference Room.

Mr. Kohel began the workshop addressing concerns amending the current fleet for existing carriers. Currently the Division's process is to amend through the current application procedure making it difficult to prove the need for additional fleet vehicles even if the need may be temporary on the carriers' part. Mr. Kohel is looking for ideas and suggestions from the carriers concerning this process. In researching some other states, Delaware, Pennsylvania and Maryland applications go through a similar process; amending through an application process. However, the state of New Jersey public carriers' are free to move vehicles in and out of the system as long as they meet insurance inspection and registration requirements.

Mr. Kohel stated the division is very interested in hearing various ideas and suggestions to streamline the amending process for current fleet regulations on existing public carrier vehicles. At that time, Jenifer Cohan, Director, Division of Motor Vehicles introduced herself and gave a brief history of these workshops and their purposes along with other workshops to be held in the future. She also stated the Public Carrier Division falls under the realm of the Division of Motor Vehicles, which many carrier companies were not aware. She really wants to give all the tools needed to public carriers so they can become successful and she wants to hear the many ideas these entities have, and the next few months will be the opportunity to let us know how to run these public workshops. Director Cohan wants to make sure it is easy and less time consuming for all public carriers to add vehicles to company fleets in conjunction with abiding by all state laws and regulations. In addition, the director expressed the Division of Motor Vehicles does not want to stand in the way of progress of these companies and this is the reasoning in forming these workshops to gather ideas and procedures.

Mr. Kohel started the discussion with some of the following suggestions and ideas:

How can the current system be streamlined and more convenience for all carriers?

The application process is not the issue it is all the underlying information that needs to be done. One carrier suggested implementing a separate application process to amend the certificate to try and eliminate some of the application redundancy. Since the State of Delaware has all the necessary information already on file (i.e. background checks, drug testing, etc.) they are being asked to double the application process and this is very time consuming. To be in compliance, through the Federal and the State laws, all information for every single person is extremely time consuming. Due to the current waiting period companies could loose large clients because of the law. Mr. Kohel indicated the state does not want this to happen.

Streamline the process for background checks for all drivers?

As a public carrier, company standards should already be set in place without having to duplicate the process. As long as an operator in good standing and in full compliance with DelDOT you should not have to submit double the work; wait time is approximately one hundred eighty (180) days. If the company and its driver are already in good standing then perhaps submit a “short form” and still go through the initial process. The company is just adding a vehicle and the state receives your amendment form. A copy of the amendment filed not more than six (6) months old is required. If everything is in good standing, there should be no need to duplicate the process. It is a crucial part of the business to be able to add vehicles as quickly as possible.

Currently the application process has a ten (10) day comment period. Is this a satisfactory turn around time?

Yes. But why does the law state we must wait the grace period? Once you are licensed to work you should be free to operate. “Why would a carrier buy an extra vehicle, pay the insurance and let it sit and do not use?” Is it possible to eliminate this process? Intervention process for a new or existing application is very important, however it can be tricky. Even though limo and taxi cab companies may be operating out of the same office, they are not competitive. These industries are completely different.

Would carriers like to discontinue van and shuttle service from limousine?

No. The taxi cab industry is completely separate from these industries and so are school bus companies. A van service is contracted for 2 – 5 people dealing with different type of businesses usually contract work with current registration regulations. They also negotiate with businesses and different agencies, providing a predetermined service. Cabs have no contracts customer must pay posted rate and does not get business as limo companies. “Why are the regulations between a taxi cab and limo so different?” There is a limit on cab companies growing their existing business. Perhaps divide the application into subsections: taxi, limo and charter. This seemed to be agreed upon providing paying a first time fee coming into service as long as the application requirement is not extensive.

To make this change is it a regulatory or legislative process?

Changes may be required to both the regulation or legislation. Some issues may be able to be resolved through administrative changes. .

How do you feel charter vehicles tie into this?

There is not any problem with this at the present time. School buses go through the same process and therefore the wait time/turnaround time creates problems. Because of these problems, the school bus company chooses not to add additional vehicles because of the complicated process. They are just making due with the vehicles they already have but in the meantime they are losing business. Perhaps charge an extra fee to file an amendment to add a vehicle. Mr. Holleger informed the workshop that the Division is aware of the concerns and is currently working to get this balanced out. The State’s goal is to eliminate the extra regulation

for school bus companies. However, this will take a lot of extra work. It was suggested that to use one DOT number for all vehicles. With so many numbers it can make things very confusing. The DOT number can go along with your certificate.

The LX tags are a great idea but it seems to have created some additional concerns with companies. How can we add an extra vehicle for a temporary period of time? The current process is the company needs to travel to the Dover office to transfer the tag in a timely manner.

No problem with the current fees. If the company is already in good standing the process should be as easy as possible. "Does anyone benefit from the current process?"

The goal should be to work together, the easier a company runs and customers are happy.

What do you think about making some of this process available on-line?

The Chief of Transportation Services, Russell Holleger, requested a consensus of those individuals who would prefer to communicate via the Internet such as when registering on-line for these workshops. In using the Internet it would make communication to the carriers quicker and avoid any delays. It was suggested the application can be processed on-line to simplify registration process and make payment on-line. Payment on-line is complicated and is not currently available at this time but hope to change this process in near future. Statistics show there is a need and a want for additional service, but we need to remove any obstacles to allow growth for these companies. The needs need to be sorted out and determined the operation difference between taxi cabs and limousines.

Do you feel an application should be submitted for each service type (taxi, shuttle, etc.)?

Yes. If it is a legitimate company and they would like to add more vehicles.

What are your feelings on the public need basing your decision on the new application process?

Should there be a higher/lower standard? It all depends on the circumstances. The law states "should be a public need" and that is how it should be. It needs to be determined "what is a public need"? All new applicants should do the work and existing companies' procedures should be more simplified.

Why are taxi cab companies so regulated?

It is the issue of public safety that should always come first.

What do you think the rights should be for a company wanting to expand their service?

Since the fees are the same statewide, so why not make it statewide instead of county by county? Application process should be easier however the compliance issues should remain the same. If the process was more simplified in adding a vehicle, it could make business operations run easier and to better serve the public without jeopardizing their safety.

There needs to be more confidence in the application process. Draft a set of standards; probationary period: new company versus existing company. Churches are not required to follow the same rules. Try and reduce cost yet maintain same regulations. A new company should be held to a whole separate set of standards for compliance purposes. It was suggested representation from each type of company (taxi, bus, limo, shuttle, etc.) to discuss the application process and get a better understanding from all sides. Perhaps remove the cap from the application process. Taxis are a separate entity; color scheme, rates, etc. It is not the states goal to collect more fees, increase rates. It is our goal to reduce the cost yet keep the same level of security. With the exception a carrier should incur a penalty fee if the company is not in compliance. Simply stated, a company is either in compliance or in violation. The State of Delaware has a level of due diligence and has numerous rules and regulations that must be followed. It was unanimously decided by the carriers that the State of Delaware is doing a tremendous job the past eighteen (18) months in taking a strong interest in these regulations and concerns.

Mr. Kohel is looking for a small group of volunteers to review documents as warranted with updated regulations and perhaps streamlining the process. A representative from each company would be helpful for input and feedback. There is a need to privatize each entity; each in their own category.

It was suggested that a meeting be set up with representation from each type of company (taxi, bus, limo, and shuttle) to review the standards and to compare related issues. In order to organize these workshops mid-morning workshops work better for public carrier scheduling purposes. A feedback form for these workshops will be added to the website.

Many carriers were in agreement that it is refreshing to see DMV taking such an involvement to seek possible solutions, when in the past several years things went unnoticed and unrecognized.

A small "Action Group" will be formed to gather information to develop an agenda to review and discuss concerns. Those carriers interested in being part of this group submitted their email addresses to be notified when the first meeting will take place.

The next workshop "Is a driver identification program needed to regulate drivers and provide additional safety for passengers"? scheduled on Wednesday, May 19, 2010 at 1:00pm

The Workshop adjourned at approximately 3:03 pm.