



Late Backup

March 6, 2013

To the Members of the Austin City Council,

Thank you for taking the time to consider the following information regarding the proposed resolution to explore ridesharing regulations in peer cities that is being presented by Council Member Riley to the City Council tomorrow.

My name is Billy Carter and my wife Kristi and I own Carter Transportation Services and do business in Austin as ExecuCar of Austin and SuperShuttle of Austin. We believe this proposal is being submitted to allow Sidecar to circumvent the system and continue their blatant disregard of all the City of Austin rules and regulations regarding the transportation of passengers. Sidecar and its predecessor Heyride have both been issued cease and desist orders by the City of Austin which they have refused to obey, going so far as to announce publically that they would not comply.

There is really no need to "explore ridesharing regulations in peer cities" as requested by Councilman Riley. Austin already has regulations in place for shared ride operations in Chapter 13-2 of the City Code under which SuperShuttle has been operating since the new airport opened in 1999. Ridesharing is not a new idea; it has been a part of transportation industry since the early 80's. Sidecar should apply for an operating authority and meet the rules and regulations that are already in place for shared ride service.

Last week the City Council at the request of the department of transportation approved a code amendment allowing for the impoundment of unpermitted vehicles believed to be operating as "for-hire" vehicles without proper authority or franchise agreement. This ordinance (#20130228-030) was passed as an emergency measure, to become effective at 12:01am on the morning following the day it was posted in the local newspaper. The ordinance was posted in Monday's Austin American Statesman and became enforceable by law at 12:01am, Tuesday, March 5th. On the same day the code amendment was posted in the paper Councilman Riley submitted this resolution and had it added to the council agenda for this week.

This pattern follows exactly the pattern set in California when the California Public Utilities Commission ordered Sidecar and a similar company called Lyft to "cease and desist" its operations and fined them \$20K on November 13, 2012. The companies continued to operate with no regard to the law. On December 20, 2012 the CPUC agreed to evaluate these services in a new proceeding and as part of that agreement agreed to suspend the "cease and desist" order and \$20K fine pending the outcome of the new rulemaking. In effect allowing them to disregard all the rules and regulations that were set up to protect the public and regulate the transportation

industry and continue to operate illegally pending the outcome. It is obvious Sidecar and its supporters had this timed perfectly to allow their drivers to operate during SXSW. I hope you will not allow them to bypass the ordinances that have been put in place to ensure the safety of our residents and guests and the professionalism of our industry.

Allowing Sidecar or any other company to provide transportation to the public without any oversight or regulation would be astonishingly reckless. The City of Austin's Transportation Code's mandate is to promote carrier and public safety through its enforcement regulations, operating authority requirements, insurance requirements and driver screening. If the council allows Sidecar to continue to operate and someone is hurt from transportation provided by one of these unlicensed unregulated drivers it will be because the City Council completely abandoned its responsibilities to the public even disregarding the advice of its own transportation department.

Our company fully supports the City of Austin Department of Transportation in their efforts to enforce ordinances in the City of Austin. We look forward to working together with the department to find better ways of maintaining compliance with the rules and regulations that will ensure our residents and visitors to Austin safe and dependable transportation services.

We humbly ask the City Council of Austin to vote against the resolution directing the City Manager to explore ridesharing regulations in peer cities. And ask the City Council to send a clear message that companies who provide ground transportation services to the public MUST comply with the City Code or cease and desist from operation.

Thank you for taking the time to consider this information and I can be reached at (512) 929-3900 #110 or at bcarter@supershuttle.net if there are any further questions I can answer or for any clarification.

Sincerely,

A handwritten signature in black ink, appearing to be 'BCarter', written in a cursive, stylized font.

Billy Carter
Carter Transportation Services Inc.
SuperShuttle of Austin / ExecuCar of Austin