

**CITY OF MADISON
OFFICE OF THE CITY ATTORNEY
Room 401, CCB
266-4511**

Date: September 17, 2012

MEMORANDUM

TO: Mayor Paul Soglin
Members of the Common Council

FROM: Michael P. May
City Attorney

RE: Taxis on State Street; Legistar No. 26603

There are several versions of proposed ordinance changes to sec. 12.915, MGO, in this Legistar file. I was asked by the Mayor to prepare a short memo highlighting the few differences that remain between the most recent proposals.

The most recent proposals are the Substitute Ordinance sponsored by Mayor Soglin, which is an attachment in the Legistar file as Version 3, and the Third Alternate Ordinance sponsored by Alders Verveer and Subeck, which is the most recent and therefore the lead proposal in Legistar.

The two proposals are very similar. They both set out a time that taxicabs and other public passenger vehicles have full access to State Street, a provision which would allow cruising on State Street, subject only to the regular traffic laws. They both set times when taxicabs have more limited access to State Street. They both clarify that hotel shuttles do not qualify as public passenger vehicles, and thus do not have any increased access to State Street. And they both call for a delayed effective date so that the City may obtain Federal Transit Administration concurrence in the changed use of State Street, a fixed guideway partially funded by the FTA.

The proposals have only three differences. The only significant difference is the time periods for full access by taxicabs. The Third Alternate proposes full access from 7 p.m. to 4 a.m., with limited access from 4 a.m. to 7 p.m. The Substitute proposes full access from 12 a.m. (midnight) to 4 a.m., and accordingly, limited access from 4 a.m. to midnight.

The other two differences are minor. During the period of limited access, the Third Alternate requires that a taxicab enter and leave State Street by the nearest cross street "in the direction of" its immediate destination. This would allow a taxi to go two blocks to find a cross street that went in the direction of its final destination. For example, if a taxi picked up a fare in the 200 block of State Street that wanted to go west, the cab could cross Johnson Street and then exit at Gorham Street, which goes

west. The Substitute retains the current rule that only allows a taxi to use one block of State Street to pick up or drop off a fare. Both versions require that the taxis have a fare to pick up or drop off before entering State Street, that is, no cruising is allowed during the restricted hours, and both allow such a taxi to pick up a passenger that hails the cab while it is properly on State Street.

The second difference is very minor. The Substitute makes the ordinance effective 30 days after FTA concurrence; the Third Alternate makes it effective 14 days after FTA concurrence. Both require the City Attorney to report when it is effective and, if the FTA has not offered its concurrence within 60 days, to report that to the Council.

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