

 <p style="text-align: center;">Council Communication Office of the City Manager</p>	Date:	September 24, 2012
	Agenda Item No.	32
	Roll Call No.	<u>12-1515</u>
	Communication No.	<u>Council</u> <u>Communication: 12-</u> <u>519</u>
	Submitted by:	Jeb E. Brewer, P.E. City Engineer

AGENDA HEADING:

Public hearing upon application of Crown Cab Co. for Certificate of Public Convenience and Necessity to Operate a Taxicab Service in the City of Des Moines.

SYNOPSIS:

Magarsa Jana, d/b/a Crown Cab Co., 3816 36th Street, Des Moines, Iowa, has applied for a Certificate of Public Convenience and Necessity to operate a taxicab service in the City of Des Moines, with a total of six (6) vehicles. Staff has reviewed the application and the liability insurance certificate and has determined that Crown Cab Co. meets the requirements for providing taxicab service. As required by ordinance, a public hearing must be held prior to any certificate being issued.

Crown Cab Co. has provided a complete application for a certificate of public convenience and necessity, and submitted supplemental information regarding their financial, business, and existing taxicab operation. Staff review of the application and the liability insurance certificate determined that Crown Cab Co. has met the requirements for providing taxicab service. Based on a thorough review of all the information submitted, staff believes that Crown Cab Co. is fit, willing and able to provide public transportation as a taxicab company. As always, if Crown Cab Co. does not operate in compliance with the City of Des Moines ordinance requirements, the City Code contains adequate provisions to suspend or revoke their certificate for violations.

FISCAL IMPACT:

Amount: The ordinance provides for annual license fees of \$250 per company and \$75 per vehicle.

Funding Source: Revenue to Traffic and Transportation Division, Operating Budget, ENG100419, p. 82 of FY 2013 Operating Budget.

ADDITIONAL INFORMATION:

Taxicab Companies in Des Moines:

Des Moines has for many years regulated taxicab service, with entry qualifications for both drivers and companies and a determination of the need for additional taxicab service. Prior to operating on the streets of Des Moines, any taxicab company must obtain a “Certificate of Public Convenience and Necessity”, as well as, an annual company license and annual license for each vehicle. A certificate can only be issued after the City Council has held a public hearing and considered the information from the applicant. If the Council determines that further taxicab service is required for the public convenience

and necessity, and that the applicant is fit, willing, and able to provide public transportation, then they direct the city traffic engineer to issue a certificate. If the Council denies the application, they must state the reason for the denial.

The current regulations require that a taxicab company must provide an overall service to the public, and further require that they shall: maintain a central place of business, properly zoned; provide taxicab service to the public 24 hours a day, seven (7) days a week and have a phone that is answered 24 hours a day, seven (7) days a week; dispatch taxicabs using any method which accurately records and retains detailed information about each call for service and each trip; answer all calls for service inside the city; provide a minimum of six (6) qualified drivers and five (5) qualified vehicles, with a minimum of four (4) vehicles available to respond into operation at all times; and cannot refuse to accept a call or deny service to any orderly passenger; along with a number of other requirements. These requirements are in close conformance with the recommendations of the Taxicab, Limousine, and Paratransit Association, and are important in having quality taxicab service for the public, including service in residential neighborhoods, for short trips and to elderly, frail, or disabled passengers.

The current regulations also require that any taxicab vehicle comply with the Motor Vehicle Code, State and City laws; be clean and sanitary, inside and outside; be in excellent mechanical condition, with no defects; properly inflated, safe tires; have a maximum age of ten (10) years (based on model year of production); shall include all standard safety features to be in proper working order, and some other requirements.

Taxicab Service in Des Moines:

Des Moines has historically not limited the number of taxicabs or taxicab companies that obtain a certificate, but has used the entry qualifications for drivers and companies to enhance the safety of passengers, ensure that a fair price is charged for the service, and to provide quality taxicab service for all segments of the public.

There are currently five (5) holders of certificates to operate taxicab service in Des Moines: Yellow Cab has been in operation for over 90 years in Des Moines, and operated 45 cabs at the end of 2011; Capitol Cab has been in operation for over 55 years in Des Moines, with 55 cabs at the end of 2011; Freedom Cab has operated in Des Moines since May of 2009, with a total of eight (8) cabs; City Cab has operated since May of 2011, with a total of five (5) cabs; and United Cab has operated since October of 2010, with a total of ten (10) cabs. The total equates to 123 cabs for the Des Moines metro area of approximately 450,000 residents.

Section 126-186 provides if the Council finds at the conclusion of the public hearing that further taxicab service in the City of Des Moines, or between any point or points in the City and elsewhere, is required by the public convenience and necessity and the applicant is fit, willing, and able to perform such public transportation and to conform to the provisions of the subchapter, then the Council shall direct the City Traffic Engineer to issue a certificate stating the name and address of the applicant, the number of vehicles authorized under said certificate and the date of issuance; otherwise the section provides the application shall be denied.

Section 126-186(a) provides that in making the findings of subsection (b) of said section, the Council shall take into consideration the number of taxicabs already in operation, whether existing transportation is adequate to meet the public need, the probable effect of increased service on local traffic conditions,

and the character, experience, and responsibility of the applicant.

PREVIOUS COUNCIL ACTION(S):

Date: September 10, 2012

Roll Call Number: [12-1413](#)

Action: [On](#) Application of Certificate of Public Convenience and Necessity by Crown Cab Co., Magarsa Jana, to operate a taxicab service with 5 vehicles, (9-24-12). Moved by Hensley to adopt. Motion Carried 7-0.

BOARD/COMMISSION ACTION(S): NONE

ANTICIPATED ACTIONS AND FUTURE COMMITMENTS: NONE

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