

April 8, 2018

PAGE 1 OF 2

William Botzow, Chair
House Committee on Commerce and Economic Development
Vermont State House Rm 35
155 State Street
Montpelier, VT 05633-5301

RE: H-143 (An act relating to automobile insurance requirements and transportation companies)

Dear House Committee Members,

At a minimum, we have here in Vermont, approximately ten municipalities actively regulating and licensing cabdrivers. Regulations, by-laws and rules determine who, or who not, may be eligible to operate within their respective jurisdictions. Failure to obtain the proper license may, on occasion, result in punitive fines up to \$1000 (one-thousand dollars).

One licensed cabdriver out of Vergennes, received two municipal violations in Rutland City last year resulting in out-of-pocket expenses totaling more than five-hundred dollars – apart from the one-thousand dollar fine. The cab driver appealed and won his case. But why have independent cab drivers go to such lengths in order to perfect a living; while at the same time, sometimes indirectly, sometimes directly, end up citing the Restraint of Trade/ Commerce Clause of the U.S. Constitution? Cabbies do not want to be lawyers. Rutland is unfair to cabbies.

The right to travel is a fundamental right. H-143, before this Committee, is a proposal bill that discriminates, on its face, against career drivers who do not need the expense of a TNC, nor want to track their passengers' travel history.

As this discrimination clearly affects the right-to-travel and raises concerns over privacy as well, it must be subject to a higher scrutiny. H-143 needs to be narrowly tailored to serve a compelling reason and we just don't have it.

If we define a TNC to include a solo driver, using nothing more than a phone and a handwritten log book, then maybe we don't have discrimination and we don't have this problem.

After an attempt to deliver food to a medical patient at the Medical Center in Burlington, I too received a municipal taxi violation in 2016. I lost due to a delay with a court filing deadline.

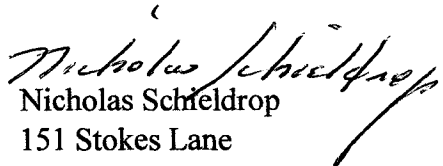
Burlington does not respect, in a well-thought-out manner, the rights of medical patients through its numerous taxicab ordinances.

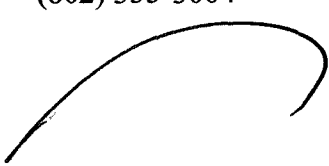
It is manifestly unjust for the Vermont State Legislature to grant statewide monopolies to any TNC's currently operating in Vermont, without requiring those very same TNC's to obtain the proper licensing from the below-named cities and towns. To create a separate class of privileged

taxis, by way of a legislative act, will violate the equal protection of the law, guaranteed and embodied in the 14th Amendment to the U.S. Constitution.

Barrie City	Montpelier
Bennington	Rutland
Brattleboro	St. Albans City
Burlington	South Burlington (power to regulate granted 2012)
Hartford	Vergennes

In order to mute some (but not all) of the damage at this late date, this Committee should seriously consider inserting A MUNICIPAL TAXICAB LICENSE SUNSET CLAUSE, either above or below the PREEMPTION SAVINGS CLAUSE, located at Section 735, on page 13 of the SENATE PROPOSAL OF AMENDMENT 2017. If independent cabbies have a statewide licensing protect program within H-143, then perhaps we are alleviating the discrimination problem. See attached sheets.


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October 20, 2017

Nicholas Schieldrop
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Shelburne VT 05482

To Whom It May Concern,

A jitney permit is a valid permit, issued by the State of Vermont by the Vermont Department of Motor Vehicles. It is also a valid document in all municipalities within the state, with all rights and privileges thereunder.

Sincerely,



Shannon Fassett
Chief of Information and Processing

MUNICIPAL TAXICAB LICENSE SUNSET CLAUSE

SECTION; 755

- (a) Commencing July 30, 2018, a Vermont Municipal Vehicles-For-Hire License will no longer be required.
- (b) On the above date, as expressed, in Section 755, (a), all municipal licenses will be replaced by the State of Vermont Jitney Permit.
- (c) Proof of Jitney insurance, pursuant to ? VSA Section 00000 will validate the Permit.
- (d) A State of Vermont Jitney Permit, issued by the State of Vermont Department of Motor Vehicles is a valid document in all municipalities, within the State of Vermont, with all rights and privileges thereunder.

FIRST DRAFT SAMPLE ONLY