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## Sharing Economy

### **Taxi Firms Can Sue Philadelphia Over Alleged Lack of Uber Rules**

BY ALEXIS KRAMER

A group of 140 taxi companies can pursue a claim that the Philadelphia Parking Authority violated their constitutional equal protection rights by failing to regulate ride-hailing companies such as Uber Technologies Inc., the U.S. District Court for the Eastern District of Pennsylvania held June 6 (*Checker Cab Phila. Inc. v. Phila. Parking Auth.*, 2017 BL 190342, E.D. Pa., No. 16-4669, 6/6/17).

Companies, including Checker Cab Philadelphia Inc., alleged that the city parking authority heavily regulated traditional taxi companies while allowing ride-hailing companies to operate within the city free from regulation. The parking authority violated the Constitution's equal protection clause because taxicab and ride-hailing companies provide the same service, they alleged.

The decision came two weeks after Checker and 43 other taxi companies lost an appeal of the same district court's dismissal of their unfair competition claims against Uber for allegedly violating local taxi regulations (*Checker Cab Phila. Inc. v. Uber Techs. Inc.*, 3d Cir., No. 16-3301, 5/25/17).

In the case against the parking authority, Judge Michael M. Baylson said the plaintiffs' allegations that taxis and ride-hailing companies are similarly situated but treated differently were sufficient to plead an equal protection claim. The parking authority's arguments to the contrary are factual in nature and don't warrant dismissing the claims at this stage, the court said.

A spokesperson for the Philadelphia Parking Authority didn't immediately respond to a Bloomberg BNA request for comment.

Fox Rothschild LLP represents Checker. Archer & Greiner PC represents the parking authority.

To contact the reporter on this story: Alexis Kramer in Washington at [aKramer@bna.com](mailto:aKramer@bna.com)

To contact the editor responsible for this story: Keith Perine at [kperine@bna.com](mailto:kperine@bna.com)

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