



DISPATCHING INJUSTICE:

Cab Drivers' Struggle in Prince George's County

July 2009



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CASA de Maryland

South Asian Americans Leading Together

Taxi Association of Montgomery County

The African Resource Center

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In Solidarity...

July, 2009

Dear Members of the Prince George's County Taxi Workers Alliance:

We write to express our support for and solidarity with the Prince George's County Taxi Workers Alliance and its Driver/Members. Not only has the Alliance already achieved extraordinary gains on behalf of drivers in the county, the potential for future victories are limitless.

Drivers in Prince Georges County, like so many other places in the nation, are overwhelmingly people of color working endless hours to transport the county's residents and visitors on their daily trips. Despite the fact that drivers make the largest investment in their jobs, through vehicle leasing or purchase, maintenance, insurance and fees as well as labor, drivers receive scant financial benefit with the profit instead returning almost entirely to the cab company owners. Cab drivers live and worship in Prince George's County, they pay taxes to the county and their children attend county schools. Money earned by the drivers through an equitable licensure program would return to the county in many ways daily.

Our organizations fight for justice for low-income people of color every day. We support the Prince George's County Taxi Workers Alliance because its goals are our goals, its drivers are our brothers and sisters, and we are in the struggle for racial and economic equity together. The men and women who drive our county residents deserve to be able to support their families and we stand shoulder to shoulder with you in your struggle.

Sincerely,

Gustavo Torres
Executive Director
CASA de Maryland

Executive Committee: Partnership for Renewal in Southern and Central Maryland (PRISCM)

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Pastor, Faith Missionary Baptist Church, Capitol Heights

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EXECUTIVE SUMMARY

The Prince George's County taxicab industry, a complex web of companies, is ruled by a handful of men who own and control not only the majority of these companies but also the county's dispatch service. Because each of these men owns several taxicab operating certificates, which are needed to operate a cab, they also control the majority of taxicabs.¹ Their control of the industry has led to concerns about the extent of free-market competition and economic opportunities for taxicab drivers, most of whom are immigrants from Africa, South Asia, and the Caribbean. Compounding these concerns, the companies have not been closely regulated, permitting a free-for-all that ultimately places drivers at the mercy of these companies.

The Prince George's County's taxicab industry consists of several components so closely interwoven that examining one necessitates opening the door to another. Over the past two years the county's cab drivers have identified numerous ways in which the industry operates in contravention of the taxicab code, free market principles, and quality taxicab service. To better understand these claims, Advancement Project researched the Prince George's County taxicab industry, drawing upon our prior experience with taxicab industry reform to identify the components most critical to understanding the industry's evolution. The components include:

- Taxicab operating certificates
- Cab drivers as independent contractors, and
- The industry's key players.

In this report, we shed light on drivers' ongoing struggle and working conditions, lifting up their call for economic justice while emphasizing the importance of ensuring that cab drivers have a seat at the table during any industry-reform process. Informed by interviews with many of the drivers currently operating the county's 785 duly authorized cabs, we begin our journey by dissecting the industry, researching key components and its key players, laying the foundation for a firm understanding of the industry's evolution and its impact on taxicab drivers and the riding public.

We travel through the industry's day-to-day operations, providing analysis of the inner workings of the industry, looking at the state of free-market competition through the lens of consolidated dispatch service, in addition to examining the distribution of the county's taxicab operating certificates and their use. We round out this discussion by exposing how these pieces come together to impact taxicab drivers and the riding public, shedding light on the harmful problems that permeate the industry.

The county's taxicab industry requires comprehensive reform. Because of the alarming state of the industry, the piecemeal approaches used in the past to amend select portions of the taxicab code will no longer suffice. To achieve true reform the county must create a space at the table for cab drivers to provide input on the types of changes the taxicab code requires because they, unlike taxicab companies, are the industry's only essential component and are necessary to creating a sustainable, well-rounded industry. Recognizing that comprehensive reform will not come overnight, cab drivers recommend the following as immediate first-steps for moving the industry into a new phase of economic prosperity and stability:

- **Declare a Moratorium on Taxicab Driver's Licenses (Face Card).** The number of face cards issued to current and would-be cab drivers exceeds the total number of county-authorized taxicabs by 40 percent. Effective immediately, the county must not license any more taxicab drivers until steps are taken to ensure that current and future drivers are able to earn a living wage.
- **Revoke and Redistribute PGs. Nearly three-quarters of the county's PGs (operating certificates) are owned by taxicab companies.** At the close of this investigation, seventy percent of these companies were recorded as forfeited entities with the Maryland State Department of Assessments and Taxation.² The PGs belonging to these companies should be revoked immediately and issued to drivers by lottery according to the taxicab code. Giving individual drivers the opportunity to own their own PG will stimulate free-market competition because they will be able to operate as small business owners.
- **Redesign the PG. Taxicab operating certificates are issued as paper documents.** As a result, duly authorized cabs are not readily distinguishable from unauthorized cabs. To prevent entry of unauthorized cabs into the industry, the county must redesign the PG so that all cabs bear visible insignia – such as a county-produced emblem or decal – clearly establishing their authority to operate in the county.
- **Ensure True Driver Representation on the Taxi Board.** The county's five-person Board should be expanded to include seven people, with two seats reserved for active taxicab drivers who do not serve the taxicab industry in any other capacity. Additionally, these representatives should be given the affirmative duty and necessary resources, to keep drivers informed of the Board's activities and decisions in a timely fashion.

- **Fine Out-of-Jurisdiction Cabs.** Section 20-159 of the taxicab code clearly prohibits taxicabs licensed in other jurisdictions from soliciting business in the county. The Department of Environmental Resources should use its authority to make administrative interpretations of the taxicab code to ensure this section can be enforced by law enforcement authorities.
- **Declare a Moratorium on Voucher Charges.** Some passengers pay for taxicab service with county-provided transportation vouchers. Taxicab companies retain 10 percent of each voucher fare for themselves, automatically deducting this amount from cab drivers' earnings. While drivers would like to continue providing this vital service, this industry practice makes the voucher system detrimental to them, thereby jeopardizing the public's ability to get a cab. The county must issue an immediate moratorium on all voucher charges assessed against cab drivers until a system can be developed that does not require them to shoulder the cost of providing this vital service.
- **Ensure Equitable Enforcement of the Taxicab Code.** County employees charged with the responsibility of inspecting the county's taxicabs pursuant to the taxicab code must apply the code's standards fairly and equitably to all taxicabs. Additionally, they must be held accountable for sanctioning the continued operation of taxicabs that do not meet the county's operating standards or licensing requirements.
- **Ensure Adequate Funding for the Department of Environmental Resources.** Prince George's County must ensure the Department of Environmental Resources has the necessary funding to ensure full and efficient enforcement of the taxicab code. This includes ensuring the DER is able to maintain updated and easily searchable records.

INTRODUCTION

The Prince George's County taxicab industry, a complex web of companies, is ruled by a handful of men who own and control not only the majority of the companies but also the county's dispatch service. Because each of these men owns several taxicab operating certificates, they also control the majority of taxicabs.³ Their control of the industry has given way to questions regarding free-market competition and economic opportunities for taxicab drivers, most of whom are immigrants from Africa, South Asia, and the Caribbean. Compounding these concerns, the companies have not been closely regulated, permitting a free-for-all that ultimately places drivers at the mercy of these companies.



As a result of the concentrated power in the Prince George's County taxicab industry, cab drivers are an exploited and vulnerable labor force. Drivers must work unreasonable hours and expect little in earnings. It is common for drivers to work seven days a week, 12 hours per day – the maximum amount of hours allowed in any consecutive 24-hour period.⁴ Furthermore, drivers report that after paying mandatory operating fees and costs imposed by cab companies, they take home less than 50 percent of what they earn. In fact, on average cab drivers pay more than \$17,000 in annual operating fees to cab companies alone, an amount that detracts significantly from drivers' average annual income of \$31,000.⁵ Despite bleak earnings, drivers remain in the industry not only because they see the intrinsic value of the public service they provide, but also because most drivers seek to become independent taxicab operators -- aspiring for the day when the income they earn will line the dreams of their families' future rather than the pockets of cab company owners.

Drivers' economic opportunities are curtailed by lax regulation of the industry and the county's distribution of taxicab operating certificates which has prevented most drivers from owning their

own certificate – which is necessary in order to operate a car as a cab.⁶ Approximately 73 per cent of all available certificates (known as a “PG” to drivers) are owned by taxicab companies.⁷ In addition to this concentrated control, the County’s Department of Environmental Resources, which regulates the industry, has added to the industry’s problems. With very little oversight of the industry, taxicab companies have been able to operate illegally. Drivers share stories, with deep concern, of taxicabs that operate without passing emissions tests and with expired certificates. The Department has also permitted the industry to be flooded with taxicab operating licenses, causing additional detriment to current drivers.⁸ With a surplus of 300 individuals licensed to operate the county’s 785 cabs, drivers are caught in a revolving door of suppression where those who challenge the status quo are readily dismissed and replaced. Drivers are at the bottom of the economic ladder where they are forced to remain silent about the industry’s secrets or face adverse consequences. Public safety and the public good are harmed as long as these perverse incentives exist.

No longer able to tolerate an industry that has pushed its most vital resource into the margins, drivers are now calling for comprehensive reform of the industry.

PART ONE: GETTING TO KNOW THE INDUSTRY

The Prince George's County taxicab industry consists of several components so closely interwoven that examining one necessitates opening the door to another. Over the past two years the county's cab drivers have identified numerous ways in which the industry operates in contravention of the taxicab code, free-market principles, and quality taxicab service. To better understand these claims, Advancement Project researched the Prince George's County taxicab industry, drawing upon our prior experience with taxicab-industry reform to identify the components most critical to understanding the industry's evolution. The components include:

- Taxicab operating certificates
- Cab drivers as independent contractors, and
- The industry's key players.

Taxicab Operating Certificates

Taxicab operating certificates – known as a “PG” to drivers – are the cornerstone of the county's taxicab industry because no vehicle can operate without one.⁹ The county has authorized 785 operating certificates, including 10 for cabs accessible to disabled passengers.¹⁰ The accessible cabs are sequentially numbered as HC one through ten, while the remaining certificates are sequentially numbered one through 775. Throughout this report while we will reference 785 authorized cabs, because of the county's dual numbering sequence, no taxicab serving the county should ever be numbered above 775.

All operating certificates are obtained from the Department of Environmental Resources. The county's use of paper certificates, unlike many other jurisdictions where the operating certificate is commonly an object or symbol affixed to the cab, paves the way for illegal operation of taxicabs because authorized cabs are not readily distinguishable from rogue cabs.¹¹

**PRINCE GEORGE'S COUNTY, MARYLAND
DEPARTMENT OF ENVIRONMENTAL RESOURCES**

CERTIFICATE NO. (PG) _____ EXPIRES: _____

COMPANY NAME: _____

CERTIFICATE OF TAXICAB REGISTRATION

This is to certify that a certificate has been granted to:

NAME: _____

ADDRESS: 8316 ARDWICK ARDMORE ROAD LANDOVER MARYLAND 20785

TYPE OF VEHICLE : _____ YEAR: _____

SERIAL NO. _____ TAG NO: _____

To operate a taxicab in Prince George's County for one year, unless relinquished, revoked, or suspended under the provisions of Subtitle 20 of the Prince George's County Code

Charles W. Wilson

DIRECTOR

PGs are issued directly to individuals or cab companies and are assigned to a specific vehicle when issued. For this reason, the person or company requesting the PG must demonstrate ownership of the car to which it will be assigned.¹²

The certificates contain information that is vital to understanding the industry. This information includes: the PG holder's name, PG expiration date, the make, model, and tag number of the car to which it has been assigned, and the name of the taxicab company – if any – under which the cab will be operating.¹³ The PG certificate must at all times, display the identifying information for the taxicab to which it has been assigned.

Lastly, because every PG is individually numbered, its corresponding number must be painted onto the cab.¹⁴ If the owner of the PG wants to assign the certificate to a different cab, the county must be notified and a fee must be paid.¹⁵ The operating certificate is then amended to reflect the replacement vehicle's information and the PG number is then painted onto the replacement cab. The previous car may no longer operate as a Prince George's County taxicab.

Cab Drivers as Independent Contractors

Similar to other jurisdictions, cab drivers in Prince George's County operate as independent contractors for the cab company. While cab drivers enjoy the benefits of this relationship, such as the freedom it gives them to set their own hours, under current industry culture and practices, it heightens drivers' vulnerability. Though free to set their own hours, much of their independence ends there because drivers' ability to earn a living is highly dependent on factors in the sole control of cab companies, such as the operating condition of the cab and the number of dispatched calls a driver gets.



Additionally, the independent contractor model means none of the county's cab companies provide their drivers with health and unemployment insurance, nor do they provide workers compensation. This is particularly troubling in an industry where studies have shown that cab drivers are prone to work-related health concerns such as severe back problems.¹⁶ Moreover, while the county's taxicab companies insure their cabs, drivers report that the coverage they provide does not extend to them.¹⁷ Based on a review of the Prince George's County taxicab code, it is

not clear why cab companies have been allowed to operate without providing coverage to their drivers because on its face, the code does not appear to support this practice: “Before issuing any certificate under this Subtitle, the Director shall ascertain, as to each vehicle, that the owner has insurance or surety bond for the vehicle covering bodily injury or death to any passenger or **other person** in one accident...” (emphasis added).¹⁸ As a result of these practices, drivers are left especially vulnerable in the case of an accident.

The Key Players

At the center of the debate is Silver Cab Co., the dominant player in the market. Silver's owner Bob Nabley, holds 150 of the county's medallions, company attorney John Lally said. Nabley's influence extends beyond his own taxis. Many of the county's independent drivers and small companies link to Nabley's global-positioning-system dispatch-network for \$7 a day, Lally said.¹⁹ They don't use the word 'monopoly,' but the bottom line is it is a monopoly, said Ronald Smith, chairman of the county's taxi board, a government advisory panel.

– Bill Seeks to Open Cab Industry to New Firms, Washington Post, June 26, 2005.²⁰

With no more than 785 taxicabs authorized by county code, it is no secret to drivers, taxicab companies, or the county that all of the corresponding PGs were distributed long ago. According to interviews, many drivers believe that the vast majority of these PGs are either directly owned or jointly controlled by three men: Scott Bretner, Badi “Bob” Nabley, and Hashmatullah Haider. If this is accurate, the county has failed to provide economic opportunity to hundreds of potential small business owners, namely individual cab drivers, and, instead, have allowed an oligarchy to control the taxicab industry.

Blue Bird Cab

“He rules the Prince George's cab market through a ubiquitous web of 13 cab companies that, he estimates, carry more than 3 million passengers a year. His flagship is Blue Bird Cab in Hyattsville.”

- David Montgomery, The Driving – and Driven – Force Behind a Pr. George's Cab Empire, The Washington Post, July 31, 1995.²¹

The person behind the web: Stanley Bretner. Through his web of 13 companies Bretner reportedly controlled as many as 400 of the 700 taxicab operating certificates then in existence. According to the article, Bretner named his son, Scott, president of Blue Bird Cab.²² At the close of this investigation, Blue Bird cab owned 186 PGs.²³ Accordingly, Blue Bird is the county's largest holder of taxicab operating certificates.²⁴

Silver Cab of P.G.

According to Silver Cab Company of P.G., it has been owned by Badi “Bob” Nabley since 1986.²⁵ According to county records, Silver Cab has been issued 125 PGs, making it the county's second largest holder of operating certificates.²⁶

Paramont Management, Inc.

Hashmatullah Haider controls Paramont Management, Inc. Paramont Management Inc. operates taxicabs under two similar names: Paramont Cab and Paramount Cab. County records reveal that Paramont Management Inc. has been issued 102 operating certificates, making it the third largest holder of PGs.²⁷

Taxi-Taxi, Inc.

While not a taxicab company, Taxi-Taxi is a key player in the industry because it provides consolidated dispatch service to as many as 76 percent of all drivers – without regard to what cab company the individual driver contracts with. State records indicate Mr. Nabley – the owner of Silver Cab – also owns Taxi-Taxi, Inc., raising questions as to the state of free-market competition between the county's various cab companies.²⁸

PART TWO: THE INNER WORKINGS OF THE INDUSTRY

In the highly competitive taxicab business – where the success of a company is intimately linked to its ability to attract fare-paying customers – one might assume competition and basic free-market principles would be front and center. To the contrary, in Prince George's County competition appears to be a principle that was long ago put to rest by an unassuming newcomer to the industry, consolidated dispatch service.

Silver Cab/Taxi-Taxi Umbrella

While they share a common owner, Silver Cab and Taxi-Taxi Inc. are allegedly distinct businesses – the former a cab company, the latter a provider of dispatch services. Drivers' experiences, on the other hand, tell them these companies are one in the same contributing to their impression that the industry is controlled by a handful of individuals. Determining whether these two companies are independent of each other is critical to understanding the day-to-day structure of the industry since Taxi-Taxi dispatch terminals have been installed in the majority of cabs, giving Taxi-Taxi the unique ability to impact most drivers' ability to earn a living.



In describing its own GPS dispatching capabilities, Silver Cab states that other taxicab companies have “commenced joint dispatching” with the company.²⁹ It goes on to describe itself and not Taxi-Taxi as “the largest dispatching company in Prince George's County.”³⁰ In fact, nowhere on its Web site does Silver Cab make mention of Taxi-Taxi Inc. as the entity responsible for administering dispatching services to the multitude of cabs it claims are using its system. By its own admission then, when it comes to the provision of dispatch services, Taxi-Taxi and Silver Cab cannot be distinguished. What is more, receipts issued directly to drivers by the companies demonstrate that both companies operate out of the same location at 8316 Ardwick Ardmore Road in Landover, further supporting the suggestion that these companies are one in the same.

Narrowing the Competition

In 2000, Paramount Cab and Silver Cab claimed to have “joined forces to share a central dispatching system.”³¹ The following year, it was noted that once Silver Cab adopted a digital dispatching system, “the competition could not keep up” with its improved dispatching capabilities and eight companies – which included Silver Cab's main competitor Bluebird/Yellow – joined the system.³² Thus, by 2001 Silver Cab had installed its GPS dispatch devices in the taxicabs of its largest competitors.

Moreover, a review of the corresponding PGs revealed that the Silver Cab-Bluebird-Paramount triad alone puts no less than 53 percent of the taxicab market under the Silver Cab/Taxi-Taxi umbrella. Silver Cab further claims that “there are a lot of independent cabs that are using our dispatch service,” putting their dispatching size at 600 cabs – or 76 percent of the market.³³

Downside of Consolidated Dispatch

Dispatch service is a critical part of the taxicab industry, especially in a suburban area such as Prince George's County, because it is the dominant mechanism by which passengers are connected to drivers' and is therefore critical to drivers' ability to earn a living. Consequently, it can have a profound negative impact on taxicab drivers and passengers if it is misused. In Prince George's County, the advent of consolidated dispatch service signaled the beginning of unbridled control of cab drivers' livelihood because whoever controls dispatch has the ability to control the distribution of passengers and thus, the earnings of taxicab drivers.

When we're dispatched to pick up a customer if the Person doesn't show after 10 minutes, we have to send the dispatcher a message saying we have a 'no show' but we can't leave the address until the dispatcher acknowledges our message. Sometimes they make us wait for 20 or 25 minutes. But if a driver leaves – even if it's because another customer needed a ride – [the driver is] de-authorized, just like that, because of the no-show. But who can we complain to? Taxi-Taxi? The cab company? It's impossible to know what to do. - Dawit

Drivers report that on average, they are charged seven dollars a day for dispatch service, an amount that is automatically included in their weekly dues to the cab company.³⁴ Drivers further report being “de-authorized” or disconnected from dispatch service at the whim of Taxi-Taxi dispatchers. Drivers do not have the option of deducting the cost of dispatch service from their weekly fees even when they have not received dispatch service due to a de-authorization. Even if a driver wanted to dispute the underlying reason for a de-authorization, the likelihood that s/he could do so, successfully, is very slim because drivers have no way of knowing who – the cab company, the Taxi-Taxi dispatchers, or the owner of Taxi-Taxi himself – is making the decision to disconnect them from the service.³⁵ This ambiguity makes it impossible for drivers to know with whom to file a grievance should they have one.³⁶ As a result, no matter what the underlying reason for the lack of dispatch service, drivers are saddled with the responsibility of paying for it.

A Web of 165 Individuals and 24 Companies

Control over dispatching alone is not enough to exercise control over the industry but when coupled with control of PGs, the likelihood of free-market principles flourishing falls significantly. Advancement Project's analysis revealed that the county has issued its PGs to a combination of 165 individuals – who own 189 PGs between them³⁷ – and 24 different taxicab companies. At first glance this distribution does not appear to indicate a concentration of control of PGs but, when one considers that cab companies own nearly 73 percent of the county's 785 PGs, the dominance of these companies becomes obvious.

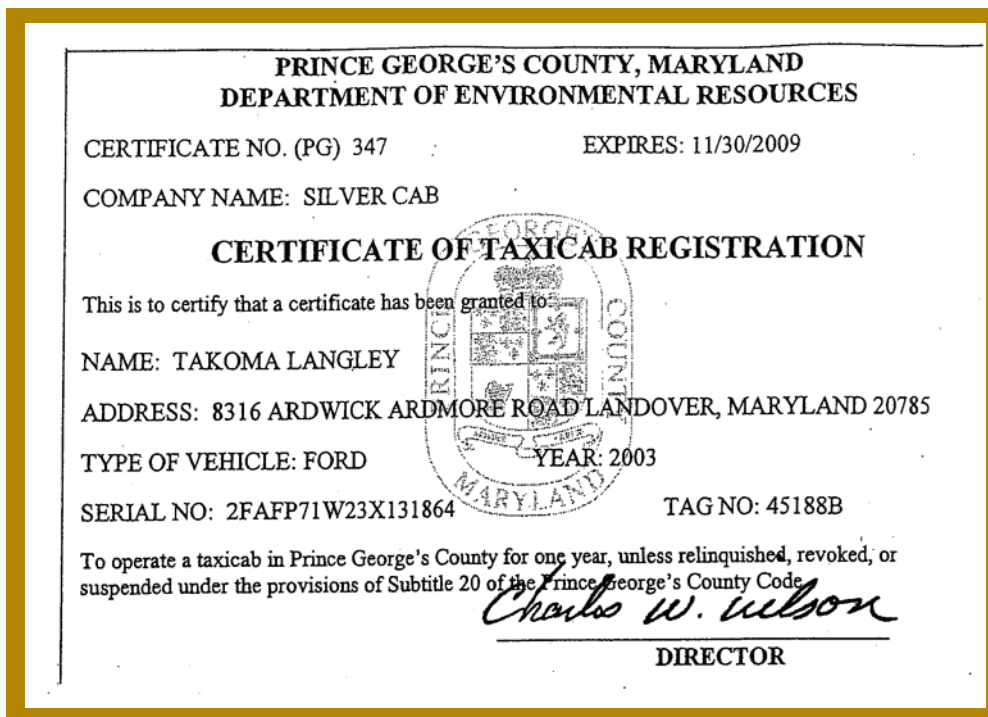
Moreover, included among the 165 individual PG holders are Bob Nabley and Nadar Sanatian – who each own at least one Prince George's County cab company.³⁸ Drivers report that neither of these individuals drives a taxicab, yet Mr. Nabley, for example, has been granted three PGs in his individual capacity.³⁹ Their continued ownership of PGs in their individual capacity suggests the PGs are being leased even though the taxicab code expressly prohibits it.⁴⁰

Equally important, the unbalanced distribution of PGs between individuals and cab companies also means most of the county's taxicab drivers will never operate independent of a cab com-

pany unless the county elects to shift some PGs away from cab companies, or it authorizes more certificates and designates them for distribution to individual drivers only. The latter approach – ensuring more individual drivers have their own PG – is a sound approach since cab companies are not necessary to grow or maintain a strong taxicab industry. Drivers, however, are indispensable.

The Ubiquitous Web at Work

While a small number of companies control the vast majority of PGs in their day-to-day operations, there are also other companies that potentially operate these taxicabs illegally. An examination of business entity information obtained from the state of Maryland reveals that 17 of the original 24 taxicab companies are recorded as “forfeited.”⁴¹ The State Department of Assessments and Taxation defines a forfeited company as one whose “existence has been ended by the State for some delinquency.” While we make no formal assertion as to the operating status of the remaining seven companies, we do note that we were only able to isolate state records demonstrating valid authorization for three companies—College Park Cab, Blue Bird Cab, and Silver Cab.⁴²



Although 17 companies have been forfeited, they continue to operate 208 PGs in aggregate. While the records Advancement Project reviewed did not provide conclusive information explaining how or why forfeited companies continue operating their PGs, based on the available information we identified two possible explanations: (1) The Department of Environmental Resources' records are incorrect and these forfeited companies no longer own the PGs in question or (2) the 17 forfeited companies continue to own their PGs and while not operating them themselves, are leasing them to other companies.

The first alternative is unlikely because the DER's records are reviewed annually during the PG renewal process. Presumably, if the certificate were incorrect on its face, the true certificate owner would move to have it corrected immediately since operating a cab without a valid PG is a direct violation of the taxicab code.⁴³ Therefore, the most plausible explanation for how the 17 forfeited companies have retained ownership of their PGs, is leasing. While leasing does not, in and of itself, explain why the Department of Environmental Resources has allowed forfeited companies to retain their certificates, it does explain how a cab company that no longer uses its certificates as originally intended and whose "legal existence...has been relinquished" can continue to operate without raising suspicions.⁴⁴

For example, twelve of these forfeited companies have retained all of their PGs in their own name even though in practice, they do not operate the PGs. Rather, they have allowed other Prince George's County cab companies to absorb the PGs into their fleets. The 12 forfeited companies shifting their PGs through this process include: Airport Cab, Beltway Cab, Bob's Cab, Bowie Checker Cab, Capitol Cab, Checker Limo, Five Star & Son, Laurel Cab, Metro Cab, R.E. Taxi, Takoma Langley Taxi, and Takoma Park Taxi. As a result of this practice, six of the 12 companies no longer have cabs bearing their logo, on the streets of Prince George's County. Strikingly, the other six companies do. This seemingly impossible outcome is made possible through what appears to be a second layer of subleasing arrangements. Through the second layer, despite having shifted all of their own PGs to other companies, these six companies remain in business by using PGs that, on record, belong to other companies.

Another startling discovery was the identification of cab companies that have significantly more cars in their fleet than the number of PGs issued to them by the county. For example, the county has only issued two PGs directly to Airport Cab yet despite its status as a forfeited company, it now operates 64 cabs. Most of the company's growth is attributable to its use of several PGs that, on record, continue to be held by other cab companies. In other words, this forfeited company's impressive growth is not reflected in the county's official PG ownership records.

In similar fashion, seven other cab companies also operate more taxicabs than they have PGs. The largest perpetrator of this practice is Checker Cab which was granted 10 certificates, but operates 118 cabs.⁴⁵ The county's three largest PG holders – Blue Bird, Silver Cab, and Paramount Management Inc. – are the companies most often transferring their PGs in this fashion. Based on county records, Blue Bird alone has shifted as many as 54 PGs to Checker Cab and 41 to Silver Cab.

After tracking the county's ever-shifting PGs, we uncovered yet a third pattern: although the county has issued PGs to 24 different cab companies, only eight companies rise to the top as the day-to-day operators of the majority of company-held PGs. These companies include: Airport Cab, Associate Cab,⁴⁶ Carrolton Cab, Checker Cab, Golden Cab, Paramount Cab, Silver Cab and Yellow Cab. Moreover, with the exception of Paramount Cab, a sampling of receipts issued to drivers for their weekly dues paid to the companies show the fees are paid at the same address.⁴⁷

Ultimately, these patterns – which make up the day-to-day structure of the industry – can best be illustrated as a pyramid. At the base of this pyramid are the original 24 cab companies holding nearly 600 of the county's PGs. As a result of what appears to be PG-sharing, these com-

panies narrow to eight. In turn, the distribution of PGs among these eight companies is greatly influenced by the companies making up the pyramids third layer: Blue Bird, Paramount Management Inc, and Silver Cab, who have shifted many of their own PGs to the smaller companies. At the pyramid's apex is Taxi-Taxi Inc., which provides consolidated dispatch service to 76 percent of all cabs.

Blurring the Lines: Short Vignettes

A cab company's failure to surface in the pyramid structure does not mean it is not intimately linked to the industry's complicated operating structure. College Park Cab – which receives consolidated dispatch service under the Silver Cab/Taxi-Taxi umbrella – is one such company. This company – which is controlled by Mr. Nadar Sanatian – has been issued 12 PGs. Nevertheless, records indicate it operates 21 cabs. It gets most of its extra PGs from Blue Bird Cab, Silver Cab, and Paramount Management Inc. Moreover, Mr. Sanatian is the Chief Financial Officer for Silver Cab.⁴⁸ This connection is but another example of the extent to which the lines between the industry's power-holders have been blurred.

The chart below tracks the transfer of PGs between companies and the resulting impact on the size of each company's fleet.

Original 24 Companies & Number of PGs Received From County ⁴⁹	Number of Original PGs Operating in Company Name	Number of Cabs Operated on a Day-To-Day Basis	Top Three Sources of PGs and Amount	Most Recent "Resident Agent" ⁵⁰	Status with Md State Dept. of Assessments & Taxation ⁵¹
Action Cab (5 PGs)	0	0	N/A ⁵²	Scott Bretner	Forfeited
Airport Cab (2 PGs)	0	64 cabs ⁵³	Blue Bird (18 PGs) Paramount Management, Inc. (11 PGs) Silver Cab (10 PGs) N/A	Unclear	Forfeited
Beltway Cab (2 PGs)	0	0	N/A ⁵⁴	Scott Bretner	Forfeited

Original 24 Companies & Number of PGs Received From County	Number of Original PGs Operating in Company Name	Number of Cabs Operated on a Day-To-Day Basis	Top Three Sources of PGs and Amount	Most Recent "Resident Agent"	Status with Md State Dept. of Assessments & Taxation
Blue Bird Cab (186 PGs)	1 ⁵⁵	9	Yellow (2 PGs) Community Cab (1 PG) Airport Cab (1 PG)	Scott Bretner	Revived
Bob's Cab (8 PGs)	0	0	N/A ⁵⁶	Scott Bretner	Forfeited
Bowie Checker (3 PGs)	0	3	Blue Bird (1 PG) Yellow Cab (1 PG)	Scott Bretner	Forfeited
Capitol Cab (3 PGs)	0	1	Affiliate driver	Unclear	Forfeited
Carrollton Cab (3 PGs)	1	31	Blue Bird (9 PGs) Silver Cab (4 PGs) Paramont Management Inc. (3 PGs)	Unclear	Forfeited
Checker Limo (10 PGs)	2	116 cabs ⁵⁷	Blue Bird (54 PGs) Silver Cab (11 PGs) MD Transport. (7 PGs)	Unclear	Unclear
Checker Limo (13 PGs)	0	0	N/A ⁵⁸	Scott Bretner	Forfeited

Original 24 Companies & Number of PGs Received From County	Number of Original PGs Operating in Company Name	Number of Cabs Operated on a Day-To-Day Basis	Top Three Sources of PGs and Amount	Most Recent "Resident Agent"	Status with Md State Dept. of Assessments & Taxation
College Park (12 PGs)	3	21 cabs	Blue Bird (5 PGs) Silver Cab (4 PGs) Paramont Management, Inc. (3 PGs)	Nadar Sanatian	Active
Community Cab (8 PGs)	1	18 cabs ⁵⁹	Silver Cab (2 PGs) Blue Bird (1 PG) Metro Cab (1 PG)	Bob Nabley	Forfeited
Five Star & Son (1 PG)	0	0	N/A ⁶⁰	Scott Bretner	Forfeited
Golden Cab (15 PGs)	1	30 cabs ⁶¹	Blue Bird (11 PGs) Silver Cab (3 PGs) Takoma Langley (3 PGs)	Scott Bretner	Forfeited
Laurel Cab (2 PGs)	0	1	Airport Cab (1PG)	Scott Bretner	Forfeited
Maryland Transportation (16 PGs)	0	0	N/A ⁶²	Unclear	Unclear
Metro Cab (4 PGs)	0	3	Silver Cab (1 PG) Takoma Langley (1 PG)	Unclear	Forfeited

Original 24 Companies & Number of PGs Received From County	Number of Original PGs Operating in Company Name	Number of Cabs Operated on a Day-To-Day Basis	Top Three Sources of PGs and Amount	Most Recent "Resident Agent"	Status with Md State Dept. of Assessments & Taxation
Paramont Management Inc. (102 PGs)	58 ⁶³	58	N/A ⁶⁴	Hashmatullah Haider	Forfeited ⁶⁵
PG County Cab (5 PGs)	4	3	N/A	Scott Bretner	Unclear
R.E. Taxi (4 PGs)	0	1	Checker Cab (1 PG)	Unclear	Forfeited
Silver Cab (125 PGs)	60 ⁶⁶	188 cabs ⁶⁷	Blue Bird (41 PGs) Paramont Management, Inc. (5 PGs) Golden Cab (5 PGs)	Unclear	Incorporated
Takoma Langley Taxi (27 PGs)	0	1	Yellow Cab (1 PG)	Scott Bretner	Forfeited
Takoma Park Taxi (6 PGs)	0	2	Yellow Cab (1 PG)	Scott Bretner	Forfeited
Yellow Cab (9 PGs)	1 ⁶⁸	63 cabs ⁶⁹	Blue Bird (23 PGs) Silver Cab (18 PGs)	Unclear	Unclear

Is Leasing Lawful? A Brief Analysis

The vast differences between whom the county has authorized to use PG s and who actually operates them on a day-to-day basis raises the question of whether cab companies are allowed to lease their PGs to each other. Assuming that the transfer for these PGs is through leasing, it is not permissible under county code.

*The cross-sharing or leasing of PGs between cab companies is not permissible under the Prince George's County taxicab code because the code restricts both individuals and cab companies from leasing their PGs to third parties. On its face, Section 20-152(d) of the taxicab code only appears to restrict individuals from allowing someone else to use her/his PG. If this section were only meant to restrict individuals, cab companies who have received PGs from the county could freely shift them from company to company at their leisure, making it difficult for the county and the public to know who is ultimately responsible for the manner in which the PG is operated. Alternatively, "shell" companies could be created for the sole purpose of acquiring and transferring PGs to companies that have not been authorized to operate them.⁷⁰ In turn, this would make a mockery of the code's clear requirement that every cab company applying for PGs first be investigated by the county for the purpose of determining the company's **"ability to acquire and maintain the vehicle(s) for which the certificates and registration authority is sought"** (emphasis added).^{71/72}*

The Taxicab Code

The Prince George's County taxicab code specifically limits who can use the PG once it has been issued. Section 20-152(d) states, "No person other than the person to whom it is issued shall use a certificate." Interested in understanding whether "person" as used in Section 20-152(d) includes cab companies, we also examined the code's definition section only to find that it does not define "person." However, when we examined the rest of the code we found various provisions leading us to conclude that "person," as used in the taxicab code, has a broad application.

*Section 20-102(a)(3) defines a PG certificate as follows: "The Prince George's County Certificate of Registration **granted to a person** in the business of operating a taxicab or limousine as provided in this Subtitle" (emphasis added). Because it is undisputable that cab companies are entitled to hold PG certificates, it follows that the word "person" as used in the code necessarily applies to them. Moreover, Section 20-102(a)(4) supports this understanding. This section tells us that this same certificate can be lawfully held by "Any individual, association, partnership, company, corporation, or other organization..." In other words, while Section 20-102(a)(3) tells us only a "person" can be granted a certificate, subsection (a)(4) makes clear that "person" includes cab companies.*

Culpability

The county's current taxicab code demands a great deal of drivers – and rightly so – holding them accountable to the public through the imposition of fees and fines. By comparison, the same code allows cab companies to operate virtually unaccountable not only for the manner in which they use the PGs, but also for the impact their business practices have on the overall health of the industry. An imbalanced code combined with lax enforcement against taxicab companies, has fostered an environment where cab drivers are treated as disposable resources while the pursuit of money takes precedence over the taxicab code and the provision of quality taxicab service, spawning numerous industry practices that have a negative impact on drivers, the public, and service as a whole.

Face Cards

Under the current code, to become a taxicab driver in the county, a taxicab driver's license – also known as a “face card” to cab drivers – is mandatory. As of December 2008, there were 1,099 individuals licensed to operate taxicabs in Prince George's County.⁷³ This figure exceeds the duly authorized number of taxicabs by 40 percent.⁷⁴ Based on conversations with decision-makers in the Department of Environmental Resources, the department's decision to license far more drivers than the county's 785 taxicabs require, is based on their view that the taxicab code does not give the department the express authority to limit access to face cards. Drivers, on the other hand, believe the DER's inclination to license so many taxicab drivers is likely linked to the income it generates for the office. For example, the cost of obtaining a face card and renewing it annually is \$125.00.⁷⁵ This means the county's cab drivers alone can generate nearly \$138,000 for the DER.

DER's decision to create a pool of excess cab drivers helps sustain an industry culture that thrives on ensuring cab drivers are dispensable. Amending the taxicab code to ensure the county has control over the number of individuals who can be licensed will strengthen the industry, taxicab service, and workers' rights because entry into the industry will become a coveted opportunity.

Expired PGs

All PG owners know precisely when their PGs will expire and therefore have ample opportunity to renew them in advance. Timely renewal, however, does not always take place even though the code clearly states that “any owner of a taxicab...shall not drive or allow the same to be driven within the County, on or off-duty, unless such driver has a valid certificate” (emphasis added).⁷⁶ In May 2009, several taxicabs serving the county's metro stations were inspected by metro transit police. Some drivers operating company-owned cabs were issued citations for operating them with expired PG certificates. Drivers report that when they took the citation to their cab company to ask the company to pay for it, the company refused to take responsibility. Rather, drivers were told they should appear in court and that it was their responsibility to obtain documents from the Department of Environmental Resources to demonstrate to the court that the PG was undergoing the renewal process. The cost of the civil violation to a driver – if s/he can afford to pay the costs up front – is \$100. On the other hand, if a driver elects to challenge the citation, the amount of the fine may be less but the driver will have to forego her/his earnings in exchange for appearing in court.

Double Numbers

When a PG is transferred to a different vehicle, the old cab must be taken out of service; cab drivers dispute whether this process happens. In fact, they assert the county has “double numbers,” i.e., taxicabs which display the same PG number under different cab company logos.

Drivers know there are doubles out there. We see them. But we have stopped complaining to the Hack office because they don't do anything to help us. If we tell them, they tell us to prove it. That's not our job. When we complain, they should investigate. But they don't. What are they afraid of finding? Who do you think is inspecting these cabs? Someone is allowing them to be on the streets...and if the Hack Office is not inspecting them, then we should all be very worried because that means customers are getting into unsafe cabs and that is very, very dangerous. - Cedric

As it turns out, drivers are only partly right. Over a two-week period a team of drivers collected information on “double numbers.” In this short window they found 12 duplicate PG numbers. In particular, PG number 228 was recorded as operating in quadruplicate under the following names: Checker Cab, Silver Cab, Yellow Cab, and Independent.⁷⁷ Our review of county records reveals that since at least 2007, the first year in which Advancement Project obtained data from the Department of Environmental Resources, PG 228 has belonged to Blue Bird Cab. Yet, in none of its four incarnations did PG 228 operate under the Blue Bird insignia.

Double numbers raise immediate red flags, in particular as it relates to safety and county and state finances. With regard to safety, these double-number taxicabs are presumably operating without the appropriate inspections by the Department of Environmental Resources. In addition, there would be no way to identify these drivers if a passenger's safety were compromised in an unauthorized car. Because safety in the provision of taxicab service should be paramount to the county, the county should begin the process of redesigning the PG so that all cabs can display publically visible insignia – such as a county-produced emblem or decal – immediately. This will allow the DER's taxicab inspectors to more readily identify rogue cabs, which will reduce this illegal practice and increase safety.

One morning I got a phone call from the hack office. They asked me a lot of questions about my cab – what my tag number is and what company I drive for. When I answered their questions, they told me ‘never mind, your cab is the wrong color. You are not the right cab.’ I said, ‘what do you mean?’ and was told they had a report of a Yellow Cab, bearing my PG number, overcharging customers. It was my double! This time it was dishonesty but what if next time my double commits a serious crime and all that gets reported is the cab number? Double numbers put everyone – drivers and the public – in great danger. - Getachew

The financial implications to the county and state are less clear however, because it is almost impossible to calculate the financial deficit caused by an unknown number of taxicabs potentially operating for years, without paying the required fees associated with their PG certificates or taxes.⁷⁸ Further, while it appears that some of the double-numbered cabs may be individuals acting alone, drivers are under the impression that some of these cabs are sanctioned by taxicab companies. If this assertion is accurate, the cab companies involved in this practice should be investigated immediately and if found to be in violation, their PGs should be revoked and redistributed to taxicab drivers.

Morphing PG Numbers

Another practice spawned by inadequate enforcement of the taxicab code is that PG numbers can, quite literally, be changed at one's leisure. According to the code, "the number of the certificate preceded by the "PG" designation **shall be painted** on the sides and rear of the vehicle,"⁷⁹ but it appears some of the county's cab companies – and, indeed, some of the county's cab drivers – have opted to make this requirement optional. Instead, the PG number is placed onto the cab with removable numbering, such as magnetic signage. The ease of amending a cab's PG number combined with the fact that the cab's operating certificate is rarely inspected by law enforcement, means there is little chance that a rogue cab will be identified. Unfortunately, the prevalence of this practice – as with double numbers – is almost impossible to track.

The lingering question in each of these examples, however, is why have these practices been allowed to take root and why have the offenders been allowed to keep their PGs, when the code speaks so clearly on these issues. Responsibility lies with the taxicab companies and the Department of Environmental Resources and its inspectors who are charged with the responsibility of ensuring the county's cabs meet code standards. But enforcement of the code, in its current state, is not enough to bring balance to the industry or to open the doors to economic opportunity and justice for drivers. That can only come through comprehensive reform of the code that builds in safeguards ensuring economic opportunities exist for both cab drivers and cab companies, and that both of these key constituents remain accountable to the public and the county for providing quality taxicab service.

To ensure the county adopts a modernized, fair and balanced code, taxicab drivers should be viewed as critical to rewriting it, because, historically the code has been drafted and subsequently revised, with little direct cab-driver input and the result has been less than optimal for passengers and the industry.

PART THREE: DRIVERS IN ACTION

Tired of being forced to operate from the margins of the industry, the county's cab drivers, through the collective power of the Prince George's County Taxi Workers Alliance, have begun pushing back on industry culture and practices, slowing the power-holders' business-as-usual approach to running the industry. As a result of this collective effort, the industry has undergone small improvements, some based on drivers' ability to prevent negative outcomes – such as the victory at National Harbor discussed below – and other small victories stemming from their determination to update the taxicab code.



From drivers' perspective, their recent victories are the first signs of the sweeping and inevitable change the taxicab industry must undergo if it is to continue fulfilling its vital role as the transportation leader for the county's voucher program. Furthermore, drivers also realize that change must happen because they will be the essential go-to resource for the increasing number of tourists coming into the county through National Harbor and future public-private developments, as they continue providing gap service for individuals who do not own cars or do not drive on a regular basis.

Victory at National Harbor

The original "taxicab program" at National Harbor is a good example of the reach of the Bretner-Nabley working relationship. When the Harbor introduced its taxicab program to cab drivers in March 2008, drivers were shocked to learn that program rules explicitly required all taxicabs to have a Taxi-Taxi, Inc. dispatching system.⁸⁰ The rules also made clear that drivers would be required to obtain a special permit in order to serve the Harbor.⁸¹ Upon inquiry, drivers were told by Harbor representatives that the taxicab program had been designed by Scott Bretner and that he alone would be responsible for issuing the necessary Harbor permit.⁸²



I attended a driver orientation and soon after the Harbor opened I went to Scott Bretner to ask for a Harbor permit. He looked in my car and told me that he would not give me one because I did not have a Taxi-Taxi computer. I didn't want to have to pay extra for a computer - \$7 a day – because that extra cost alone would eat into my earnings. So I didn't go to the Harbor any more. - Moses

To the credit of the Prince George's County Taxi Workers Alliance and Advancement Project, we immediately recognized the practical implications of the proposed taxicab program. First, we recognized that if allowed to go forward, the dispatching requirement would supersede the Prince George's County taxicab code because it does not make a Taxi-Taxi system a prerequisite to providing taxicab service in the county. Second, we recognized that independent cab drivers were, in essence, being given an ultimatum: install your competitor's GPS tracking system in your vehicle or forgo the opportunity to provide taxicab service at the Harbor. We also realized that while the taxicab code gives authorized cab drivers the authority to provide service throughout the county, in this instance drivers were being led to believe they could not access public streets located within the Harbor absent a special Harbor Permit. Lastly, we recognized that requiring installation of a Silver Cab/Taxi-Taxi GPS tracking device in all cabs serving the Harbor would further jeopardize free-market forces by expanding the Silver Cab/Taxi-Taxi umbrella further. In a meeting with National Harbor executives, the Alliance made clear its opposition to these rules and in standing up to the powerhouses behind the proposed taxicab program, prevented the requirements from being fully implemented at the Harbor.

A Day without Taxi Service

The "base fare" is a critical factor in drivers' ability to earn an income since it is the starting price on the taxicab meter when a passenger steps into a cab. In Prince George's County the base fare remained at \$1.50 since 2000, despite increases in the cost of living and the cost of renting a cab.⁸³ A review of base fares in surrounding jurisdictions revealed that by 2008 Prince George's County had been outpaced by as much as, and in some jurisdictions more than, 100 percent. For example, in Washington DC the base fare had been set at \$3.00 and in Montgomery County at \$4.00.

I used to invite my family over for dinner all the time, you know, my brother and sister. I did it because I like to bring the family together. It's a nice thing, family. But now I don't do it any more. Do you know why? Because I can't afford it. – Mr. Muhammed

Already struggling to earn a livable income under the outdated base fare, drivers were especially impacted by exorbitant weekly fees to cab companies. In the summer of 2008, these factors prompted the Prince George's County Taxi Workers Alliance to send a letter to the county's leading cab companies requesting a reduction in their weekly fees. The request was not acknowledged. With driver angst steadily rising alongside increased operating costs, the Alliance attempted to negotiate a temporary reduction to drivers' weekly fees a second time. In December 2008, the Alliance submitted this request to Blue Bird, Paramount Management Inc., and Silver Cab. Silver Cab refused their request outright, while Blue Bird and Paramount failed to respond altogether.



Alliance members on strike at County Administration Building in Upper Marlboro (Dec. 2008)

Consequently, on December 19, 2008, the county's taxicab drivers ceased county-wide taxicab service for 24 hours. Coordinated by the Alliance, drivers used this public action to reiterate their request for a reduction in weekly fees and to call for a reasonable increase in the county's base fare. With the action in progress, the County Executive expressed support for a living wage for cab drivers,⁸⁴ but the county's cab companies did not follow suit.

We are working just to pay the rent. This is about our living standard. - David

We need money for our living too. Not only taxi drivers should shoulder the burden of these hard economic times. – Mr. Mamo

We work hard for this industry and the public. We expect justice, we should just have good justice, that's all. – Mr. Dele

With cab companies refusing to discuss drivers' concerns and having received no formal response from the county regarding their call for a reasonable raise in the base fare, the Alliance held a second public action on January 9, 2009. Drivers reiterated their concerns and called for more transparency in the industry noting that while they are the backbone of the industry, they were overlooked by the county's decision-makers. Four days after the second action, the county council of Prince George's County enacted a temporary resolution raising the base fare to \$3.00. On April 7, 2009, before a room full of taxicab drivers, and after receiving testimony in support of the increase from eight leaders of the Alliance, the county council voted unanimously to make the temporary \$3.00⁸⁵ base fare permanent.

CONCLUSION: THE DRIVE FOR REAL REFORM

Since its inception the Prince George's County Taxi Workers Alliance believes that many of the injustices currently faced by taxicab drivers have taken root due to lack of transparency, accountability, and enforcement in the industry.

Despite minor improvements, the Prince George's County taxicab industry remains in great disarray and urgently in need of carefully crafted comprehensive change. Because cab drivers are the industry's only must-have resource, they must be at the table for any discussions aimed at bringing sustainable change to the industry. Given the chance, cab drivers can bring a unique, critical dual perspective to the industry that no other stakeholder has: they not only experience the industry as drivers, they also see it through the lens of business owners because as independent contractors they are, in many ways, running their own business. Additionally, because so many drivers aspire to owning their own PG, it is they – unlike any other industry constituent – who have the greatest interest in ensuring that the taxicab industry is governed by rules and policies that are not only balanced, but which also foster positive growth opportunities for both companies and drivers.



The county's taxicab industry requires comprehensive reform. Because of the alarming state of the industry, the piecemeal approaches used in the past to amend select portions of the taxicab code will no longer suffice. To achieve true reform the county must create a space at the table for cab drivers to provide input on the types of changes the taxicab code requires because they, unlike taxicab companies, are the industry's only essential component and are necessary to creating a sustainable, well-rounded industry. Recognizing that comprehensive reform will not come overnight, informed by driver experiences and our research, cab drivers recommend the following as immediate first-steps for moving the industry into a new phase of economic prosperity and stability:

- **Declare a Moratorium on Taxicab Driver's Licenses (Face Card).** The number of face cards issued to current and would-be cab drivers exceeds the total number of authorized taxicabs by 40 percent. Effective immediately, the county must not license any more taxicab drivers until steps are taken to ensure that current and future drivers are able to earn a living wage.
- **Revoke and Redistribute PGs. Nearly three-quarters of the county's PGs** (operating certificates) are owned by taxicab companies. At the close of this investigation, seventy percent of these companies were recorded as forfeited entities with the Maryland State Department of Assessments and Taxation.⁸⁶ The PGs belonging to these companies should be revoked immediately and issued to drivers by lottery according to the taxicab code. Giving individual drivers the opportunity to own their own PG will stimulate free-market competition because they will be able to operate as small business owners.
- **Redesign the PG.** Taxicab operating certificates are issued as paper documents. As a result, duly authorized cabs are not readily distinguishable from unauthorized cabs. To prevent entry of unauthorized cabs into the industry, the county must redesign the PG so that all cabs bear visible insignia – such as a county-produced emblem or decal –clearly establishing their authority to operate in the county.
- **Ensure True Driver Representation on the Taxi Board.** The county's five-person Board should be expanded to include seven people, with two seats reserved for active taxicab drivers who do not serve the taxicab industry in any other capacity. Additionally, these representatives should be given the affirmative duty and necessary resources, to keep drivers informed of the Board's activities and decisions in timely fashion.
- **Fine Out-of-Jurisdiction Cabs.** Section 20-159 of the taxicab code clearly prohibits taxicabs licensed in other jurisdictions from soliciting business in the county. The Department of Environmental Resources should use its authority to make administrative interpretations of the taxicab code to ensure this section can be enforced by law enforcement authorities.
- **Declare a Moratorium on Voucher Charges.** Some passengers pay for taxicab service with county-provided transportation vouchers. Taxicab companies retain 10 percent of each voucher fare for themselves, automatically deducting this amount from cab drivers' earnings. While drivers would like to continue providing this vital service, this industry practice makes the voucher system detrimental to them, thereby jeopardizing the public's ability to get a cab. The county must issue an immediate moratorium on all voucher charges assessed against cab drivers until a system can be developed that does not require them to shoulder the cost of providing this vital service.
- **Ensure Equitable Enforcement of the Taxicab Code.** County employees charged with the responsibility of inspecting the county's taxicabs pursuant to the taxicab code must apply the code's standards fairly and equitably to all taxicabs. Additionally, they must be held accountable for sanctioning the continued operation of taxicabs that do not meet the county's operating standards or licensing requirements.
- **Ensure Adequate Funding for the Department of Environmental Resources.** Prince George's County must ensure the Department of Environmental Resources has the necessary funding to ensure full and efficient enforcement of the taxicab code. This includes ensuring the DER is able to maintain updated and easily searchable records.

ABOUT US

ADVANCEMENT PROJECT

Advancement Project is an innovative civil rights law, policy, and communications “action tank” that advances universal opportunity and a just democracy for those left behind in America. Advancement Project believes that sustainable progress can be made when multiple tools – law, policy analysis, strategic communications, technology, and research – are coordinated with grassroots movements.

Advancement Project was founded in 1999 in Los Angeles and Washington DC by veteran civil rights lawyers who were looking for new ways to dismantle structural barriers to inclusion, secure racial equity, and expand opportunity for all.

Advancement Project creates change by:

- Promoting and supporting coalitions and organizations that bridge race, culture, and class divisions;
- Building new tools for the national movement for social justice; and
- Effecting reform of public institutions responsible for providing democratic participation, affordable housing, education, and public health and safety.

THE PRINCE GEORGE'S COUNTY TAXI WORKERS ALLIANCE

The Prince George's County Taxi Workers Alliance is a driver-formed and driver-led organization which began in 2007 when a handful of cab drivers came together to discuss their concerns with the state of the industry. The goal of the Alliance is “to advance both the power and economic interests of drivers by improving the quality of the taxicab industry and promoting accountability as well as transparency among drivers, cab companies, and the county.”⁸⁷ Central to the Alliance mission is their strong belief in fostering unity among drivers across lines of gender, race, ethnicity, and national origin.⁸⁸

ENDNOTES

1. Throughout this report we reference companies and individuals as “owners” of taxicab operating certificates. While this label is reflective of common industry jargon, it is nevertheless true that the taxicab operating certificate continues to be the property of Prince George's County even after it has been assigned to an individual or taxicab company. **See:** Prince George's County, MD, County Code, titl. 17, subtitle 20-152(a) (2003).
2. Through the Maryland Department of Assessments and Taxation website, Advancement Project examined business entity information for every cab company for which the county has issued a taxicab operating certificate. According to the state, online business records are updated each week day. **See:** <http://sdatcert3.resiusa.org/ucc-charter/> (last viewed on 6.18.2009).
3. *Supra*, Note 1.
4. Prince George's County, MD, County Code, tit. 17, subtitle 20-118 (2003).
5. Because industry earnings are not based on a fixed-wage rate, cab drivers annual earnings can vary widely. The figure included herein is based on self-reported earnings information as provided by cab drivers most of whom purport to be working 6 or 7 days a week, 12 hours per day.
6. Prince George's County, MD, County Code, tit. 17, subtitle 20-148 (2003).
7. In this report, “operating certificate” and “PG” are used interchangeably. The taxicab code refers to the PG Certificate as a “certificate” and/or a “Certificate of Registration.”
8. The Department of Environmental Resources is charged with the responsibility of enforcing the taxicab code, including accepting and processing applications requesting a taxicab driver's license (face card) pursuant to Section 20-107.
9. Prince George's County, MD, County Code, tit. 17, subtitle 20-148 (2003).
10. Prince George's County, MD, County Code, tit. 17, subtitle 20-156(a) (2003).
11. The impact of using paper certificates that are neither readily visible nor tamper-resistant will be discussed in greater detail in part two of this report.
12. Prince George's County, MD, County Code, tit. 17, subtitle 20-148(b)(14) (2003).
13. Certificates issued directly to individuals will not bear a cab company name if the individual does not elect to affiliate with a cab company. Individual PG owners have the option of operating independently.
14. Prince George's County, MD, County Code, tit. 17, subtitle 20-153(d) (2003).
15. Prince George's County, MD, County Code, tit. 17, subtitle 20-155 (2003).
16. **See, e.g.** Gary Blasi and Jacqueline Leavitt, *Driving Poor: Taxi Drivers and the Regulation of the Taxi Industry in Los Angeles* at 29 (2006) and Note 29 at 32 citing to Jiu-Chiuan Chen et al, *Occupational Factors Associated with Low Back Pain in Urban Taxi Drivers*, 55 *Occupational Medicine* 5, 535-40 (2005) and M. Anthony Machin and Jillian M.D. DeSouza, *Predicting Health Outcomes and Safety Behavior in Taxi Drivers*, paper presented at 5th Australian Industrial & Organisational Psychology Conference, Melbourne, 26-29 June, 2003.
17. Advancement Project did not review any company-provided insurance documents because every driver we spoke to reported that their cab company does not – and in some cases has refused – to provide them with any information outlining the insurance coverage. Drivers we spoke to who had been involved in an automobile accident while

driving a cab, uniformly reported lack of insurance coverage.

18. Prince George's County, MD, County Code, tit. 17, subtitle 20-150 (2003).
19. The claim here that Mr. Nabley holds 150 certificates was not substantiated by our analysis of county records. County records show Silver Cab has only been granted 125 PGs. Yet a second company last controlled by Mr. Nabley – Community Cab – has been granted 8 certificates. Combined, these certificates do not meet the figure provided by Silver Cab's counsel. Furthermore, state business entity records show Community Cab is a forfeited company.
20. Rucker, Philip, "Bill Seeks to Open Cab Industry to New Firms." Washington Post, June 26, 2005, C04. <http://www.washingtonpost.com/wp-dyn/content/article/2005/06/25/AR2005062500795.html> (last accessed June 11, 2009).
21. **See:** <http://pqasb.pqarchiver.com/washingtonpost/access/6857902.html?dids=6857902&FMT=ABS&FMTS=ABS&date=Jul+31%2C+1995&author=Montgomery%2C+David&pub=The+Washington+Post&edition=&startpage=C1&desc=The+driving--and+driven--force+behind+a+Pr.+George%27s+cab+empire> (last accessed June 18, 2009).
22. *Id.* Scott Bretner's current connection to the company was confirmed through our review of state business entity records which list him as the company's current resident-agent. Additionally, in the company's Articles of Revival filed with the state on 5.25.04 – the company was forfeited on 10.05.01 for failure to file a year 2000 property return – Scott Bretner was also listed as Blue Bird's "last acting President/Vice President" and its "last acting Secretary/Treasurer" (before the 2001 forfeiture).
23. During an April 2008 meeting between the Prince George's County Taxi Workers Alliance and executives of National Harbor, Scott Bretner also claimed ownership of Yellow Cab and Checker Cab. While Advancement Project makes no formal assertion as to who the owner(s) of these two companies are, our review of state records did not produce conclusive support for Mr. Bretner's claim.
24. This figure is based on an analysis of 760 of the currently issued 785 operating certificates. It is possible that Mr. Bretner may control more certificates, copies of which were not provided to Advancement Project by the Prince George's County Department of Environmental Resources, Business and Licensing Division.
25. **See:** <http://www.silvercabofpg.com/> (last accessed on 6.18.09). Additionally, a review of state business entity records revealed that while Badi Nabley is the company's current resident-agent and its president, as recently as December 2001, Scott Bretner was the company's resident-agent. **See:** Maryland Department of Assessments and Taxation, Resolutions filed on 2.21.02 and 1.2.02. (last accessed on 6.18.09).
26. This figure is based on an analysis of 760 of the county's 785 operating certificates. It is possible Mr. Nabley may control more certificates, copies of which were not provided to Advancement Project by the Prince George's County Department of Environmental Resources, Business and Licensing Division.
27. As of October 2008, this company was recorded as a forfeited entity with the Maryland State Department of Assessments and Taxation for failure to file a property return for year 2007. A subsequent review of its business entity records on January 15, 2009, April 23, 2009, and June 18, 2009, reveal its status has not changed.
28. On its website Silver Cab states that it provides dispatching service to 600 taxicabs. **See:** <http://www.silvercabofpg.com/> (last accessed on 6.18.09). Silver Cab does not have a fleet of this size. We will, therefore, examine the impact of consolidated dispatch service and the 76 percent figure further in part two of this report.

29. **See:** <http://www.silvercabofpg.com/> (last accessed on 6.18.09).
30. *Id.*
31. *P.G. County, MD: Silver Cabs and Paramount Cabs to share dispatching system*, Zone Broadcast at 3 (Spring 2000, Issue 2). At the time, Paramount reportedly operated 90 cabs.
32. *Digital Dispatch's System Grows Prosperity & Alliances for Silver Cabs*, Zone Broadcast at 2 (Fall 2001, Issue 4). See also, <http://www.silvercabofpg.com/index.html>
33. **See:** <http://www.silvercabofpg.com/index.html> (last accessed 6.18.09).
34. Drivers who enter into leasing agreements with cab companies are not regularly given copies of their leasing agreements, thus it is almost impossible to determine if those agreements spell out the cost of dispatch service. Nevertheless, drivers who once operated a cab without Taxi-Taxi dispatch service, calculate the cost of service by comparing what they paid in the form of weekly fees before and after installation of the computer-dispatch system. This figure averages out to \$7.00 per day. Additionally, on numerous occasions counsel to Silver Cab has publically stated that the service is provided at the cost of \$7.00 per day.
35. For example, on February 17, 2009 all cab drivers using a Taxi-Taxi dispatch system – without regard to what taxicab company individual drivers' contract with – received the following message on their dispatch terminal: *"All cabs must have hubcaps, dome light, all necessary stickers, amongst other things. Any cab that does not have everything ok will be de-authorized until it is fixed."* Messages such as these, cast a wide net without telling drivers who authorized the proposed action. This message was particularly troubling to drivers, because on its face, the penalty of de-authorization applies to all drivers, including those who operate company-owned cabs and who are, therefore, not responsible for ensuring the cab meets the stated requirements.
36. Advancement Project was not able to locate any company-provided information or policies setting forth grievance procedures. Furthermore, drivers report they have not heard of nor have they ever received information pertaining to a formal grievance procedure.
37. How 165 individuals have come to own 189 PGs between them is both unclear and problematic because any time an individual owns more than one PG in her/his individual capacity, it suggests s/he may be leasing her extra PGs to other drivers or cab companies. The leasing of PGs is strictly prohibited by § 20-153(d) and 156(B) of the Prince George's County taxicab code.
38. Mr. Sanatian controls College Park Cab. According to county records, this company operates 21 cabs.
39. Records received from the Department of Environmental Resources show Badi Nabley has been granted PG numbers 370, 508, and HC 02. They operate as Silver Cab, Checker Cab, and Yellow Cab respectively.
40. Prince George's County, MD, County Code, tit. 17, subtitle 20-152(d) (2003). The issue of leasing will be discussed in greater detail herein.
41. Business entity records for the companies were examined on May 13 & 14, 2008, July 30, 2008, and November 13, 2008 as well as January 13, 2009, April 23, 2009, and June 18, 2009. According to the State Department of Assessments and Taxation Web site, business records are updated each weekday.
42. As mentioned previously, Paramount Management Inc. – the third largest holder of PGs – has been forfeited since October, 2008.

43. Prince George's County, MD, County Code, tit. 17, subtitle 20-148(a)(2003).
44. *What does it mean that my business entity is 'not in good standing' or 'forfeited,' and what steps do I have to take to correct this situation?"* Maryland State Department of Assessments and Taxation, Taxpayer Services Division (January, 2009).
45. A portion of this growth is attributable to affiliate drivers. Approximately 27 of its operating certificates have been issued to individuals. However, some of these individuals own more than one of the PGs Checker Cab operates, which means that someone other than the rightful owner of the PG is operating it under the Checker Cab banner.
46. Our review of PG ownership records revealed that Associate Cab has not been directly issued any PGs by the county. Nevertheless, records reveal it operates as many as 35 cabs of which 26 operate using PGs that belong to other cab companies. The largest contributor of PGs to Associate Cab is Blue Bird Cab, followed by Paramount Management Inc. and Silver Cab. The remaining nine PGs are attributable to individuals.
47. The common address is 8316 Ardwick-Ardmore Road, Landover, MD 20785. In the industry, this address is referred to as "headquarters" not only because this is where most of the county's drivers pay their weekly fees, but also because this is where Taxi-Taxi is located.
48. This information was obtained from the Silver Cab website on 8.15.07.
49. This number is based on an analysis of public records provided to Advancement Project by the Department of Environmental Resources.
50. While Advancement Project was not able to identify a current resident-agent for eight of the original 24 companies, the records we did obtain link Scott Bretner to 12 of the county's original 24 companies – one company shy of the number his father was said to control in the 1990s.
51. We examined business entity records on May 13 & 14, 2008, July 30, 2008 and November 13, 2008 as well as January 15, 2009, April 23, 2009 and June 18, 2009. According to the State Department of Assessments and Taxation, business records are updated each week day.
52. Action Cab has transferred all its PGs to the following companies: Checker Cab (1 PG), College Park Cab (1 PG), and Silver Cab (3 PGs).
53. PGs belonging to 13 different cab companies contribute to this growth.
54. Beltway Cab has transferred all its PGs to the following companies: Checker Cab (1 PG) and Yellow Cab (1 PG).
55. Bluebird has transferred the rest of its PGs to 12 different companies of which six are forfeited.
56. Bob's Cab has transferred all its PGs to the following companies: Carrollton Cab (1 PG), Checker Cab (2 PGs), Silver Cab (4 PGs), and Yellow Cab (1 PG).
57. PGs belonging to 11 different cab companies contribute to this growth.
58. Checker Limo has transferred all its PGs to the following companies: Airport Cab (3), Associate Cab (1), College Park Cab (1), Checker Cab (1), Golden Cab (1), Silver Cab (3), and Yellow Cab (2).
59. Most of Community Cab's current fleet is comprised of individual PG holders. Nevertheless, this company is recorded as a forfeited entity.
60. Five Star & Son has transferred its PG to Golden Cab.
61. PGs belonging to 9 different cab companies contribute to this growth.

62. Maryland Transportation has transferred all its PGs to the following companies: Airport Cab (2 PGs), Checker Cab (7 PGs), Golden Cab (2 PGs), Langley Park (1 PG), and Silver Cab (4 PGs).
63. Paramount Management Inc. has transferred the rest of its certificates to 11 different companies.
64. Paramount Management Inc. operates its own PGs.
65. State records indicate this company was declared forfeited in October 2008, but Paramount Cab remains in good standing. While Mr. Haider is the resident-agent for both Paramount companies, the county has, nevertheless, issued the vast majority of the Paramount PGs to Paramount Management Inc and not Paramount Cab.
66. Silver Cab has transferred the rest of its certificates to 15 different companies.
67. It also uses PGs granted to 15 other companies, of which eight are forfeited.
68. Yellow Cab has transferred the rest of its certificates to six other companies.
69. It also uses PGs granted to 11 other companies, of which seven are forfeited.
70. In fact, while the county has issued PGs to 24 companies, at the close of this investigation there were an additional five companies operating in the county. Among these companies is Associated Cab, with an estimated fleet of 35 cabs, and Royale Cab. The DER has not issued a single operating certificate directly to either of these companies. Royale Cab (aka Royale' Inc.), for example, operates with a combination of PGs issued to individuals – although these individuals do not necessarily drive for the company – and PGs issued to other cab companies, including R.E. Taxi which is forfeited.
71. Section 20-148(b)(2) and (3).
72. A second plausible theory is that the Department of Environmental Resources has, in fact, authorized the additional five companies to operate in the county despite the lack of available PGs. Unfortunately, Advancement Project was unable to verify this theory because while we requested a copy of the DER's investigative findings into Royale Cab, for example, the department failed to produce the report. Section 20-149 makes the findings publicly available.
73. Department of Environmental Resources (12.17.08).
74. There are only 785 taxicabs authorized by county code.
75. Prince George's County, MD, County Code, tit. 17, subtitle 20-110 (2003). Drivers report that the cost of obtaining and renewing a face card is actually higher than the renewal fee alone because they are also required to be fingerprinted with every renewal, which can cost as much as \$38. They are also required to submit to: an annual medical examination which can cost as much as \$40, a certified MVA driving record at a cost of \$12, and have their face card application notarized, which can cost several dollars.
76. Prince George's County, MD, County Code, tit. 17, subtitle 20-148(a)(2003).
77. "Independent" means the cab is being operated by an individual, independent of a taxicab company. Normally, the "independent" designation is reserved for individuals who own the underlying PG and who opt not to affiliate with a taxicab company.
78. While this practice raises significant questions of state and federal business income taxation, Advancement Project has elected not to examine this aspect in great detail since the main focus of this report is on the industry's impact on taxicab drivers. Nevertheless, the question of income taxation at the state and federal level is one that deserves further inquiry.
79. Prince George's County, MD, County Code, tit. 17, subtitle 20-153(d) (2003).

80. National Harbor Taxicab System & Program: “All vehicles must be equipped with a GPS computer dispatch terminal supplied by Taxi-Taxi” and “Cruising National Harbor is not permitted. National Harbor venues will call Taxi-Taxi for dispatched service.”
81. *Id.*: “After attending this class, drivers will receive a permit reflecting their Face ID #. Drivers will not be permitted to operate at National Harbor without a permit. National Harbor permits must be displayed from the rear-view mirror. **Drivers failing to display their permit will be prohibited from operating at National Harbor.**” (emphasis added).
82. During an April 2008 meeting between the Alliance and executives of National Harbor, Scott Bretner identified himself as “the Taxi-Taxi representative to National Harbor.”
83. Prince George’s County, MD, County Code, tit. 17, subtitle 20-160(a)(2003).
84. Interview with County Executive Jack B. Johnson, *The Politics Hour* with Kojo Nnamdi, WAMU, (December 19, 2008).
85. On January 13, 2009 the county council passed Resolution No. CR-3-2009. The resolution, which remained in effect for 90 days, raised the base fare to \$3.00. **See also:** Ovetta Wiggins, *Council Doubles Base Fare: After 2 strikes, 90-day increase to \$3 approved*, (The Washington Post, January 14, 2009).
86. *Supra*, Note 2.
87. Information made available by the Prince George’s County Taxi Workers Alliance: www.pgctwa.org, (301) 431-4185 X222 and info@pgctwa.org.
88. *Id.*