
THE GENERAL ASSEMBLY OF PENNSYLVANIA

SENATE BILL

No. 851 Session of
1989

INTRODUCED BY SALVATORE, FUMO, TILGHMAN, ROCKS, FATTAH, WILLIAMS
AND JONES, APRIL 25, 1989

AS AMENDED ON THIRD CONSIDERATION, HOUSE OF REPRESENTATIVES,
MARCH 13, 1990

AN ACT

1 Amending Title 66 (Public Utilities) of the Pennsylvania
2 Consolidated Statutes, providing for the regulation of
3 taxicabs in first class cities.

4 The General Assembly of the Commonwealth of Pennsylvania
5 hereby enacts as follows:

6 Section 1. Sections 510(b) and 1103(c) of Title 66 of the
7 Pennsylvania Consolidated Statutes are amended to read:

8 § 510. Assessment for regulatory expenses upon public
9 utilities.

10 * * *

11 (b) Allocation of assessment.--On or before March 31 of each
12 year, every public utility shall file with the commission a
13 statement under oath showing its gross intrastate operating
14 revenues for the preceding calendar year. If any public utility
15 shall fail to file such statement on or before March 31, the
16 commission shall estimate such revenues, which estimate shall be
17 binding upon the public utility for the purposes of this

1 section. For each fiscal year, the allocation shall be made as
2 follows:

3 (1) The commission shall determine for the preceding
4 calendar year the amount of its expenditures directly
5 attributable to the regulation of each group of utilities
6 furnishing the same kind of service, and debit the amount so
7 determined to such group.

8 (2) The commission shall also determine for the
9 preceding calendar year the balance of its expenditures, not
10 debited as aforesaid, and allocate such balance to each group
11 in the proportion which the gross intrastate operating
12 revenues of such group for that year bear to the gross
13 intrastate operating revenues of all groups for that year.

14 (3) The commission shall then allocate the total
15 assessment prescribed by subsection (a) to each group in the
16 proportion which the sum of the debits made to it bears to
17 the sum of the debits made to all groups.

18 (4) Each public utility within a group shall then be
19 assessed for and shall pay to the commission such proportion
20 of the amount allocated to its group as the gross intrastate
21 operating revenues of the public utility for the preceding
22 calendar year bear to the total gross intrastate operating
23 revenues of its group for that year.

24 (5) The assessment provided for in this section shall
25 not be made against utilities governed by the provisions of
26 Chapter 24 (relating to taxicabs in first class cities).

27 * * *

28 § 1103. Procedure to obtain certificates of public convenience.

29 * * *

30 (c) Taxicabs.--

1 (1) A certificate of public convenience to provide
2 taxicab service within cities of the first class shall be
3 granted by order of the commission without proof of the need
4 for the service if the commission finds or determines that
5 the applicant is capable of providing dependable taxicab
6 service to the public according to the rules and regulations
7 of the commission.

8 (2) The commission is authorized to issue a maximum of
9 [1,400] 1,600 certificates of public convenience for taxi
10 service in any city of the first class upon the effective
11 date of this [subsection. Eighteen months after the effective
12 date of this subsection, the commission is authorized to
13 issue in its discretion a maximum of 1,700 certificates of
14 public convenience for taxi service in any city of the first
15 class. Thirty months after the effective date of this
16 subsection, the commission is authorized to issue in its
17 discretion a maximum of 2,000 certificates of public
18 convenience for taxi service in any city of the first class]
19 amendatory act. Upon the second year of the effective date of
20 this [subsection] amendatory act, the commission shall
21 institute a formal investigation on the future need for taxi
22 service in any city of the first class. The commission shall
23 report to the Senate and House Consumer Affairs Committees
24 its findings, conclusions and recommendations.

25 (3) It is hereby declared to be the policy of the
26 General Assembly to regulate the provision of taxicab service
27 within cities of the first class in such a manner that any
28 certificate of public convenience hereinafter granted by
29 order of the commission shall, in addition to any other
30 conditions imposed by the commission, require that at least

1 40% of such trips of such taxicab service shall be derived
2 from such service provided to and from points within specific
3 geographical areas to be determined by the commission as
4 being in the public interest. The commission shall have the
5 power to rescind or revoke any certificate of public
6 convenience granted to any existing holder or any new
7 recipient for the operation of taxicabs within a city of the
8 first class whenever it is shown that the holder of the
9 certificate is not operating the taxicabs on an average of
10 50% of the time over any consecutive three-month period.

11 (4) The commission shall have the authority to grant
12 immediate temporary certificates of public convenience for
13 taxicab service in cities of the first class. Such temporary
14 certificates are subject to further investigation before a
15 permanent certificate shall be granted by the commission.

16 [(5) In cities of the first class, all operators shall
17 utilize the services of a centralized dispatch system
18 utilizing radio. Any existing holder or any new recipient of
19 a certificate of public convenience for the operation of
20 taxicabs in cities of the first class which owns or operates
21 a centralized radio dispatch system shall make such system
22 available to all other taxicab operations for a reasonable
23 fee as described in a tariff to be filed with the commission
24 for its review and approval but with no obligation to use any
25 specific radio system. It is mandatory, however, that every
26 taxi operated in the city be linked to a central radio
27 service.]

28 (6) A minimum of 5% of all certificates of public
29 convenience issued under this subsection in cities of the
30 first class shall be issued to minority persons or to

1 corporations in which 51% or more of the voting shares or
2 interest in the corporation is held by minority individuals.
3 For purposes of this paragraph, "minority" shall describe one
4 who is Black, Puerto Rican, Hispanic, American Indian,
5 Eskimo, Aleut or Oriental.

6 (7) The transfer of a certificate of public convenience,
7 by any means or device, shall be subject to the prior
8 approval of the commission which may, in its sole or peculiar
9 discretion as it deems appropriate, attach such conditions,
10 including the appropriate allocation of proceeds, as it may
11 find to be necessary or proper.

12 [(8) In cities of the first class, any new holder of a
13 certificate of public convenience for the operation of a
14 taxicab shall, prior to the initial operation of such
15 taxicab, have such taxicab inspected under the supervision of
16 a State Police Officer at the expense of the holder of such
17 certificate. The holder of said certificate shall make
18 payment of such expenses at the time of the inspection with a
19 certified check payable to the Pennsylvania Department of
20 Transportation.]

21 * * *

22 Section 2. Title 66 is amended by adding a chapter to read:

23 CHAPTER 24

24 TAXICABS IN FIRST CLASS CITIES

25 Sec.

26 2401. Definitions.

27 2402. Medallion system created.

28 2403. Property and licensing rights.

29 2404. Certificate and medallion required.

30 2405. Contested complaints.

1 2406. Reissuance of medallion.
2 2407. Additional certificates and medallions.
3 2408. Restrictions.
4 2409. Driver ~~licensing~~ CERTIFICATION program. <—
5 2410. Wages.
6 2411. Centralized dispatcher.
7 2412. Regulations.
8 2413. Enforcement.
9 2414. Budgets and fees.
10 2415. Penalties.
11 2416. Applicability.
12 § 2401. Definitions.

13 The following words and phrases when used in this chapter
14 shall have the meanings given to them in this section unless the
15 context clearly indicates otherwise:

16 "First Class City Taxicab Regulatory Fund" or "Fund." A fund
17 administered by the commission to which all moneys collected
18 pursuant to the requirements of this chapter shall be deposited
19 and from which all expenses and costs associated with
20 administration and enforcement of this chapter shall be paid.
21 Moneys deposited in the fund shall not be used for any purpose
22 not specified herein.

23 "Taxicab." A motor vehicle designed for carrying no more
24 than eight passengers, exclusive of the driver, on a call or
25 demand basis and used for the transportation of persons for
26 compensation.

27 "Taxi driver's ~~license.~~" A license CERTIFICATE." A <—
28 CERTIFICATE or permit to drive a taxicab issued pursuant to
29 section 2409 (relating to driver ~~licensing~~ CERTIFICATION <—
30 program).

1 § 2402. Medallion system created.

2 There is hereby created a medallion system in cities of the
3 first class in order to provide holders of certificates of
4 public convenience which authorize citywide call or demand
5 service the opportunity to upgrade and improve the operations of
6 taxicabs. Each current holder of a certificate of public
7 convenience which authorizes citywide call or demand service in
8 cities of the first class is entitled to apply to obtain a
9 medallion from the commission at its offices within 90 days of
10 the effective date of this chapter for an initial fee in an
11 amount to be determined pursuant to the requirements of section
12 2414 (relating to budgets and fees). In the case of a corporate
13 certificate holder, a medallion shall be issued in the name of
14 the corporation to its corporate president. The medallion shall
15 be marked with the taxicab number assigned to the corresponding
16 certificate of public convenience.

17 § 2403. Property and licensing rights.

18 (a) Property rights.--Medallions are property and may not be
19 revoked or canceled by the commission. Medallions may be pledged
20 to lenders or creditors as security on debt. All lenders or
21 creditors who accept a medallion as security shall file with the
22 commission a notice of lien which describes the loan
23 transaction. A lien on a medallion is void by operation of law
24 unless a notice of lien is filed with the commission. The
25 commission may not permit a sale of a medallion if a notice of
26 lien has been filed on the medallion until the lien is removed
27 or unless the commission is notified by the lienholder that the
28 lien will be satisfied from the proceeds of the sale. If a
29 lender or creditor executes on or seizes a medallion, it shall
30 immediately notify the commission, in writing. Any sale of the

1 medallion, upon seizure or execution, shall occur at commission
2 offices pursuant to the requirements of section 2408 (relating
3 to restrictions) within one year of the seizure or execution. If
4 the medallion is not sold within one year, the medallion will
5 become nontransferable, and possession must be surrendered to
6 the commission.

7 (b) Licensing rights.--A certificate of public convenience
8 is a licensing right which accompanies each medallion and
9 authorizes the operation of one taxicab in cities of the first
10 class. No property interest shall exist in the certificate
11 itself. A certificate may not be pledged to lenders or creditors
12 as security on debt. A certificate may be canceled by the
13 commission, upon due cause shown, for violation of this title or
14 commission regulations. If the commission cancels a certificate,
15 the certificate holder shall have the right to sell the
16 accompanying medallion within six months of the date of
17 cancellation and the certificate holder must turn the medallion
18 over to the commission office within five days of cancellation
19 of the certificate for safekeeping until the medallion is sold.
20 This six-month time period shall be extended during the pendency
21 of a petition for reinstatement of the certificate of public
22 convenience. If the medallion is not sold within the statutory
23 period, the medallion will become nontransferable, and
24 possession must be surrendered to the commission.

25 § 2404. Certificate and medallion required.

26 (a) Procedure.--A vehicle may not be operated as a taxicab
27 in cities of the first class unless a certificate of public
28 convenience is issued, authorizing the operation of the taxicab,
29 and a medallion is attached to the hood of the vehicle. Prior to
30 the issuance of a medallion, the certificate holder shall have

1 its vehicle inspected by the commission. The commission shall
2 require, by order or regulation, that each medallion holder
3 submit to a periodic vehicle inspection of its taxicab by
4 commission personnel to ensure that the vehicle meets the
5 requirements of this title and commission regulations.
6 Commission inspection requirements shall be in addition to the
7 vehicle requirements set forth in Title 75 (relating to
8 vehicles). Commission inspection and recording requirements
9 shall be established by regulations. No vehicle which is more
10 than ~~five~~ SIX years old shall continue in operation as a <—
11 taxicab. Notwithstanding the foregoing, the commission may
12 authorize the operation of antique vehicles in call or demand
13 service in such circumstances as the commission may deem
14 appropriate. Each medallion holder's tariff rates shall be
15 clearly and visibly displayed in each taxicab. A medallion shall
16 not be removed from a vehicle without prior notification to and
17 permission of the commission. A medallion authorizes operation
18 of a vehicle as a taxicab only for the fiscal year for which the
19 medallion is issued.

20 (b) Protective barrier.--Each taxicab in cities of the first
21 class shall be equipped with a protective barrier for the
22 protection of the driver, separating the front seat from the
23 back seat. The commission may provide for additional driver
24 protection measures by order or regulation.

25 (c) Service.--A vehicle authorized by a certificate to
26 provide call or demand service in cities of the first class may
27 transport persons and their baggage upon call or demand and
28 parcels, packages and property at the same basic metered rates
29 charged to passengers:

30 (1) between points in the city of the first class for

1 which its certificate is issued;

2 (2) from any point in the city of the first class for
3 which its certificate is issued to any point in this
4 Commonwealth;

5 (3) from any point in this Commonwealth to any point in
6 the city of the first class for which its certificate is
7 issued, if the request for service for such transportation is
8 received by call to its radio dispatch service; and

9 (4) from any point in the city of the first class for
10 which its certificate is issued to any point outside this
11 Commonwealth as a continuous part of a trip.

12 (d) Other vehicles.--A vehicle which is not authorized by a
13 certificate to provide call or demand service in cities of the
14 first class, but which is operated by the holder of a
15 certificate of public convenience from the commission
16 authorizing call or demand service elsewhere in this
17 Commonwealth, may transport persons and property:

18 (1) to cities of the first class in accordance with the
19 service authorized under its certificate of public
20 convenience; and

21 (2) from any point in a city of the first class to any
22 point in this Commonwealth beyond that city of the first
23 class if the request for service for such transportation is
24 received by call to its radio dispatch service.

25 (e) Penalties involving certificated taxicabs.--Operating a
26 certificated taxicab in violation of subsections (a) and (b), or
27 authorizing or permitting such operation, is a nontraffic
28 summary offense. Offenders of subsections (a) and (b) may also
29 be subject to civil penalties pursuant to section 3301 (relating
30 to civil penalties for violations).

1 (f) Unauthorized vehicles.--Operating an unauthorized
2 vehicle as a taxicab, or giving the appearance of offering call
3 or demand service with an unauthorized vehicle, without first
4 having received a certificate of public convenience and a
5 medallion is a nontraffic summary offense in the first instance
6 and a misdemeanor of the third degree for each offense
7 thereafter. The owner and the driver of a vehicle being operated
8 as or appearing as a taxicab without a certificate of public
9 convenience and a medallion are also subject to civil penalties
10 pursuant to section 3301. Civil penalties which have been
11 assessed and collected shall be deposited in the fund.

12 (g) Confiscation and impoundment of vehicles.--In addition
13 to penalties provided for in subsection (f), police officers in
14 cities of the first class are empowered to confiscate and
15 impound vehicles and equipment utilized to provide call or
16 demand service without a certificate of public convenience and a
17 medallion. Upon satisfaction of all penalties imposed and all
18 outstanding fines assessed against the owner or operator of the
19 unauthorized vehicle and payment of the city's costs associated
20 with confiscation and impoundment, the vehicle and equipment
21 shall be returned to its owner. Failure to timely satisfy these
22 conditions within 90 days of impoundment may result in the sale
23 of confiscated property by a city of the first class at auction.
24 Proceeds received from the sale of confiscated property, after
25 payment of the city's costs associated with confiscation, shall
26 be deposited into the fund.

27 (h) Counterfeit medallions.--The manufacture or possession
28 of a counterfeit medallion is a misdemeanor of the third degree
29 for each offense.

30 § 2405. Contested complaints.

1 (a) Adjudication.--Contested complaints brought before the
2 commission, alleging violations of this chapter or rules and
3 regulations promulgated by the commission pursuant to this
4 chapter, shall be assigned by the commission to a presiding
5 officer who shall be a special agent or administrative law judge
6 for adjudication. Presiding officers assigned to cases pursuant
7 to this chapter may be removed by the commission only for good
8 cause shown. Following the taking and receiving of evidence, the
9 presiding officer shall issue a decision which determines the
10 merits of the complaint and assesses a penalty, if warranted. In
11 extraordinary circumstances, the presiding officer may require
12 the filing of briefs prior to issuing a decision. The presiding
13 officer's decision shall not be subject to exception or
14 administrative appeal. In its discretion, the commission may
15 exercise review of a presiding officer's decision within 15 days
16 of the date of issuance. If the commission does not exercise its
17 authority to review a presiding officer's decision, the decision
18 will become a final order without further commission action. The
19 commission may establish orders or regulations which designate
20 rules and procedures for the adjudication of complaints brought
21 pursuant to this chapter.

22 (b) Commencement of complaints.--Commission enforcement
23 officers and police officers or licensing officials in cities of
24 the first class may commence and prosecute complaints brought
25 before the commission pursuant to this chapter and provisions of
26 this title and commission regulations applicable to taxicab
27 operations in cities of the first class.

28 (c) Other penalties.--Nothing in this section shall be
29 deemed to limit the ability of any city of the first class to
30 prosecute violations and seek criminal penalties in a court of

1 law.

2 § 2406. Reissuance of medallion.

3 Within 30 days of the close of each fiscal year, a medallion
4 holder shall apply to obtain from the commission a reissued
5 medallion for a fee in an amount to be determined pursuant to
6 the requirements of section 2414 (relating to budgets and fees).
7 Each year's medallion shall designate the year of issuance and
8 shall be identifiable by a distinctive tint or color and shape,
9 to be determined by the commission. A medallion may not be
10 issued by the commission unless all outstanding commission
11 fines, penalties and fees have been paid in full and unless all
12 insurance, tariff and vehicle inspection filings are current.
13 Immediately prior to reissuance of a medallion, a medallion
14 holder shall remove the prior year's medallion from the hood of
15 its taxicab and surrender it to the commission. Upon reissuance,
16 the new medallion shall be immediately attached to the vehicle.
17 The annual fee paid under this section shall be in lieu of the
18 assessment set forth in section 510 (relating to assessment for
19 regulatory expenses upon public utilities).

20 § 2407. Additional certificates and medallions.

21 Subject to the limits established in section 1103(c)
22 (relating to procedure to obtain certificates of public
23 convenience), the commission may increase the number of
24 certificates and medallions if it finds a need for additional
25 taxicab service in cities of the first class by issuing
26 certificates and corresponding medallions to applicants on a
27 first-come-first-served basis. Each applicant shall pay a fee in
28 an amount equal to the reasonable market value of the medallions
29 at the time of issuance as determined by the commission. The fee
30 is payable prior to the time of issuance. In determining the

1 reasonable market value of a medallion, the commission shall
2 consider the purchase price in medallion transactions over the
3 prior year as reflected in commission records. The Commission in
4 its discretion may hold hearings to determine the reasonable
5 market value of a medallion. In no case shall the number of
6 certificates and medallions issued by the commission exceed
7 1,600 each.

8 § 2408. Restrictions.

9 (a) Place of transaction.--A medallion may not be sold or
10 transferred to another party unless the closing of the sales
11 transaction occurs at commission offices in the presence of a
12 designated commission staff member. The commission staff member
13 shall witness the execution of each contract of sale to evidence
14 staff presence at the execution. All contracts for the sale of
15 medallions which are not executed at commission offices and
16 witnessed by a commission staff member are void by operation of
17 law. All sales contracts shall conform to such rules and
18 regulations as the commission may prescribe. Prior to each
19 closing, the buyer of the medallion shall pay a fee in an amount
20 to be determined pursuant to the requirements of section 2414
21 (relating to budget and fees).

22 (b) Issuance of certificate.--Upon the witnessing of a sale
23 of a medallion and upon application of the purchaser and
24 compliance with commission tariff, insurance and inspection
25 requirements, the commission staff shall issue an accompanying
26 certificate to the new medallion holder unless the commission
27 determines that the transfer of the certificate is inconsistent
28 with the public interest. Where there is a determination that a
29 transfer is not in the public interest, the new medallion holder
30 shall have six months from the date the adverse determination is

1 entered to sell the medallion to a new owner. If a sale is not
2 consummated before commission personnel within six months, the
3 medallion will become nontransferable and possession must be
4 surrendered to the commission.

5 (c) Criminal records.--No person or corporation may purchase
6 a medallion or apply for a certificate if the person or
7 corporation or an officer or director of the corporation has
8 been convicted or found guilty of a felony within the five-year
9 period immediately preceding the transfer. All applications for
10 a certificate shall contain a sworn affidavit certifying that
11 the purchaser has not been convicted of a felony in the previous
12 five years. If, at any time, the commission finds that a
13 medallion holder has been convicted of a felony while holding
14 the medallion or during the five years immediately preceding its
15 purchase, the commission shall cancel the corresponding
16 certificate.

17 § 2409. Driver ~~licensing~~ CERTIFICATION program. <—

18 (a) General rule.--The commission shall provide for the
19 establishment of a driver ~~licensing~~ CERTIFICATION program for <—
20 drivers of taxicabs in cities of the first class. Standards for
21 fitness of taxi drivers shall be established under such rules
22 and regulations as the commission may prescribe. The commission
23 may revoke or suspend a taxi driver's ~~license~~ CERTIFICATE upon a <—
24 finding that the individual is not fit to operate a taxicab.

25 Each applicant for a taxi driver's ~~license~~ CERTIFICATE shall pay <—
26 a fee in an amount to be determined pursuant to the requirements
27 of section 2414 (relating to budget and fees). Upon approval, a
28 picture taxi driver's ~~license~~ CERTIFICATE will be issued to an <—
29 applicant. No individual shall operate a taxicab at any time
30 unless the individual is ~~licensed~~ CERTIFIED as a taxi driver by <—

1 the commission. Each ~~licensed~~ CERTIFIED taxi driver shall carry <—
2 and display in full view a taxi driver's ~~license~~ CERTIFICATE at <—
3 all times of operation of a taxicab. The commission may
4 establish orders or regulations which designate additional
5 requirements governing the ~~licensing~~ CERTIFICATION of drivers <—
6 and the operation of taxicabs by drivers, including, but not
7 limited to, dress codes for drivers.

8 (b) Violations.--Operating a taxicab without a taxi driver's
9 ~~license~~ CERTIFICATE or authorizing or permitting the operation <—
10 of a taxicab by a driver who is not ~~licensed~~ CERTIFIED as a taxi <—
11 driver in cities of the first class is a nontraffic summary
12 offense in the first instance and a misdemeanor of the third
13 degree for each offense thereafter. The commission may by
14 regulation provide for suspension and revocation of taxi
15 ~~driver's licenses~~ DRIVERS' CERTIFICATES for violations of this <—
16 chapter and commission regulations.

17 (c) Agreements delegating responsibilities.--The commission
18 is hereby authorized to enter into agreements or contracts
19 delegating the duties and responsibilities designated in
20 subsection (a) to a different governmental entity or to another
21 party.

22 § 2410. Wages.

23 (a) Minimum wage.--Each medallion holder shall pay at least
24 a prevailing minimum wage rate or, in the alternative, charge at
25 most a prevailing maximum lease amount to the drivers of its
26 taxicab, as determined by the commission upon investigation. The
27 minimum wage rate and the maximum lease amount, as established
28 by the commission, may include employee benefits.

29 (b) Uniform rates.--All taxicabs in cities of the first
30 class shall charge a uniform rate to passengers, as determined

1 by the commission upon investigation.

2 (c) Reopen investigations.--Any medallion holder or licensed
3 driver may petition the commission to reopen the investigations
4 addressed by subsections (a) and (b) no less than 18 months
5 after the close of the preceding investigation.

6 § 2411. Centralized dispatcher.

7 In cities of the first class, all medallion holders shall
8 utilize the services of a centralized dispatch radio system. Any
9 owner of a centralized radio dispatch system shall make such
10 system available to all medallion holders for a reasonable fee,
11 as described in a rate schedule to be filed with the commission.
12 The commission, in its discretion, may review the rate schedules
13 of radio associations to determine if rates charged discriminate
14 against new applicants. Medallion holders shall have no
15 obligation to use any particular radio system.

16 § 2412. Regulations.

17 The commission may prescribe such rules and regulations as it
18 deems necessary to govern the regulation of taxicabs in cities
19 of the first class pursuant to the provisions of this chapter.

20 § 2413. Enforcement.

21 The provisions of this chapter and the rules and regulations
22 promulgated by the commission pursuant to this act shall be
23 enforced by commission personnel in conjunction with the police
24 department in each first class city to the degree funding is
25 provided. The commission shall enter into contracts with each
26 first class city or its police department to provide for
27 continuous enforcement of this chapter. ~~The number, experience~~ <—
28 ~~and ranks of personnel, and the level of operating and fixed~~
29 ~~asset funding, necessary to provide for full enforcement of this~~
30 ~~chapter shall be established annually by the commission prior to~~

1 ~~submitting a budget and proposed fee schedule.~~ SUCH CONTRACTS <—
2 SHALL INCLUDE SPECIFIC DELINEATION OF PERSONNEL, INCLUDING
3 SUPERVISORY, FIELD, SUPPORT AND LEGAL PERSONNEL, AND OTHER
4 RESOURCES TO BE SUPPLIED BY THE FIRST CLASS CITY AND A LISTING
5 OF ACTIVITIES WHICH SHALL BE ADDRESSED. ANNUALLY, PRIOR TO THE
6 COMMISSION SUBMITTING A BUDGET AND PROPOSED FEE SCHEDULE AND
7 BASED UPON DISCUSSIONS AND NEGOTIATIONS WITH THE POLICE
8 DEPARTMENTS OF EACH FIRST CLASS CITY, THE COMMISSION SHALL
9 DETERMINE THE NUMBER OF POLICE (FIELD) OFFICERS DESIRED FOR
10 ENFORCEMENT. BASED ON THIS DETERMINATION, EACH FIRST CLASS CITY
11 SHALL SUBMIT TO THE COMMISSION, FOR ITS CONSIDERATION WITHIN 30
12 DAYS OF RECEIPT OF SUCH DETERMINATION, A BUDGET WHICH LISTS THE
13 NUMBER, EXPERIENCE AND RANKS OF PERSONNEL, INCLUDING
14 SUPERVISORY, FIELD, SUPPORT AND LEGAL PERSONNEL, AND THE LEVEL
15 OF OPERATING AND FIXED ASSET FUNDING. The commission shall
16 provide for full funding of the city enforcement activities, as
17 ~~established~~ AGREED UPON by the commission AND A FIRST CLASS <—
18 CITY, from the fund.

19 § 2414. Budget and fees.

20 (a) Initial budget and fees.--After execution of a contract
21 between the commission and a first class city or its police
22 department pursuant to section 2413 (relating to enforcement),
23 the commission shall complete an initial budget and fee
24 schedule. The fee schedule shall identify the initial fees for
25 initial issuance of a medallion, transfer of a medallion and
26 issuance of a taxi driver's license. The commission's initial
27 budget and fee schedule shall be submitted to the House Consumer
28 Affairs Committee and the Senate Consumer Protection and
29 Professional Licensure Committee. Unless either the Senate or
30 the House of Representatives acts to disapprove through adoption

1 of a resolution within ten legislative days from the date of
2 submittal, the commission's fee schedule shall become effective
3 and the commission shall notify each medallion holder by
4 certified letter of the initial fee schedule.

5 (b) Fiscal year budget and fees.--The fiscal year for the
6 fund shall commence on July 1 of each year. Prior to the close
7 of each fiscal year, the commission shall submit a budget and
8 proposed fee schedule for the coming fiscal year along with
9 comprehensive financial data from the past fiscal year to the
10 House Consumer Affairs Committee and the Senate Consumer
11 Protection and Professional Licensure Committee. Unless either
12 the Senate or the House of Representatives acts to disapprove
13 through adoption of a resolution within ten legislative days
14 from the submission, the commission fee schedule shall become
15 effective. The commission shall notify all medallion holders of
16 the fee schedule for the coming fiscal year by certified letter.
17 § 2415. Penalties.

18 For the purpose of this chapter, any person or corporation
19 convicted of:

20 (1) a summary offense shall be sentenced to pay a fine
21 of \$500 and may be sentenced to a term of imprisonment not to
22 exceed 90 days, or both; or

23 (2) a misdemeanor shall be sentenced to pay a fine of
24 \$2,500 and may be sentenced to a term of imprisonment not to
25 exceed one year, or both.

26 § 2416. Applicability.

27 Where other provisions of this title or other laws of this
28 Commonwealth are in conflict with the provisions of this
29 chapter, the provisions of this chapter shall govern taxicabs in
30 cities of the first class and other conflicting provisions are

1 hereby suspended insofar as they govern taxicabs in cities of
2 the first class.

3 Section 3. This act does not affect any act done, liability
4 incurred or right accrued or vested or affect any civil or
5 criminal proceeding pending or to be commenced to enforce any
6 right or penalty or punish any offense under any statute or part
7 of a statute suspended by this act.

8 Section 4. This act shall take effect as follows:

9 (1) The provisions of section 2404(a) that prohibit the
10 operation of taxicabs more than ~~five~~ SIX years old shall take <—
11 effect in one year.

12 (2) The remainder of this act shall take effect in 90
13 days.