

Motor Vehicle Division Information Memo # 19-08

Taxi Cab Passenger Certificates Administrative Rule Updates

DATE: April 16, 2019

FROM: Sara Siedsma, Compliance Officer, MVD

TO: All Office of Vehicle and Motor Carrier Services staff

SUBJECT

This informational memo explains an update to administrative rule chapter 761—524, For-Hire Intrastate Motor Carrier Authority. In 2018, Iowa Code chapter 325A was amended to require taxicab companies to apply to us for a taxicab passenger certificate and meet certification requirements.

SUMMARY

Prior to enactment of the 2018 legislation, a taxicab company could only be regulated by the local authority the company operated within, i.e., a city. However, when regulation of transportation network companies was established in 2016, many local authorities opted out of regulating taxicab companies. This decision left a void in oversight as we did not have the authority to regulate taxicab companies until legislation was passed giving us that authority beginning July 1, 2018. Now, taxicab companies are required to apply to us for a motor carrier passenger certificate and to meet all applicable certification requirements.

Specifically, the rule amendments allow for an electronic application process for persons applying for a motor carrier permit or certificate and require the application to contain the U.S. DOT number only if a U.S. DOT number is required by the Federal Motor Carrier Safety Administration (FMCSA). FMCSA requires a U.S. DOT number for motor carriers but does not provide one for passenger vehicles designed to transport eight passengers or fewer, including the driver. This provision means that certain taxicab companies do not qualify for a U.S. DOT number under federal law, so we are conforming application requirements accordingly. The rule amendments allow a motor carrier certificate to be issued either in a physical or electronic format prescribed by us, which will allow more transactions and issuances to be completed electronically. The rule amendments also require the motor carrier certificate number to be included with the request for a duplicate permit or certificate to allow for more accurate record keeping and processing efficiency.

Finally, the amendments require a motor carrier operating intrastate only to display the U.S. DOT number if the motor carrier was issued a U.S. DOT number by FMCSA. As noted above, FMCSA requires a U.S. DOT number for a motor carrier but does not provide one for passenger vehicles designed to transport eight passengers or fewer, including the driver. This provision means that certain taxicab companies do not qualify for a U.S. DOT number under federal law, so the Department is conforming the motor carrier marking requirements accordingly.

The administrative rule amendments are effective April 17, 2019.

LINK TO ADMINISTRATIVE RULES

<https://www.legis.iowa.gov/docs/aco/arc/4346C.pdf>

CURRENT

Based on the 2018 legislative changes, we have already changed our processes to adhere to the new requirements related to issuance of passenger certificates for taxicab companies.

You may wish to review the previous guidance we issued when the 2018 legislation became effective for more information about the background of the legislation and additional questions and answers. The relevant memo number is PM 18-04.

For internal DOT employees, you may find the 2018 memo in the W drive at the address below:

W:\MotorVehicle\Policy & Communications\Memorandums\Memos\Policy Memos\2018

NEW

As of April 17, 2019, the rules will align with the 2018 legislative changes and our current processes for issuance of passenger certificates for taxicab companies

BUSINESS IMPACT

This directive does not significantly impact the way that OVMCS operates as we have already updated our processes to conform to the 2018 legislative changes, rather this directive is just informing you that the administrative rules have now been updated.