

STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS

PUBLIC UTILITIES COMMISSION
DIVISION OF PUBLIC UTILITIES AND CARRIERS
WARWICK, RHODE ISLAND

RULES AND REGULATIONS
GOVERNING THE TRANSPORTATION OF PASSENGERS VIA TAXICABS AND
LIMITED PUBLIC MOTOR VEHICLES

Thomas F. Ahern, Administrator
William A. Maloney, Associate Administrator - Motor Carrier Division

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A. DEFINITIONS

Terms used herein shall be construed as follows unless another meaning is expressed or is clearly apparent from the language or content.

ADMINISTRATOR: Means the Administrator of the Division of Public Utilities & Carriers or his duly appointed designee.

BUSINESS ADDRESS: Means the location where the certificate holder stores the taxicabs authorized under the certificate, at which all records concerning the taxicab business are kept and available for Division inspection and where the drivers report to obtain a vehicle for use as a cab.

BUSINESS DAY: Means each and every day on which the Division of Public Utilities and Carriers is open for business. Business day does not include any day which is a Saturday, Sunday or legal holiday.

CAB: Means taxicab or limited public motor vehicle.

CALL AND DEMAND: Means the solicitation or acceptance of a fare occurring only within the location specified in the certificate. This section shall not prohibit a round trip requested by the passenger so long as the solicitation or acceptance of said pre-requested round trip occurs in the location identified in the certificate.

CERTIFICATE: Means a certificate of public convenience and necessity issued to a common carrier.

COMMON CARRIER: Means any person who holds himself, herself, or itself out to the general public as engaging in the transportation by motor vehicle of passengers for compensation in a taxicab or in a limited public motor vehicle.

DIVISION: Means the Division of Public Utilities and Carriers.

DRIVER: Means any person operating a cab.

FLEET OWNER: Means a certificate holder who owns and operates more than five taxicabs and/or limited public motor vehicles.

LIMITED PUBLIC MOTOR VEHICLE: Means and includes every motor vehicle for hire, other than a jitney as defined in S 39-13-1 or a taxicab as defined in §39-14-1, equipped with a taximeter used for transporting members of the general public for compensation only from a designated location on private property to such points as may be directed by the passenger.

OUT OF SERVICE: Means and includes a vehicle ordered by the Division and/or State Inspection Facility not to be used as a taxicab. Additionally, the term refers to a taxicab which the certificate holder has removed from service to the public.

PERSON: Means and includes any individual, firm, partnership, corporation, company, association, joint stock association or company and his, her or its lessee, trustee, receiver, assignee or personal representative, and, where the context requires, “driver”, as herein defined.

PERSONAL USE: The use of a taxicab for any use not regulated pursuant to Title 39.

RATE CARD/MEMORANDUM CERTIFICATE: Means a card issued by the Division which is required to be posted in each vehicle that reflects authorized rates, vehicle information, authorized territory, the taximeter’s serial number, certificate information and a telephone number for complaints.

SUSPENSION: Means an order of the Division, after hearing, requiring that a taxicab or a number of taxicabs operated under a certificate, not be operated as taxicabs for a set period of time.

TAXICAB: Means and includes every motor vehicle for hire, other than a jitney as defined in R.I.G.L. § 39-13-1, equipped with a taximeter, used for transporting members of the general public for compensation to any place within this state as may be directed by a passenger on a call-and-demand basis.

TAXIMETER: Means any instrument or device by which the charge for transportation in any taxicab or limited public motor vehicle is mechanically calculated and indicated by means of figures, either for distances traveled or for waiting time, or for both.

WEIGHTS AND MEASURES: Refers to the Department of Labor, Mercantile Division, Weights and Measures.

B. RATE CARD MEMORANDUM CERTIFICATE EQUIREMENTS

All cabs shall be issued a rate card/memorandum certificate, by the Division, which shall be assigned to specific vehicles and shall not be transferred (See Appendix A). At all times during operation of the cab, said rate card/memorandum certificate shall be displayed in a bracket or receptacle of a type approved by the Division so as to be visible to any passenger in the cab. The number on the rate card shall correspond to the registration number and meter serial number of the particular cab. All motor camer registrations and memorandum certificates expire on December 31 of each calendar year. Annual renewals shall be accomplished between October 1 and December 31 of each year.

C. MANIFESTS

1. Every driver of every cab shall maintain, in ink, on a form provided by the Division, a manifest of all trips made by the cab while under his or her control. The manifest shall contain the following:
 - i. the date, driver's name, cab company and registration number;
 - ii. time and mileage out at beginning of your duty;
 - iii. time and mileage at the end of your duty;
 - iv. time and place of origin and time and place of destination of each trip; and
 - v. number of passengers and fare charged for each trip;
 - vi. detail the mileage for each trip as well as an explanation of mileage incurred which was not incurred as the result of a paying fare;
 - vii. tire inflation as recorded pursuant to rule E. 1 .xi.
2. Fleet operations may, in lieu of a driver's manifest, maintain the information contained in Paragraph 1 within a master log which shall remain at the fleet's business address.
3. Each manifest or master log entry shall be made immediately following completion of the trip. All manifests and master logs shall be kept on file and available for inspection, by the Division, at the certificate holder's business address for a period of one year. Certificate holders are responsible for instructing each driver and other employees regarding proper and complete entries on manifests and master logs.

D. RATES AND CHARGES

1. Common carrier rates and charges shall be determined by the Division. A certificate holder must file all rate change requests with the Division. Only after Division approval thereon may actual rate changes go into effect.
2. Every cab shall display, on both sides of the cab, the rates and charges for transport services that have been approved by the Division. Said posting shall display the initial or “drop” charge, the charge for each succeeding increment of a mile, the waiting time per hour and three-mile rate. (See Appendix B)
3. Rates shall also be displayed on the cab’s rate card, inside the vehicle. (See Appendix A)

E. TAXIMETER REQUIREMENTS

1. Every cab shall be equipped with a functioning taximeter subject to the following terms and conditions:
 - i. All taximeters used in accordance with the rules and regulations stated herein shall be inspected by Weights and Measures each year for proper calibration and function.
 - ii. Once inspected and approved by the Weights and Measures personnel, the taximeter will be officially sealed by the Weights and Measures personnel. No passengers shall be transported without an officially inspected, approved, sealed, and operating taximeter. Any other seals installed by the certificate holder on the taximeter or on an appurtenance or cable thereto shall be of a type clearly distinguishable from State seals. They shall be pressed by the certificate holder in a distinctive manner and painted red.

- iii. A fare may only be charged to a customer that is based on the reading of a working taximeter. Flat rates or estimated charges may not be charged under any circumstances.
- iv. No type of taximeter shall be installed that is incapable of being sealed by Weights and Measures.
- v. Taximeters which may be reprogrammed or recalibrated without having first to remove the seal are prohibited.
- vi. No taximeter shall be installed in such a manner that prohibits the visual inspection of the meter and seal.
- vii. No adjusted, repaired, or recalibrated taximeter or appurtenance of a taximeter shall be installed in a cab unless such adjustment, repair, or recalibration has been officially inspected, approved and sealed by Weights and Measures.
- viii. A taximeter shall be installed so that the fare numerals can be easily read by a person of normal vision from the rear seat. If the taximeter is “flag operated”, the flag, when in the upright (cleared) position, shall be visible to a person standing in front or to the side of the cab.
- ix. The serial number of the taximeter shall be the same as that shown on the rate card/memorandum certificate assigned to the cab, except where a temporary replacement meter is being used pursuant to these rules and regulation.
- x. The Division shall be notified within two (2) business days of any change of any taximeter.
- xi. Tire size shall be the same as that for which the taximeter is calibrated, as

indicated by the rate card. Tire inflation shall be checked at the commencement of each shift, by the driver of said taxi and recorded on the shift manifest. A tire which does not hold the specified pressure over a 24-hour period shall be replaced immediately.

xii. Passengers shall not be carried until a cab's taximeter has been tested for accuracy over a measured mile course by Weight and Measures, or its authorized representatives whenever:

- a. The transmission or differential is altered or replaced; or
- b. A change is made in any other part of the cab that may affect the meter readings; or
- c. The Division considers it necessary.

xi. A certificate holder shall notify the Division within 24 hours of the time that any of the aforementioned changes are made.

F. DEFECTIVE TAXIMETER

1. When a taximeter is not operating correctly, passengers shall not be transported until it has been approved and resealed by Weights and Measures or its authorized representatives.
2. If the certificate holder replaced the defective taximeter with an approved reserve taximeter (See Rule F(3), below), the reserve taximeter shall be recalibrated and resealed by Weights and Measures or its authorized representative within thirty (30) days. The certificated holder shall also notify the Division within two (2) business days when a reserve taximeter is put in service.
3. An approved reserve taximeter is one which has been inspected and sealed within a period of not over one year, and has pasted thereon an approval slip signed by Weights and Measures, or its authorized representative.

G. RULES REGARDING THE CONDUCT OF BUSINESS

1. A change of business address (as distinguished from the garage address) shall be reported to the Division within two (2) business days. Each certificate holder shall maintain and must provide a business address to the Division. Post Office Boxes are not sufficient to satisfy this requirement. Vehicles must be registered to the business address and must be in the name of the certificate holder.
2. A certificate holder shall not have a cab registration transferred to a new or replacement cab without first notifying the Division, submitting all necessary documents and papers and obtaining Division approval. No cab, regardless of age, may be placed into service until it has received Division approval following a visual inspection. Bills of sale presented to the Division for new and replacement vehicles must indicate thereon the manufacturer's model name or number and year of manufacture.
3. An attempt by a certificate holder or applicant to conceal the identity of a principal in the business shall be grounds for the denial of an application seeking the issuance of a certificate, or revocation of an existing certificate.
4. All requests for change of corporate officers, stockholders or board of directors for corporations holding operating certificates are subject to Division approval.
5. Each cab shall have a roof light securely mounted to the vehicle roof which is capable of communicating the following messages:
 - i. "Taxi" or "Public" as applicable.
 - ii. The Certificate Number (See Appendix B)
6. Receipts shall be issued upon request of the passenger.

7. Every certificate holder must institute a system of frequent and regular inspections in order to keep equipment in proper repair and sanitary at all times.
8. Cabs to be placed in service shall not be more than four (4) years old. Once in service, no cab shall operate beyond an odometer reading of 200,000 miles or eight (8) years of age, whichever is sooner. A certificate holder who obtained a waiver of this requirement under prior regulation, may operate the cab for which a waiver was granted until the annual renewal date of that waiver. A copy of the waiver itself must remain in the vehicle at all times. After that renewal date no further waiver will be granted. Provided, however, that in cases involving vehicles in extraordinary condition, the certificate holder may petition the Administrator for an exemption from the provisions of this rule. In order to be granted an exemption, the petitioner must demonstrate, to the satisfaction of the Administrator, that the vehicle to be used as a cab would be as acceptable to the public as the newer cabs mandated under this rule; that the vehicle has few, if any, of the interior and exterior wear signs concomitant with vehicles of that older vintage; and that the vehicle appears and functions in relatively “original” condition.
9. Cabs shall be maintained in a business appearance acceptable to the public. This includes, but is not limited to, a clean interior and exterior and the absence of dents, rust, ripped or stained upholstery and broken or cracked glass. The Division will place out of service, any cab which is substandard in appearance. A cab that has been placed out of service may not be driven for any reason, including private use, unless express written permission is obtained from the Division.
10. Within five (5) business days of withdrawing a vehicle from use as a cab, the certificate holder shall paint out all distinctive insignia or trade, association, company or certificate holder’s name, assigned number, and remove the roof light prior to sale, unless the vehicle is to be sold for scrap. The Division will be notified within two (2) business days when a vehicle is withdrawn from use as a cab.
11. If a vehicle is out of service for thirty (30) calendar days or more, the vehicle registration

must be canceled and the license plates must be returned to the Division of Motor Vehicles. The certificate holder may apply to the Division, within the thirty (30) days, for an exception to this rule. If an exception is granted it must be in writing and applies only to the specific taxi and the specific time period referenced in the writing.

12. No certificate holder will use any other business name than that listed on the certificate. Should a business name be changed, the certificate holder must first, if the business is not a corporation, register the name with the city or town in which the business is located. If a corporation, the business must first register the name with the Secretary of State's Office. After registration, all new business names must be filed with the Division. The Division will review the filing to determine whether the name could cause confusion with any existing business. If the Division rejects the name the certificate holder will be notified within five (5) business days of the filing.
13. A certificate holder must respond to any Division request for documents or information within ten (10) business days of the request unless a written extension is granted by the Division.
14. Taxicabs may be operated only by the certificate holder, an employee of the certificate holder or a lessee approved pursuant to section J of these rules. The certificate holder will follow all laws concerning their employees including tax and insurance withholdings and workers compensation.
15. Taxicabs may only be used as such and may not be used as personal vehicles. If a certificate holder wishes to convert a taxicab to personal use he or she must withdraw the vehicle from use as a cab by following the procedures in Rule GIO. When not in use all taxicabs must be stored at the certificate holder's business address on file with the Division. If a certificate holder wishes to store vehicles at an alternative address he or she must obtain written permission from the Division and provide the address at which the cabs will be stored.

16. When a certificate holder's operating certificate is suspended by the Division, the cabs authorized under that certificate may not be driven for any purpose, unless authorized by the Division. The certificate holder must deliver the plates to the Division where they will be maintained during the period of suspension and returned upon completion of the suspension.
17. All vehicles operated as taxis must be purchased by the certificate holder for use in the business. The certificate holder cannot require that the driver purchase the taxi and turn it over to the certificate holder. A certificate holder may not register a vehicle as a taxi unless he or she has paid fair market value for the vehicle. The consideration paid cannot be an agreement with a driver to allow the driver or others to operate the taxi in accordance with the certificate.

H. RULES REGARDING DRIVERS AND THE OPERATION OF CABS

1. No person shall operate a cab unless he or she first acquires the type of license necessary to operate a taxicab under the Rhode Island General Laws.
2. A certificate holder shall not employ as a driver or lease a vehicle pursuant to section J to any person whose license is suspended or revoked. A certificate holder shall not allow anyone to drive a taxicab who has not received a State Hackney Operators' license from the Division pursuant to rules H3 and H4.
3. Each driver will place, in a Division approved receptacle and location, a State of Rhode Island Hackney Operator's License. The Hackney Operator's License will be issued by the Division and must be obtained before the driver may operate a cab.
4. No person will operate a cab without first having applied for and received approval from the Division. Individuals who request to operate a cab must supply to the Division the following information:

- i. Name;
- ii. Date of Birth;
- iii. Residence;
- iv. Phone Number;
- v. Driver's License Number (including type and class);
- vi. Employer; and
- vii. Copies of the applicants' driving record obtained, within the previous thirty **(30)** days, from the Administrative Adjudication Court and record of all criminal convictions obtained from the Bureau of Criminal Identification of the Department of the Attorney General.

The Division shall approve or disapprove all requests for authority to operate a cab as soon as practicable within ten (10) business days after receiving the aforementioned information. This time period may be extended for not more than thirty (30) days, for just cause, by the Division, with notice of the extension to the applicant. The Division's review of the application will be to determine if operation of a taxicab by said individual could constitute a danger to the public. If approved, the applicant will receive a Hackney Operator's License from the Division, which shall be carried at all times while operating a cab. If rejected, the applicant may request a full hearing before the Division by sending correspondence addressed to the Associate Administrator for Motor Carriers. At said hearing, the applicant will be given notice and an opportunity to be heard and has the right to be represented by counsel at his or her own expense.

5. The Hackney Operator's License may be suspended or revoked by the Division upon a finding of violation of these rules, any provision of Title 39 of the Rhode Island General Laws, any order of the Division or any other action which constitutes a danger to the public, after the licensee is given notice and an opportunity to be heard.
6. No person shall drive or be in physical control of any cab, for the purpose of carrying

passengers, for a period in excess of 12 hours in any 24-hour period, unless the driving time is broken by a period of eight full hours of rest. No certificate holder or his or her agent shall knowingly permit any cab to be driven in violation of this paragraph.

7. No cab shall be driven when it is so loaded or when there is in the front seat such number of persons as to obstruct the view of the driver to the front or sides, or to interfere with his control over the cab. No cab shall carry more adult passengers than the manufacturer's designed capacity of the vehicle.
8. Nothing shall be transported in any cab that will cause the interior of such cab to become soiled or offensive to passengers because of odor or appearance.
9. All cabs are required to have matching hubcaps or wheel covers on all four wheels.
10. Any individual who drives a cab, including the certificate holder, must report any criminal conviction or adjudicated traffic violation to the Division within five (5) business days of the conviction or adjudication. If the Division investigation reveals that the criminal conviction or adjudicated traffic violation is of such a nature that continued operation of a taxicab by said individual could constitute a danger to the public, the Division will conduct a hearing, after notice and allowing a full opportunity to be heard, to determine whether the individual's Hackney Operator's License should be revoked, suspended or otherwise limited. Failure to follow this rule will be sufficient grounds for revoking the certificate holder's certificate or the driver's operating permit.
11. Smoking by drivers or passengers shall not be allowed in taxicabs at any time.
12. Cab drivers shall not refuse a fare unless the driver fears for his or her personal safety. All passengers shall utilize safety restraints and provide and use child restraints when required by law. A cab driver must refuse a fare or terminate service if a passenger refuses to utilize safety restraints or to provide and use child restraints when required by law.

13. All cab drivers shall be dressed in a neat, clean and professional manner. Examples of clothing which may not be considered clean and professional include sweat pants, collarless shirts with logos and cut-off jean shorts.
14. Solicitation and acceptance of a passenger must occur within the location named in the certificate. The vehicle's driver may, however, provide transportation from a location not shown in the certificate only if he or she is solicited on a roadway while discharging a passenger and may then only provide transportation to a place named in the certificate. This section shall not prohibit a round trip requested by the passenger so long as the solicitation or acceptance of said pre-requested round trip occurs in the location identified in the certificate and either the pickup or drop-off is in a location identified in the certificate.
15. Each taxicab will keep, affixed to the right inside rear window of the cab, a consumer rights notice. The notice will be in the form appended hereto as Appendix A.
16. No cab will have an after market tint affixed to the windows.
17. An "On Duty" "Off Duty" card will be displayed in every taxicab to allow potential passengers to determine whether the taxicab is available for hire.
18. All taxicabs must be air conditioned.
19. All taxicabs must have the following statement of Passengers' Rights posted in an easily viewable position in the passenger compartment of the taxicab:
As a taxi rider, you have the right to:

Direct the destination and route used;

A courteous driver who is dressed in a neat, clean, and professional manner;

A driver who knows the major highways, routes, and streets in Rhode Island, and obeys all traffic laws;

Air conditioning;

Smoke-free and incense-free air;

A clean passenger seat and trunk area;

* For more information, or to file a complaint, contact the R.I. Division of Public Utilities and Carriers, 89 Jefferson Boulevard, Warwick, RI 02888 (401) 941-4500."

I. MISCELLANEOUS RULES

1. A certificate holder shall make arrangements for bringing to the attention of all drivers, employees and lessees these Rules and Regulations, Title 39 of the Rhode Island General Laws and any orders and notices from the Division of which the certificate holder has been made aware by the Division. The certificate holder is responsible to assure that all employees and lessees follow all of the provisions and may be disciplined for the failure of his or her employees and/or lessees to do so. A copy of these Rules and Regulations shall be kept at the business address of record for the information of drivers and other employees.
2. Accidents resulting in loss of life or property damage exceeding one hundred thousand dollars (\$100,000.00) must be reported to the Division within ten (10) business days from the date of the accident.
3. No taxicab shall be placed upon or occupy any taxicab stand except for the purpose of being held forth for hire. Taxicabs shall be placed on stands only from the rear (where applicable) and shall be moved forward and to the front of the stand immediately as space becomes available by the departure or movement of preceding taxicabs. When a taxicab stand is occupied to its full capacity, no taxicab shall loiter or wait nearby for the purpose of occupying space on such stand. The driver of every taxicab occupying a stand shall

stay within close proximity to his vehicle at all times.

4. No certificate holder shall utilize in any cab, or have at a dispatch center, any device to monitor or scan any radio frequency other than the frequency assigned to the certificate holder's cabs or dispatch center by the Federal Communications Commission.

J. LEASING

1. A certificate holder may lease a cab to another person only under the conditions found in these Rules and Regulations and R.I.G.L. § 39-14-9. The lease shall relate to the actual cab only (the vehicle itself) and shall in no way extend to the authority conferred through the certificate. Each lease relates to one specifically described cab and no other vehicle may be substituted for the described vehicle unless for periods of time required for normal maintenance and/or repair. Normal maintenance and repair means that the cab is substituted for no more than seven (7) days. For periods longer than seven (7) days the certificate holder must obtain express written permission from the Division. Each cab may be leased to only one individual for each twelve (12) hour period. The cab must be registered in the certificate holder's name to be eligible for lease. Under the lease agreement, the certificate holder shall remain bound by all of these rules in the same manner as if the certificate holder was operating the cab(s) being leased himself or herself or by an employee.
2. Only those vehicles which have been operating as taxicabs approved by the Division actively and continuously for twelve (12) months may be the subject matter of a lease. The twelve (12) month period will be determined by the Division by the registration date of the vehicle on file with the Registry of Motor Vehicles. If a vehicle has not been operated actively and continuously as a Division approved taxicab for twelve (12) months it may only be used as a taxicab driven exclusively by the certificate holder and/or an employee of the certificate holder.
3. Parties to a lease must file with the Division a Leasing Disclosure Statement on a form

which will be provided by the Division and which will indicate the names and addresses of the certificate holder and the lessees, the certificate number and license plate of the leased cab, date of execution the lease, the effective date and expiration date of the lease, the applicable term of the lease, including any and all charges, the responsibility for maintenance, the name of the insurance carrier providing statutory liability coverage, and the amount of any required security deposit. Any written documents concerning the lease must be attached to the Leasing Disclosure Statement and approved by the Division. No leasing arrangements are allowed other than those filed and approved by the Division.

4. In the event a security deposit is required under the terms of the lease approved by the Division, the certificate holder shall deposit same in an interest-bearing account in a bank or credit union within the State of Rhode Island and shall indicate on the Leasing Disclosure Statement the name and address of the bank or credit union in which such security has been deposited, and the applicable account number. Interest on such security deposit shall accrue to the benefit of the lessee furnishing the security.
5. All Leasing Disclosure Statements shall be filed with the Division and shall be signed by both the certificated holder and the lessee. No lease agreement shall become effective until approved by the Division. The Division shall approve or reject the proposed lease agreement in writing within ten (10) business days after the Leasing Disclosure Statement and all appurtenant papers have been filed. This time period may be extended for an additional thirty (30) days, at the discretion of the Division, with notice of the extension to the applicant. The Associate Administrator for Motor Carriers or his or her designee will sign every lease which has been approved and return a copy to the certificate holder for its records.
6. If a lease is rejected, the Division will notify the certificate holder within ten (10) business days of the rejection and the reasons therefore. The Division will mail back to the certificate holder the original Leasing Disclosure Statement and all attachments stamped "denied" and signed by the Associate Administrator for Motor Carriers or his or her designee.

7. Once an approved lease is on file with the Division for a particular vehicle, that vehicle cannot be sold, disposed of or transferred until such time as the approved lease terminates as of its own terms or the certificate holder submits to the Division a Lease Termination Statement, in a form provided by the Division, signed by both the lessor and the lessee. If the lessee refuses to sign or is unavailable to sign, the Lease Termination Statement shall be filed with the Division with the signature of the lessor and an explanation for the lack of signature by the lessee.
8. Once a vehicle is subject to an approved lease only the lessees may drive that vehicle. Neither the lessor nor lessees may make any arrangements to sublease the vehicle.
9. A copy of the approved lease must be kept in the cab at all times.

K. ANNUAL REPORTING

1. All certificate holders shall file with the Division, on or before April 15 of each calendar year, an annual report, on forms furnished by the Division.
2. Along with the filing of annual reports as required, certificate holders will supply the following each year on or before April 15:
 - i. Certification from the Secretary of State's Office on corporate status (if applicable);
 - ii. Proof of financial responsibility; and
 - iii. Information on currently registered vehicles operating as cabs.
3. For purposes of revenue reporting to the Division, in accordance with R.I.G.L. S39-1-23, all revenues generated as a result of the authority conferred in the operating certificate

shall be included as revenues for the certificate holder. This includes revenues for gross receipts earned by lessees.

L. COMPLAINTS

1. Any person may file a complaint with the Division regarding a violation of these rules and regulations. Complaints should be in writing and signed by the complainant stating the complainant's address and telephone number and either mailed or hand-delivered to the Division of Public Utilities and Carriers, 89 Jefferson Blvd., Warwick, Rhode Island 02888. Nothing in this rule should be construed to prevent the Division from instituting an investigation or proceeding based upon an oral complaint or upon information developed in any other manner.
2. If the Division determines that the complaint alleges facts which constitute a violation of these rules and regulations, the Division shall notify in writing the particular driver and/or certificate holder of the nature of the complaint. An answer must be filed by the driver and/or certificate holder with the Division within ten (10) days following the date of notice of the complaint. Upon receiving such answer(s), the Division shall notify the complainant of the contents or nature of the answer(s) and shall take whatever action deemed appropriate to resolve the complaint.
3. If the Division determines that the facts as alleged in any complaint are clearly not in violation of these rules and regulations, the complainant shall be so notified and no further action will be taken.
4. However, when the Division finds that a satisfactory response is not made to the notification of a complaint, or when no response is made to a complainant, or when the facts clearly warrant, a hearing shall be conducted by the Division concerning the complaint. The Division shall send written notice to all parties in a manner consistent with Section M of these rules and regulations.

5. Failure of the certificate holder and/or driver to appear before the Division for a scheduled hearing may result in a possible suspension or revocation of the certificate and/or the driver's operating permit. Failure of the complainant to appear for a scheduled hearing may result in dismissal of the complaint.

M. NOTICE

1. The Division shall give notice of the commencement of a scheduled hearing in any pending matter to all parties and to such other persons as the Division designates.
2. Notice shall be by first class mail or personal service unless otherwise specified by the Division. The Division shall give at least ten (10) calendar days written notice of the hearing unless the hearing officer determines that less notice is reasonable. Nothing, herein, however, shall limit the power of the Division to order notice by other means, including but not limited to notice by publication.
3. Unless notice to the contrary has been received by the Division, notices shall be sufficient if mailed or delivered to the following:
 1. If the addressee is a holder of certificate permit or license, the address shown on the last application for the issuance or amendment thereof.
 2. If the addressee has tariffs on file, to the address shown on any tariff in effect at the time of notice.
 3. If an attorney has entered an appearance on behalf of the addressee, to the office of the attorney.
 4. The latest change of address notice on file with the Division.

N. VIOLATIONS

1. Any person or persons who shall violate any provision of these rules and regulations adopted in accordance with Title 39, Chapter 12, Section 2 of the General Laws of Rhode

Island, as amended, and the Administrative Procedures Act, shall be subject to the penalties provided under Title 39 of the General Laws of Rhode Island, which include certificate suspension or revocation, and/or criminal sanctions.

O. REQUIREMENTS FOR FILING OF RATE SCHEDULE CHANGES

1. The purpose of this regulation is to improve the efficiency of the conduct of such hearings as may be required, to raise their quality and to Division's procedures for the review of proposed rate schedule changes and the increase their speed. To accomplish this objective, the regulations require each company to furnish supporting documentation and exhibits in the case of any proposed rate schedule changes and to furnish specific information and exhibits where an increase in rates is proposed under the applicable statutes. In connection with the latter, the regulations require each company to present its case-in-chief, to the extent feasible, in a standard format. The prescribed information is directed to items that the Division has found useful in prior proceedings; the format should facilitate analysis of the filing by marking a traceable trail from the book source data through the adjustments and summaries to the proposed revenue requirements.
2. These regulations are not intended to restrict in any way the right of any company to submit such additional exhibits and documentation or to argue such theories as it may choose in any proceeding.
3. The rules and regulations contained in this part shall be applicable only to proceedings involving the investigation of changes in rates constituting a rate increase in which the respondent's overall revenue requirements are at issue.
4. Notice to the Division of proposed rate schedule changes by a common carrier pursuant to R.I.G.L. §39-14-2.2, shall be given by a filing with the Division pursuant to subsection 8 below, unless a motion for an exemption from any requirements accompanies the filing.

5. In the event that any information, document or data required by this section is unavailable and/or its ascertainment or submission would be unduly burdensome or is not relevant in light of the schedule change which is the subject of the application, the applicant may file with the application a motion for an exemption from the requirement. The motion shall set forth in detail the reasons why the information, document or data cannot or should not be submitted. The granting of such a motion shall not exempt the applicant from supplying the information, document or data in response to a subsequent data request.
6. Pursuant to R.I.G.L. §39-14-2.2, Division-ordered suspension periods of up to five (5) months commence on the date the change in rates would otherwise take effect. In addition, the administrator shall have power by an order served upon the taxicab or limited public motor vehicle affected to further suspend the taking effect of the change or changes pending the decision thereon, but not for a longer period than three (3) months beyond the expiration of the first mentioned five (5) month period.
7. Within ten (10) days after filing for rate schedule changes, the applicant shall cause a notice of the filing, in a form to be approved by the Division, to be published in the newspaper of widest circulation within the applicant's service territory.
8. The following materials shall be included in or shall accompany the filing:
 - (a) Rate Schedules. Terms and Conditions. The current and proposed rate schedules and the terms and conditions under which the common carrier provides services and/or makes non-tariffed charges.
 - (b) Complete Direct Case. An original and five (5) copies of the applicant's complete direct case in support of the rates applied for. The direct case should include, at a minimum, the following items:
 - 1) Detailed income statement and balance sheet for a test year period which constitutes a historic year of actual data for a period ending within nine (9) months of the filing date.
 - 2) Proforma income statement for a rate year period which constitutes a twelve month period for which new rates are designed to recover the

proposed cost of service. The proforma income statement shall be for a yearly period that commences no later than eight (8) months after the proposed effective date of the new rates.

- 3) A listing of the test year and rate year revenues by source.
- 4) Supporting schedules or workpapers to disclose the manner in which the proforma amounts were calculated. The adjustments shall be fully explained and the source of the data in support of the adjustments shall be presented, or disclosed, as appropriate.

(c) Additional Documents. Annual Report to the Division for the last two years, if reports have not been previously filed with the Division.

9. The financial data shall be accompanied by a statement attesting to the accuracy of the financial data presented in the filings. This attestation shall be signed by the chief financial officer or a person duly authorized by such financial officer.

P. EFFECTIVE DATE(S)

For the newly promulgated rules and regulations contained herein, each certificate holder (and driver where applicable) shall be afforded six months from the effective date of these rules to comply. Any certificate holder who needs additional time to comply with any new rule or regulation may apply to the Division for an extension. All extensions of time will be in writing signed by the Administrator or his or her designee.

Q. REPEAL OF PRIOR RULES AND REGULATIONS

All prior rules and regulations governing the transportation of passengers via taxicab or limited public motor vehicles are hereby repealed and superseded by the rules and regulations adopted herein.