

POST CONTINUING COVERAGE UBER RIDE-BOOKING SERVICE

County moves to block Uber

Commissioners want compliance with taxi law for such services.

By Joe Capozzi Palm Beach Post Staff Writer



More than 100 people attended Tuesday's Palm Beach County Commission meeting, most of them cab and limo drivers who say Uber is threatening to put them out of business by flouting the county's vehicle-for-hire ordinance. BRUCE R. BENNETT / THE PALM BEACH POST



Vice Mayor Mary Lou Berger (from left), Mayor Shelley Vana and Commissioner Priscilla Taylor listen to comments about Uber during Tuesday's County Commission meeting. Taylor noted that she had a positive experience with the service last year. BRUCE R. BENNETT / THE PALM BEACH POST

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WEST PALM BEACH — Palm Beach County is joining the growing list of governments across the United States and Europe in the fight against the popular ride-booking service Uber.

Citing public safety concerns, the County Commission agreed Tuesday to ask a judge to order Uber and other technology-based companies to stop operating in the county unless they comply in the next 10 days with a local law regulating taxis and limousines.

Palm Beach County Attorney Denise Nieman plans to send Uber a "cease and desist" letter today. If Uber fails to respond in 10 days, the county will file an injunction asking the courts to intervene.

If it comes to that, Nieman said, she believes Palm Beach County would be the first county or municipal government in Florida to seek a court injunction against Uber.

In December, the Greater Orlando Aviation Authority won a temporary injunction forcing Uber to stop picking up passengers at the airport after the company refused the authority's request.

"I guess we'll call this a pathway to citizenship for Uber, but first we should close the border unless Uber is willing to come to the table," County Commissioner Steve Abrams said near the end of a two-hour debate.

County officials seem resigned to the likelihood that they will have to file the injunction, noting that Uber has ignored cease-and-desist letters from other governments, including Broward County.

But they agreed to at least give the company 10 days to comply with the local law, which requires a one-time \$10,000 registration fee as well as thorough insurance requirements and federal criminal background checks for drivers.

An Uber South Florida representative, Gauthier Derrien, declined to comment after the vote. But during the meeting, he told commissioners Uber looked forward to working with the county.

“We are not anti-regulation. We are for smart regulation that takes into account that this is a new technology,” Derrien said.

More than 100 people attended the meeting, most of them local drivers who say Uber is threatening to put them out of business by ignoring the county’s vehicle-for-hire law, which now applies to 2,880 drivers for 489 companies.

By ignoring the law, Uber avoids those fees while charging lower rates.

All commissioners said they welcomed technology-based companies. Commissioner Priscilla Taylor said she had a positive experience when she used Uber last year in Washington after she was unable to hail a cab.

But most commissioners said they saw no reason Uber and companies like it should not have to register under the county’s law — which would assure the public that those drivers are properly insured and have passed an FBI background check.

Commissioner Hal Valeche said he would favor tweaking the ordinance to accommodate the unique service of companies such as Uber, which allow customers to directly connect with a driver by tapping an app on their smartphones.

“This is a different model. It’s not a taxicab company,” Valeche said. “We need to change something in the ordinance that allows them to operate. We need to acknowledge and adapt to what’s going in technology.”

Eugene Christopher-son, 77, of West Palm Beach, said he has been making \$2,000 a month since August as an Uber driver to supplement his pension.

“I don’t think Uber has put anybody out of business yet,” he said. “All my customers have been wonderful. They like to ride in an unmarked vehicle without an advertisement for strip joints.”

As for accusations by local drivers of unfair competition, Derrien said Uber operates in 270 cities and 54 countries “and in not one of those cities has a cab company gone under.”

He claimed Uber’s service has helped cut DUI arrests by 10 percent and he said the company’s presence is “simply growing the size of the transportation market.”

Uber drivers must pass a “rigorous screening process” conducted by an independent company, Derrien said.

“I truly believe we can coexist with cabs, and ultimately more choices for consumers is a good thing,” he said.

He also tried to address “a lot of misinformation going around that we don’t provide insurance, which is false.”

“Well, then,” replied County Mayor Shelley Vana, “you have 10 days to clarify that.”

Michael Weiner, a Del-ray Beach attorney, held up his smartphone and said, “Writing regulations as if this doesn’t exist is not a good idea.”

Weiner, who said he was speaking as a citizen and not representing a company, urged commissioners to embrace new technologies, pointing out that the Airbnb website is growing in popularity with people seeking rental accommodations.

“If we regulated books, I supposed Borders would be in here today asking for some protection,” he said.

“I’m sure when the hotels figure out that Airbnb is really their biggest competition, we are going to be back there talking about regulations all over again.”

Staff writer Wayne Washington contributed to this story. jcapozzi@pbpost.com [Twitter: @jcapozzipbpost](https://twitter.com/jcapozzipbpost)