

Decision No. C14-1072

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF COLORADO

PROCEEDING NO. 14V-0802CP

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IN THE MATTER OF THE PETITION OF SPRING CAB LLC DOING BUSINESS AS SPRING CAB FOR AN ORDER OF THE COMMISSION AUTHORIZING A WAIVER OF THE RULES REGULATING TRANSPORTATION BY MOTOR VEHICLE AND MOTION TO SHORTEN NOTICE PERIOD.

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**DECISION GRANTING WAIVER**

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Mailed Date: September 5, 2014

Adopted Date: August 27, 2014

**I. BY THE COMMISSION**

**A. Statement, Findings, and Conclusions**

1. This matter comes before the Commission for consideration of a Petition for a Waiver/Variance from Commission Rule 723-6-6255(a)(III)-(VII) filed on July 24, 2014 by Spring Cab LLC, doing business as Spring Cab (Spring Cab).

2. Spring Cab requests a waiver of Rule 6255(a)(III)-(VII) of the Rules Regulating Transportation by Motor Vehicle, 4 *Code of Colorado Regulations* (CCR) 723-6 (Communications and Dispatch). The waiver is requested from January 1, 2014 through December 31, 2014.

3. Rule 6255 (a)(III)-(VII) applies to taxi cab companies operating within or between the Counties of Adams, Arapahoe, Boulder, Broomfield, Denver, Douglas, Jefferson, and El Paso, and reads as follows:

(III) Beginning January 1, 2014, taxicab carriers shall employ a GPS-based, digital dispatch system that tracks and records driver hours or service, and records and reports trip information including origination point and customer wait times.

- (IV) Beginning January 1, 2014, taxicab carriers shall employ a GPS-based, digital dispatch system that records and reports driver location and on-duty time. Said system must log a driver on-duty when the driver's assigned vehicle is within two miles of Denver International Airport or Colorado Springs Municipal Airport, and 500 feet of any known taxi stand.
- (V) Beginning January 1, 2014, taxicab carriers shall employ a GPS-based digital dispatch system that locks out any driver who has exceeded on-duty hours of service maximums.
- (VI) Beginning January 1, 2014, taxicab carriers shall lockout, for a minimum of eight hours, a driver who has exceeded on-duty hours of service maximums. Drivers who are locked-out, shall not be allowed access to the carrier's dispatch system, credit card processing system, and metering system.
- (VII) Beginning January 1, 2014, taxicab carriers shall log a driver as being on-duty when the vehicle assigned to said driver, enters an area no less than two miles of Denver International Airport or Colorado Springs Municipal Airport, or 500 feet of known taxi stands.

4. The Commission noticed this petition to all interested persons, firms, and corporations pursuant to § 40-6-108(2), C.R.S., on August 11, 2014, for a period of ten days.

5. No petition to intervene or otherwise participate in this proceeding has been filed. This proceeding is therefore uncontested. Pursuant to § 40-6-109(5), C.R.S., this matter may be determined without a hearing.

6. In support of its Petition, Spring Cab states that it has been working with NDOT Technologies Inc. of Taxi Mobility Group to bring Spring Cab's system into compliance with the rules. Spring Cab reports particular problems with achieving compliance with portions (IV), (VI), and (VII) of the rule, as the system refreshes once every 30 seconds and thus a driver driving past a taxi stand or the airport may or may not be counted as "on-duty." Spring Cab also reports that, once the system itself fully complies with the rules, it will take some time to test the system, make sure the changes are fully integrated, and make sure the drivers understand how the system works.

7. Rule 1003(a) of the Commission's Rules of Practice and Procedure 4 CCR 723-1, provides that:

The Commission has promulgated these rules to ensure orderly and fair treatment of all persons. The Commission may, for good cause shown, grant waivers or variances from tariffs, Commission rules, and substantive requirements contained in Commission decision. In making its determination the Commission may take into account, but is not limited to, considerations of hardship, equity, or more effective implementation of overall policy on an individual basis.

8. We find that good cause exists to grant Spring Cab's petition for a waiver.

**II. ORDER**

**A. The Commission Orders That:**

1. The Petition for Waiver/Variance from Commission Rule 723-6-6255(a)(III)-(VII) filed by Spring Cab LLC, doing business as Spring Cab is granted, *nunc pro tunc*, from January 1, 2014 through December 31, 2014.

2. The 20-day time period provided by § 40-6-114(1), C.R.S., to file an application for rehearing, reargument, or reconsideration shall begin on the first day after the Commission mails this Decision.

3. This Decision is effective upon its Mailed Date.

**B. ADOPTED IN COMMISSIONERS' WEEKLY MEETING  
August 27, 2014.**

(S E A L)



ATTEST: A TRUE COPY

A handwritten signature in cursive script that reads "Doug Dean".

Doug Dean,  
Director

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

JOSHUA B. EPEL

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PAMELA J. PATTON

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GLENN A. VAAD

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Commissioners