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July 7, 2014

Independent Regulatory Review Commission
333 Market Street, 14th Floor
Harrisburg, PA 17101

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RE: Comments to proposed Regulations:

No. 2993 PPA #126-4

No. 3036 PPA #126-5

Chairman and Panel Members:

I am the Executive Director of the Greater Philadelphia Taxi Association and I am here to support our member Freedom Taxi's comments submitted by attorney Brett Berman. While we incorporate those comments, we have some additional comments to be considered specifically regarding 52 Pa. C.S. § 1027.5 Agreement of Sale. The troubling aspect of this regulation is the absolute time frame for the SA-1 submission given said opinion by the PPA. As worded, the literal interpretation of the regulation "terms" any agreement of sale at 15 days, which makes no sense at all. Clearly, this cannot be the underlying intent.

In a recent opinion by the PPA Board, there has finally been a clear distinction between the medallion as a property right and the transfer of rights to use the medallion by the issuance of a CPC. As this panel already knows, the medallion is the basis for the agreement of sale. To then arbitrarily limit the time to submit an SA-1 without any remedies or automatic/voluntary extensions will leave buyers and sellers litigating the contractual obligations in the state court system.

In essence, what happens if the SA-1 is not submitted within 15 days after its execution in front of a PPA designee? Can an administrative agency via a regulation "void" a contract for property? Can the PPA legally refuse to accept an Agreement of Sale contained with the SA-1 if filed after 15days? Is there an interference with the contractual rights of the parties and can the PPA be held liable for said interference? These are very significant concerns that need to be thoroughly addressed.



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While it is understandable that all parties want the process to move efficiently and expeditiously, limiting the submission time to 15 days with no adequate remedy or recourse is unacceptable. However, we would submit that the regulation be amended to add-in a “substantial compliance” component. This would allow the broker/attorney to list any deficiencies in the submission along with a time frame for submitting the deficient items. In doing so, transfer process will move forward and most likely, limit any unnecessary litigation.

It is respectfully requested that this issues be taken into consideration and clarified before a final regulation is enacted.

Sincerely,

A handwritten signature in black ink, appearing to be "DAVID ALPERSTEIN", written over the word "Sincerely,".

**David Alperstein
Executive Director**

DRA/th