

Metropolitan Taxicab Commission

August 22, 2011 @ 9:00 am
Commission Headquarters, 2628 Delmar, Hearings Room

Members present: Commissioners: Hamilton, McNutt, Reeves, Rudawsky, Satz, Tucci, Asfaw

Members absent: Commissioners: Bennett, Gidey

Legal Department: Thomas McCarthy

MINUTES

The Meeting was called to order by Chairman Hamilton and the roll was called by Beth Dunham, Chairman Hamilton-present, Commissioner McNutt-here, Reeves-here, Rudawsky-here, Satz-here, Tucci-here, and Asfaw-here. The first order of business was approving the minutes from the July 28, 2011 meeting. Chairman Hamilton made a motion to approve the minutes, moved by Reeves and seconded by McNutt, and with no further discussion roll was called. Chairman Hamilton-yes, Commissioner McNutt-yes, Reeves-yes, Rudawsky-yes, Satz-yes, Tucci-yes, Asfaw-yes, minutes were approved. The next order of business was setting the date for the next meeting, which will be September 26, 2011 at 9:00 a.m.

NEW BUSINESS

New Business starts with new VFHC revisions, Section 507 and 604.

Director Klein starts with adding Section 507, all taxicabs prior to renewal in 2012 will require the installation of a secure electronic processing payment device in the passenger portion of the cab. Under the Director's rules all vendors must be approved by the director and mandated by the Commission. The CCN holder can decide which vendor they choose to use in their taxicabs. The public cannot be charged a convenience fee for an electronic payment, unless it is used from the passenger portion of the cab with the approved secure electronic payment device. Chairman Hamilton asks for a motion to approve the amendments under Code Section 507 Electronic Payments and the Director's Rules, a motion was made by Commissioner Reeves, seconded by Satz.

Commissioner Reeves made a motion to amend the proposed changes under Section 507 Electronic Payments be adopted but limited to all classes of taxicabs, seconded by Satz. Chairman Hamilton called for an end to discussion, with the motion and the second on the floor to approve the amendment to Section 507 Electronic Payments, with no objections and previous roll the changes were approved.

507 – Electronic Payments

A. This section applies to all types of taxicabs. In those categories each Vehicle For Hire shall be equipped to accept and process electronic payments to satisfy any fare, whether by ACH transaction, prepaid card, debit card and/or credit card. Such payment systems shall meet the following minimum standards:

1. The processing system must be owned or leased by the CCN Holder, and no Driver shall operate a separate payment processing device within the Vehicle For Hire.
2. The processing system must comply with Payment Card Industry ("PCI") data security standards, as in effect from time to time.

3. The maximum fee, charge, tax or levy charged to the public by the CCN Holder or third party processor for receipt of electronic payment shall not exceed Two Dollars (\$2.00) per transaction; provided that such fee may be charged if, and only if, the following conditions are satisfied:

a. Clearly visible notice of such fee is posted both inside in the passenger area and outside of the Vehicle For Hire.

b. The payment system is located in the rear seat of the Vehicle For Hire and accessible to the passenger.

c. The third-party payment processor has been approved by the MTC.

4. The Driver shall promptly provide the passenger with a printed or electronic receipt. The option to pay for a fare via mechanical imprinted credit card processors shall continue to be permissible only as a secondary solution in the event of an unforeseeable equipment malfunction or defect. Such imprinted transactions must be processed by a Driver only through a merchant authorized by the MTC.

5. Any third party payment processing service must be approved by the Director.

6. The MTC shall have authority to inspect and approve the installation process and placement of any new electronic payment systems installed in a Vehicle For Hire.

7. The MTC shall have the authority to approve the placement and content of all signage related to any electronic payments technology installed in a Vehicle For Hire.

8. Violations of this section shall be Class II violations.

B. Each CCN holder must comply with the provisions of Section 507 by the time of the next annual renewal of its vehicle for hire permit from the date of the adoption of this section by the MTC.

Section 604 Premium Sedans use to require any CCN holder to operate at least three premium sedans this was omitted from the code. New revisions to the code reinstated any new CCN applications must operate a minimum of three premium sedans. Chairman Hamilton moved to amend the proposed changes to Section 604, seconded by Commissioner McNutt, with no objections and previous roll called the amendments were reinstated; Chairman Hamilton-yes, Commissioner McNutt-yes, Reeves-yes, Rudawsky-yes, Satz-yes, Tucci-yes, Asfaw-yes.

604 Special Requirements for Premium Sedans.

A. Premium sedans shall be no older than five (5) model years while in service.

1. No premium sedan shall be entered into service older than two (2) model years.

B. Premium sedans shall bear a permit of the size, color, and other specification as determined by the Director, permanently affixed as specified by the Director. The car shall bear no other markings.

C. The fact that a premium sedan driver is stationed on, or within twenty-five hundred (2,500) feet of, a hotel or business property, whether or not on private property, without a written trip ticket in the vehicle shall constitute prima-facie evidence that the driver is operating an illegal taxicab service.

D. Premium sedan drivers must be summoned to hotels or businesses solely at the request of the passenger.

E. Premium sedans are required to operate strictly by prearranged contract with the specific passenger being transported and his guests. Contracts must be arranged at least sixty (60) minutes prior to pick up.

F. Any premium sedan parked on hotel, or business property - or across the street from a hotel, or business property with or without consent of the property owner - must maintain written evidence in the vehicle (in the form of a trip ticket or written contract) of having been summoned to provide service for this specific date, time, and trip.

G. Written evidence of having been summoned by the passenger, by MTC-authorized hotel personnel or by a representative of the business, must be available for inspection by the Director or his designees. Lack of such written evidence shall constitute prima facie evidence that the driver is operating an illegal taxicab service.

H. When waiting for a passenger at any designation, a premium sedan driver shall display the surname of the passenger prominently in the rear side window of the vehicle or held by hand or otherwise as determined by the Director.

I. Violation of sub-sections B through H of this section 604 shall be Class II violations of this code.

J. It shall be a Class II violation of this code for a premium sedan to station at the airport without first having been called for by a specific passenger.

1. Nor shall any premium sedan pick up any passenger other than the specific passenger, and guest(s) of said passenger, for whom the premium sedan was called.

K. Drivers, their vehicles as well as company offices and trip records will be subject to random inspection by the Director and his Agents at any time with or without prior notice.

L. Vintage premium sedans shall meet the qualifications set forth in the definition. An application for vintage status must be made on an individual vehicle basis to the Director and granting of vintage status shall be at the sole discretion of the Director. Vintage premium sedans are exempt from the in-service and aging requirements of this section.

M. In order to qualify for a CCN for premium sedans, the proposed CCN holder must have a minimum of three (3) premium sedans ready for operation at the time the CCN goes into effect.

N. Unless otherwise specified, violation of this section 604 shall be a Class III violation.

DIRECTOR'S REPORT

Director Klein showed the Commission the ad ran in the St. Louis Post Dispatch by the Convention Visitors Commission on what a great job the taxi drivers did during the ASAE Convention.

TREASURER'S REPORT

Commissioner Reeves discussed the financial balance sheet as of July 31, 2011. Page one shows continued strong cash position; page three revenue and expenditures for the last seven months of this year shows we are tracking ahead of budget by \$62,800.00. We have a net income of \$72,347.00, which shows we're tracking ahead of budget by \$44,074.00.

OLD BUSINESS

None

PUBLIC COMMENTS

None

EXECUTIVE SESSION

The Commissioners concluded the public session and Chairman Hamilton motioned to move to Executive Session, the motion was seconded by Commissioner Reeves, and with previous roll the Commissioners moved into Executive Session; Chairman Hamilton-yes, Commissioner McNutt-yes, Reeves-yes, Rudawsky-yes, Satz-yes, Tucci-yes, Asfaw-yes.

Pursuant to Missouri Statute 620.021, an Executive Session may be held to discuss legal, confidential or privileged matters under §610.021(1), RSMo 1988 Supp.; leasing, purchase or sale of real estate under §610.021(2); personnel actions under §610.021(3); discussions regarding negotiations with employee groups under §610.021(9); personnel records or applications under §610.021(13); or records under §610.021(14) which are otherwise protected from disclosure by law; or confidential or privileged communications with the District's auditor, including auditor work products under §X610.021(17).

ADJOURNMENT

Upon returning from Executive Session, Chairman Hamilton opened the Public Session for Adjournment, the motion to adjourn was made by Chairman Hamilton and seconded by Commissioner Reeves. The motion to adjourn was passed unanimously; Chairman Hamilton-yes, Commissioner McNutt-yes, Reeves-yes, Rudawsky-yes, Satz-yes, Tucci-yes, Asfaw-yes. The meeting was adjourned at 10:20a.m.

Minutes were interpreted from an audio recording of the meeting by Beth Dunham.