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## **When Ducks Act Like Hogs: Tour-Bus Quackery**

By Ronnie Polaneczky

IT'S BEEN THREE years since a city law went into effect that was supposed to create civility and fairness among motorized-tour operators that troll for customers in tourist areas.

The civility part is working well. Especially outside the Independence Visitor Center, where sidewalks used to be crammed with a hodge-podge of operators passing out brochures, hawking tickets and undercutting competitors so aggressively that visitors complained.

But the fairness part?

Not so much.

Take Ride the Ducks, for example. By now, everyone knows of the amphibious-bus tour that rides visitors around the historic district, plunges them into the Delaware River for a short boat trip and leaves them quacked-out and happy.

According to the city law, motorized tours such as Ride the Ducks are permitted just one loading zone alongside the highly visible Visitor Center. The reason is twofold: to offer tourists a variety of motorized tours to choose from, and to fairly distribute the zones among motorized-tour companies competing for the same tourist dollars.

So how come Ride the Ducks uses four loading zones - and why, frankly, does it matter?

It matters because the way Ride the Ducks is operating smacks of all that's screwed up about doing business in Philly.

On paper, Ride the Ducks' parent company, Herschend Family Entertainment, owns four Philly-based duck-boat entities: Ride the Ducks, River Ducks, Penn Ducks and Philly Ducks.

Except that all four companies use the same vehicles, tickets, tour guides and personnel. Their routes, scripts and ticket costs are the same. And an Internet search of all four companies leads to the same Web site, which markets all four companies as Ride the Ducks.

The only place where the company maintains the pretense of running four separate operations is at the loading zones alongside the Visitor Center, where city-issued markers designate one zone to each company.

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“We are four different companies,” Ride the Ducks spokesman Steve Dutcher told me. When I asked if I could speak with the heads of the three other companies, he paused, then said, “Look, we have the city’s blessing and we have worked within the guidelines of the ordinance.”

In other words, Ride the Ducks is legally skirting the law’s intent, which is to ensure fairness among all motorized-tour competitors that operate around lucrative visitor areas.

The result is that people like Ann Boulais, operations manager of Philly-based American Trolley Tour, are being squeezed out of the game.

She’s desperate for a single loading zone in the historic area - a zone she’d have if Ride the Ducks hadn’t grabbed four.

“It’s not fair,” says Boulais, who is stuck selling her group tours online. “If we don’t have a staging area, how do we sell our tours down there?”

The flouting of the law also irks Jonathan Bari, owner of the Constitutional Walking Tour. He sees it as symptomatic of a much broader favoritism of the city’s powers-that-be toward deep-pocketed motorized-tour companies over smaller companies like his.

So he’s been on a David vs. Goliath mission to get someone in city authority - anyone - to give a crap that the code isn’t being enforced the way it was intended to be.

He has complained to the city’s Department of Licenses and Inspections, which you’d think would care that the ordinance has a loophole big enough to sail a duck boat through.

But L&I bounced his complaint to the Streets Department, which designates the loading zones and has no problem with what Ride the Ducks is doing.

Nor did the city’s Law Department, when I called for comment.

As for spokespeople for Independence National Historic Park, for the Independence Visitor Center and for City Councilman Frank DiCicco, whose office crafted the ordinance, they were sympathetic to Bari’s complaints but stressed how much more orderly things are around the historic area these days.

Which is still half a crap short of what’s needed to level the playing field for other tourist businesses getting shafted by the law’s exploitation. \*

On Thursday: How do tourist businesses compete for customer dollars in the historic area?

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Copies of the documents discussed in the article and the accompanying editorial that followed this series of articles are available at:

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