

USNWG ON TAXIMETERS
MAY 22, 2013
WEB-CONFERENCE SUMMARY

Contents

I.	Carry-over agenda items.....	2
A.	Taximeter Point-of-Sale System/Recording Elements	2
B.	Extras Charges	7
C.	Proposed new requirement: S.1.1.1. Point of Sale System.....	10
D.	Proposed amendments to paragraph S.1.2.	14
II.	Update from GPS Subcommittee	16
III.	Additional Notes	17
IV.	Attendance	17

I. Carry-over agenda items

A. Taximeter Point-of-Sale System/Recording Elements

This carry-over item pertains to the development of an amendment for the definition of the term “point-of-sale system” as found in the NIST Handbook 44 (HB44), Appendix D.

Background:

During a meeting of the U.S. National Work Group on Taximeters (USNWG) held on September 2012 meeting, the work group members indicated their support for creating a new, separate definition for a taximeter point-of-sale system (POS) as a means to distinguish between a stand-alone (traditional) type of taximeter and taximeters that have been connected to more advanced components, creating taximeter system. This definition was developed largely in response to a number of additional proposed changes to various requirements in the HB44 Taximeters Code which would apply only to POS systems associated with taximeters but not to stand-alone taximeters. The work group drafted a proposal to add a new, separate definition in HB44 Appendix D, for “taximeter point-of-sale” to better define a system associated with a taximeter as shown below.

taximeter point-of-sale system. – An assembly of devices including, but not limited to a taximeter and any other interactive components connected (wired or wirelessly) that provide a means to accept electronic payment for charges, used to complete a sales transaction.

Another point considered important to some work group members was that the proposed new definition for taximeter POS would include the requirement to provide a means for an electronic form of payment. The members felt that it is important to include a means to facilitate electronic forms of payment as part of a description for a POS system used with a taximeter.

Also discussed at the September 2012 meeting was that current technology provides alternate methods for supplying a customer receipt (i.e., electronic receipt) and the USNWG agreed that this capability should also be represented in the definition for “(taximeter) point-of-sale system.”

One additional issue raised during the discussion during the September 2012 meeting was that the existing definition of point-of-sale systems specified that a recording element be included as a required component in the POS system. The USNWG recognized that other changes being proposed (also agenda items for that same meeting) within the HB44 Taximeter Code would classify some taximeter systems as POS systems and, as a

consequence of that designation; a recording element would then become a required component in those particular systems.

With regard to the question whether a recording element should be required, a number of USNWG members voiced the opinion that when a stand-alone taximeter is upgraded (i.e., adding components like MDTs, PIMs, DIMs), a printed receipt should be required at that point. Those USNWG members expressed the notion that the functionality of the device has been expanded when these types of components are added, and the resulting system is then capable of more than a stand-alone device and should therefore be capable of providing the passenger with a receipt.

The September 2012 meeting concluded without any consensus although the work group agreed to continue work on the development of this issue.

During the USNWG meeting held March 13, 2013, this item was addressed again. The NIST Technical Advisor pointed out to the work group that while other types of weighing and measuring devices are being used in association with POS systems, it has not been considered necessary to create a separate definition for a POS system used specifically with those other devices. Furthermore, the existing definition for point-of-sale systems was drafted using general terms to enable its application to multiple types of weighing and measuring devices. The NIST Technical Advisor also recommended that the work group not propose to add a separate definition for POS system as used with taximeters, believing that this would detract from the desired consistency in the language used and the principles applied throughout the various sections of HB44.

During the March 13, 2013 meeting, the group was asked if amending the existing definition in HB44 for point-of-sale systems could achieve the same goal as creating a new and separate definition for “taximeter point-of-sale systems.” While some USNWG members restated their support to establish a new definition for “taximeter point-of-sale systems,” others indicated that this alternative approach would be acceptable. The NIST Technical Advisor suggested that the existing definition for “point-of-sale systems” could be amended so that it would better represent the functions of a POS system rather than identifying specific hardware components required to comprise a POS system. The following draft amendment was offered to the group for consideration.

point-of-sale system. – An assembly of **interactive** elements **connected either wired or wirelessly** including a weighing or measuring element, an indicating element, and a recording element (and may also be equipped with a “scanner”) used to complete a direct sales transaction. **The system components, when operated together shall be capable of performing the following functions:**

1. **determination of a weight or measure of a product or service offered;**

2. **calculation of a charge for the product or service based on an established price/rate structure;**
3. **determination of a total cost based on all associated fees involved with the transaction;**
4. **provision for a means to make and accept payment; and**
5. **provision for a sales receipt when required by either buyer or seller in a form that is acceptable to all parties involved in the transaction.**

Further discussions of the USNWG during the March 13, 2013 web-conference did not produce any consensus on this issue. In a post-meeting effort to resolve this item, the USNWG members were asked to respond via email to the following three questions.

1. Is it acceptable to amend the current definition of point-of-sale system (as shown in the alternative definition for point-of-sale system offered above), rather than creating a separate new definition only for taximeter POS?
2. Is it acceptable to require a recording element which would provide a printed receipt (or an electronic form of receipt with customer approval) when a taximeter (or taximeter system) is capable of performing functions listed in the alternative amended definition for point-of-sale system provided above?
3. Should a requirement for a recording element include an exemption for taximeters/systems used only in a jurisdiction with basic and very simple rate structures? Such as jurisdictions which only permit extras charges for additional passengers and transportation/handling of luggage.

The responses to these questions from the work group were largely in agreement and did not indicate any significant divergence of opinions. The answers received indicated that the group would support the amendment of the existing definition for POS systems as an alternative to proposing a new separate definition for “taximeter point-of-sale system.” The group’s responses also indicated support for a requirement mandating a recording element as part of a taximeter system, and that there should not be any exemption provided for the situation described in question #3 above.

A number of additional responses to the above questions were received including a comment that stated the belief that, in an attempt to distinguish between taximeter systems and stand-alone taximeters, the work group is trending towards applying the term “point-of-sale system” to any interface of a taximeter and other associated equipment. This response suggested that it may not be appropriate to use the simple fact that an interface between a taximeter and associated equipment exists to determine if certain other requirements will apply. Alternatively, it would be more relevant to consider whether there is any metrological effect from either the individual accessory components or the system as a whole when determining if HB44 requirements should apply.

One comment received recommended that the development of any proposals to amend or add new requirements in the HB44 Taximeters Code should not be motivated by considering whether the regulation is applicable to stand-alone taximeters or to POS systems. Instead, the application of requirements should be based on what (if any) metrological effect on a transaction is imparted by individual components or taximeter systems.

Other comments recommended additional changes to the proposed amendment of the existing POS definition and are shown below.

point-of-sale system. – An assembly of **interactive** elements ~~connected either wired or wirelessly~~ including a weighing or measuring element, an indicating element, and a recording element (and may also be equipped with a “scanner”) used to complete a direct sales transaction. **The system components, when operated together shall be capable of the following:**

1. **determining a weight or measure of a product or service offered;**
2. **calculating a charge for the product or service based on the weight or measure ~~an established price/rate structure;~~**
3. **determining a total cost that includes ~~based on all~~ associated fees involved with the transaction;**
4. **provision for a means to make and accept payment; and**
4. **providing a sales receipt in a form that is acceptable to all parties involved in the transaction when required by either buyer or seller.**

The majority of responses also indicated support for proposing that taximeters/systems be required to include a recording element. However, one comment recommends that any determination of whether or not a recording element will be required should be based on the user’s and/or regulator’s need for a receipt. Another response added that any proposed requirement for a recording element should not be applicable to all taximeters or taximeter systems. That response also noted that in some jurisdictions where the allowable charges incurred for taxi service are very limited, the requirement of a recording element could be an unnecessary burden.

Discussion:

During the May 22, 2013 meeting the NIST Technical Advisor to the USNWG provided the work group with data from the responses to the three questions that were included in the previous meeting’s summary and are listed above.

Those responses indicated that the USNWG would support the amendment of the existing definition for “point-of-sale systems” rather than continue with the development of a separate definition for “taximeter point-of-sale systems.”

The work group agreed that this definition (and any subsequent amendment to it) would remain generic (i.e., relative to all types of weighing and measuring devices).

Because this definition is intended to be generic in nature, Ms. Joanne Rausen questioned whether a work group such as the USNWG on Taximeters could, on its own advance the proposed changes without consultation or input from work groups representing other types of devices that may also be associated with point-of-sale systems.

An explanation was provided that any proposal submitted through the National Conference on Weights and Measures (NCWM) would be vetted by committees and voting members who are involved with the regulation of all types of devices.

The NIST Technical Advisor to the USNWG noted that this issue has been inextricably linked to the development of a proposal that would require a recoding element to be included within a taximeter system. While the discussion regarding both issues overlapped during the meeting, the portion of the discussion related to a requirement of a recording element has been documented under that item (I-C) in this summary.

Conclusions:

The USNWG agreed to discontinue the effort to develop and propose the addition of a new definition for “taximeter point-of-sale systems.” The group also agreed to support the amendment of the existing definition for “point-of-sale systems,” and to base a proposal for that amendment on the draft amendment presented during the May 22 meeting. This draft will undergo additional review by the USNWG however.

The group was presented the following draft for a proposed amendment:

point-of-sale system. – An assembly of **interactive** elements ~~**connected either wired or wirelessly**~~ including a weighing or measuring element, an indicating element, and a recording element (and may also be equipped with a “scanner”) used to complete a direct sales transaction. **The system components, when operated together shall be capable of the following:**

- 1. determining the weight or measure of a product or service offered;**
- 2. calculating a charge for the product or service based on the weight or measure ~~an established price/rate structure;~~**
- 3. determining a total cost that includes based on all associated fees involved with the transaction;**
- 4. ~~provision for a means to make and accept payment; and~~**
- 54 providing a sales receipt when required by either buyer or seller in a form that is acceptable to all parties involved in the transaction.**

Some USNWG members questioned whether the provision for means to make and accept payment should be stricken or should remain as an indicator for a point-of-sale system. The work group was informed that this particular characteristic of a point-of-sale system is shown in the latest draft version as being deleted. This was done in response to a comment stating that this function/feature would not have any metrological effect on a transaction. Mr. Keith Walsh then raised the question whether that was a valid justification for eliminating that portion of the proposal.

Mr. Bill Fishman recommended that the wording “and may also be equipped with a scanner” is not needed and should be deleted because scanners are now widely accepted as commonplace equipment in direct sale check-out registers. This was not the case at the time the original requirement was drafted.

The USNWG had no further comments at this time.

The work group will be asked to review a revised draft of this proposal which will be circulated prior to the next USNWG meeting. The revised draft will be added as an agenda item on that meeting’s schedule. If the USNWG indicates support for the revision of this draft at the work group’s next meeting, a proposal for amending the existing definition of “point-of-sale systems” would be submitted as a recommended HB44 change.

B. Extras Charges

This carry-over item involves amending the existing definition in NIST Handbook 44, Appendix D for the term “extras”.

Background:

During the September 2012 meeting the USNWG developed proposed amendments for the existing definition for “extras”. The existing definition for extras charges is as follows:

extras. – Charges to be paid by a passenger in addition to the fare, including any charge at a flat rate for the transportation of passengers in excess of a stated number and any charge for the transportation of baggage.[5.54]

The proposed amendments to this definition that resulted from that meeting indicated that this term should specifically apply to charges that relate directly to the transportation service provided. Examples of these charges were included in an amended version developed by the USNWG as follows:

extras. - Any charge or charges to be paid by a passenger in addition to the fare, that are directly related to the transportation service provided. Examples include but are not limited to charges for the transportation of baggage, fuel surcharges, bridge/tunnel/toll fees, telephone or dispatch surcharges/fees, and additional

~~**passenger fees.** including any charge at a flat rate for the transportation of passengers in excess of a stated number and any charge for the transportation of baggage.[5.54]~~

The work group also elected to propose the addition of a new definition for the term “additional charges.” The NIST Technical Advisor recommended that the work group consider simply proposing an amendment of the term “extras” and that the proposal for a new definition of “additional charges” would not be necessary. Those charges and fees that are not covered under extras charges would by default be considered as additional charges

There was general agreement among the USNWG that the definition for “extras” should be amended to indicate that these are charges directly associated with the transportation service provided

During a meeting of the USNWG on March 13, 2013, the USNWG was asked to consider additional changes to the work group’s draft definition of extras charges as follows:

~~**extras. - Any charge or C**charges to be paid by a passenger in addition to the fare, including any charge at a flat rate for the transportation of passengers in excess of a stated number and any charge for the transportation of baggage **that are directly related to the transportation service provided. Examples include but are not limited to charges for the transportation of baggage, fuel surcharges, bridge/tunnel/toll fees, telephone or dispatch surcharges/fees, and additional passenger fees. Charges that are not considered as “extras” include (but are not limited to) tips, taxes, and purchases not related to the transportation service provided.**[5.54]~~

The work group discussed whether tips, taxes, surcharges and other specific fees would be appropriately considered as extras. Mr. Jesse Davis expressed the notion that extras charges should be limited to charges that have been established as set fees and were not subject to change during a trip. No consensus among the USNWG regarding the acceptance of this proposal was achieved during the meeting.

Following the March 13, 2013 meeting, the NIST Technical Advisor drafted further amendments for the existing definition of “extras charges” based on discussion from the work group during the meeting and offered the changes shown below to the USNWG for review and comment on the proposed changes. This draft was circulated to the USNWG by including it within the summary of the March 13th meeting.

~~**extras. – Any pre-existing C**charges **established prior to a transaction** to be paid by a passenger in addition to the fare, **Extras charges are those fees directly related to the transportation service provided** including any charge at a flat rate for the transportation of passengers in excess of a stated number and any charge for the transportation of baggage.[5.54]~~

The USNWG was asked to comment via email on the latest draft (as shown above) and to indicate support or opposition of the amendments as shown.

Discussion:

At the May 22, 2013 USNWG meeting, the NIST Technical Advisor informed the work group of the responses that were received based on the questions contained in the summary of the March 13, 2013 meeting. While some comments rejected the notion to further define extras charges in greater detail than in the existing HB44 definition, most comments received were in favor of maintaining the amended language which indicates that extras are those charges specifically related to the transportation service provided.

The majority of USNWG comments received also rejected the specific change that designates extras charges as those which would be established prior to a transaction. While “pre-existing” charges may be added to the total charge by activating control keys or buttons during any portion of the trip, USNWG members pointed out that the phrase “established prior to a transaction” would seem to eliminate additional charges that may be legitimately added during a trip. For example: tolls incurred if the passenger elects to change routes during the trip and takes a route where an additional tolls are assessed. Based on this feedback “established prior to a transaction” was deleted in a subsequent draft proposal. This proposal is offered for the work group to consider.

extras. – ~~Any pre-existing~~ Charges to be paid by a passenger in addition to the fare.; **Extras charges are those fees directly related to the transportation service provided** including any charge at a flat rate for the transportation of passengers in excess of a stated number and any charge for the transportation of baggage.[5.54]

During the May 22, 2013 USNWG meeting, Mr. Bill Fishman raised a question regarding fees such as tariffs or taxes that may be incurred, asking if these fees are considered to be extras. The NIST Technical Advisor suggested that these fees should be considered as extras since they are applied to charges (fare) directly related to the transportation of the passenger.

Mr. David Paul expressed his belief that the effort to establish a definition for “additional charges” as proposed previously should not be abandoned, and that there is a value in providing that definition. The development of a definition for additional charges was questioned however, considering the term “extras” is used in Handbook 44 to describe a very specific set of charges, the only use of the term “additional charges” is to describe various fees in a general sense.

Some work group members expressed the idea that providing examples within the definition for “extras” provides additional clarity to the definition and recommended that some examples be inserted into the proposed definition. Mr. Keith Walsh suggested that the wording “but not limited to” be inserted in the draft proposal as shown below.

extras. – ~~Any pre-existing~~ Charges to be paid by a passenger in addition to the fare.; **Extras charges are those fees directly related to the transportation service provided** including **but not limited to** any charge at a flat rate for the transportation of passengers in excess of a stated number and any charge for the transportation of baggage.[5.54]

There were additional concerns raised by the work group with regard to the addition of the wording “pre-existing” that is included as part of the draft proposal shown above. Some

USNWG members indicated that that language is confusing and suggested that “pre-existing” needs to be adequately defined. Mr. Bob McGrath stated however, that the definition for extras is not created for the benefit or use by the public (taxi customers/passengers) and that it would not be confusing to those who must interpret Handbook 44 requirements. Other work group members suggested that there may be a more appropriate term although no other option was offered at that time.

Mr. Bill Fishman added that in some cases additional charges (not considered as extras) will be added through the controls on a taximeter and displayed in the extras display area on the primary indicating element. This generated discussion among the work group pertaining to the ability of such a taximeter to clearly indicate to the passenger what extras are incurred and the possibility that the display of both extras and additional charges in the same location on the indicating element may cause confusion about what fees are being assessed. The work group agreed that this issue is important and that any proposals drafted in the future must be done in a way that will not promote the distinction between extras and additional charges to become blurred.

Conclusions:

At the May 22, 2013 meeting the USNWG generally indicated their agreement to the draft proposal shown above but also recommended that the definition include reference that additional charges may also be incurred which are not included as fare and are not considered as extras. The NIST Technical Advisor agreed to provide further amendments to this draft proposal and will present a revised draft for further review by the USNWG members.

C. Proposed new requirement: S.1.1.1. Point of Sale System

This proposal intends to add a new requirement in the HB44 Taximeters Code and would require that taximeter systems classified as a taximeter point-of-sale system include means to provide a printed receipt for all transactions

S.1.1.1 Point of Sale System. A printed receipt providing the required information in S.1.9. Recorded Representations shall be available through an integral or separate recording element for all transactions conducted with point-of-sale systems

[Nonretroactive 20XX]

(Added 20XX)

Background:

This proposed new requirement was initially developed during a meeting of small working group that met in August 2011 to develop a draft for an update for the HB44 Taximeters Code. The proposed new requirement was discussed briefly during the meeting of the USNWG in September 2012. .

As stated under this proposal, a printed receipt would be required based on the existence of a POS system and that information required under HB44 Taximeters Code paragraph S.1.9. is included on that receipt.

No agreement was reached among the USNWG regarding this issue at the September 2012 meeting.

Discussion:

This item proposing that a recording element is required as part of a point-of-sale system was closely tied to the discussion of item IA (above). Part of that discussion, was a suggestion that rather than requiring a recording element simply based on the term “point-of-sale system” being applied to a taximeter system, it would be more appropriate to mandate a recording element based on a set of criteria that identifies specific features of the system and how they are used.

At the May 22 USNWG meeting, the NIST Technical Advisor recommended that this draft proposal be replaced with a proposal that a recording element be required based on criteria contained in a list developed by the USNWG (these examples are shown in item IA above). Furthermore, it was suggested that the USNWG determine a set of criteria that would elicit a requirement for a recording element as part of a taximeter system. The list should be applicable to a stand-alone taximeter or a taximeter system. A specification requirement could then be drafted based on these criteria that will provide regulators with a well-defined basis for applying the requirement of a recording element. This would also provide manufacturers with clearly defined design specifications

It is anticipated that any requirement developed to address this issue would be drafted as a nonretroactive requirement that would only be enforceable on equipment manufactured/placed into service on or after an established effective date.

The NIST Technical Advisor presented the work group with the following suggestions for rationale to determine when a recording element should be required:

- Requirements of the local authority;
- The complexity of the rate structure; and
- The sophistication of the taximeter system. (not only the hardware and software used but also the features that it may offer – i.e., non-transportation products/services)

This is a preliminary list and may need to be further developed.

The following explanation was given to the USNWG of how each of the aforementioned general elements may be used to determine when a recording element should be required.

The first element listed above recognizes the requirements of the regulatory authority in the jurisdiction where the taximeter/system is operated. The NIST Technical Advisor suggested that the group support the notion, that if regulation in the local jurisdiction requires a recording element, that requirement should be upheld.

The second element on the above list is a recommendation that a requirement for a recording element be based also on the degree of complexity of the rate structure within a jurisdiction and that the “triggers” used to determine the need of a recording element may include:

- When any extras permitted are in excess of those charges for additional passengers or transportation of luggage;
- When rate differentials are permitted for trips in excess of set limits on distance travelled or passage of time;
- When the total charges include fees for products or services not directly associated with the service of transportation of the customer.

The third element listed as a potential consideration in determining whether or not a recording element is required is the sophistication of the taximeter system. This notion suggests that the requirement for a recording element could be based on the functions and/or features that a taximeter/taximeter system is capable of. The NIST Technical Advisor informed the group that initially, this seemed to be a reasonable basis for proposing a requirement of a recording element. At the time of the May 22 meeting however, this suggestion was recognized as a catalyst that could steer the work group away from progress and back to its previous struggle to define point-of-sale systems in terms of the components included in the system. For that reason, it was recommended that this approach not be included as part of the criteria used to determine when a recording element is required.

Based on the above suggestions, the USNWG was asked to consider the following draft as a proposed requirement that would serve to replace the initial proposal to add a new requirement; S.1.1.1. Point of Sale System.

S.1.1.1. Recording Elements. – A receipt providing the required information in S.1.9. Recorded Representations shall be available through an integral or separate recording element for all transactions conducted when any of the following criteria is met:

- a) **When the regulatory authority requires that a receipt be provided to the passenger;**
- b) **When extras permitted are in excess of those charges for additional passengers or transportation of luggage;**
- c) **When rate differentials are permitted for trips in excess of set limits on distance travelled or passage of time;**
- d) **When the total charges include fees for products or services not directly associated with the service of transportation of the customer.**

For systems equipped with the capability to issue an electronic receipt, the customer may be given the option to receive the receipt electronically (i.e., e-mail, text message, computer file, etc.).

[Nonretroactive 20XX]

(Added 20XX)

No objections were stated regarding the basic notion that a recording element be required as part of a taximeter system. Most of the work group indicated however, that it would not always be appropriate to do so and that there are specific circumstances which would not warrant such a requirement.

Some members in the group expressed their concerns for allowing exemptions based on the local regulations of individual jurisdictions, other work group members stated that local authorities should maintain the ability to “opt-in” or “opt-out” regarding the application of such a requirement. Mr. Bill Fishman noted that while exemptions may be provided by the local authorities during a routine field examination, when submitted for a type evaluation, a taximeter system would be required to comply with all applicable HB44 requirements. Mr. Bob McGrath added that since many jurisdictions adopt Handbook 44 by reference, if a proposal becomes adopted as a requirement into HB44, it may not be a simple decision whether that requirement will be enforced or not.

Mr. Byron Corcoran commented that there are other circumstances involving the use of rate differentials which are not included in the draft proposal shown above and which should be considered as well. One such example would be a rate differential that applies to trips that exceed a threshold for a specific monetary value.

Others in the group suggested that a recording element should be required at any point when any rate change occurs. Some group members indicated that a recording element should be required if any rate that is charged is a variable rate that can change during a trip.

The USNWG had no further comments on this issue.

Conclusions:

The USNWG has agreed in general to support a proposal which will specify that a recording element be required as part of a taximeter system under appropriate conditions. The exact nature of the criteria which will serve to identify when a recording element is required needs further development however.

In addition, the work group agreed with the premise that local regulations should be upheld when they require that a recording element be included in a taximeter system.

After some discussion regarding the definition of extras, the work group also agreed that any proposed requirement for a recording element would not apply to taximeter systems which

are not permitted to assess extras charges beyond those incurred for additional passengers and the transportation of luggage.

The NIST Technical Advisor will draft a revised version of S.1.1.1. shown above and base that revision on the discussions from the May 22, 2013 meeting of the USNWG. This draft will then be presented for review by the USNWG. The consideration of this draft will be included in the agenda of the next meeting of the USNWG.

D. Proposed amendments to paragraph S.1.2.

The proposal shown below consisted of amendments to paragraph S.1.2. made to recognize that fare indications may be advanced by means other than the movement of the vehicle or by the time mechanism..

S.1.2. Advancement of Indicating Elements. – Except when a taximeter is being cleared, the primary indicating and recording elements shall be susceptible of advancement only by the movement of the vehicle or by the time mechanism, **or by automatic entry of a predetermined fixed rate.**

(Amended 1988, **and 201X**)

Background:

Many taxicab companies wish to use alternative types of fare charges (e.g., flat rate based fares where permitted) that would be entered into the taximeter as a way to document transactions and revenue whether the charges are based on a metered distance/time or by other arrangements. Because some jurisdictions allow charges based on predetermined flat rates, it has been suggested the use of this type of fares should be reflected by appropriate HB44 references. Furthermore some jurisdictions permit the use of “negotiated flat rates” where an established charge for a flat rate may be negotiated by the passenger and driver.

During the discussions at the September 2012 USNWG meeting, the point was made that a gap exists between the use of flat rates and the HB44 Taximeters Code paragraph S.1.2. because the input of flat rates or negotiated flat rates would cause the meter indications (i.e., fare) to advance. This would not comply with existing requirement S.1.2. which states that indications are only allowed to advance by the movement of the vehicle while the input of any flat rate is not dependent on the movement of the vehicle.

Further discussions of the group on this item, resulted in additional editorial work to amend the proposal as shown below:

S.1.2. Advancement of Indicating Elements. – Except when a taximeter is being cleared, the **fare as displayed by the** primary indicating and recording elements shall be susceptible of

advancement only by the movement of the vehicle or by the time mechanism, **a combination of both, or by the automatic or manual entry of a monetary amount as permitted by the activation of a flat or negotiated rate.**

Extras charges may be advanced by any means.

(Amended 1988, **and 201X**)

At the conclusion of the September 2012 meeting, there was no agreement within the USNWG regarding this item. Following that meeting, the NIST Technical Advisor to the work group further modified this proposal in a draft for the group to consider as shown below:

S.1.2. Advancement of Indicating Elements. – Except when a taximeter is being cleared, the **fare charges displayed on the** primary indicating and recording elements shall be susceptible of advancement only by:

- a). the movement of the vehicle;
- b). by the time mechanism;
- c). **a combination of both a) and b); or**
- d). **the entry of a monetary amount associated with a flat rate or negotiated flat rate where permitted.**

Advancement of indications for charges not based on the measurement of distance and time (including extras charges) may occur through manual or automatic means.

(Amended 1988, **and 201X**)

Discussion:

During the May 22, 2013 USNWG meeting, the work group was asked to consider the above draft. There was general discussion among the work group in which it was recognized that while the original requirement was intended to be applied to the display of an indication of fare, some regulatory officials considered that the advancement of indications in this requirement also applied to the advancement of indications in the extras display. The language that has been added in the above draft of this proposed amendment clarifies that the requirement would apply to indications of fare and allows for the advancement of the fare indications by means other than the movement of the vehicle or by the time mechanism.

The discussions of the USNWG indicated that clarification is necessary for the last sentence in the proposed amendment shown above. The last sentence in the amended paragraph acknowledges and provides for the advancement of indications through the entry of charges other than fare. Mr. Bill Fishman questioned what types of additional charges (other than extras) are being referred to in that final sentence.

There was general agreement among the work group that the identification and itemization of additional charges should not occur within this particular requirement. The itemization of charges may however be appropriate under other requirements (e.g., HB44 Taximeters Code S.1.1.9.).

Mr. Fishman pointed out that for a number of taximeter designs the entry of additional charges (not considered as extras) will result in the advancement of the displayed indications of extras. In those cases, taximeters are equipped with separate displays only for fare and for extras and that non-extras additional charges are incorporated with the extras indications. Most of the USNWG agreed that when extras and additional charges are displayed as a combined indication and the customer is not provided with a means to distinguish between these charges, the customer would not be provided with a sufficiently clear statement of charges.

Mr. Fishman suggested that the language in this proposal should be unspecific with regard to the type of *charges* indicated and instead refer to the advancement of the extras *display*. By doing so, the requirement is not directly referring to extras charges or to any additional charges that may be displayed in combination with the extras charges.

While acknowledging the existence of the types of taximeter designs where extras and other additional charges (not considered as extras) may be combined into a single displayed indication, Ms. Juana Williams noted that this may not be a situation that will remain unchallenged. Considering past and current efforts to provide the passenger with unambiguous information involved in a transaction, the USNWG or others may at some point offer proposals that would require a clear distinction between all charges incurred.

Conclusions:

The work group indicated its support for the most recent version of the proposal to amend S.1.1.2. however, the members agreed that the last sentence in this proposed amendment should not be worded so that additional charges other than extras are referenced.

The NIST Technical Advisor will draft a revision of this proposal and present the revised version to the USNWG. The consideration of that revised version will be placed on the agenda for the work group's next meeting.

II. Update from GPS Subcommittee

Discussion/Conclusion:

During the May 22nd meeting, and in the absence of the GPS Subcommittee Chair, Mr. Bill Fishman (Subcommittee Co-Chair) provided the USNWG with an update of the activities of the subcommittee.

The USNWG was informed that the subcommittee had been asked to respond to a questionnaire that was drafted to gather information from the subcommittee members regarding the direction and scope of the group's efforts. The three questions posed to the subcommittee members were intended to assist the group in achieving a better focus on its overall objectives.

The USNWG was informed that all substantive issues considered among the subcommittee including any decisions and conclusions made will be further reviewed by the entire USNWG prior to any final determinations being made. Any proposals for additions or amendments to HB44 requirements will be sanctioned by the USNWG prior to being submitted for consideration by NCWM. In addition, the USNWG meeting agendas will include updates from the subcommittee when warranted.

It has also been determined that this subcommittee will attempt to conduct its meetings and soliciting the member's comments and opinions on various matters via email. Although it is foreseen that more personal meetings will be necessary at some point, this exchange of emails will be used as a substitute for meetings when, and as often as practical.

III. Additional Notes

A poll was provided during the May 22, 2013 web-conference where participants were asked to select up to three dates from several options provided. These dates were selected on the basis of when would be an acceptable date to schedule the work group's next meeting. The result of this poll indicated that the date receiving the greatest amount of approval (60%) was July 10, 2013. The next scheduled meeting of the USNWG will therefore be held on Wednesday, July 10, 2013. More information about this next meeting will be provided in advance.

IV. Attendance

Name	Affiliation	Email
John Barton	NIST Office of Weights and Measures	john.barton@nist.gov
James Cassidy	City of Cambridge Weights and Measures	jcassidy@cambridgema.gov
Byron Corcoran	Centrodyne, Inc.	byron@centrodyne.com

Jesse H. Davis	President Creative Mobile Technologies LLC	jdavis@cmtnyc.com
Bill Fishman		bfishman@nycap.rr.com
Aileen Fox	NYC Taxi and Limousine Commission Legal Department	foxa@tlc.nyc.gov
Angela Godwin	Sealer of Weights & Measures Ventura County	angela.godwin@ventura.org
Viktor Gruber	Inspector Weights and Measures City and County of San Francisco	viktor.gruber@sfdph.org
Kevin McDonald	City of Chicago	Kevin.McDonald@cityofchicago.org
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