

## Veto No. 2006-8

HB 2545

October 27, 2006

To the Honorable, the House of Representatives  
of the Commonwealth of Pennsylvania:

I am returning, without my approval, House Bill 2545, which amends certain provisions of the parking authorities' law primarily relating to the regulation of taxicabs and limousines in cities of the first class.

One of the most troubling aspects of the bill is the provision that allows the Philadelphia Parking Authority to depart from the standard administrative law practice of setting forth clear and understandable reasons why a particular decision, following a hearing to contest the Authority's action with respect to the rights or obligations of a taxicab or limousine owner, was made. The grounds upon which a taxicab or limousine owner may appeal a decision are limited, so how is the owner supposed to know if he or she has grounds for an appeal if the Authority's hearing officer doesn't have to include his or her reasons in the decision? Because such a decision could involve taking away an owner's right to make a living, this seems to be patently unfair and bordering on a violation of due process for the taxicab or limousine owner. At the very least, it will mean that everyone who receives an unfavorable decision will automatically have to file an appeal—and, most likely, spend some amount of money to hire a lawyer to do so—even before they know whether they have any chance of being successful.

Moreover, the bill is fraught with provisions that are confusing and seem not to serve the interests of the Parking Authority or the citizens it was created to serve. For example, the bill exempts limousines and taxicabs that operate in Philadelphia, but are "based outside" of the city from the oversight of the Authority. Besides the fact that the bill does not define what being "based outside" of the city means, it seems that this gives suburban taxicab and limousine services a distinct advantage over those that are located in the city for no apparent good reason. It also may induce companies that are already located in Philadelphia to move out of the city, which obviously is not good for the city's overall economy. In addition, House Bill 2545 exempts all parking authorities from compliance with the most important provisions of the Commonwealth Procurement Code—those relating to the openness with which contracts must be bid and awarded. This can only result in the loss of faith by the public in the integrity of these authorities.

Finally, the bill exempts wheelchair accessible taxicabs from the prohibition in the current statute that a taxicab cannot be more than eight years old. There does not seem to be a good reason for this exemption.

For all these reasons, I must withhold my approval from House Bill 2545.

EDWARD G. RENDELL