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"Tour Problems Center on Lack of Agreement"

By Ronnie Polaneczky
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IN THE REAL-ESTATE business, the key to success is location.

Ditto for the tourism business. And if you run a tour operation in Philly, one of the best places to access out-of-towners and their vacation dollars is around the historic area, which is jumping with visitors now that the tourism season is kicking into gear.

Things are especially buzzing at the Independence Visitor Center, at 6th and Market streets.

It's a one-stop shop for tourists to learn about regional attractions and to buy tickets to everything from historic sites, tours and theatrical productions to suburban parks and festivals.

So, if you cater to tourists, there's no hotter spot to make your presence known.

But only if you're a motorized-tour operator.

If you're not, not even Arlen Specter can help you.

On Tuesday, I wrote how Ride the Ducks - the amphibious tour-boat outfit - uses four highly visible loading zones at the Visitor Center to stage its rides. That's three more than is allowed by city law.

The law's goal is to offer tourists a variety of motorized tours to choose from, and to fairly distribute the zones among competing companies.

But Ride the Ducks has found a legal way to skirt the law's intent, to the frustration of other operators who'd love one of the company's staging sites (see <http://go.philly.com/polaneczky>).

Philadelphia Trolley Works has sewn up a few coveted loading zones outside the Visitor Center, too.

But at least the company - which also owns The Big Bus Company and the '76 Carriage Company - offers different tour experiences.

And at least these businesses have a law to guide them (or to exploit). Not so nonmotorized tour operators, like Jonathan and Leslie Bari, of The Constitutional Walking Tour of Philadelphia, and Anita McKelvey, of Day Trips and More.

Instead, they keep trying to figure out how to push their businesses at the Visitor Center in a way that will give them even a sliver of visibility.

That visibility includes big, free-standing kiosks that Ride the Ducks and Philadelphia Trolley Works rent inside the Visitor Center, from which the companies push their products.

Despite two years of wrangling with Visitor Center and Park Service management, the Baris have yet to reach an agreement about what's required for them to similarly access such space, despite their numerous proposals and suggestions, many of which have gone ignored. And they've been forbidden to use outdoor, portable signage similar to what motorized-tour operators use to market to customers.

Seems like lousy treatment in return for the 20 percent commission the Visitor Center makes on every Walking Tour ticket it sells.

Even a plea from U.S. Sen. Arlen Specter, written on behalf of all walking-tour operators who want fair play at the center, has brought only silence.

Visitor Center president and CEO Bill Moore says that the Baris have yet to have a "serious" discussion with him about greater visibility at the center.

As for McKelvey, she says she was appalled when she was told by a center administrator that she'd have to pay a huge fee just to post her flyers in a public area there. Another center staffer later apologized for the demand.

The confusion, the animosity, the senator's intervention, the skirting of that city law - all of it might be avoided if there were an operating agreement between the National Park Service and the Visitor Center. The congressional act that created the center actually calls for such an agreement; presumably, it would set guidelines for vendors who'd like to conduct business there.

Instead, the Park Service and the center have postponed, every six months for the last nine years, creating the agreement.

Uh-huh. Nine years.

As a result, there's no rhyme or reason why some vendors are treated better than others.

In other words, management is winging it.

Worse, they're winging it in the shadow of Independence Hall, the very place where our forefathers championed the concepts of fairness and equality. *

E-mail polaner@phillynews.com or call 215-854-2217. For recent columns:

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