*Mayor and Council Communication*
*Memo Number: 43*
*Wednesday, June 16, 2010*

CHARLOTTE.

## WHAT'S INSIDE:

**Page**

**Information:**

Passenger Vehicle for Hire Enforcement Issues.....2

**Attachments:**

April 22 Economic Development Committee Meeting Summary.....3
May 24 Environment Committee Meeting Summary.....3
May 27 Transportation and Planning Committee Meeting Summary.....3

## INFORMATION:

**Passenger Vehicle for Hire Enforcement Issues**

*Staff Resources: KimAnnette Smith, CMPD, 704-395-6477, ksmith@cmpd.org*
*S. Mujeeb Shah-Khan, City Attorney's Office, 704-336-5803, mshah-khan@charlottenc.gov*

Recently, the Mayor and Council received an e-mail from Ted Russell of the Teamsters Union concerning recent enforcement activities of the City's Passenger Vehicle for Hire Unit ("PVH"), which is a part of CMPD. Given the nature of the allegations, staff wanted to provide additional information and a response to the Mayor and Council.

Mr. Russell suggested that PVH inspectors removed vehicle operating permits and vehicle decals from taxicabs in violation of the City Code. In the cases Mr. Russell referred to, the vehicle operating permits and vehicle decals were seized from the vehicles that were damaged to the point where they no longer conformed to the City Code's requirements and could not serve as taxis. PVH inspectors are allowed to immediately seize vehicle operating permits and vehicle decals in that circumstance, instead of having to wait to conduct a revocation hearing, or waiting until 10 days after a final decision of the Passenger Vehicle for Hire Board on an appeal. The vehicle operating permits and vehicle decals were taken in order to prevent the drivers from continuing to violate the City Code by operating damaged vehicles, which could pose a threat to the health and safety of citizens. The vehicle's owner is required to fix any and all damage to the vehicle before the vehicle operating permits and vehicle decals are returned. The vehicle's owners are not charged to have the vehicle operating permits and vehicle decals returned after the vehicles are repaired and brought back into conformance with the City Code.

Mr. Russell also mentioned an incident where a Teamsters logo was removed from the inside of a taxicab. However, the Teamsters sticker was actually removed from the outside rear window of the taxicab. Under the City Code, all decals are prohibited from windows except those specifying which credit cards are accepted for payment and decals from the PVH Unit (for example, the rate schedule for taxicabs or the vehicle decal that shows that the vehicle is properly permitted).

Mr. Russell suggested that PVH inspectors were harassing and intimidating taxi drivers during enforcement efforts. No such harassment or intimidation occurred. Acting PVH Manager KimAnnette Smith discussed these issues with Mr. Russell, and he apologized to Ms. Smith for his e-mail and noted that the drivers involved had painted a different picture of what had happened.

While Mr. Russell suggested that civil claims might be filed against the City for the actions of PVH inspectors, or charges for theft of property by PVH inspectors, staff believes that no claims will be pursued or charges will be filed.

# ATTACHMENTS:

April 22 Economic Development Committee Meeting Summary
*(see attached, left side table of contents)*

May 24 Environment Committee Meeting Summary
*(see attached, left side table of contents)*

May 27 Transportation and Planning Committee Meeting Summary
*(see attached, left side table of contents)*