

File Attachments

1. ModernizationMemo_v1 KSC_9.18.23 (002)

ModernizationMemo_v1 KSC_9.18.23 (002).pdf

5. Deliberative Session

5.1. Response to Airport Winooski Cab

6. Adjournment

6.1. Motion to adjourn



**BURLINGTON VEHICLE FOR HIRE LICENSING BOARD
BUSHOR CONFERENCE ROOM, 1ST FLOOR, CITY HALL, 149 CHURCH ST.
BURLINGTON, VT 05401 OR REMOTELY VIA ZOOM.**

MINUTES OF MEETING

September 6, 2023

Member Present:

Paul Hines
Youness Jamil
Stephen Hamlin

Other Present:

Attorney Kyle Clauss
Tenzin Chokden

Paul Hines called the meeting to order at 5:40PM.

1. Agenda

1.1. Motion to amend/adopt agenda

Motion to accept the agenda by Stephen Hamlin.
Seconded by Youness Jamil.
Agenda approved unanimously.

2. Chair Appointment

2.1. Chair Appointment Election

Paul Hines opened nominations to appoint Chair for the board. Stephen Hamlin and Youness Jamil nominated Paul Hines. The board unanimously elected Paul Hines as Chair and he accepted.

3. Previous Minutes

3.1. Previous Minutes Approval

Motion to accept to previous the minutes was made by Stephen Hamlin. Seconded by Youness Jamil
Approved unanimously.

4. Public Forum

4.1. PUBLIC FORUM - Verbal Comments

No members of the public were present for the public forum.

5. Hearings

5.1. Airport Winooski Cab

Nicholas Junjulas, the complainant, and Abdi Dhere, the owner of Airport Winooski Cab were both sworn in by attorney Kyle Clauss.

Nicholas Junjulas shared his testimony by stating he took Airport Winooski Cab on May 16, 2023 from the airport to his destination. He noticed the driver didn't have a meter as they got closer to his destination. He asked the driver about the meter and how much he was going to charge him. The driver replied he is going to charge him \$33 and he doesn't need a meter. Nicholas didn't agree with the price because he has had taken this cab ride many times and it generally costs about \$14-\$1. He lives about 3 miles away from the Airport. He swiped his credit card and later saw in the statement that he was charged \$33 for the ride.

Abdi Dhere shared his testimony by stating he has been driving cab for 18 years, provides great customer service. He is familiar with places in Vermont and knows how much to charge customers and he does not need a meter or use meter to charge customers for fare. He mentioned a \$200 charge that a customer owes him.

Paul Hines asked Abdi Dhere if he knew this complaint is about a \$33 charge not a \$200 charge.

Abdi Dhere answered that he is nice to everyone and he treats everyone equally. He has a court hearing on December 18th, 2023, but the case is not about him treating someone badly.

Youness Jamil added that Abdi Dhere is on probation. He asked Abdi if he remembers this customer, who is complaining about a \$33 charge for a 3 mile ride. He asked if the price was negotiated before the ride started.

Abdi Dhere replied that he is not going to speak to him and he will only answer to the board.

Youness Jamil told him he is a member of the board and Paul Hines confirmed.

Abdi Dhere answered that he told the customer about the fare before the ride and this is his practice with all customers.

Nicholas Junjulas argued that the driver did not mention the fare charge beforehand. He said that if he knew the charge was going to be \$33 for a 3 miles ride, he would've never taken the ride from the cab and would have gone to the next the cab in line. He has never seen anyone without a meter in taxi cab before this.

Paul Hines asked about the condition of the car at the time.

Nicholas Junjulas said the car was not clean, and the driver did not have a good sense of direction, nor did he have any navigation system in his cab.

The board was not able to reach Abdi Dhere afterward as he was muted and didn't respond to any further requests made by the board. The hearing ended at that.

6. Deliberative Session

6.1. Deliberative Session

Motion to enter deliberative session: Stephen Hamlin

Seconded by: Youness Jamil

Approved unanimously. The board entered deliberative session to discuss the hearing.

7. Discussion

7.1. Memo to City Council

1. Concerns about the existing Vehicle for Hire system

The board discussed their concerns around the current vehicle for hire system. These concerns included:

- Stephen Hamlin mentioned that drivers need to read and understand the ordinance to be able to operate as vehicles for hire and follow the rules.
- Youness Jamil shared that the drivers choose to use a flat rate instead of using their meters because the meter rate hasn't been updated. The drivers are not making enough money and also there is no one local who can work on meters.
- Paul Hines brought up a concern which was previously brought up by Youness Jamil on the taxi drivers who are purchasing multiple airport queue permits and not operating at all.
- Updating meter rates and adding surge charge for late night service.
- City Licensing and Airport licensing are not in agreement.
- Meter rates may not be comparable to what rates in other cities are.

2. Ideas for modernizing and improving the system

The board discussed their ideas and updates around modernizing the current vehicle for hire system. These included:

- Paul Hines had a discussion with Scot Barker, City Chief Innovative Office in regards to replacing current meters with app based meter. Scot Barker will research further.
- Educating drivers on rules of operating as a vehicle for hire. More signage at the airport such as the passenger bill of rights and rules, so the passengers know their rights.
- The ordinance change on the board's recommendation of changing the age of vehicle to 15 years will be presented at the next city council meeting.
- Enforcement at the Airport: making sure the licensees are licensed and revoke queue permit from drivers who are not licensed.
- Recommend that the airport commission to add more airport queue permits, so other drivers can start working and be available.
- Kyle Clauss will the draft the memo and share among the board.

8. New Business

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8.1. New Business

Youness Jamil heard from other drivers who are complaining about the volume of taxi business at the airport going down because of Uber and Lyft. The drivers would go without any customers for 4-5 hours while sitting in the queue and are saying they are not making money at the Airport. Nic Longo helped put out more signs inside the airport on taxi service but it has not made any difference.

Paul Hines added that because of the experience that he had with taxi services at the airport, he doesn't recommend taking taxi service to travelers, who come to visit Burlington and others are likely learning from these bad experiences as well.

The next meeting was scheduled for Wednesday, 10/11/2023 at 5:30pm.

9. Adjournment

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9.1. Motion to adjourn

Motion to adjourn: Stephen Hamlin

Seconded: Paul Hines

The meeting ended at 7:20PM

M E M O R A N D U M

TO: City Council

CC: Nic Longo, Director of Aviation
Tim George, Airport Commission Chair

FROM: Vehicle for Hire Licensing Board

DATE: October 2, 2023

RE: Vehicle for Hire Modernization

Chapter 30, Vehicles for Hire, of the Burlington Code of Ordinances (“BCO”) tasks the Vehicle for Hire Licensing Board (“the Board”) with “diligently see[ing] that all ordinances related to vehicles for hire operating in the city and the airport are enforced and promulgate such rules and regulations, policies and procedures, and enforcement system and practices as are necessary to ensure that efficient administration of and compliance with standards established” therein. BCO 30-4(a). The Taxi Administration Office (“the TAO”), works in tandem with the Board and is “responsible for the day-to-day administration of the vehicle for hire ordinance and shall implement the rules and regulations, policies and procedures, and enforcement practices and systems promulgated by the board.” BCO 30-5.

The Board shares responsibility for enforcing Chapter 30 with the Vehicle for Hire Administration Office, Burlington Police Department, ground transportation personnel at the Patrick Leahy Burlington International Airport (“the Airport”), and any other law enforcement officer assigned by the City. BCO 30-3. Additional regulations specifically concerning permitting and licensure for vehicles for hire operating at the Airport are set forth at Appendix E, Burlington International Airport Rules and Regulations, Chapter 1, Ground Transportation.

In recent months, the Board has developed recommendations to modernize and improve the vehicle for hire industry in the City of Burlington. The Board wishes to share the following recommendations with the City Council in hopes of addressing the industry’s most pressing issues to improve passenger and driver experience alike:

1. Updated Rates & Taximeter Issues: Nearly all drivers who have appeared before the Board have complained that the City-approved rates for vehicles for hire are too low and have failed to keep pace with inflation. As a result, many drivers decline to use a taximeter and charge a flat fee, which is prohibited for taxicabs. BCO 30-23(a). Compounding the problem, according to Board Member Youness Jamil, is that the only individual qualified to repair and calibrate taximeters in Vermont has since moved to Florida.

The Board recommends increasing rates significantly, taking into account the impact on inflation on vehicle for hire drivers and businesses, as well as rates in other cities of comparable size to Burlington. Additionally, the Board recommends establishing a late-night service surcharge to incentivize drivers to accommodate passengers arriving at the Airport after 9 p.m. A mobile app-based metering system, discussed in greater detail below, could address issues concerning the use and maintenance of taximeters.

2. Mobile App-Based Metering Solution: Board Chair Paul Hines has engaged in preliminary, informal discussions with Scot Barker, the City's Chief Innovation Officer, regarding possible mobile app-based metering solutions. Such an app could address persistent issues over pre-agreement of rates and taximeter use. See BCO 30-22, 30-23.
3. Driver Education: Printed copies of Chapter 30 and Appendix E, Chapter 1 should be provided to all licensees and translated as necessary. The Taxi Administration Office collects licensee contact information, so this information can be provided without difficulty.
4. Airport Permits: The Airport Commission sets the total number of ground transportation permits and queue permits "from time to time after due consideration of requirement or demands of the public, existing transportation facilities, traffic and parking conditions, potential congestion of traffic and such other relevant facts as the commission shall deem advisable or necessary to take into consideration." BCO App. E, sec. 2.4. Ground transportation permits are required for all courtesy carriers¹ and contract carriers² picking up passengers at the Airport, BCO App. E, sec. 2.2, while taxicabs and limousines operating at the Airport must first obtain a queue permit in addition to the applicable license required under Chapter 30. BCO App. E, sec. 2.1, 2.3.

Board Member Jamil has raised concerns that some holders of queue permits do not use them, squeezing out vehicle for hire drivers actively seeking to operate at the Airport. The Board recommends an expansion in the total number of queue permits made available by the Airport Commission, as well as a review of current queue permit holders to determine which are actively operating at the Airport. Further, the Board recommends that the City Council and Airport Commission amend BCO App. E, sec. 2.6 to establish a mechanism for revoking a queue permit following a period of prolonged inactivity.

¹ A "courtesy carrier" is defined as "a motor vehicle not otherwise defined herein being used regularly for the transportation of customers between the airport and any hotel, motel, auto rental office or parking lot without cost to the passengers." BCO App. E, sec. 1.1(g).

² A "contract carrier" is defined as "a motor vehicle being used to make casual trips on call or under contract subscribed by the party served for the transporting of passengers, baggage or packages for compensation; provided, however, that no operator of a contract carrier shall be allowed to pick up any additional passenger along the route, nor be permitted on the return trip to carry any passenger other than those prearranged and scheduled in the original trip plan. It does not include: (a) motor vehicles regularly used in the business of carrying passengers for hire; and (b) service provided by a bus as defined under these regulations." BCO App. E, sec. 1.1(f).

5. Cleanliness: Chapter 30 includes a “passenger bill of rights.” As currently written, BCO 30-21 requires that “[e]very vehicle for hire must include a copy of this passenger bill of rights within the vehicle or made available by a licensee on its website.” The Board recommends that the City Council amend BCO 30-21 to make clearer that it imposes an affirmative duty upon the drivers to abide by its provisions—among them, having a “clean passenger seat area and trunk” and “tak[ing] the most direct or efficient route to your destination.” BCO 30-21(a)(6), –(7). Moreover, the Board recommends placing a heavier emphasis on cleanliness in the revised BCO 30-21.

The Board has received invaluable guidance from Councilor Barlow and welcomes further collaboration with the Council’s Transportation, Utility, and Energy Commission, as well as Director of Aviation Nic Longo, the Airport staff, and the Airport Commission.