

**Commission on Motor Vehicles for Hire Minutes**  
**Wednesday, November 18, 2015**  
**New Shoreham Town Hall, 16 Old Town Road**  
**9:00 a.m.**

**Present:** Commissioners Vincent McAloon, Constance LaRue, Bradford Marthens, Patrick Evans and Geoffrey Lawrence.

**Absent:** none

Also present were taxi owners Judy Clark, Champ Starr, Richard Gann, Monica Hull-Shea, Fran Migliaccio, Michael Shea, Cathy Payne and Don Thimble; chauffeurs Les Slate and Patrick Tengwall; and *Block Island Times* representative Lars Trodson. MVFH Clerk Karen Cadow Le Roy was present to take minutes.

Commission Chair Brad Marthens called the meeting to order at 9:02 a.m.

**1. Receive and act on report from the Chair regarding a possible change to the ordinance [§8-163(c)] to allow Motor Vehicle for Hire licenses to be held by an LLC**

Mr. Marthens reported on his ten minute telephone conversation with Town Solicitor Kathy Merolla on the question, is there a way to create a “buffer zone” to protect individuals from personal liability resulting from an accident; specifically, by forming an LLC? Ms. Merolla’s response was that there would be no benefit to taxi owners in forming an LLC or corporation; an LLC serves no protection from personal (individual) liability for either drivers or owners. Currently, a vehicle can be licensed to an LLC; changing the ordinance to allow taxi licenses to be issued to LLCs or corporations may open the door to other corporations, including Uber and Yellow Cab, operating on the island. Discussion ensued: Incredulity that there is no protection to a taxi owner from losing everything he or she owns in the event of an accident and lawsuit; the role and limitations of liability insurance; minimum amount of liability insurance required by the town versus levels a taxi owner chooses to purchase; the fact that no matter what, you can still be open to a lawsuit. The Commission took no action.

**2. Receive taxi rates from Nantucket and Martha’s Vineyard**

The Commissioners examined printouts of taxi rates from different companies on Nantucket and Martha’s Vineyard. Nantucket’s rates are preset by the town government; those on Martha’s Vineyard are not. The Commissioners and audience discussed similarities and differences of rates for basic fares, baggage, pets, dirt roads and other fees compared with Block Island’s current rates.

### **3. Review and act on fee structure; recommendations to Town Council**

The Commissioners and audience discussed luggage fees, the current two-tier/seasonal tour rate structure, the history and development of current rates within the color zones, and a vomit charge.

**Motion:** Mr. Marthens moved to recommend the rates for luggage be such that the first two pieces are no charge, with anything thereafter at 50¢ per piece. Mr. McAloon seconded the motion.

Ayes: 5 (Marthens, McAloon, LaRue, Evans, Lawrence)    Nays: 0

**Motion:** Mr. Evans moved to recommend eliminating the seasonal rate for taxi tours, and setting the tour rate at \$75/tour year-round. Ms. LaRue seconded the motion.

Ayes: 5 (Marthens, McAloon, LaRue, Evans, Lawrence)    Nays: 0

**Motion:** Mr. Marthens moved to eliminate the in-zone travel minimum of \$7 and change it to \$10 (i.e., eliminate the color zones), and institute a \$50 vomit charge. Ms. LaRue seconded the motion. Mr. Lawrence asked the audience if there were a consensus re: \$10 vs. \$7 zone. The reaction was mixed.

Ayes: 3 (Marthens, McAloon, LaRue)    Nays: 1 (Evans)    Abstain: 1 (Lawrence)

### **4. Receive and act on request of October 26, 2015 from Judy Clark for limousine license**

Mr. Marthens read Judy Clark's request for a limousine license. Discussion included the difference between taxis and limousines, and the difference between taxi and limousine licenses. Currently, there are no active limousine licenses. The Commission recommended that the Town Council grant Ms. Clark a limousine license.

### **5. Receive and act on letter of October 30, 2015 from Judy Clark regarding limousine passenger capacity [§8-161(c)(1)(b)]**

Mr. Marthens read Judy Clark's letter aloud, and stated that the Commission can only receive the letter but not act on it since there needs to be time for others to read and discuss it. Ms. Clark clarified the limousine limitations per Town Ordinance. A question was asked whether or not a taxi can also be a limo; the answer was no, they are different vehicles with different licenses. The Commissioners instructed the clerk to find out the current and historical fees for a Town limousine license and report at the next meeting, when the Commission will also discuss Ms. Clark's request for an ordinance change allowing more than 6 passengers, including driver, for limousine capacity.

**6. Receive and act on annual meeting schedule for 2016**

Mr. Marthens moved to accept the 2016 annual meeting schedule; motion seconded by Mr. Evans.

Ayes: 5 (Marthens, McAloon, LaRue, Evans, Lawrence)    Nays: 0

**7. Approval of minutes: October 21, 2015**

Ms. LaRue moved to accept the minutes of October 21, 2015 as written; motion seconded by Mr. Evans.

Ayes: 5 (Marthens, McAloon, LaRue, Evans, Lawrence)    Nays: 0

**8. Correspondence**

There was no correspondence

**9. Public Input**

Mr. Gann referred to, and read, section 8-167(b) of the MVFH ordinance, requiring licensees to notify the commission and the Town Clerk, in writing and within 72 hours, of cancellation or change in the terms of the licensee's liability insurance coverage. He asked if any cab driver notifies the Town when they take their cab off the road. Discussion followed: Would the Town be liable if a driver cancels the insurance, continues to drive, and has an accident? Who enforces this regulation, the MVFH or the Town? Mr. Marthens instructed the MVFH clerk to request information from the Town Clerk and report at the next MVFH meeting: Does the town receive written notification of receipt of insurance or cancellation of insurance from any of the insurance companies for each and every one of the 32 taxi license holders?

**Motion:** Mr. Marthens motioned to adjourn the meeting at 10:31 a.m.; motion seconded by Mr. Evans.

Ayes: 5 (Marthens, McAloon, LaRue, Evans, Lawrence)    Nays: 0

Respectfully submitted,

Karen Cadow Le Roy

Minutes approved: December 16, 2015