

Legal challenges from the German perspective

Taxi- and PHV-Industry in Germany today:

- **Some 56.000 Taxis and some 45.000 PHV in Germany**

- **Strict regulation of operation modus**

(Passenger Carrier Act – PbefG)

- **Most German cities have a limitation of numbers of taxi-licenses**

(most important exception: Berlin and Hamburg)

- **Taxi fares are regulated by city-councils**

- **Some 85% of all taxi-companies are small businesses with 1 or 2 taxis**

- **Some 80% of all taxis are operated in cities with more than 100.000**

inhabitants

- **App-Orders are increasing**

App-operators: Taxi Deutschland, taxi.eu, mytaxi

Legal challenges from the German perspective



- **PHV-Operators have to obtain**
 - **the back-to-garage-rule**
 - **passenger orders only at company domicile**
- **Current legal framework is the Passenger Carrier Act from 1961, with an important revision for Taxi- and PHV-Industry in 1982**
- **There are strong demands for „modernization“ of the legal framework for the Taxi- and PHV-Industry**
- **It is expected that the German government will change the Passenger Carrier Act within the next year**
- **Main issue in discussion is deregulation**

Legal challenges from the German perspective



- **That means abolition of restrictions**
 - **no limitation of numbers of taxi-licenses**
 - **no compulsory taxi-fares**
 - **no back-to-the-garage-rule for PHV**
 - **free ordering of PHV (without hailing in the street)**

- **Most political parties in German Parliament are discussing new rules for the Taxi- and PHV- Industry**

- **Strong support for deregulation comes from Conservatives and Liberals**

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- **There is strong support from a lot of other stakeholders**
 - **working comitee of the provincial states**
 - **academic advisory council of the Secretary of Transportation**
 - **monopoly commission**
 - **automobile association**
 - **consumer protect association**
 - **big companies with own economic interests (Uber, Daimler-Benz, Volkswagen etc.)**

Legal challenges from the German perspective



- **Legal battles in court**
- **Like in many other countries, taxibusines has fought against new competitors in court.**
- **This fight comes to an end**
- **Uber has withdrawn an appeal against the Uber-Pop-Judgement, that has banned the transportation service with non-professional drivers**
- **The case of Uber-Black (with professional drivers) is still on appeal**
- **Price-reductions on taxi fares that are payed by a third party (in the specific case: mytaxi) are allowed
(Federal High Court judgement of March 29, 2018)**

Legal challenges from the German perspective



- **New challenge due to new transport services in cities**
- **Taxi business is currently facing a new challenge of big carmaker companies which want to establish a new transport system**
- **Based on app-technology carmaker companies will connect passengers with different routes (pooling)**
- **MOIA, a subsidiary of Volkswagen, applies for licenses in Hamburg (1.000 cars) and Hannover (260 cars)**
- **Daimler-Benz applies in Berlin for a license for a similar model (BerlKönig, some 300 cars)**