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JITNEY
ENFORCEMENT STRATEGIES

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CHAPTER 1
INTRODUCTION

The Center for Urban Transportation Research (CUTR) has undertaken a study for Metropolitan Dade County, Florida to examine jitney enforcement strategies in other major cities in the United States in which legal and illegal jitneys are in service. Jitneys typically are passenger vans which seat 20 persons or fewer and operate by picking up and discharging passengers along major streets for an established fee. Jitneys fall under the Dade County ordinance regulating vehicles with seating capacities of between 9 and 28 persons or vehicles 30 feet or less in length. There is a lengthy history in Dade County of authorized jitney service in particular neighborhoods and travel corridors. Over the past several years, Metro-Dade Transit Agency (MDTA, the public transportation operator in Dade County) has suffered declining ridership on bus routes where competing illegal jitney service has arisen and made major inroads. In addition, illegal jitney operation has raised public safety issues. Illegal jitney operators often have no driver’s license or a suspended license, and the vehicles are frequently unregistered or improperly registered, uninspected, and uninsured.

In the wake of Hurricane Andrew, Metropolitan Dade County received a federal grant to provide local transportation for residents in the hard-hit southern portion of the county. MDTA made arrangements to hire all qualified jitney operators to serve specific areas of southern Dade County under MDTA supervision. Along with improving transportation in the hurricane-ravaged areas, this action resulted in noticeable improvements in ridership on MDTA routes where jitneys had previously operated. An important factor at the outset of this project was the need for MDTA to devise a policy for dealing with the formerly illegal jitneys at the conclusion of the federal grant in August 1993.

Specific issues considered in this study are how jitney service has developed in Dade County and other cities, what (if any) enforcement actions have been tried in these cities, previous enforcement actions in Dade County, the success of these enforcement efforts, and the overall strategy (in place or under consideration) to deal with the jitneys. The results provide a different perspective for viewing Dade County’s jitney service and various enforcement actions which have been taken.
JITNEY ENFORCEMENT STRATEGIES

Several transit agencies around the country were contacted to determine which cities to include in this study. New York City was the only city identified as a candidate for this task. The New York City Transit Authority (NYCTA), in conjunction with other city and state agencies, has conducted and analyzed intensive jitney enforcement efforts in Brooklyn and Queens. CUTR arranged for on-site interviews and observation of jitney operations in New York.

Following this introductory chapter, Chapter 2 reviews the history and extent of legal and illegal jitney service in Dade County and summarizes past enforcement efforts in the county. Specific issues considered include the evolution of jitney operations and enforcement over time and the effectiveness of past and present enforcement efforts. A brief history of jitneys and enforcement activities prepared by MDTA is used as an outline, but this report provides greater detail on the various policy reports, position papers, and enforcement actions undertaken over the years. Chapter 2 concludes with an in-depth discussion of the post-hurricane events related to jitneys in Dade County.

Chapter 3 documents the findings with regard to jitney enforcement efforts in New York City and their applicability to Dade County. The issues are remarkably similar in both places, although the origins and evolution of jitney service are different. Information in this report is drawn from documents prepared by NYCTA and its parent organization, the Metropolitan Transportation Authority (MTA), and from the interviews conducted in New York. The first section of this chapter presents a brief description of the history of jitney service in New York City and reports the changing legal environment for jitney regulation. The following sections describe the conduct and results of two enforcement efforts undertaken in 1992, one along Flatbush Avenue in Brooklyn and the other in the Jamaica area of Queens. The results of the interviews and the perspectives of the various parties are then presented. Conclusions and implications for Dade County are discussed in the final section of Chapter 3.

Chapter 4 summarizes the findings of this report. This final chapter compares New York City and Dade County in terms of the origins, extent, and nature of the problems posed by illegal jitneys; public reaction; the extent and importance of enforcement efforts; the effectiveness of enforcement strategies; and the emerging policy directions for addressing the illegal jitney issue.
This study was conducted as Work Order No. 10 under the interlocal agreement between the Center for Urban Transportation Research and Metropolitan Dade County. One difference between Dade County and New York City is in terminology. "Jitney" is used in Dade County, whereas in New York these vehicles are referred to as "vans." The Dade County usage is applied here for the sake of consistency.
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CHAPTER 2
JITNEY SERVICE AND ENFORCEMENT IN DADE COUNTY

This chapter reviews and summarizes the history and extent of legal and illegal jitney service in Dade County and reports on past enforcement efforts in the county. Specific issues considered include the evolution of jitney operations and enforcement over time and the effectiveness of past and present enforcement efforts.

Metro-Dade Transit Agency prepared a brief history of jitneys in Dade County while the study was underway. This chapter uses the MDTA summary as an outline but provides greater detail on the various policy reports, position papers, and enforcement actions undertaken over the years.

Background

Jitney operation in Dade County dates back to the days of "separate but equal" public transportation. The City of Miami regulated jitney service within city limits during World War I. In ensuing years, jitneys were also subject to the passenger motor carrier regulations of the State of Florida. Dade County assumed responsibility for regulating passenger motor carriers (including jitneys) in 1981 upon the enactment of Ordinance No. 81-17 (codified in Article III, Chapter 31 of the Code of Metropolitan Dade County).

As of 1981, there were three licensed jitney operators authorized to provide service along fixed routes between downtown Miami and northwest areas of the city and adjacent unincorporated areas in Dade County. The three jitney companies were authorized to serve fixed routes and were allowed to make stops anywhere along the route (not just at designated stops). These three operators (Liberty City Jitney, King Jitney, and Dade Jitney) were "grandfathered" into the county regulatory system with the provision that they would not be affected by future jitney policies adopted by the county. The three operators and their respective number of permits issued as of 1981 are as follows:
• Liberty City Jitney .................. 16 permits;
• King Jitney .......................... 7 permits;
• Dade Jitney .......................... 5 permits.

Each of these companies either leased permits on a monthly basis to independent drivers/operators or rented permits on a daily basis for one or two nine-hour shifts. Drivers leasing the permits would pay a flat rate to the permit owner and then assumed all responsibility, including operating costs and insurance. Permit renters would pay only for their gasoline, and the permit owner covered insurance and maintenance. The independent drivers would keep the passenger fares. Jitney fares have traditionally been equal to those of the public transit system. Relationships between the permit owners and the drivers were not based on written agreements or contracts. All three companies have continued to operate jitney service in the ensuing years.

1983 Jitney Policy Report

In 1983 there existed two seemingly inconsistent Dade County policies regarding jitney operations: to support privately provided public transportation and to maintain an effective public transportation system. At a time when applications for new jitney operations were on the rise, the Transportation Committee of the Dade County Board of County Commissioners directed a study to review the existing ordinance and determine whether additional jitney operations would affect Metrobus service. The MDTA’s Office of Special Transit Services was directed to defer the processing of any such applications pending the results of the Transportation Committee’s study. The outcome of the study was the 1983 Jitney Policy Report.

Five policy options, ranging from totally restrictive to non-restrictive, were identified by the Transportation Committee. The options were:

1. Prohibit jitney operations anywhere in the county;

2. Allow jinneys to operate only in areas outside the Metrobus service area;
3. Allow jitneys to operate anywhere in the county outside the transit system core corridors. Jitneys could not operate on or near any transit route or route segment if MDTA determined that serious negative effects on transit ridership would result;

4. Allow jitneys to operate anywhere in the county. If service coincides with any Metrobus route or route segment, jitney operators must coordinate service frequency, schedules, and stops with Metrobus; and/or

5. Allow jitneys to operate anywhere in the county.

Policy 3, permitting jitney operation outside major corridors (as defined by MDTA), was recommended for approval by the Transportation Committee and the County Commission. MDTA believed that this policy would allow Metrobus to maintain the maximum possible operating efficiencies without jeopardizing service quality and without increasing the need for public subsidies. By allowing jitney operations on selected routes, the policy also supported the encouragement of privately provided transportation service. The policy’s intent clearly was to strike a balance between enhanced public sector effectiveness and support for private sector initiatives.

A proposed annual corridor review was established where the MDTA would evaluate all streets and arterials to determine the corridor status of each road. Corridor status would be subject to change each year, and jitney operations on the road or arterial could become more restrictive or less restrictive, depending on such status. The corridor review would be based largely on the intensity of transit service along the street or arterial.

The final policy recommendation reads as follows:

*Allow jitney service to operate anywhere in Dade County outside the transit system core corridors (corridors with existing high service levels); however, new jitney service may not operate on or near any transit or existing jitney route or route segment if it is found by MDTA that serious negative impact on transit and/or jitney ridership will result.*
Ordinance 85-20, which is current Board policy, prohibited duplication in major Metrobus or jitney corridors by not permitting new authorizations for jitney service within one-quarter mile of an existing Metrobus or jitney route with service every 30 minutes or less. Section 31-103 (g) of the Dade County Code states:

The commission, at the conclusion of the public hearing shall determine if the requested certificate of transportation is consistent with the following public interest criteria....

(4) That, if applying for jitney or fixed route authority, the proposed transportation will not adversely affect the existing transportation system as a whole or future planned transit service as designated in the most current Metro-Dade Transportation Plan. In particular, it shall be deemed not in the public interest to authorize certificates of transportation for service on actual transit or passenger motor carrier corridors where service presently exists at frequencies of thirty (30) minutes or less and/or where such service will impair special transportation provided by the passenger motor carrier industry.

Some operators had applied for certificates prior to the enactment of Ordinance 85-20 and received approval under prior requirements for routes that either duplicate in part or closely parallel major Metrobus routes. These operators include Marcello Jitney, operating north from downtown Miami primarily along North Miami Avenue, and Sun Jitney, serving downtown Miami, northwest areas of the city, and adjacent unincorporated areas in Dade County. Metro Jitney also received a certificate at this time to operate jitney service along Flagler Street, but this certificate was subsequently revoked in 1992 for unlicensed operations.

As part of a Metrobus service restructuring in 1986, seven jitney routes were designed to fill in gaps in the Metrobus network, and six temporary certificates were granted to jitney operators (there was no interest in the seventh route). Public protests over Metrobus service discontinuation led to a restoration of conventional bus service along several of these routes. This restoration caused some hard feelings on the part of jitney operators, who believed that they had been misled by MDTA. Only one of these routes remained in jitney operation in 1993.
1987 Jitney Task Force Report

A major element of federal transit policy during the 1980s was privatization. Federal regulations mandated that public transit agencies consider the feasibility of private sector provision of service along each transit route. This change in the political climate was reflected in the establishment of a Jitney Task Force in Dade County in 1987. The task force, composed of county staff, the county’s Consumer Services Department, which is in charge of regulating jitneys, MDTA employee representatives from the Transport Workers Union, and jitney operators, was charged with the task of redefining the role of jitneys within Dade County’s transit system. Specifically, the task force was established to recommend action on the following issues:

1. Definition of areas or corridors of the county in which jitneys should be allowed to operate without adversely affecting current or planned MDTA (Metrobus) service or the service of currently operating jitneys;

2. Review of current policy (namely, the Passenger Motor Carrier Ordinance) with regard to potential expansion of regulated jitney operations and the need for revisions in light of other local and federal policies regarding privatization and the financial capabilities of MDTA in meeting mobility needs of the county’s residents; and

3. Development of a transit fare structure that integrates jitney operations in a way that transit users are benefitted, and neither the public or private operators are adversely affected.

In order to define the role of jitneys in Dade County’s transportation infrastructure, the task force reviewed the alternatives studied in the 1983 Jitney Policy Report. Minutes of task force meetings show that jitney operators wanted to relax restrictions on serving major Metrobus corridors. Among changes proposed by the jitney industry were to revise the definition of "major" to include only routes with service every 20 minutes or less (instead of 30 minutes), to allow jitney operation within one-fifth mile of a major corridor (instead of one-quarter mile), and to permit jitneys to make stops along sections of major corridors.
Efforts to reach a compromise failed, and the task force was not able to reach a consensus regarding the role of jitneys as a part of the transit system.

Another area of contention raised by the jitney operators was MDTA’s practice of taking over profitable jitney routes after a market had been established and developed by the private operators. Licensed operators argued that they should be able to develop routes and capitalize on their success without fear of MDTA encroachment. MDTA, on the other hand, wanted the ability to take over routes whenever it believed jitney operations were no longer meeting transit demand along the route.

The task force also identified night and weekend service as a potential market for jitneys. The primary interest of jitney operators was in serving high-density population areas, the same areas served by major MDTA routes. Operators felt that, with the exception of special circumstances, night and weekend service would not be economical. The task force developed a concept aimed at special circumstances of potential interest to jitneys. This concept was the festival certificate.

With a festival certificate, jitneys could operate special routes to sporting events, festivals, and other one-time and annual events not on their normal routes. Operating in this manner, the jitneys would be complementing rather than competing with the traditional MDTA services by providing service between event sites and designated parking areas, major Metrobus stops, or Metrorail stations. The festival certificate was envisioned as one way of establishing a role for jitneys in the county’s transportation system.

The task force also considered fare and transfer issues. Jitneys did not offer any discount fares for students, seniors, or the disabled, and there were no transfer arrangements between jitneys and Metrobus/Metrorail. The task force reached an agreement to conduct a demonstration to determine the feasibility of such an arrangement. The jitney operation that volunteered to take part went out of business during the demonstration, and it was not continued with another operator.

The 1987 jitney task force ultimately produced a stalemate. With the emphasis on privatization in federal policy, the jitney industry negotiated from a position of strength and was not willing to compromise on major issues. MDTA was equally unwilling to open up
additional portions of its Metrobus system to jitney competition. The festival certificate concept was not implemented on a widespread basis, and the transfer demonstration project was never completed. In summary, there was insufficient common ground within the task force to reach consensus on major issues.

Illegal Jitney Proliferation

The level of unauthorized jitney operations in Dade County gradually increased during the 1980s. In 1981, the Florida Legislature enacted a law (revised slightly in 1984) to limit the power of local governments to regulate intercity jitneys. The text of Section 341.102, as approved in 1981, reads:

No county or municipality shall unduly restrict or impose any economic regulation upon the use of nonpublic-sector buses engaged in intercity transportation, and any existing restrictions shall be invalid. However, a county or municipality may enact necessary safety and traffic ordinances.

In Dade County, this law meant that jitney service between the various cities such as Hialeah, Miami Beach, and Miami could not be regulated beyond the stopping of vehicles for safety or traffic violations. Unauthorized jitneys operated by unlicensed drivers or without proper vehicle inspection insurance were still subject to enforcement on any jitney route.

It was apparently not the legislature's intent to open up significant portions of the transit market in Dade County to unregulated jitney service. This outcome did not occur until several years after the law was in effect, when jitney operators realized the loophole it afforded their operations. Unregulated jitneys proliferated rapidly in early 1990, and Metrobus ridership and revenues declined significantly, especially in the busiest corridors where jitneys preferred to operate.

The State Legislature revised Section 341.102 in 1990 to allow local governments to regulate jitneys operating in intercity service. The phrase "intercity transportation" was replaced in the text by "intercounty transportation." At the urging of the jitney industry, the legislation granted a partial exemption from local government regulation for existing jitneys. However,
this language referred to "intracity" transportation routes in continuous safe operation between January 1, 1990 and July 1, 1990 (later amended to April 1, 1991). The revised text of Section 341.102 now read as follows:

No local governmental entity shall unduly restrict or impose any economic regulation upon the use of nonpublic-sector buses engaged solely in intercounty transportation, or engaged in intracity transportation routes if the owner of such bus can establish that such intracity transportation route has been operated continuously from January 1, 1990, through April 1, 1991, and such intracity transportation has been conducted in compliance with applicable safety rules and regulations.... The partial exemption from local governmental regulation afforded the intracity transportation routes specified in the preceding sentence shall be limited to routes maintained continuously from January 1, 1990, through April 1, 1991, and such authority shall expire April 1, 2011, or ten years after any change in ownership of such bus, whichever occurs first....

An interesting aspect of the revised legislation was that it no longer addressed intercity service at all, leaving Dade County free to regulate it as the county saw fit. What happened next is a matter open to differing interpretations. The jitney industry claimed that this was a transcribing error and that the legislature had intended to grant the same exemption for intercity transportation as for intracity transportation, while the county took the position that the legislation meant exactly what it said. The Florida Legislature amended Section 341.102 in 1991 to include intercity transportation in the exemption clause. At Dade County's request, and following what MOTA refers to as "community expressions of outrage concerning the illegal operators," Governor Chiles vetoed the legislation in June 1991.

Following the veto, Dade County, in July 1991, enacted legislation which authorized stricter enforcement actions, including the impoundment of illegal jitneys. The county's Consumer Services Department and the Metro-Dade police strengthened enforcement efforts. At the same time, the county issued 22 temporary certificates for jitney operation in the late summer and fall of 1991, and permanent certificates were approved by the Board of County Commissioners. All but two of these certificates eventually expired or were revoked.

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Dade County Responds

Super 77

During 1991, Dade County considered several options to counteract the incursion of jitneys and resulting loss of ridership on many of MDTA's busiest routes. As noted above, one was an intensification of enforcement powers. Another tack was taken with a demonstration project on Route 77 during May and June 1991. Route 77 is a north-south route which travels primarily along Northwest Seventh Avenue from downtown Miami almost to the northern border of Dade County.

The demonstration project, called "Super 77," increased service from one bus every 12 minutes to one bus every 10 minutes in the morning and evening peak periods, and from one bus every 20 minutes to one bus every 15 minutes during the midday period. At the same time, the fare was reduced on Route 77 from $1.25 to $0.75 (compared to a $1.00 fare on jitneys at the time). By combining additional service with a lower fare, MDTA hoped to win back riders who had shifted to the jitneys.

The changes resulted in significant and immediate ridership changes. In the month of May, average weekday ridership on Route 77 increased by 23 percent over average weekday ridership in the first four months of 1991, and ridership figures for June were 32 percent higher than in the January through April period. Even more impressive, full-fare ridership rose by 68 percent in May and 95 percent in June when compared to the first four months of the year.

The full-fare market was clearly most affected by the lack of jitney competition. This is logical because jitneys do not provide a discount to elderly or disabled riders, nor do they offer transfer privileges. Prepaid riders (i.e., those using a pass or a token) are committed to the bus to a much greater extent. This leaves full-fare riders as those most likely to be drawn away from the buses by jitneys.
Because of the large increase in full-fare riders, average weekday cash revenue rose by 7 percent in May and 11 percent in June over the average level for the period from January through April. However, the increased service levels resulted in a rise of 46 percent in direct operating costs.

The Super 77 demonstration project was very successful in terms of its stated objective of attracting ridership back to the bus from jitneys. By all accounts, jitneys virtually disappeared along Northwest Seventh Avenue during the demonstration. The experiment could not be extended, however, since MDTA was prevented by limited financial resources from continuing the Super 77. In July, the illegal jitneys returned to Northwest Seventh Avenue. An ironic footnote to the demonstration was that the Board of County Commissioners instructed MDTA to keep the additional Route 77 service operating so that the agency’s operating costs ended up higher without commensurate long-term ridership gains and with the illegal jitney competition.

The limitation of the demonstration to a single route on a single corridor was a factor in its lack of long-term success. The Northwest Seventh Avenue jitneys did not go out of business during the Super 77. Instead, they moved to Biscayne Boulevard or Miami Beach or any one of the other corridors in which the jitneys had gained a foothold and waited out the demonstration. Once it was completed, the jitneys were ready and able to move back to the corridor.

**Jitney Integration Policy Proposal**

In April 1992, the Board of County Commissioners considered a jitney policy proposed by the County Manager. This proposal suggested that illegal jitneys be formally and cooperatively integrated into the county’s transit system through structural changes in county ordinances and transit services.

The County Manager’s motivation for this recommendation was to resolve the problems caused by unregulated competition between jitneys and public transit. The proposal represented an attempt to integrate jitneys and the Metrobus network into a broader cooperative system built upon the strengths of each type of service.
To implement his recommendation, the County Manager suggested parameters to be followed in replacing selected MDTA services with jitney operations. The parameters were to:

- increase transit service;
- assure integration of service from the customers' perspective;
- maintain basic control of transit services;
- hold constant or reduce public financial support; and
- avoid public employee layoffs.

Three arrangements for cooperation between Metrobus and jitney operations were offered by the County Manager:

1. Jitneys supplement existing Metrobus service;
2. Jitneys provide new services where Metrobus service does not exist; and/or
3. Jitneys take over all or part of some existing Metrobus routes/services.

A range of relationships was discussed for the integration of jitneys into the transit system. The relationship which best met the parameters above was identified as a cooperative arrangement between public and private transit providers. Specifically, jitneys would handle local service along heavily used routes, and Metrobus would concentrate on limited-stop service in the same corridors.

The Board of County Commissioners soundly rejected the proposal. This decision may have been affected by strong opposition on the part of the Transport Workers Union Local 291, representing MDTA employees.

Implementation of this proposal would have reversed the roles of jitneys and buses along major corridors. Jitneys operate in a limited-stop fashion insofar as the operator proceeds directly to the first destination once the vehicle is full. This mode of operation is a large cause of the general advantage jitneys have in terms of travel time. Arranging for the jitneys to provide adequate local service coverage along a route may have proven to be a formidable obstacle to the success of this proposal.
**Intensified Enforcement**

During the remainder of 1991 and the first half of 1992, illegal jitney operators continued to encroach on the busier MDTA bus routes. It should be noted that the legal jitney operators also experienced an infiltration of illegal jitneys along their assigned routes. Some of the illegal operations were performed by other legal jitney companies that took advantage of a generally chaotic situation. Estimates indicate that as many as 400 jitney vehicles may have been operating along the major travel corridors in Dade County.

Dade County marshalled its resources in July 1992 and undertook an extensive enforcement effort. Working together, the Department of Consumer Service, Metro-Dade police, and regulatory personnel from other county agencies virtually eliminated illegal jitney service. The power to impound vehicles operating illegally was a key to the effectiveness of this enforcement effort.

Results of the enforcement effort were immediate. Metrobus ridership for the month of July 1992 was 13 percent higher than in July 1991, while revenue increased by 19 percent. The greater revenue increase reflects the fact that a high proportion of ridership increases was in the full-fare category. MDTA added service where additional capacity was needed, on Routes 8 and 11. Even with the additional service, the net financial impact on MDTA was $15,000 in average daily revenue. This impact reflects MDTA cost and revenue; the county did not calculate the cost of the enforcement. Legal jitney operators reported similar ridership and revenue impacts.

MDTA indicated that over 900 vehicles have been impounded since the enactment of county legislation permitting impoundment. Over 1,200 citations have been acted upon by the courts, with a success ratio of over 80 percent. Clearly, the enforcement strategy was successful. Jitney operators protested mightily, even staging a hunger strike at one point. In August 1992, supporters of the jitneys were encouraged by the release of a generally pro-jitney report. Then Hurricane Andrew dramatically changed the entire situation.
"The Miami Jitneys" Report

The Office of Private Sector Initiatives within The Urban Mass Transportation Administration (now the Federal Transit Administration) commissioned a study of jitneys in Dade County. The report, titled "The Miami Jitneys," was completed by Urban Mobility Corporation (UMC) in association with KPMG Peat Marwick and Mundle & Associates, Inc. and released in August 1992. The report presented findings from a survey of jitney riders and analyzed the effects of illegal jitney service on MDTA bus operations.

The UMC report concluded that the proliferation of unlicensed jitneys has had some negative impact on Metrobus ridership and revenue, but that the jitneys have developed a substantial market of their own. This is a crucial argument for private sector proponents because it demonstrates that the private sector is meeting a mobility need not met by the public transportation system and not merely "skimming the cream" off the busiest transit routes. The UMC report emphasized that over 50 percent of respondents said they always ride the jitney, while 31 percent reported taking whatever vehicle arrives first. Public transportation proponents have argued that other data in the UMC report do not support this conclusion. Of particular note is the response to the jitney rider survey question concerning choice of alternate mode if the jitney were not available. Nearly two-thirds (65 percent) of respondents indicated that they would use Metrobus, suggesting considerable overlap in the markets for the two services. The extent to which bus and jitney serve the same market is critical to an understanding of the nature of the problem posed by unauthorized and unregulated jitneys.

The corridor-level analysis in the UMC report raised further questions with regard to the concept of a separate market for unlicensed jitney service. Significant decreases in MDTA ridership (as measured by riders per revenue hour, to control for any service changes) correspond very closely with the influx of unregulated jitneys in three of the four major corridors in which illegal jitneys are most common (Biscayne Boulevard, Flagler Street, and Southwest 8th Street; Collins Avenue is the exception). This directly contradicts the conclusion that the impact of jitneys on the Metrobus system has not been severe.
JITNEY ENFORCEMENT STRATEGIES

The UMC report did not address public safety issues. MDTA’s concern over jitneys can be naturally traced to ridership and revenue losses, but Metropolitan Dade County’s interest in jitneys is due to their impact on safety. In the July 1992 enforcement effort, 65 percent of jitney drivers were cited for not having a chauffeur’s license, and 49 percent were cited for safety violations. These conditions have also held true in jitney accidents involving fatalities, leading to strong public concern over the safety of unauthorized operation. While an analysis of safety issues may not have been included in the scope of the UMC study, public safety is a critical factor that must be considered in any discussion of jitneys.

Hurricane Andrew

On August 24, 1992, Hurricane Andrew struck the southern portion of Dade County with devastating results. In the immediate aftermath of the hurricane, the Federal Emergency Management Agency (FEMA) granted $46 million to provide emergency transit service in southern Dade County. MDTA made arrangements through four existing contractors for service provision. A standard turnkey rate of $28 per hour was negotiated with the four contractors, who in turn paid the jitney operators $21 per hour (on average).

Approximately 220 jitney operators were hired by the four contractors to meet the emergency travel needs of South Dade residents. Before being hired, jitney operators were required to have a chauffeur’s license (often referred to as a hack’s license) and proper insurance. The vehicles also had to pass a safety inspection. Routine criminal background checks were carried out for each operator.

Twelve fixed routes were designed by MDTA for the jitneys. Most of these routes circulated through residential neighborhoods and provided transportation to the FEMA on-site "offices" as well as for basic shopping needs. A major "trunk" route was established along the South Dixie Highway between Florida City and the Dadeland South station, Metrorail’s southern terminus. The South Dixie Highway route partially duplicated MDTA’s routes 1 and 35. The jitneys, along with the MDTA routes in the area, operated free of charge to riders. MDTA provided extensive supervision to ensure route and schedule adherence. The jitneys carried an estimated 20,000 riders per day.
The emergency effort in the wake of Hurricane Andrew essentially solved the illegal jitney problem in Dade County. Slightly more than half of the illegal operators were now legally employed in South Dade. The remainder apparently were able to find more lucrative employment opportunities in the massive cleanup and reconstruction efforts. An influx of new illegal operators did not materialize, due in all likelihood to the availability of better-paying employment in South Dade. The county's Special Transportation Services, which provides service to the transportation disadvantaged, had difficulty recruiting drivers during this time for the same reason.

Metrobus ridership rose dramatically on routes formerly plagued with illegal jitney competition, as shown in Table 1 and Figure 1. For this analysis, Metrobus routes were sorted into one of three categories, based on pre-hurricane data in MDTA files: major jitney competition, minor jitney competition, and no jitney competition (see Appendix A). Table 1 and Figure 1 present the month-by-month change in ridership for September 1992 through June 1993 compared to the same month in the previous year (i.e., before the hurricane) for these three route categories. As noted above, there were major enforcement activities against the jinneys in July 1992, and the hurricane affected ridership figures in August 1992. The ten-month period from September through June provides the best time frame for evaluating the effect of removing illegal jinneys from MDTA bus routes.

In the absence of illegal jitney competition after the hurricane, ridership on the affected routes soared. While routes in all categories experienced ridership increases, those with major pre-hurricane competition from the jinneys showed percentage gains in ridership that were typically twice as high as the gains for other routes. As shown in Table 1, ridership on the major-competition routes increased by more than 30 percent in each month between February and June 1993 compared to the same month in the previous year. For the full ten-month period, the ridership increase on routes with major competition was 27 percent, compared to 11 percent on routes with minor competition and 10 percent on routes with no competition.
<table>
<thead>
<tr>
<th></th>
<th>Percent Change in Ridership over Same Month in Previous Year</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Heavy Jitney Competition</td>
</tr>
<tr>
<td>September 1992</td>
<td>16.8%</td>
</tr>
<tr>
<td>October 1992</td>
<td>24.7%</td>
</tr>
<tr>
<td>November 1992</td>
<td>18.7%</td>
</tr>
<tr>
<td>December 1992</td>
<td>24.5%</td>
</tr>
<tr>
<td>January 1993</td>
<td>28.3%</td>
</tr>
<tr>
<td>February 1993</td>
<td>32.7%</td>
</tr>
<tr>
<td>March 1993</td>
<td>31.2%</td>
</tr>
<tr>
<td>April 1993</td>
<td>31.4%</td>
</tr>
<tr>
<td>May 1993</td>
<td>31.5%</td>
</tr>
<tr>
<td>June 1993</td>
<td>35.0%</td>
</tr>
<tr>
<td>Ten-Month Period</td>
<td>27.3%</td>
</tr>
</tbody>
</table>

Source: Metro-Dade Transit Agency Ridership Technical Reports (Monthly)
Figure 1  Monthly Metrobus Ridership Changes for Routes with Heavy, Minor and No Jitney Competition

Figure 2  Monthly Metrobus Riders per Revenue Mile Changes for Routes with Heavy, Minor and No Jitney Competition
In order to control for changes in service levels, Table 2 presents post-hurricane changes in riders per revenue mile of service. MDTA added service to accommodate ridership increases, particularly on the routes with major jitney competition, in its February 1993 line-up, after interim adjustments to service in late 1992. Increases in riders per revenue mile were less dramatic in the months following the February service changes, as shown in Figure 2, but the routes with heavy jitney competition continued to experience greater increases than other routes.

These results provide a clear example of the effects of illegal jitney operation on MDTA bus routes. While routes with little or no jitney competition experienced a 10 percent increase in ridership in the wake of Hurricane Andrew, ridership on routes with major jitney competition rose by 27 percent. When the ridership numbers are adjusted to control for changes in level of service, the routes with heavy jitney competition posted an 18 percent increase, compared to 11 percent for routes with minor jitney competition and 4 percent for routes with no jitney competition.

Table 2
Post-Hurricane Metrobus Changes in Riders per Revenue Mile

<table>
<thead>
<tr>
<th></th>
<th>Heavy Jitney Competition</th>
<th>Minor Jitney Competition</th>
<th>No Jitney Competition</th>
</tr>
</thead>
<tbody>
<tr>
<td>October 1992</td>
<td>22.4%</td>
<td>13.5%</td>
<td>8.8%</td>
</tr>
<tr>
<td>November 1992</td>
<td>15.4%</td>
<td>8.0%</td>
<td>-0.1%</td>
</tr>
<tr>
<td>December 1992</td>
<td>24.9%</td>
<td>14.5%</td>
<td>9.2%</td>
</tr>
<tr>
<td>January 1993</td>
<td>28.9%</td>
<td>18.1%</td>
<td>11.8%</td>
</tr>
<tr>
<td>February 1993</td>
<td>15.3%</td>
<td>11.3%</td>
<td>-0.7%</td>
</tr>
<tr>
<td>March 1993</td>
<td>14.0%</td>
<td>10.4%</td>
<td>-1.3%</td>
</tr>
<tr>
<td>April 1993</td>
<td>14.1%</td>
<td>10.1%</td>
<td>6.7%</td>
</tr>
<tr>
<td>May 1993</td>
<td>14.3%</td>
<td>9.0%</td>
<td>-0.1%</td>
</tr>
<tr>
<td>June 1993</td>
<td>17.5%</td>
<td>8.4%</td>
<td>7.6%</td>
</tr>
<tr>
<td><strong>Nine-Month Period</strong></td>
<td><strong>18.1%</strong></td>
<td><strong>11.4%</strong></td>
<td><strong>4.4%</strong></td>
</tr>
</tbody>
</table>

Source: Metro-Dade Transit Agency Ridership Technical Reports (Monthly)
Post-Hurricane Developments

As long as the FEMA money was available to pay for service in South Dade, the illegal jitney problem was under control. MDTA had serious concerns over what would happen in August 1993 when the grant expired. Consequently, the agency developed plans to identify and put out to bid potential jitney routes. The identified routes represented a combination of various types:

- South Dade routes with sufficient ridership to justify continuation;
- new routes in areas of the county unserved by MDTA; and/or
- existing MDTA routes with light ridership.

MDTA's intention was to keep the South Dade jitney operators (numbering about 200 by the summer of 1993) working legally, and so the goal in identifying potential routes was to develop enough work for these 200 operators. The selected routes required an estimated 205 vehicles. MDTA suggested various financial options, including:

- indirect subsidy (public information and marketing);
- direct subsidy (preferably on a declining basis, so that an operator could be subsidized while a market for the service was established);
- lease/rent (for all or part of an existing MDTA route);
- transfer arrangements between jitneys and MOTA service; or
- no arrangement (the current situation with legal jitneys).

The Dade County Board of County Commissioners approved the concept of keeping the South Dade jitney operators legally employed but ruled out any direct subsidy to the jitneys. When the bids were opened, all of the jitney operators requested payment for providing service. Dade County then rejected all bids and requested applications for emergency certificates to operate jitneys in South Dade. The county required that any bid include seven identified routes, including the South Dixie Highway service and six feeder routes.
Sixteen operators submitted bids for South Dade, but only three bid on all seven routes, as required. The county then rated these three applicants on criteria such as frequency of proposed service, span of service, and vehicle quality (radio-equipped, air-conditioned). After some deliberation, the county selected Red Top Sedan to operate the South Dade jitney service. Red Top made arrangements with Metro Jitney to obtain 45 vehicles for the seven routes. Red Top charges the operators $100 per week, allows them to keep all fares (the jitney fare matches MDTA’s $1.25 fare), provides the vehicles, and ensures that operators are properly licensed. Red Top requires each operator to work one or two days per week on the less busy feeder routes.

MDTA does not supervise the South Dade jitneys. MDTA and Red Top each accept the other’s transfers, with MDTA paying Red Top $0.25 for each MDTA transfer accepted by Red Top. MDTA compares the number of transfers collected by Red Top with the number of Red Top transfers it receives to ensure accuracy.

A major difference between the FEMA-sponsored jitney service and the current Red Top service is that MDTA is no longer involved. In the year following Hurricane Andrew, the jitneys were under contract with MDTA through its four subcontractors. Now, Red Top Sedan is operating a private service, under the jurisdiction of the county’s Consumer Services Department with regard to enforcement and regulation.

The South Dade jitney program was not large enough to employ all of the 200 operators who had been providing FEMA service. Surprisingly, however, illegal jitneys have not resurfaced as a problem in Dade County. Several reasons have been suggested to explain why illegal jitneys have not returned.

- Prior to the expiration of the FEMA grant, the Board of County Commissioners approved an ordinance regarding the seizure, impoundment, and forfeiture of illegal jitneys. The ordinance, inspired in large part by enabling legislation passed in New York State, is described below in greater detail. The forfeiture provisions ensure that the illegal jitney owner, in addition to the illegal operator, is subject to penalties.
• Reconstruction efforts in South Dade are by no means complete. Lucrative construction-related employment opportunities remain available and may be more enticing than returning to illegal jitney operation.

• Jitney operators were paid at the average rate of $21 per hour during the year in which FEMA-funded service was operated. By all estimates, this income was considerably greater than what they had been able to eke out in illegal service prior to the hurricane. Operators earned the same amount of money regardless of the speed at which they drove or the number of passengers they served. Some may have lost their incentive to return to the long hours and hectic pace of illegal operation. Anecdotal evidence suggests that many operators saved up a portion of this money and opened a (legal) business of their own.

The ordinance approved by the Board of County Commissioners amended Chapter 31, Article III of the Metropolitan Dade County Code by adding Section 31-116. The changes permit the seizure of a vehicle by a police officer or employee designated by the County Manager if there is reasonable cause to believe that it is being operated as a jitney without authorization. Notice of seizure must be sent to the owner of record, if the owner’s name is known, within 24 hours. The owner can request a vehicle impoundment hearing within 10 days. If the hearing finds that there is probable cause, a hearing regarding code violation must be held within 30 days of seizure. The jitney owner can obtain release of the vehicle prior to the code violation hearing by posting a bond of sufficient value to cover the maximum penalties possible and reasonable costs for removal and storage. Both hearings can be conducted by a magistrate, county court judge, or hearing examiner. The allowable fine is between $250 and $1,000 for a first violation, between $1,000 and $5,000 for a second violation, and between $5,000 and $10,000 for a third or subsequent violation.

After a third violation within a three-year period (after August 6, 1993) for operation of a jitney without authorization, the vehicle may be seized and forfeited to the county if it is found that the owner was aware of the vehicle’s likely use in violation of the code. The vehicle owner has the right to a trial by jury on the issue of foreclosure.
MDTA estimates that there may be 20 jitneys in illegal operation, mostly at night. Metro-Dade police and the Consumer Services Department have intensified enforcement efforts, with two motorcycle units assigned to jitney enforcement duty every day. The county has also worked with its towing contractors to make clear the expectation that jitneys will be towed and impounded when ordered or the towing contracts will be in jeopardy.

Legislation, enforcement, cooperative efforts, and an act of God are all responsible for the amelioration of the illegal jitney problem in Dade County. Metrobus and the legal jitneys have experienced notable ridership increases and are again able to operate in a controlled and reportedly safer environment. The unanticipated effects of Hurricane Andrew contributed to the success in ways that are difficult to isolate; without the hurricane, it is likely that the course of events would have been markedly different. As conditions change, it is possible that the illegal jitney problem will recur. The integration of previously illegal jitneys into the public transportation system in South Dade suggests that a combination of integration and strict enforcement can work effectively. If it does become necessary to address this problem in the future, the integration/enforcement combination provides the blueprint for action.
CHAPTER 3

JITNEY EXPERIENCE IN OTHER CITIES

This chapter documents the findings with regard to jitney enforcement efforts in other cities and their applicability to Dade County. Specific issues to be considered are how jitney service has developed in other cities, what (if any) enforcement actions have been tried in these cities, the success of these enforcement efforts, and the overall strategy (in place or under consideration) to deal with the jitneys. This chapter provides a different perspective for viewing Dade County’s jitney service and the various enforcement actions which have been taken over the years.

Several transit agencies around the country were contacted to determine which cities to include in this study. Transit and planning personnel in Chicago, Los Angeles, Atlanta, and Houston indicated that jitneys were not operating in any extensive or organized fashion in their cities. New York City and neighboring counties in New Jersey were the only places comparable to Dade County in terms of jitney service. Because New Jersey Transit’s problems with jitneys are of recent origin, New York City was the only city identified as a candidate for this task.

The New York City Transit Authority (NYCTA), in conjunction with other city and state agencies, has conducted and analyzed intensive jitney enforcement efforts in Brooklyn and Queens. In addition, state and city legislation has shifted responsibilities for, and added strong provisions in support of, enforcement efforts (efforts to enact local legislation were in progress during the course of this study). CUTR arranged for on-site interviews and observation of jitney operations in New York.

This report documents the findings with regard to jitney enforcement efforts in New York City and their applicability to Dade County. The issues are remarkably similar in both places, although the origins and evolution of jitney service are different. Information in this report is drawn from documents prepared by NYCTA and its parent organization, the Metropolitan Transportation Authority (MTA), and from the interviews conducted in New York. The interviewees included representatives from NYCTA and MTA, the Amalgamated Transit
Union in the borough of Queens, the offices of the Mayor and of a Congressional Representative, the New York City Council’s Transportation Committee, transit and city police, a major legal van operator in Queens, and a consultant who has worked extensively in support of the jitneys. Appendix B contains a complete list of the names and affiliations of those interviewed, and the bibliography lists documents reviewed as part of this effort.

The first section of this report presents a brief description of the history of jitney service in New York City and reports the changing legal environment for jitney regulation. The following two sections describe the conduct and results of two enforcement efforts undertaken in 1992, one along Flatbush Avenue in Brooklyn and the other in the Jamaica area of Queens. The results of the interviews and the perspectives of the various parties are then presented. Conclusions and implications for Dade County are discussed in the final section.

As noted previously, one difference between Dade County and New York City is in terminology. "Jitney" is used in Dade County, while in New York these vehicles are referred to as "vans." The Dade County usage is applied here for the sake of consistency.

Jitneys in New York City

Unlike Dade County, New York City does not have a long history of legal jitneys. The first recent instance of unauthorized jitney operation was noted in southeast Queens during the 1980 transit strike, when individuals operating private vehicles began to provide local service and feeder transportation to the Long Island Railroad station in Jamaica. These individuals continued in illegal operation as feeders to the subway system after the strike was settled and regular bus service was restored. While private cars were used at first, 14-seat vans quickly emerged as the vehicle of choice for jitney service. Recently, an increasing number of 20-seat vans have been observed in operation. The jitneys thrived along busy bus routes with peak frequencies of 12, 15, and even 20 buses per hour, because of the high numbers of people congregated at bus stops along these routes.
CHAPTER 3: JITNEYS IN OTHER CITIES

Jitney fares originally matched the fares charged on NYCTA buses. When bus fares have been increased, jitney fares have lagged behind for a period of time but have usually risen to match the new bus fares within one to two years. At the time the interviews were conducted, NYCTA and the private bus companies charged $1.25 as the fare, while most jitney operators charged $1.00.

Jitney operators generally did not observe any of the laws and regulations governing vehicles and drivers who carry passengers for hire. New York State had jurisdiction over vehicles of this size (larger than taxicabs but smaller than buses). Eventually, some of the larger jitney operators petitioned the New York State Department of Transportation (NYSDOT) for authorization to operate back and forth between the subway and certain neighborhoods. NYSDOT evaluated requests on a case-by-case basis and did grant legal authority to jitney operators who were able to show a demand for their services. The situation evolved to the point where legal and illegal jitneys operated with little constraint along the busiest NYCTA bus routes and along routes operated by surviving private bus companies (Green Bus and Jamaica Bus) in southeast Queens.

Enforcement efforts were sporadic, given a lack of resources and low awareness of the problems caused by jitney operations. During most of the 1980s, the primary enforcement effort consisted of a single New York City Police Department officer in the local precinct in Jamaica. In 1989 and 1990, enforcement "sweeps" consisting of a concentrated one-day effort at a particular location became a standard practice. These sweeps resulted in a significant number of citations (interestingly, about 40 percent of the summonses issued are for unlicensed drivers), but their effectiveness was extremely limited.

The jitney problem was not confined only to this area of Queens. Other feeder services sprang up in Brooklyn (along Flatbush Avenue and in Coney Island) and, to a lesser extent, in the Bronx. In Staten Island, the most physically isolated of the five boroughs which make up New York City, jitney operators applied for and received Interstate Commerce Commission authorization to operate in express service to Manhattan via New Jersey. New York City distinguishes between "feeder vans" (typically seen in Brooklyn and Queens) and "commuter vans" (typically seen in Staten Island), but both operate in similar fashion. Estimates of the number of jitneys operating in New York City range from 2,400 to 5,000.
A policy report prepared by the Metropolitan Transportation Authority (MTA) staff in January 1992 indicates that jitney proliferation tended to occur in neighborhoods with high concentrations of Caribbean immigrants. Since jitneys are a commonplace form of transportation in Jamaica, Puerto Rico, Haiti, and other islands in the West Indies, immigrants from these places showed an immediate willingness to use jitneys. This cultural aspect regarding perceptions of public transportation service, particularly a familiarity with jitneys, appears to have been a necessary condition for the initial development of jitney service. The Dade County and New York City metropolitan areas have a much higher percentage of West Indian population, as shown in Table 3. This might explain why jitneys have not emerged to any significant extent in urbanized areas other than New York and Dade County. It should be noted that after they are developed, jitney services attract a wider segment of the population in neighborhoods in which they operate.

The same MTA policy report addressed other issues surrounding jitney operation. The report suggested four options for managing jitney operations:

1. A vigorous enforcement effort, in conjunction with efforts to reduce the labor costs associated with NYCTA bus operation, to enhance bus service and to make fares more competitive;

2. An orderly withdrawal of NYCTA bus service from areas where jitneys operate at a competitive advantage;

3. A withdrawal of NYCTA express bus service, with no change in local service; and/or

4. A broad policy change to centralize bus transportation planning and the responsibilities of route franchising and contracting within MTA, with a resulting public/private network incorporating jitneys and including enforcement efforts.

The report recommended a further evaluation of these options and continued interim enforcement efforts. The MTA Board of Directors voted unanimously (with two abstentions) to continue enforcement efforts.
### Table 3
Percentage of Metropolitan Area Populations of West Indian First Ancestry

<table>
<thead>
<tr>
<th>Metropolitan Area</th>
<th>Population</th>
<th>Population of West Indian First Ancestry</th>
<th>Percentage</th>
</tr>
</thead>
<tbody>
<tr>
<td>Miami, FL</td>
<td>1,937,094</td>
<td>105,477</td>
<td>5.45%</td>
</tr>
<tr>
<td>New York, NY</td>
<td>8,546,846</td>
<td>403,458</td>
<td>4.72%</td>
</tr>
<tr>
<td>Newark, NJ</td>
<td>1,824,321</td>
<td>29,727</td>
<td>1.63%</td>
</tr>
<tr>
<td>Boston, MA</td>
<td>2,870,650</td>
<td>40,363</td>
<td>1.41%</td>
</tr>
<tr>
<td>Washington, DC</td>
<td>3,923,574</td>
<td>32,234</td>
<td>0.82%</td>
</tr>
<tr>
<td>Philadelphia, PA</td>
<td>4,856,881</td>
<td>16,650</td>
<td>0.34%</td>
</tr>
<tr>
<td>Baltimore, MD</td>
<td>2,382,172</td>
<td>7,504</td>
<td>0.32%</td>
</tr>
<tr>
<td>Houston, TX</td>
<td>3,301,937</td>
<td>9,551</td>
<td>0.29%</td>
</tr>
<tr>
<td>Los Angeles, CA</td>
<td>8,863,164</td>
<td>25,295</td>
<td>0.29%</td>
</tr>
<tr>
<td>Atlanta, GA</td>
<td>2,833,511</td>
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</tr>
<tr>
<td>Chicago, IL</td>
<td>6,069,974</td>
<td>13,529</td>
<td>0.22%</td>
</tr>
<tr>
<td>Oakland, CA</td>
<td>2,082,914</td>
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<tr>
<td>Dallas, TX</td>
<td>2,553,362</td>
<td>3,506</td>
<td>0.14%</td>
</tr>
<tr>
<td>Cleveland, OH</td>
<td>1,831,122</td>
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<tr>
<td>San Francisco, CA</td>
<td>1,603,678</td>
<td>1,733</td>
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<td>Honolulu, HI</td>
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<td>San Jose, CA</td>
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<td>Detroit, MI</td>
<td>4,382,299</td>
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<td>Seattle, WA</td>
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<td>Minneapolis, MN</td>
<td>2,464,124</td>
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<td>Pittsburgh, PA</td>
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<td>Denver, CO</td>
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<td>St. Louis, MO</td>
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<tr>
<td>Portland, OR</td>
<td>1,239,842</td>
<td>530</td>
<td>0.04%</td>
</tr>
</tbody>
</table>

Source: 1990 Census of Population, Stf3C, Tables P1 and P3
Recent legislative developments may result in stricter jitney enforcement efforts. The New York State Senate and Assembly passed enabling legislation during its 1992 session and amended this legislation during the 1993 session. The enabling legislation allows New York City to adopt a local law regulating the jitneys. In December 1993, the city enacted local legislation that transfers responsibility for jitney regulation and enforcement from the state to New York City. The enabling legislation mandates several strong provisions which have been included in the New York City law. These provisions include the following mandates.

1. Jitneys (termed "van services" in the legislation) must provide service on a prearranged basis only; street hails are not permitted.

2. Jitneys are not permitted to solicit, pick up, or discharge passengers at any point along a NYCTA or private fixed-bus route. A grandfather clause in the 1993 amendment makes an exception for jitneys with prior authorization to serve certain areas in lower Manhattan.

3. Seizure of a vehicle by a police officer or deputized agent of the Taxi and Limousine Commission (TLC, which will be charged with enforcement of jitney regulations) is permitted if there is reasonable cause to believe that it is being operated as a jitney without a license. TLC must hold a hearing to adjudicate the violation within five days of seizure.

4. The jitney may be released prior to the hearing if the jitney owner has no previous record of illegal operation. The owner must post a bond, of sufficient value to cover the maximum penalties possible and reasonable costs for removal and storage, in order to obtain release. If the owner does not reclaim the vehicle prior to the hearing and is subsequently found guilty, the vehicle can be released only after all penalties and costs are paid. The maximum fine for a first violation is $1,000.

5. For a second violation, the jitney may be held until adjudication (that is, for a maximum of five days). The owner, if found guilty a second time, then must pay all applicable penalties and costs in order to recover the vehicle. Even then, the
city can choose to institute forfeiture procedures as noted below. The maximum fine for a second or subsequent violation within a five-year period is $2,500.

6. Upon a second conviction or for a third violation within a five-year period for operation of a jitney without authorization, the vehicle may be seized and forfeited to the city if it is found that the owner was aware of the vehicle’s illegal use and did not take reasonable steps to prevent such use.

7. The city may request that the New York State Department of Motor Vehicles (DMV) place a block (based on the vehicle identification number) on the re-registration of any vehicle with a violation for illegal operation as a jitney. DMV currently can block re-registration at its discretion; the enabling legislation would make such a block mandatory upon request of the city.

The New York City Mayor’s Office for Transportation and the New York City Council were attempting to craft legislation at the time of the interviews. As mentioned earlier, the legislation passed (by a 41-to-4 vote) and was signed by Mayor Dinkins in December 1993.

In 1990, an interagency task force on jitneys was established to consider different approaches to combat the problem. Two major enforcement efforts were undertaken in 1992 and are described in the next two sections. The first was along the Flatbush Avenue corridor in Brooklyn, while the second was first focused on Jamaica Center and later extended more widely in southeast Queens.

**Jitney Enforcement Efforts: Brooklyn**

The Flatbush Avenue corridor in Brooklyn was selected as the first target for a controlled and concentrated enforcement effort. NYCTA used the strategy of targeting one specific location at a time in its graffiti eradication program in the 1980s. A major traffic corridor, Flatbush Avenue had experienced a large-scale influx of jitneys. A high proportion of these jitneys were illegal and, judging by the appearance of the vehicles, unsafe. The overall purpose of this experiment was to determine the ridership and revenue impacts, resource requirements, and cost effectiveness of concentrated enforcement.
The Flatbush Avenue corridor, shown in Figure 3, extends for seven miles from downtown Brooklyn to Kings Plaza, the only suburban-style shopping mall in the borough of Brooklyn. NYCTA operates the B41 bus route in the corridor. Ridership on the B41 is the heaviest of any route in Brooklyn, with an average weekday ridership of 35,000. The Brooklyn central business district and Kings Plaza are major trip generators at opposite ends of the route, resulting in strong ridership demand in both directions for most of the day. On its outer portion, the B41 also functions as a feeder route to the No. 2 rapid transit line, which has its Brooklyn terminus at Flatbush and Nostrand Avenues.

Prior enforcement actions had been sporadic and limited, as noted in the previous section. The Flatbush Avenue experiment was designed to be a six-week effort (March 9 through April 19, 1992) for 16 hours a day on weekdays and 8.5 hours per day on weekends. The Transit Police Surface Crime Unit assigned approximately 20 officers and three supervisors on weekdays, with an additional two to four police officers assigned by a local precinct of the New York City Police Department. Towing resources and storage space were provided by the New York City Department of Transportation.

An important facet of this effort was an extensive public outreach program aimed at community officials, bus riders, and van operators. All elected and community officials were informed of the upcoming enforcement and its purposes in advance. NYCTA posted service announcements in all buses, printed and distributed brochures describing the enforcement effort, and assigned personnel to high volume locations to provide customer assistance during the six weeks. NYCTA also distributed flyers to van operators in the corridor prior to the enforcement effort advising them of the regulations that would be strictly enforced. This pre-enforcement activity was important in gaining public support for the enforcement actions.

As a final step in the pre-enforcement activity, plans were drawn up to provide additional service on the B41 route to accommodate expected increases in bus ridership. Eight extra buses were added (four in the morning peak and four in the evening peak) during the first week. By the middle of the experiment, an additional five buses were placed in service during the morning peak, for a total of 13 additional runs. These additional runs were originally done as extra service with overtime pay but were incorporated into the regular B41 schedule at the next opportunity, thus reducing the costs.
Figure 3 - Flatbush Avenue Corridor

Downtown Brooklyn
Fulton St.
Livingston Street
Atlantic Av.
Flatbush
Brooklyn Museum
Prospect Park
Avenue
Church Av.
Flatbush Ave.
Station
#2 Train
Brooklyn College
Herteznd Av.
Kings Hwy.
Kings Plaza
The ridership and revenue results of the concentrated enforcement were impressive. In areas with jitney competition, the riders most likely to stay with bus service are those who are eligible for discounted fares and those who are transferring between routes. It was not surprising, therefore, that the largest ridership increases were experienced among full-fare riders. Weekday ridership on the B41 route increased by 27 percent, as shown in Table 4, while weekday full-fare ridership increased by 51 percent. Average weekly revenue increased by 42 percent during the same six-week period. Observed jitney trips declined from a pre-enforcement estimate of 2,350 daily weekday trips in January to an observed estimate of 726 trips in March, a decrease of 69 percent. The increase in B41 ridership was larger than the observed decrease in the number of jitney trips, suggesting that bus riders were attracted from other options and/or that jitney trips were undercounted. Nearly 2,500 universal summonses (for traffic violations) were issued to the jitneys, along with nearly 500 notices of violation (for illegal operation of vans).

Table 4
B41 Ridership Before and After Enforcement Actions

<table>
<thead>
<tr>
<th></th>
<th></th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Full Fare</td>
<td>14,700</td>
<td>22,150</td>
<td>+ 51%</td>
</tr>
<tr>
<td>Other Fare</td>
<td>21,000</td>
<td>23,050</td>
<td>+ 10%</td>
</tr>
<tr>
<td>B41 Total</td>
<td>35,700</td>
<td>45,200</td>
<td>+ 27%</td>
</tr>
</tbody>
</table>

Source: New York City Transit Authority, Illegal Van Enforcement Program: B41 Experiment

A cost/benefit assessment was performed using annualized revenues and costs. The annualized increase in NYCTA revenue resulting from ridership increases was estimated at $2.82 million, with an annualized increase in cost of $1.90 million ($1.1 million in enforcement, $0.8 million in increased service). The resulting net benefit is $920,000 annually. Note that this figure does not include any projected revenue obtained from summonses or notices of violation. During the six weeks of sustained enforcement, revenue from these sources totaled $187,000.
At the end of the experiment in mid-April 1992, there was an increase in jitney activity along Flatbush Avenue and a concomitant decline in B41 ridership and revenue. By September 1992, about half of the gains in ridership and revenue had been lost as enforcement efforts were directed elsewhere in the city. In order to maintain and increase ridership, limited stop service was instituted on the B41 route in September 1992. Designated B41 limited buses stop only at major destinations and transfer points, resulting in a travel time savings of between 10 and 15 minutes. Increased enforcement efforts to keep clear a dedicated bus-only lane in downtown Brooklyn were also undertaken at this time. Average daily revenue has remained stable since the implementation of limited stop service at 20 percent above the pre-enforcement level, as shown in Figure 4. Customer satisfaction is high, with 63 percent reporting that service has improved. A notable percentage of B41 riders (22 percent at limited stops, 37 percent at local stops) indicated that they formerly used vans or car services for their trips. Thus, the limited stop service improvement has helped to retain the increased ridership resulting from the jitney enforcement actions.

The conclusion drawn from the Flatbush Avenue experiment is that sustained jitney enforcement in conjunction with service improvements is a cost-effective action. The appropriate level and duration of effective enforcement has not been conclusively determined. Personnel from the Surface Crime Unit of the New York Transit Police have indicated that a sustained effort of 10 weeks, followed by up to three months of enforcement at roughly half the level of the concentrated enforcement, and then routine enforcement patrols would be most effective. Whatever the optimal level, it is clear that the combination of a sustained enforcement effort and bus service improvements can combat jitneys and reverse the trend of declining ridership and revenue on bus routes affected by jitney competition.

**Jitney Enforcement Efforts: Jamaica, Queens**

Jamaica is the hub of feeder bus routes extending throughout eastern and southeastern Queens. When jitney service first began in this area in 1980, all NYCTA routes fed the Hillside Avenue subway at either 179th Street or 169th Street. In 1988, the Archer Avenue rapid transit line was completed, and NYCTA buses from southeast Queens entering Jamaica via the Merrick Boulevard corridor were rerouted to serve the new Jamaica Center station (see Figure 5). Legal and illegal jitneys soon followed the buses to Archer Avenue.
Figure 4
B41 Average Daily Revenue Comparison

Thousand
Immediately after the station was opened, the six bus routes in the Merrick Boulevard corridor experienced ridership increases of 13 percent, but the jitneys soon began to siphon riders. Of the six bus routes entering Jamaica via the Merrick Boulevard corridor, three were particularly affected by jitney competition. These three routes (shown in bold on Figure 5) were generally the busiest routes and operated along major commercial streets. The first enforcement "sweeps" focused on Jamaica Center but proved to be ineffective beyond the day on which they occurred.

The effect of the jitneys on the Merrick Boulevard corridor buses was compounded in the fall of 1990 by an ill-advised one-way pair street conversion on Jamaica and Archer Avenues. The one-way pair added approximately five minutes to the travel time of every evening peak period bus leaving Jamaica Center, due to its unusual configuration requiring a detour north to Jamaica Avenue. On the other hand, the jitneys' travel time was reduced by the one-way pair because of their loading locations in Jamaica Center. This accelerated the decline in ridership on the six routes. The city abandoned the one-way pair, and NYCTA restored its original routing for the six routes leaving Jamaica Center in August 1993.

Southeast Queens is a two-fare zone since there are no bus-to-subway transfers in New York. A reduced fare initiative was undertaken in October 1992 in an attempt to reclaim lost market share on the Merrick Boulevard corridor buses. Instead of the one-way fare of $1.25, a round-trip fare of $1.50 was offered on the six bus routes. Riders would pay $1.50 on their way to Jamaica and receive a ticket for the return trip. Thus, a rider would experience a daily fare decrease from $2.50 to $1.50 for a bus-only trip or from $5.00 to $4.00 for a bus-and-subway trip. The Merrick Boulevard corridor routes were not operating at full capacity; thus, service adjustments required in conjunction with this initiative were minimal. Daily ridership increased on the six routes by 2,500 or 8 percent, as shown in Figure 6. Revenue had been expected to fall, but remained constant.
Figure 5 - Merrick Boulevard Corridor Bus Routes

- Jamaica Center Parsons - Archer Station
- Liberty Av.
- Linden Blvd.
- 128 Av.
- Merrick Blvd.
- Conduit Av.
- Green Acres Mall

Routes with Extensive Jitney Competition
Figure 6
Merrick Boulevard Bus Ridership

Thousands

Prior to Changes
Fare Change
Jamaica Enforcement
Neighborhood Enforcement

In December 1992, a concentrated enforcement effort began in Jamaica Center under the leadership of the New York City Police Department, with the assistance of the New York City Transit Police's Surface Crime Unit, NYSDOT Motor Carrier Investigators, the Taxi and Limousine Commission, Long Island Railroad Police, and NYCDOT. Daily ridership on the Merrick Boulevard corridor routes now increased by an additional 3,000 riders for a total ridership increase of 5,500 (see Figure 6), and revenue rose by $3,000.

A second phase of the enforcement took place from mid-February through the end of June 1993 and was focused in the morning hours in the residential neighborhoods served by the major Merrick Boulevard corridor routes. This resulted in an additional 2,500 daily riders, for a total ridership increase from November to March of 8,000 or 26 percent (Figure 6). The total daily revenue increase was $5,500.

Limited stop service had already been instituted in the peak direction during the peak periods on the three routes most affected by jitneys in southeast Queens. In March 1993, the evening limited stop buses were rerouted to avoid the circuitous one-way pair, with a travel time savings of approximately five minutes. This service enhancement contributed to the increase in ridership.

The Jamaica experiment suggests that sustained enforcement combined with a reduced fare initiative can be a successful tool to increase bus ridership and revenue. The two private bus companies operating in Jamaica have experienced similar revenue increases during this enforcement. NYCTA's Queens Surface Division also reports a significant reduction in accidents during periods of intensive jitney enforcement. As in Brooklyn, a key element is the combination of intensive enforcement with either a service improvement or a fare reduction.

**New York City Jitney Perspectives**

Interviews were conducted with political, transit, jitney, police, and union representatives in New York City to gain a fuller understanding of the issues surrounding the jitneys and of possible solutions. This section reports the wide range of perspectives, as revealed in the interviews. Appendix B contains a list of all interviewees and their affiliations.
CHAPTER 3: JITNEYS IN OTHER CITIES

Political Perspective

While some New York politicians are firmly on one side or the other of the jitney issue, most are hoping to find some way for jitneys and buses to coexist. Integration of the jitneys into the public transportation system is the long-term goal, although there are various opinions concerning how this will be accomplished. Immediate concerns include safety, reliability, efficiency, and fairness. The safety issue is paramount: There is a clear recognition that illegal jitneys are frequently uninsured, uninspected, and operated by drivers with no license or with a suspended license.

On the other hand, there is the recognition that the jitneys are here to stay and that a draconian approach will not work. The need for consistent enforcement is acknowledged along with the need for a path for jitney operators with good safety records to become legal. The jitneys are perceived as convenient, fast, inexpensive, and desirable for many riders. The employment opportunities offered to the communities in which vans operate are recognized by politicians. Increased revenue opportunities for the city arising from the licensing of jitney operators are also perceived.

Constituents are reported split on the jitney issue: Users are very supportive; non-users (especially senior citizens, who are not granted discounts on the jitneys, and residents of streets used by jitneys) are opposed, sometimes vehemently so. This split in public opinion adds to the difficulty in devising a workable solution. The political perspective is that, in the long run, jitneys must somehow be integrated into the transit system within a framework provided by the city. The transit unions are seen as a major stumbling block, but there is a sense that jitney competition may spur changes in antiquated work rules.

The ultimately successful attempts to craft a local ordinance in accordance with the enabling state legislation encountered various obstacles. Legal jitney operators are extremely concerned over the prohibition of street hails along bus routes as well as the requirement for prearrangement of jitney services. NYCTA is strongly supporting the block on re-registration of any vehicle with a series of violations for illegal operation as a jitney, but the city is worried that innocent purchasers might unknowingly buy a vehicle subject to a re-registration block. NYCTA is also requesting that jitney authorization be required for a specific
geographic area and granted only if there is a finding of need. The city has little desire to be placed in the position of determining how much transportation is "enough," and argues that a needs analysis for every jitney application would waste money which could be spent on enforcement. The city hopes to set up a system centered on base operations from a central dispatching location for each jitney operator, similar in many respects to private taxicab services.

The political perspective may be characterized as squarely in the middle on the jitney issue. Problems with safety are acknowledged, but the jitneys are perceived as meeting a real transportation need in the communities in which they operate. Extreme options (defined as "enforcing the vans into the sea" or ignoring the problems) are rejected, but ways in which the jitneys can be integrated are still being sought. Possibilities include the licensing of jitneys to serve areas where there is little or no existing transit service, but this is difficult in a city with such an extensive bus network.

_Transit Perspective_

There is a range of perspectives within NYCTA and MTA concerning the jitney problem. At one end of the spectrum are those involved with broad policymaking decisions, while at the other end are those directly responsible for service provision and enforcement strategies. Concerns regarding safety issues and revenue and ridership losses are shared across the entire spectrum, as is support for continued enforcement efforts.

In general, transit policymakers recognize the eventual need for some sort of service coordination with the jitneys. They understand, but do not necessarily agree with, the perception on the part of outsiders that jitneys are introducing competition into a system bloated by artificial work rules and other constraints. The market niche established by the jitneys is acknowledged, as are the differences under certain circumstances in service quality that makes that niche possible. A general policy which allows legal jitneys to operate in coordination with NYCTA buses, with sufficient controls in place to ensure that they stay within the limits of their authorization, is the ultimate goal. Transfer of regulatory power from the state to the city is an important step toward this goal. Another step suggested is the transfer of the power to franchise routes to the MTA. MTA has the power to contract routes, but the contracting of existing service is subject to union negotiation due to the state's Taylor
Law (which governs the rights and responsibilities of public sector unions) and Section 13(c) of the UMTA Act of 1964.

While transit policymakers see the possibility of a long-term role for jitneys in a coordinated public transportation system, there is a keen awareness of short-term concerns. The enforcement efforts in Brooklyn and Queens are viewed as successful and necessary to establish control in major transit corridors. Community support of these efforts has been a key factor in their success. Great care has been taken in crafting these enforcement efforts to be sensitive to community concerns and to avoid negative public response. The results of market research indicating both concerns over jitney safety and insurance and the importance of service quality have been incorporated into decisions on enforcement strategies.

There is also strong concern regarding the city's approach to the state enabling legislation. Both MTA and NYCTA view the definition of the area to be served by licensed jitneys and an assessment of need for service in that area as vital elements of a long-term jitney policy. The city's unwillingness to address the issue of need is seen as contrary to the spirit of the enabling legislation. There is a fear that jitneys will be treated as another form of for-hire private transportation, not as an element of (and potential competitor to) the public transportation network.

Notwithstanding the immediate concerns, transit policymakers envision a long-term accommodation with authorized and regulated jitneys. The exact mechanism for integrating the jitneys is not yet defined; the most feasible appears to be identifying separate markets for the jitneys and the buses. This may involve new service or a contracting of existing low-volume routes that can be better served by smaller vehicles. Other service options include "peak-shaving," or dispatching jitneys in the peak periods to supplement bus service, and contracting service to jitneys at certain times of day (e.g., after 9:00 p.m.).

Transit personnel who are more closely involved with service provision and enforcement efforts are considerably less sanguine about the possibility of integrating jitneys into the existing transit network. The view at ground level is that there is a huge gap between philosophy and reality on this issue. Those interviewed cited vehicle and traffic safety, the prevalence of suspended drivers' licenses, jitney participation in an underground economy,
and new requirements mandated by the Americans with Disabilities Act (ADA) as important concerns. The public accountability of the jitneys under any system, current or proposed, was identified as a major issue. Transit-operating personnel's prevailing view was that the legal jitneys used their authorization as a cloak to operate wherever and however they please. The possibility of jitneys and buses serving the same corridor was dismissed as absolutely unworkable. The enforcement efforts in Brooklyn and Queens were viewed as a major accomplishment, but there was a clear understanding that enforcement alone, without service improvements or fare initiatives, would not succeed. There was obviously little support for integration of the jitneys among this group.

**Jitney Perspective**

Representatives of legal jitney operators, not surprisingly, take exception to being criticized along with the illegal jitneys. The legal operators generally have supported and cooperated with enforcement actions targeted at those without authorization since the illegals reduce their ridership as well as the Transit Authority’s. The jitney operators argue that enforcement by ticketing has been proven to be ineffective since fines are merely a cost of doing business and that enforcement must be concentrated to be effective. Legal operators support the forfeiture provision in the state enabling legislation as the key to eliminating illegal jitneys, although they suggest that they be allowed to absorb those who wish to be legalized.

Legal jitney owners are strongly opposed to the provision that jitneys not be permitted to pick up passengers anywhere along bus routes because buses travel on all major arteries in their service areas. Detours to side streets are inconvenient to their riders. They suggest that their market has grown to such an extent that they should be allowed to operate on streets with bus routes on at least a trial basis, although they are willing to abide by regulations which prohibit picking up and discharging passengers at bus stops. Legal jitneys in Queens now carry signs in their windows indicating that they will not stop in bus stops, and owners have indicated that they will take action against drivers who violate this policy. The legals also argue that they must be permitted to discharge passengers along a bus route (except in a bus stop) if the passenger so wishes.
The legal jitneys argue that they provide quick, safe, comfortable, and cost-effective transportation which complements existing NYCTA bus service. They also point to the employment opportunities created by the jitneys, not just for drivers but in ancillary services such as repair shops and car washes. The legal operators in Queens want to be left alone in Jamaica Center, where there is an informally designated jitney loading area separate from the bus stops, and to be permitted to drop off passengers along bus routes. They willingly support a cap on the number of jitneys permitted per operator, since this cap is good for business, although they would prefer to be allowed a defined annual increase.

Jitney supporters have advanced a more theoretical argument regarding the inability of a public agency to regulate quality and volume of service simultaneously. Following this line of reasoning, an agency such as NYCTA must give up either quality or volume in attempting to provide service in an area of high demand. In either case, a market is created for an alternative like the jitneys. Supporters dismiss pro-transit arguments that the jitneys undermine the considerable public investment in transit facilities by claiming that sunken costs are irrelevant.

The legal jitney operators view buses as inflexible and inefficient and claim that competition from the jitneys has forced NYCTA to become more efficient and to improve customer service. They profess to be unaffected by the fare initiative in Queens and deny that it has been successful to any great extent. While willing to cooperate with NYCTA in enforcement activities targeted at illegal jitneys, the legal operators make the claim that they must be allowed some leeway in order to satisfy their customers. The legal jitneys flatly reject charges that they have become less vigilant with regard to safety and operator qualifications as they have increased in size.

**Police Perspective**

As the agents carrying out any enforcement strategy, police officers bring a unique perspective to the jitney problem. The police experience with jitney enforcement has emphasized the need for a concentrated, coordinated effort. Illegal jitney operators must be convinced that the enforcement is serious. At the same time, sufficient resources must be allocated to any enforcement effort, as was the case in the Flatbush Avenue and Jamaica...
Center experiments. This commitment is particularly necessary in a multi-agency enforcement effort since each agency has competing priorities affecting its assignment of labor resources.

In the New York City experiments, the Transit Police Surface Crime Unit and the New York City Police Department had primary responsibility for enforcement. They were supported by NYSDOT Motor Carrier Investigators, Taxi and Limousine Commission personnel, Long Island Railroad officers, NYSDOT agents, and NYCDOT towing resources. As noted earlier, one purpose of these enforcement experiments was to determine the optimal length of an action and the duration of the effects of enforcement. The general consensus was that the most concentrated effort should last for approximately ten weeks and then be lessened over a period of three months, followed by routine patrols.

One major concern voiced by the police was the willingness of the courts to support the enforcement effort. The courts are generally viewed as lenient and unaware of the issues involved in jitney enforcement. The Taxi and Limousine Commission, which will be charged with responsibility for jitney enforcement, has its own adjudicatory process, which the police hope will bring greater understanding and support for enforcement.

Police officials indicate that the legal jitney operators do cooperate with enforcement efforts, particularly by providing the names of drivers who are no longer with the company. Some legal operators are caught in enforcement efforts with suspended drivers' licenses, inappropriate registration, or lack of insurance. Enforcement efforts, however, are generally oriented toward illegal jitneys, which pose a greater safety hazard.

Police officials charged with carrying out jitney enforcement are most concerned with the level of resources dedicated to the effort (in terms of both the number of officers and agents and the support facilities such as tow trucks and vehicle lots) and the effectiveness of the adjudication process. While their orientation is primarily public safety, there is a sense that the revenue impacts of enforcement may be a greater incentive for the city to commit to a serious enforcement program.
CHAPTER 3: JITNEYS IN OTHER CITIES

Union Perspective

The transit union shares many of the viewpoints of the transit officials involved with service provision with regard to the jitneys. The union representatives view sustained enforcement as the key, in conjunction with service improvements. The union also shares the perception that authorization is a smokescreen for the legal jitneys to operate as they please. The idea of ultimately reaching an accommodation with the jitneys is understood, but provision for off-route jitney operation on a pre-arranged basis is seen as the only acceptable way to integrate the jitneys. The union opposes the concept of contracting existing routes or service to the jitneys.

From the union's perspective, NYCTA management made a mistake by cutting bus service in the 1980s in response to ridership decreases caused by the jitneys. At present, however, there is a strong spirit of cooperation between labor and management with regard to jitney issues. NYCTA officials readily acknowledge that the unions are very aware of the need to compete with the jitneys and to improve the quality of service. This cooperation brings benefits to both parties in that it provides the beginnings of a framework for the discussion and possible resolution of divisive issues. This labor-management dynamic is not clearly understood by those who perceive the unions as the major stumbling block to the ultimate resolution of the jitney issue.

Jitney Enforcement in New York: Conclusions

Several conclusions may be drawn from New York's recent experience with jitney enforcement. These conclusions have clear implications for Dade County, particularly at this point in time.

1. Enforcement works, in conjunction with service improvements or fare initiatives. The Flatbush Avenue experiment in Brooklyn provides the best documentation that a concentrated, sustained enforcement effort, implemented in conjunction with bus service improvements, can be a cost-effective means of increasing transit ridership and revenue. While the increases experienced during the period of concentrated enforcement were not sustained, revenue on the B41 bus route one year after the enforcement and service
changes showed an increase of 20 percent compared to pre-enforcement levels. The optimal extent and duration of enforcement actions have yet to be determined, but the intensive six-week effort has yielded clear results.

The combination of enforcement and fare initiative in Jamaica, Queens was also successful in increasing transit ridership and revenue. Both the police and transit operating officials noted an improvement in safety during the enforcement period.

2. **Integration of jitneys into the public transportation network is a desirable goal.** All parties in New York agree that the jitneys are here to stay and that it makes sense to integrate them into the system. The major problem lies in defining what exactly is meant by integration and how this integration is to take place. The most promising method is to authorize the jitneys to serve areas or neighborhoods currently not served or underserved by existing bus routes. In New York, these areas are not easily defined. In Dade County, the role of the jitneys in serving areas damaged by Hurricane Andrew strengthens the case for integrating them into the transit system. Dade County may have an easier time defining areas appropriate for jitney service due to continued growth in the county.

3. **Even with integration, the need for enforcement will remain.** Franchising legal jitneys to serve defined areas does not solve the problems caused by illegally operated jitneys. There will be a continued need for enforcement on the bus routes and on the new jitney routes. In addition, the legal jitneys must be monitored to ensure that their operation conforms to their franchise authority.

4. **Cooperation between the union and the transit agency is necessary in resolving the jitney issues.** The agency and the union are both affected by competition from the jitneys. Any solution must address the concerns of both parties in order to have a chance of success.
CHAPTER 4
SUMMARY AND CONCLUSIONS

This chapter summarizes the findings of this report and compares New York City and Dade County in terms of the origins, extent, and nature of the problems posed by illegal jitneys, public reaction, types of enforcement efforts, and the effectiveness of enforcement strategies. Despite differences in the origins and evolution of jitney service in the two metropolitan areas, the issues are remarkably similar. There is also considerable agreement with regard to emerging policy directions for addressing the illegal jitneys.

Jitney operation in Dade County dates back to the days of "separate but equal" public transportation. The City of Miami regulated jitney service within city limits during World War I. The level of unauthorized jitney operations in Dade County gradually increased during the 1980s. Unregulated jitneys proliferated rapidly in early 1990, and Metrobus ridership and revenues declined significantly, especially in the busiest corridors where jitneys preferred to operate.

Unlike Dade County, New York City does not have a long history of legal jitneys. The first recent instance of unauthorized jitney operation was noted in southeast Queens during the 1980 transit strike. These individuals continued in illegal operation as feeders to the subway system after the strike was settled and regular bus service was restored. As in Dade County, the southeast Queens jitneys operated along the busiest bus routes because of the high numbers of people congregated at bus stops along these routes. The New York State Department of Transportation (NYSDOT) eventually granted authorization to some jitney operators to provide service between the subway and certain defined neighborhoods, resulting in a mix of legal and illegal jitneys operating with little constraint along the busiest NYCTA and private bus routes.

The problems posed by illegal jitneys are twofold. First, the jitneys siphon ridership and revenue from the most heavily used local bus routes, where public transportation is generally most effective. Revenue impacts are often greater than effects on ridership, because reduced-fare and transferring riders are unlikely to switch to jitneys. Second, the illegal jitneys create
a public safety problem. In enforcement actions, between 40 and 65 percent of summonses have been for unlicensed or improperly licensed operators, and approximately half of the vehicles stopped have been issued summonses for safety violations. Both the police and transit operating officials in New York have noted an improvement in safety during periods of enforcement. Jitney accidents involving fatalities in both metropolitan areas have invariably involved unlicensed operators and uninspected, uninsured vehicles, leading to strong public concern over the safety of unauthorized operation.

Early enforcement efforts in both Dade County and New York City were sporadic, given a lack of resources and low awareness of the problems caused by jitney operations. These efforts would have an effect for only one or two days, after which it was business as usual for the jitneys.

Dade County enacted legislation in July 1991 which authorized stricter enforcement actions, including the impoundment of illegal jitneys. The county’s Consumer Services Department and the Metro-Dade police increased enforcement activities. Then in July 1992, Dade County marshalled its resources and undertook an extensive enforcement effort. Working together, the Department of Consumer Service, Metro-Dade police, and regulatory personnel from other county agencies virtually eliminated illegal jitney service. The power to impound vehicles operating illegally was key to the effectiveness of this enforcement effort.

The effects of the enforcement on ridership and revenue were immediate. Metrobus ridership for the month of July 1992 was 13 percent higher than in July 1991, while revenue increased by 19 percent. The greater revenue increase reflects the fact that a high proportion of ridership increases was in the full-fare category. The net financial impact on MDTA was $15,000 in average daily revenue, reflecting MDTA cost and revenue and not including the cost to the county of the enforcement.

While Hurricane Andrew was not technically an enforcement action, the ridership and revenue results in its aftermath, when jitneys were removed from MDTA routes, were striking. While most routes experienced ridership increases, those with major pre-hurricane competition from the jitneys showed percentage gains in ridership and in riders per revenue mile that were typically twice as high as the gains for other routes. Ridership on the routes with major competition increased by 27 percent in the ten-month period following the hurricane,
compared to 11 percent on routes with minor competition and 10 percent on routes with no competition. These results provide a clear example of the negative effects of previous illegal jitney operation on MDTA bus routes.

In New York City, the Flatbush Avenue corridor in Brooklyn was selected as the first target for a controlled and concentrated enforcement effort in 1992. Following this effort, New York established a similar enforcement effort in southeast Queens in 1992 and 1993. These efforts enlisted the participation of the New York City Police Department, the New York City Transit Police’s Surface Crime Unit, NYSDOT Motor Carrier Investigators, the Taxi and Limousine Commission, Long Island Railroad police, and NYCDOT.

Ridership and revenue results of the concentrated enforcement in New York City were similar to those in Dade County. In Brooklyn, weekday ridership on the B41 bus route along Flatbush Avenue increased by 27 percent, while weekday full-fare ridership increased by 51 percent. Average weekly revenue increased by 42 percent during the same six-week period. The annualized increase in NYCTA revenue resulting from ridership increases was estimated at $2.82 million, with an annualized increase in cost of $1.9 million ($1.1 million in enforcement, $0.8 million in increased service). The resulting net revenue benefit, with enforcement and service costs factored in, was $920,000 annually, not including any projected revenue obtained from summonses or notices of violation. Average daily revenue declined after the enforcement ended, but one year later it remained at 20 percent above the pre-enforcement level. Comparable results were obtained in southeast Queens, where the multistage enforcement action increased ridership by a total of 26 percent. The total daily revenue increase was $5,500.

While these enforcement results are impressive, they reflect a crucial lesson learned by both MDTA and NYCTA that enforcement alone is not sufficient. In the July 1992 action in Dade County, MDTA increased service on affected routes in conjunction with the enforcement efforts. NYCTA added 13 buses to the Flatbush Avenue route during enforcement. In southeast Queens, NYCTA lowered the round-trip fare prior to intensive enforcement actions and also rerouted limited stop service to decrease travel times. These strategies explicitly recognize that the transit agency must provide riders with an incentive to come back to the
bus system. Service enhancements or fare reductions, together with concentrated enforcement against illegal jitney operation, offer the best opportunity for success.

An important facet of the Brooklyn effort was an extensive public outreach program aimed at community officials, bus riders, and van operators. This pre-enforcement activity was important in gaining public support for the enforcement actions and was cited favorably by at least one City Council member during the 1993 debate on the jitney legislation.

Elected officials in neighborhoods with extensive jitney activity report that their constituents are split on the jitney issue: users are very supportive; non-users (especially senior citizens, who are not granted discounts on the jitneys, and residents of streets used by jitneys) are opposed, sometimes vehemently so. The political perspective may be characterized as squarely in the middle on the jitney issue. Problems with safety are acknowledged, but the jitneys are perceived as meeting a real transportation need in the communities in which they operate. Votes on jitney-related legislation in the New York City Council and the Dade County Board of County Commissioners suggest that there is considerable support for curbing the activities of the illegal jitneys.

While transit policymakers in both Dade County and New York City see the possibility of a long-term role for jitneys in a coordinated public transportation system, there is a keen awareness of short-term concerns. The enforcement efforts in Brooklyn and Queens are viewed as successful and necessary to establish control in major transit corridors. Community support of these efforts has been a key factor in their success. Great care has been taken in crafting these enforcement efforts to be sensitive to community concerns and to avoid negative public response.

Notwithstanding the immediate concerns, transit policymakers envision a long-term accommodation with authorized and regulated jitneys. The exact mechanism for integrating the jitneys is not yet defined; the most feasible approach appears to be identifying separate markets for the jitneys and the buses, as has been tried in Dade County. This may involve new service or a contracting of existing low-volume routes that can be better served by smaller vehicles.
CHAPTER 4: SUMMARY AND CONCLUSIONS

Legislation, enforcement, cooperative efforts, and an act of God are all responsible for the amelioration of the illegal jitney problem in Dade County. Metrobus and the legal jitneys have experienced notable ridership increases and are again able to operate in a controlled and reportedly safer environment. Cooperative efforts such as those after Hurricane Andrew in South Dade may provide the blueprint for future action, although these did occur in a unique set of circumstances.

The large-scale emergence of jitneys has challenged the transit agencies in Dade County and New York City to examine policies and service issues more closely. Ultimately, the jitney operators may prove to be correct in their assertion that they have forced the public transportation agencies to be more responsive to customer needs. Enforcement efforts can play a significant and cost-effective role in addressing the safety problems associated with illegal (and sometimes with legal) jitney operation while a means of cooperation between bus and jitney is sought.

Results from Dade County and New York show that enforcement can work effectively, if combined with service improvements or fare reductions. Integration of the jitneys into the public transportation network is a desirable long-term goal, although the means of integrating the jitneys are not yet clear. A successful resolution of the jitney issue will involve cooperation with the transit unions. Even if integration is achieved, there will still be a need for enforcement efforts.
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APPENDICES

A: MDTA Bus Routes Categorized by Extent of Jitney Competition

B: List of Persons Interviewed in New York
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### APPENDIX A

**MDTA Bus Routes Categorized by Extent of Jitney Competition**

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<th>Routes with Heavy Jitney Competition</th>
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Other routes are categorized as routes with no jitney competition. MDTA routes serving South Dade County (1, 35, 38, and 70) were excluded from the analysis since jitney competition was deliberately introduced in their service areas.

Categorization based primarily on estimates of jitney frequency along various corridors done by MDTA in April 1991. Generally, a Metrobus route operating along a corridor with jitney frequency of every five minutes or better was included in the heavy jitney competition category (only Metrobus routes on Miami Beach with the greatest frequencies were included). All other Metrobus routes operating along a corridor with jitney competition were placed in
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APPENDIX B

LIST OF PERSONS INTERVIEWED IN NEW YORK

Anthony Baronci
Counsel, Committee of Transportation
New York City Council

Theodore Basta
General Manager, Queens Division
New York City Transit Authority

Tony Breaux
Amalgamated Transit Union

Joseph Clift
Manti’s Transportation

Lt. Danny Dellasandro
Surface Crime Unit
New York City Transit Police

Kevin Desmond
Chief, Operations Planning
New York City Transit Authority

David Goldenberg
Chief of Staff
Customer Services Division
New York City Transit Authority

Ronald Guilford
New York City Police Department
103rd Precinct

Brian Jacobs
Mayor’s Office of Transportation

Samuel Moon
District Manager
Office of Hon. Floyd Flake

Mark Neadel
Chief Officer, Operations Analysis and Review
Surface Transit
New York City Transit Authority

Hector Ricketts
Queens Van Plan

Janette Sadik-Khan
Director, Mayor’s Office of Transportation

Kenneth Schiffrin
Assistant General Counsel
New York City Transit Authority

Scott Trommer
Manager, Policy Development
Policy Research Division
Metropolitan Transportation Authority
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