

**STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS  
DIVISION OF PUBLIC UTILITIES AND CARRIERS**

**IN RE: RULES AND REGULATIONS GOVERNING            )**  
**THE TRANSPORTATION OF PASSENGERS VIA            )**  
**TAXICABS AND LIMITED PUBLIC MOTOR                )**       **DOCKET NO. 05 MC 06**  
**VEHICLES    )**

**NOTICE OF RULEMAKING AND PUBLIC HEARING**

Pursuant to the provisions of R.I.G.L. §§ 39-1-3(b), 39-1-15, 39-3-33 and 42-35-3, the Division of Public Utilities and Carriers (hereinafter “Division”) will conduct a public hearing on Tuesday, March 8, 2005, at 10:00 a.m., in the Division’s second floor hearing room located at 89 Jefferson Boulevard, Warwick, Rhode Island, for the purpose of adopting rules amending the Division’s “Rules and Regulations Governing the Transportation of Passengers Via Taxicabs and Limited Public Motor Vehicles.” These rules and regulations govern the manner in which taxicabs and limited public motor vehicles operate in Rhode Island.

This revision will amend and clarify the current rules and regulations, as well as implement recent changes to governing legislation. Substantive amendments to Rules A.5 (Definition of Call and Demand), H.14 (Rules Regarding Drivers and the Operation of Cabs – Solicitation and Acceptance of Passengers), and I.3 (Miscellaneous Rules – Taxicab Stands) have been proposed. In addition, new Rules A.11 (Definition of Hackney Operator’s License), A.15 (Definition of Paratransit Services), A.21 (Definition of Taxicab Stand), D.4 (Rates and Charges – Gasoline Price Emergency Surcharge), G.18 (Training), I.5 (Paratransit services) and J.2 (Leasing) are proposed. Finally, this revision addresses some minor technical inconsistencies in the current rules including changes in regulatory responsibility, statutory citations, terminology, and formatting inconsistencies and proposes a new Appendix ‘C’ concerning privacy disclosures.

The proposed rules and regulations, in both the form proposed and in a redacted version specifying additions and deletions, are on file at the offices of the Division, located at 89 Jefferson Boulevard, Warwick, Rhode Island. Copies of the proposed amended rules and regulations, as well as the existing “Rules and Regulations Governing the Transportation of Passengers Via Taxicabs and Limited Public Motor Vehicles,” may be obtained by calling the Division at (401) 941-4500, ext. 158, or in person at the offices of the Division or on the Division’s Web site at [www.ripuc.org](http://www.ripuc.org).

Since Taxicab and Limited Public Motor Vehicle companies, as common carriers under R.I. Gen. Laws § 39-14-1(2), are utilities within the meaning of R.I. Gen. Laws § 39-1-2(20), and therefore under R.I. Gen. Laws § 42-35-3.3(d)(7), are not considered small businesses for the purposes of R.I. Gen. Laws §§ 42-35-3 and 42-35-3.3, and this rulemaking proceeding is exempt from the requirements of those sections regarding regulations affecting small businesses. Nevertheless, the Division does not believe that the proposed revisions will have a significant adverse economic impact on any small business or on any city or town. The proposed revisions are intended to merely clarify and reduce to writing existing regulatory policy, do not represent a

change in the way any of these businesses have been regulated, and therefore should not have any economic impact on these businesses (or the communities in which they are located).

Interested persons wishing to offer data, views, or arguments on the proposed rules and regulations may do so either orally on the day of the hearing or by submitting their comments in writing to the following address prior to the date of the hearing:

Associate Administrator for Motor Carriers  
Division of Public Utilities and Carriers  
89 Jefferson Boulevard  
Warwick, Rhode Island 02888

All comments must be received at the address above by no later than 3:30 p.m., Monday, MARCH 7, 2005.

Reference is also made to R.I.Gen.Laws Chapters 42-35, 39-1, and 39-14 specifically §§ 42-35-1, 42-35-2, 42-35-3, 42-35-3.3, 42-35-4, 42-35-5, 39-1-3, 39-1-15, 39-1-38, 39-14-2.2(e) and 39-14-20(b).

THE DIVISION OF PUBLIC UTILITIES AND CARRIERS IS ACCESSIBLE TO THE HANDICAPPED. INDIVIDUALS REQUESTING INTERPRETER SERVICES FOR THE HEARING IMPAIRED MUST NOTIFY THE DIVISION'S OFFICE AT 941-4500, EXT. 158, SEVENTY-TWO (72) HOURS IN ADVANCE OF THE HEARING DATE.

Terrence E. Mercer  
Associate Administrator for Motor Carriers  
February 15, 2005