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Senate Moves to Increase Safari Vehicle Capacity Amid Taxi Cab Commission Opposition

Legislation to increase safari vehicle capacity from 20 to 27 passengers faces pushback from local taxi operators and regulatory bodies citing safety and congestion issues.

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Safari taxi in Havensight, St. Thomas USVI By. GETTY IMAGES

Despite immense pushback from stakeholders in the taxi cab industry, lawmakers on the Senate Committee on Government Operations, Veterans Affairs and Consumer Protection approved of a new bill introduced on Monday by Senator Dwayne DeGraff which would, among other things, raise the official passenger limit of safari tour vehicles.

Safari vehicles are now limited to a maximum of 20 passengers, but it is common knowledge that some operators carry more. With increasingly large cruise ships visiting the territory, Senator DeGraff found it appropriate that operators be legally allowed to transport up to seven more passengers. Under Bill 35-0230, the cap on safari vehicle passengers would be officially raised from 20 to 27, the Bureau of Motor Vehicles would inspect surreys, safaris and tour buses, and the Taxicab Commission would license them.

According to Vernice Gumbs, executive director of the Taxicab Commission, “the bill would have been better served if all stakeholders were invited around the table for discussion.” Ms. Gumbs expressed her view that large safari buses should only be used for tours, and should not be misconstrued as vehicles for hire. She referenced a 1993 resolution that agreed that “the use of larger vehicles as taxis is not conducive to readily providing taxi service to smaller groups or individuals.” The resolution further argued that “larger vehicles cannot provide taxi service in some areas in the city of Charlotte Amalie due to its narrow streets.”

The licensing of tour vehicles is the responsibility of the Department of Licensing and Consumer Affairs. However, taxis which also conduct tours are licensed under the TCC. Mr. DeGraff’s legislation would place surreys, or carriages, under the jurisdiction of the TCC as well, but Ms. Gumbs vehemently disagreed with the introduction of this type of transportation. Although the source of power for the carriages is not defined in the current statute or Mr. DeGraff’s proposed legislation, Ms. Gumbs claimed that the term is legally defined as a carriage pulled by one or more horses. Either way, “I believe surreys should not be registered to operate as a vehicle on our roads and highways,” she declared, citing the likelihood of increased traffic congestion.

Senator Marvin Blyden, the bill’s cosponsor, quickly fired back. “This bill seeks to codify and clarify provisions of the law that were enacted over two decades ago, but which the Taxicab Commission has refused to acknowledge and follow,” he declared. He noted that Act 6570 declares “that all previously issued moratoriums on the registration of safari vehicles, and particularly the 1993 resolution was null and void.” Subsequent amendments mean that currently, anyone who owned a safari vehicle with more than 20 seats prior to 2002 could register as many such vehicles as they like, Mr. Blyden explained.

According to Mr. Blyden, the tourism industry continues to suffer “as a result of the Commission’s inaction regarding safari vehicles.” This, as individuals have allegedly been unable to register new, larger-capacity safaris. “Folks want to update their vehicles [and] improve their businesses, but the Taxicab Commission is saying you cannot do such, which makes no sense.”

Nonetheless, Ms. Gumbs wasn’t the only stakeholder to express concerns over Bill 35-0230. Elizabeth Hansen-Watley, assistant commissioner of Tourism and vice chair of the Taxicab Commission Board, said that the measure would “improperly remove the regulation of passenger capacity of vehicles for hire, specifically truck safaris, from the regulatory body.” The mandated capacity increase “once again removes the Taxi Commission’s ability to regulate taxi affairs,” she argued. Like Ms. Gumbs before her, Ms. Hansen-Watley called for further review of the regulatory framework before the passage of any additional amendments to current law.

Patrick Sprauve, assistant director of the Bureau of Motor Vehicles, said that he agreed with the proposed measures in principle, but said that the law should include provisions to mandate labels on safaris – modified trucks by definition – that provide information about the final stage manufacturer and the vehicle’s certifications. “This very important safety act should not be subjective but should be codified in the interest of public safety,” Mr. Sprauve said. He also agreed with Ms. Gumbs that the definition of surrey in the draft bill should be amended to include

the carriage's means of propulsion.

Meanwhile, Kerry Harrigan, president of Best Taxi Services was in favor of increasing the capacity cap, but warned that the proposed legislation poses “catastrophic risks to the lives of local taxi drivers and their families,” as it privileges the entrance of “advantaged competitors” into the taxi market. With traditional taxi operators mandated to purchase or lease expensive medallions and tour operators – which will now be licensed under the TCC – under no such constraints, Mr. Harrigan said the system is unbalanced.

“The premise of the taxi medallion system was to provide medallion owners with exclusive access to the road,” he noted, calling on the Legislature to “seriously consider the needs of hardworking local taxi drivers, as opposed to corporations.” He suggested a buy-back clause for medallions be included in the draft legislation, or for “new competitors” to also be required to purchase a medallion. Lawmakers, however, did not seem amenable to those suggestions, as little mention was made of either idea as the day proceeded.

Ultimately, Bill 35-02390 was voted upon favorably by committee members, as they underscored the value of allowing safari operators to safely increase their carrying capacity. Senator Milton Potter summarized Monday's discussion by explaining that as larger cruise ships continue to dock in St. Thomas, it makes “logical sense that you would want to have also a larger vehicle.”

The measure will now be considered by the Committee on Rules and Judiciary.