

ORDINANCE No. 111906

COUNCIL BILL No. 104338

Law Department

UP

The City of

7-14-84 Hold

AN ORDINANCE relating to the regulation and licensing of taxicabs and taxicab (for-hire) drivers; amending Seattle Municipal Code (SMC) Chapters 6.208 and 6.212 and adding new sections thereto; and authorizing an interlocal governmental agreement with King County for the joint regulation and enforcement thereof.

Honorable President:

Your Committee on *Housing*

to which was referred the within report that we have considered the

HR + HS mtg 10/27/84 Hold

Divided report: Smith Benson

COMPTROLLER FILE No.

Introduced: JUN 11 1984	By: EXECUTIVE REQUEST
Referred: JUN 11 1984	To: <i>Robt</i>
Referred:	To:
Referred:	To:
Reported: SEP 17 1984	Second Reading: SEP 17 1984
Third Reading: SEP 17 1984	Signed: SEP 17 1984
Presented to Mayor: SEP 18 1984	Approved: SEP 21 1984
Returned to City Clerk: SEP 21 1984	Published:
Vetoed by Mayor:	Veto Published:
Passed over Veto:	Veto Sustained:

OK

REC'D OMB SEP 18 1984

[Signature]

Department

The City of Seattle--Legislative Department

7-14-84 Hold until Sept. 17, 1984

Date Reported
and Adopted

REPORT OF COMMITTEE

President:

Committee on Housing, Recreational and Human Services

was referred the within Council Bill No. 104338

that we have considered the same and respectfully recommend that the same:

do not pass
with amendments



Committee Chair

104338

ORDINANCE 111906

AN ORDINANCE relating to the regulation and licensing of taxicabs and taxicab (for-hire) drivers; amending Seattle Municipal Code (SMC) Chapters 6.208 and 6.212 and adding new sections thereto; and authorizing an interlocal governmental agreement with King County for the joint regulation and enforcement thereof.

BE IT ORDAINED BY THE CITY OF SEATTLE AS FOLLOWS:

Section 1. Section 6.212.010 of the Seattle Municipal Code is amended as follows:

6.212.010 - Definitions.

For purposes of this chapter, the following definitions apply:

A. "Affiliated taxicab" means a taxicab associated with a group of taxicabs having multiple owners and operating under the same color, business name, or other identification scheme and under an identical schedule of fares and charges.

B. "Affiliation representative" means the person who has the authority to file rates, trade name, color scheme, or other identification scheme for a group of affiliated taxicabs.

C. (~~"Exclusive ride" means transporting one passenger or a group of passengers, all of whom have the same point of origin and destination.~~)

"Contract Agreement" means a written agreement signed by both parties in advance of the dispatch of a taxicab, for the service identified in the contract.

D. "Independent taxicab" means a taxicab or group of taxicabs having one owner and operating under the same color, business name, or other identification scheme, and under an identical schedule of fares and charges.

1 E. "Operate" means engage in the activity of picking
2 up any passenger for-hire driving on a city street or
3 waiting at a taxistand.

4 F. "Owner" means the registered owner as defined by
5 the Revised Code of Washington (RCW) 46.04.460, as now or
6 hereafter amended.

7 G. (~~"Shared ride" means transporting two or more~~
8 ~~passengers with different origins and/or designations in one~~
9 ~~taxicab.~~)

10 (~~H.~~) "Taxicab" means any motor vehicle which carries
11 passengers for-hire, where the route traveled or the
12 destination is controlled by a passenger, and the fare is
13 based on an amount recorded and indicated on a taximeter
14 ((for exclusive rides, or on an amount calculated on a
15 standard grid map for shared rides.)) or on a zone fare or
16 contract agreement as provided by this chapter.

17 H. (~~I.~~) "Taximeter" means a device which records and
18 indicates a single fare, rate, or charge calculated according
19 to distance traveled, and may also record and indicate a fare,
20 rate or charge based on waiting time (~~(extra passengers,)~~)
21 initial charge, and such other fares, rates, or charges as
22 are not prohibited by the License Code or the Weights and
23 Measures Code.

24 I. (~~J.~~) "Cabulance" means a taxicab that is
25 wheelchair accessible.

26 Section 2. Section 6.212.040 of the Seattle Municipal
27 Code is amended as follows:

28 6.212.040 - License-Application.

Application for the taxicab license shall include at
least the following information:

A. Ownership of the vehicle to be licensed;

1 B. Identification of the vehicle and company vehicle
2 number;

3 C. Name (~~(7 fictitious)~~) or (~~(otherwise)~~) trade name
4 under which the vehicle is to be operated;

5 D. Distinguishing color scheme, business name, or
6 other identification scheme to be used on the vehicle;

7 E. Proof of a valid Washington State for-hire
8 certificate;

9 F. Whether any of the owners have been convicted of
10 any crimes within the ten years preceding the application.

11 Section 3. Section 6.212.060 of the Seattle Municipal
12 Code is amended as follows:

13 6.212.060 - Safety, meter, and posting inspections.

14 A. All taxicabs may be inspected from time to time as
15 determined by the Director in response to complaints
16 received or observations that such is desirable, for the
17 purpose of determining proper equipment and safe, healthy,
18 and sanitary conditions for the transportation of passengers,
19 provided that inspections shall be conducted at least
20 annually. The Director shall promulgate rules and
21 regulations which set forth standards of safety, health, and
22 sanitation required for taxicabs and the scope of taxicab
23 inspections, including but not limited to standards regarding
24 cleanliness, brakes, lights, tires, glass, seat belts, and
25 any special equipment that may be required.

26 B. Recognizing that changing tire or wheel size, or
27 tampering with the gears or seal of taximeters, or otherwise
28 altering the approved operation of taximeters has sometimes
occurred, and that such tampering is difficult to discover

1 unless taximeters are closely inspected, the Director shall
2 inspect all taximeters at least one each year, and may
3 inspect them at any reasonable time to determine continuing
4 compliance with the License Code and the Weights and
5 Measures Code.

6 C. Recognizing that proper posting of taxicab rates
7 inside the vehicle as determined by the Director is a cru-
8 cial source of consumer information regarding proper rates
9 and other information and that such posting cannot be
10 checked for compliance unless the vehicle is entered for
11 inspection, the Director shall inspect all rate posting for
12 proper ~~(ty)~~ form, location, and information at least
13 annually, and may so inspect at any reasonable time to
14 determine continuing compliance with the License Code.

15 D. The Director may issue a temporary permit to
16 operate a taxicab if the Department cannot provide for
17 annual reinspection of a previously approved meter as
18 required herein. The temporary permit shall expire at
19 8:00 a.m. on the first day that the Department can inspect
20 the taxicab meter or on the sixtieth day following issuance,
21 whichever occurs first. No temporary permit shall be
22 issued unless all other conditions of this Code have been
23 fulfilled.

24 Section 4. Section 6.212.070 of the Seattle Municipal
25 Code is amended as follows:

26 6.212.070 - ~~((Violations))~~ Grounds for license
27 suspension, revocation, or denial.

28 ~~((It is a violation for any person to))~~ In addition to
the reasons set forth in SMC 6.202.230 as now or hereafter

1 amended, a taxicab license also may be suspended, revoked,
2 or denied upon a finding that the licensee or applicant has:

3 A. ~~((Falsify))~~ Falsified any record, document, or
4 information required to be kept or submitted to the Director
5 (or Hearing Examiner) by this title, or by rule or regulation
6 prescribed hereunder;

7 B. Driven, or authorized any person to drive a taxicab
8 which ~~((is))~~ was not equipped and in safe condition as
9 required by the Seattle Traffic Code and RCW 46.37, as now
10 or hereafter amended;

11 C. Driven, or authorized any person to drive a taxicab
12 which ~~((is))~~ was not equipped with seat belts for all
13 passengers;

14 D. Driven, or authorized any person to drive a taxicab
15 designed for the transportation of persons confined to a
16 wheelchair unless retaining locks for wheelchairs ~~((are))~~
17 were installed and operable;

18 E. Charged, or authorized a driver to charge, any
19 passenger an amount different than a rate or charge filed
20 pursuant to ~~((the new license code))~~ this chapter, or, if
21 the transportation ~~((is))~~ was provided pursuant to a
22 contract or zone fare, an amount different than the rate or
23 charge set forth in the contract or provided for by
24 ordinance;

25 F. Used, or authorized to be used, a trade name, color
26 scheme, or other identification upon a taxicab or in any
27 advertising or public listing, which ~~((is))~~ was likely to
28 be confused with the registered trade name, scheme, or
identification of another licensee or which ~~((tends))~~

1 tended to deceive or mislead the public as to the type of
2 service offered;

3 G. Carr(~~y~~)ied any (~~(exclusive-ride)~~) passenger to
4 the destination by a route that was (~~(is)~~) not the safest
5 and most direct, unless the customer specifically
6 authorize(~~(s)~~)d the deviation or alternate route;

7 H. Refused to accept as a passenger any person (~~(of~~
8 ~~proper department)~~) who request(~~(s)~~)ed transportation when
9 the taxicab (~~(is)~~) was not already carrying a (~~(n exclusive~~
10 ~~ride)~~) passenger, unless the person created a hazard to the
11 driver's safety or was unable to pay the fare;

12 I. Operated, or authorized a person to operate a
13 taxicab (~~(offering exclusive-ride service)~~) unless it was
14 (~~(is)~~) equipped with a taximeter, the taximeter had (~~(has)~~)
15 been inspected and approved by the Director, and on which
16 the seal (~~(has)~~) had not been broken, the size of the
17 gears operating the taximeter (~~(has)~~) had not been changed,
18 and the taximeter (~~(has)~~) had not been changed from one
19 vehicle or another, or otherwise tampered with from the time
20 of the Director's last inspection;

21 J. Activated the meter when the taxicab (~~(is)~~) was
22 not employed or failed to activate the meter at the
23 beginning of each (~~(exclusive-ride)~~) trip, unless the
24 transportation (~~(is)~~) was provided pursuant to a written
25 contract or zone fare as required by ordinance;

26 K. Activated any equipment which indicated(~~(s)~~) that
27 the taxicab was (~~(is)~~) carrying a (~~(n exclusive-ride)~~)
28 passenger when it was (~~(is)~~) not, or (~~(to)~~) failed to
activate such equipment when the taxicab was (~~(is)~~) carrying
a (~~(n exclusive-ride)~~) passenger;

1 L. Used a taxistand for purposes other than to await
2 the carriage of passengers for-hire; (~~or~~)

3 M. (~~For exclusive rides~~) P(~~p~~)icked up additional
4 passengers without the approval of the original
5 passenger (~~r~~);

6 N. Charged a rate not in compliance with shared ride
7 rates as filed with the Director;

8 O. Left a taxicab unattended in a taxistand, or slept
9 in a taxicab in a taxistand, for more than fifteen minutes;

10 P. Carried any person or pet other than the
11 passenger(s) or a licensed trainee in the taxicab without
12 the express approval of the passenger(s);

13 Q. Drove or authorized a driver to drive a taxicab
14 without a valid taxicab license;

15 R. Drove or authorized a driver to drive a taxicab
16 without a valid for-hire driver's license;

17 S. Drove or authorized a driver to drive a taxicab
18 that was not insured as required by SMC § 6.212.080.

19 Section 5. Section 6.212.080 of the Seattle Municipal
20 Code is amended as follows:

21 6.212.080 - Financial responsibility.

22 A. All taxicab licensees shall maintain and furnish to
23 the Director proof of compliance with RCW Chapter 46.72, as
24 now or hereafter amended, relating to financial responsibility.
25 Such proof shall consist of proof of for-hire certification
26 with the state of Washington.

27 B. Additionally, all licensees shall maintain a policy
28 of underinsured motorist coverage which runs to the benefit
of passengers. The City of Seattle need not be named as an
additional insured, but, in any event, will be listed as a
certificate holder on the policy. Proof of compliance will be a

1 certificate of insurance indicating a minimum coverage of
2 \$10,000 per person and \$20,000 per accident. The City of
3 Seattle will be notified at least ten days in advance of any
4 lapse of coverage.

5 C. Licensees may meet the above requirements for
6 financial responsibility through a program of self
7 insurance pursuant to RCW 46.29.630.

8 D. If an insurance policy is cancelled, proof of a new
9 policy must be filed with the City prior to the date of
10 cancellation. If the City does not receive a new
11 certificate of insurance prior to the date of cancellation,
12 the taxicab license must be surrendered to the Director until
13 such time that a new certificate of insurance is filed.

14 Section 6. Section 6.212.110 of the Seattle Municipal
15 Code is amended as follows:

16 6.212.110 Rates-Changing.

17 Rates may be changed by filing a new rate schedule with
18 the Director (~~during the months of August, November,~~
19 ~~February, and May~~) not more than two times during the
20 license year *and not sooner than three (3) months after the most recent previous rate change.* If the rate change does not necessitate a
21 meter adjustment, the new rate becomes effective for each
22 affected taxicab when the cab meter is approved; provided,
23 that no taxicab affected by the rate filing shall operate
24 after thirty days following the filing of the new rate
25 schedule unless its meter has been adjusted and approved by
26 the Director. The Director may waive this limitation for
27 good cause.

28 Section 7. There is added to Chapter 6.212 of the
Seattle Municipal Code a new section 6.212.115 as follows:

1 6.212.115 - Rate ceiling.

2 No rate may exceed a ceiling rate of ten percent (10%)
3 above the average of rates filed with the City on January 1
4 of each year. The average rate for the filed drop and for
5 the per mile charge will be calculated by multiplying the
6 filed drop or mileage charge, respectively, by the number of
7 vehicles in each taxicab company and taking a cumulative sum
8 for each which is then divided by the number of taxis
9 licensed by the City. The average rate and ceiling rate
10 will be rounded off to the nearest ten (10) cents. If the
11 Director determines that any rate has been filed for the
12 purpose of exaggerating the average rate so as not to
13 reflect the market condition, such rate may be disregarded
14 in the foregoing calculation.

14 Section 8. There is added to Chapter 6.212 of the
15 Seattle Municipal Code a new section 6.212.116 as follows:

16 6.212.116 - Discount rates.

17 All discounts on fares must be filed with the Director,
18 be expressed as a percentage discount of the filed rate, and
19 set forth the conditions that must be met to qualify for the
20 discount.

21 Section 9. There is added to Chapter 6.212 of the
22 Seattle Municipal Code a new section 6.212.117 as follows:

23 6.212.117 - Extra charges prohibited.

24 No charge may be made for carrying extra passengers or
25 for carrying the baggage of any passenger.

26 Section 10. There is added to Chapter 6.212 of the
27 Seattle Municipal Code a new section 6.212.118 as follows:

28 6.212.118 - Surcharges.

 Any charge for special services must be filed with and
approved by the Director as part of the taxicab rates and

1 are applicable only when the passenger has specifically
2 requested the special service.

3 Section 11. There is added to Chapter 6.212 of the
4 Seattle Municipal Code a new section 6.212.119 as follows:

5 6.212.119 - Limitation on wait time charges.

6 The charge for waiting time on a taximeter shall not be
7 utilized when the taxicab is traveling in excess of fifteen
8 (15) miles per hour. The wait time per minute may not
9 exceed twenty-five percent (25%) of the rate charged per
10 mile.

11 Section 12. Section 6.212.120 of the Seattle Municipal
12 Code is amended as follows:

13 6.212.120 - Posting rates and displaying identifying
14 information.

15 A. Each taxicab shall display on the interior and
16 exterior of the taxicab, the filed, (~~metered~~) rates of
17 fare. Fares shall be displayed in the manner and form
18 required by the Director by rule, according to a uniform
19 system which can be readily understood by passengers,
20 including the listing of drop, mileage, waiting time, (~~and
21 extra passenger charges~~) surcharges, and discounts; pro-
22 vided that any taxicab licensee doing business by reser-
23 vation only, and who does not offer taxicab service except
24 by prior reservation, is not required to comply with this
25 subsection.

26 B. Each taxicab, within its passenger compartment,
27 shall display a sign, plaque, or card of identification in
28 the manner and form required by the Director by rule.

Section 13. Section 6.212.160 of the Seattle Municipal
code is amended as follows:

1 6.212.160 - Equipment.

2 A. (~~if exclusive-ride service is offered, e~~) Each
3 taxicab shall be equipped with a taximeter installed in the
4 vehicle in such a position that the face upon which the fare
5 or charge is indicated is readily visible to and readable by
6 passengers. Taximeters shall compute, record and display
7 only a single tariff or rate of fare. The use of multiple
8 rate meters is prohibited.

9 B. At a minimum, each taxicab shall be equipped with
10 either a top light, a flag attached to the taximeter, or
11 other equipment approved by the Director which indicates
12 that the taxicab is employed or unemployed and is visible
13 from a distance of ten feet from the vehicle.

14 C. Cabulances may be exempted from all or part of the
15 requirements of this section if deemed necessary by the
16 Director.

17 Section 14. Section 6.212.170 of the Seattle Municipal
18 Code is amended as follows:

19 6.212.170 - Packages.

20 (~~Passenger valises or small hand baggage which can be~~
21 ~~carried conveniently within a taxicab shall be loaded,~~
22 ~~conveyed, and unloaded from the taxicab free of charge.))~~

23 Nothing in this chapter shall prohibit or limit the right of
24 licensees to use taxicabs for transporting packages for-hire
25 without a passenger.

26 Section 15. There is added to Chapter 6.212 of the
27 Seattle Municipal Code a new section 6.212.190 as follows:

28 6.212.190 - Impoundment of taxicabs.

 Taxicabs found unattended at taxistands, or operating
without a valid taxicab license may be impounded.

 Section 16. There is added to Chapter 6.212 of the
Seattle Municipal Code a new section 6.212.200 as follows:

(To be used for all Ordinances except Emergency.)

Section 19. This ordinance shall take effect and be in force thirty days from and after its passage and approval, if approved by the Mayor; otherwise it shall take effect at the time it shall become a law under the provisions of the city charter.

Passed by the City Council the 17th day of September, 1984,
and signed by me in open session in authentication of its passage this 17th day of
September, 1984.

Thomas Hill
President of the City Council.

Approved by me this 21st day of September, 1984.
Charles Royer
Mayor.

Filed by me this 21st day of September, 1984.

Attest: *Thomas Hill*
City Comptroller and City Clerk.

(SEAL)

Published.....

By *Grant Dull*
Deputy Clerk.

City of Seattle

Executive Department-Office of Management and Budget

Gary Zarker, Director
Charles Royer, Mayor



June 7, 1984

The Honorable Douglas Jewett
City Attorney
City of Seattle

Dear Mr. Jewett:

The Mayor is proposing to the City Council that the enclosed legislation be adopted.

REQUESTING
DEPARTMENT: Licenses and Consumer Affairs

SUBJECT: An ordinance relating to the regulation and licensing of taxicabs and taxicab (for-hire) drivers; amending Seattle Municipal Code Chapters 6.208 and 6.212 and adding new sections thereto; and authorizing an interlocal governmental agreement with King County for the joint regulation and enforcement thereof

Pursuant to the City Council's S.O.P. 100-014, the Executive Department is forwarding this request for legislation directly to your office for review and drafting.

After reviewing this request and drafting appropriate legislation:

- (X) File the legislation with the City Clerk for formal introduction to the City Council as an Executive Request.
- () Do not file with City Council but return the proposed legislation to OMB for our review. Return to _____.

Sincerely,

Charles Royer
Mayor

By

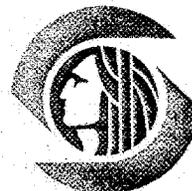
GARY ZARKER
Budget Director

GZ/dh/la

Enclosure

cc: Director, LCA

Your
Seattle
Department of Licenses and Consumer Affairs



Regina L. Glenn, Director
Charles Royer, Mayor

June 6, 1984

The Honorable Norman B. Rice, President
Seattle City Council
01-11-01

Via Office of Management & Budget

Attention Dave Hewitt, Budget Analyst

Dear Mr. Rice:

Attached for Council review are three ordinances that relate to Taxicab licensing:

- Taxicab Licenses
- For-Hire Driver Licenses
- For-Hire Vehicles (vehicles charging a fare without the use of a meter)

These ordinances seek to revise taxi regulations in consideration of City local empowerment to enhance regulation of taxi service and rate structures, as recently granted by the State. These ordinances reflect the two year coordination with the County and Port, to establish regional regulations. Consistent Ordinances will allow the establishment of an Inter-local Agreement between the City and County. The administration of Taxi Licenses will then be simplified by having the City administer all Vehicle Licensing, and the County administer all Driver's Licenses.

FISCAL IMPACT

As 2,000 Drivers' Licenses will be transferred to the County, the General Fund will not receive \$38,785 in License Fees. The City will increase the number of Vehicle Licenses by 250-300, representing additional revenue of \$24,000 at the \$80 License Fee. An additional Taxi Inspector Position for increased enforcement is proposed under separate cover.

BACKGROUND

The Urban Mass Transit Study regarding the effect of open taxi licensing and rate setting on Seattle, recommended that we develop a regional approach to regulation. For the past two years, representatives of the Port of Seattle, King County, and ourselves have been meeting monthly to develop an interlocal approach that would address the regional issues of taxi regulation.

We reviewed what regulatory improvements would be necessary to minimize consumer complaints and improve taxi service. The consumer complaints have focused on confusion over rate disparity, as the public perception is one of being robbed when fares for a round trip were not identical. Concerns have also been expressed by the public and taxi owners, as to the safety and sanitary condition of the taxi fleet. The taxi companies are also concerned about their ability to earn a livelihood when new taxi companies are not restricted from operating, thereby providing an over supply of taxis.

PROPOSAL

Proposed is a set of regulations that are directed at resolving these problems. Also by Interlocal Agreement, the County will handle the licensing of all drivers and the City will license all the vehicles. This provides operational efficiencies of reducing the number of licenses required, and insuring consistent regional regulation.

We will eliminate rate confusion by allowing only one rate be filed by each company. The use of discount, night, and senior rates will not be entered in the meter, but may be utilized as a percentage of what the face of the meter indicates; i.e., a Senior Citizen Discount would be filed as 10% discount from whatever the trip cost would be, as indicated on the taximeter.

Fares will be further standardized by the elimination of extra charges and control over wait time, so that the meter's clock does not take precedent over the distance traveled. A clock would only be effective when the taxi is traveling less than 15 miles an hour,

The Honorable Norman B. Rice
Page Three
June 5, 1984

such as in heavy traffic. Otherwise the distance traveled will figure the proper fare.

The rate disparity issue is handled by the use of 10% above average filed rate ceiling. This is consistent with the system used by the Port successfully, and is currently in use in San Diego with positive results. The estimated ceiling would be 10% above the average filed rate of \$1.23, or \$1.40 (\$1.35 rounded to the nearest ten cents).

The use of a rate ceiling will allow the rate to move in direct relation to the average market fares. This eliminates the need for Council, or other body to set a rate.

The entry of new taxis is not restricted. The consumer has received faster service, by reduced waiting times, as more taxis are able and willing to compete. Closed entry will return us to a monopolistic situation, which becomes a disincentive to improve the quality of the fleet and service, as there is less need to compete within the monopoly.

The ability for a taxi company to earn a living is more appropriately a function of the business' management. There exists a substantial number of taxis that are operating within the ceiling range. A small number of higher-priced taxis will need to adjust to lower rate structures. It is not apparent that a ceiling rate prevents the industry from competing in the marketplace.

Vehicle safety and sanitation is enhanced by having the County cabs included in the vehicle safety checks. Since last year we have required an independent mechanical inspection, as well as our Test Station inspection. Last year 1239 Test Station Vehicle Inspections were performed, which averages to 2.4 test station inspections per taxi each year. We also averaged 2.5 field "spot" inspections as well. These ordinances provide for the setting of sanitation standards by rule, consistent with the County proposals.

The Honorable Norman B. Rice
Page 4
June 6, 1984

The drivers will receive a "knowledge" test, and be required to pass a physical examination as part of the County-administered driver licensing. The County also has access to a broader review of criminal history than is available to us, and can provide a better screening of applicants.

SUMMARY

This proposal is the result of two years of coordination with the County and Port, to determine the most practical resolution of the taxi system problems, and to protect the riding public from fare confusion and theft. We have reviewed the alternatives from an open entry and rate setting to closed entry and fixed rates. Clearly there existed problems with the taxi industry prior to 1979, as there are problems identified with the existing system. We must in our revisions improve taxi service, and not simply revert to what was and the problems that accompanied it. To that end, regional standards are of major concern, as well as the protection of the public's safety, health and welfare. I believe that the proposal before you is the most practical solution, and request your approval.

Sincerely,



Regina L. Glenn
Director

RLG:wtb
Attachments
664WTL2.1/206A

Your
Seattle
Department of Licenses and Consumer Affairs



Regina L. Glenn, Director
Charles Royer, Mayor

June 6, 1984

826632

The Honorable Norman B. Rice, President
Seattle City Council
01-11-01

Via Office of Management & Budget

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FISCAL IMPACT

There will be no fiscal impact from these regulations. An additional Taxi Inspector Position for increased enforcement is proposed under separate cover.

Log in, please

Your
Seattle
Department of Licenses and Consumer Affairs

Regina L. Glenn, Director
Charles Royer, Mayor



*Rec'd
1/23/84
5894*

January 20, 1984

M E M O R A N D U M

TO: Rodney Eng, Assistant City Attorney
Law Department

FROM: *Walt* Walt Tank, Assistant Director
Department of Licenses and Consumer Affairs

SUBJECT: INTERLOCAL TAXI AGREEMENT AND REVISED TAXI
ORDINANCE

As a result of our coordination with King County and the Port of Seattle concerning a cooperative regional taxi regulatory system, the attached draft legislation has been developed. I would appreciate your review and drafting of these ordinances into a formal format so that we can present this proposal to the City Council Committee as soon as possible. Also, as we have discussed, please prepare the formal Interlocal Agreement between the City and County whereby the City will license all taxi/for-hire vehicles and the County will license all for-hire drivers. Each jurisdiction will still enforce only within its own boundaries. If you have questions, please call me at 625-2537.

WT: jlk
Attachment

City of Seattle

ORDINANCE 11996

AN ORDINANCE relating to the regulation and licensing of taxicabs and taxicab (for-hire) drivers; amending Seattle Municipal Code (SMC) Chapters 6.208 and 6.212 and adding new sections thereto; and authorizing an interlocal governmental agreement with King County for the joint regulation and enforcement thereof.

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C. ~~["Exclusive-ride" means transporting one passenger or a group of passengers, all of whom have the same point of origin and destination.]]~~

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E. "Operate" means engage in the activity of picking up any passenger for-hire driving on a city street or waiting at a taxistand.

F. "Owner" means the registered owner as defined by the Revised Code of Washington (RCW) 46.04.460, as now or hereafter amended.

G. ~~["Shared-ride" means transporting two or more passengers with different origins and/or destinations in one taxicab.]]~~

~~[(H-)]~~ "Taxicab" means any motor vehicle which carries passengers for-hire, where the route traveled or the destination is controlled by a passenger, and the fare is based on an amount recorded and indicated on a taximeter ~~[(for exclusive rides, or on an amount calculated on a standard grid map for shared rides.))~~ or on a zone fare or contract agreement as provided by this chapter.

H. ~~[(I-)]~~ "Taximeter" means a device which records and indicates a single fare, rate, or charge calculated according to distance traveled, and may also record and indicate a fare, rate or charge based on waiting time ~~[(extra passengers.))~~ initial charge, and such other fares, rates, or charges as are not prohibited by the License Code or the Weights and Measures Code.

I. ~~[(J-)]~~ "Cabulance" means a taxicab that is wheelchair accessible.

Section 2. Section 6.212.040 of the Seattle Municipal Code is amended as follows:

6.212.040 - Safety, meter, and posting inspections.

A. All taxicabs may be inspected from time to time as determined by the Director in response to complaints received or observations that such is desirable, for the purpose of determining proper equipment and safe, healthy, and sanitary conditions for the transportation of passengers, provided that inspections shall be conducted at least annually. The Director shall promulgate rules and regulations which set forth standards of safety, health, and sanitation required for taxicabs and the scope of taxicab inspections, including but not limited to standards regarding cleanliness, brakes, lights, tires, glass, seat belts, and any special equipment that may be required.

B. Recognizing that changing tire or wheel size, or tampering with the gears or seal of taximeters, or otherwise altering the approved operation of taximeters has sometimes occurred, and that such tampering is difficult to discover unless taximeters are closely inspected, the Director shall inspect all taximeters at least once each year, and may inspect them at any reasonable time to determine continuing compliance with the License Code and the Weights and Measures Code.

C. Recognizing that proper posting of taxicab rates inside the vehicle as determined by the Director is a crucial source of consumer information regarding proper rates and other information and that such posting cannot be checked for compliance unless the vehicle is entered for inspection, the Director shall inspect all rate posting for proper ~~[(ty)]~~ form, location, and information at least annually, and may so inspect at any reasonable time to determine continuing compliance with the License Code.

D. The Director may issue a temporary permit to operate a taxicab if the Department cannot provide for annual reinspection of a previously approved meter as required herein. The temporary permit shall expire at 8:00 a.m. on the first day that the Department can inspect the taxicab meter or on the sixtieth day following issuance, whichever occurs first. No temporary permit shall be issued unless all other conditions of this Code have been fulfilled.

Section 4. Section 6.212.070 of the Seattle Municipal Code is amended as follows:

6.212.070 - ~~[(Violations)]~~ Grounds for license suspension, revocation, or denial.

~~[(It is a violation for any person to)]~~ In addition to the reasons set forth in SMC 6.207.230 as now or hereafter amended, a taxicab license also may be suspended, revoked, or denied upon a finding that the licensee or applicant has:

A. ~~[(Possibly)]~~ Falsified any record, document, or information required to be kept or submitted to the Director (or Hearing Examiner) by this title, or by rule or regulation prescribed hereunder;

B. Driven, or authorized any person to drive a taxicab which ~~[(it)]~~ was not equipped and in safe condition as required by the Seattle Traffic Code and RCW 46.37, as now or hereafter amended;

C. Driven, or authorized any person to drive a taxicab which ~~[(it)]~~ was not equipped with seat belts for all

be confused with the registered trade name, subject, or identification of another licensee or which ~~(licensee)~~ tended to deceive or mislead the public as to the type of service offered;

G. Carried any ~~(exclusive-ride)~~ passenger to the destination by a route that was ~~(the)~~ not the safest and most direct, unless the customer specifically authorized ~~(the)~~ the deviation or alternate route;

H. Refused to accept as a passenger any person ~~(of proper department)~~ who request ~~(ed)~~ transportation when the taxicab ~~(the)~~ was not already carrying a ~~(an exclusive-ride)~~ passenger, unless the person created a hazard to the driver's safety or was unable to pay the fare;

I. Operated, or authorized a person to operate a taxicab ~~(offering exclusive-ride service)~~ unless it was ~~(the)~~ equipped with a taximeter, the taximeter had ~~(has)~~ been inspected and approved by the Director, and on which the seal ~~(has)~~ had not been broken, the size of the gears operating the taximeter ~~(has)~~ had not been changed, and the taximeter ~~(has)~~ had not been changed from one vehicle or another, or otherwise tampered with from the time of the Director's last inspection;

J. Activated the meter when the taxicab ~~(the)~~ was not employed or failed to activate the meter at the beginning of each ~~(exclusive-ride)~~ trip, unless the transportation ~~(the)~~ was provided pursuant to a written contract or zone fare as required by ordinance;

K. Activated any equipment which indicated ~~(s)~~ that the taxicab was ~~(the)~~ carrying a ~~(an exclusive-ride)~~ passenger when it was ~~(the)~~ not, or ~~(the)~~ failed to activate such equipment when the taxicab was ~~(the)~~ carrying a ~~(an exclusive-ride)~~ passenger;

L. Used a taxistand for purposes other than to await the carriage of passengers for-hire; ~~(the)~~

M. ~~(For exclusive rides,)~~ Picked up additional passengers without the approval of the original passenger ~~(the)~~;

N. Charged a rate not in compliance with shared ride rates as filed with the Director;

O. Left a taxicab unattended in a taxistand, or slept in a taxicab in a taxistand, for more than fifteen minutes;

P. Carried any person or pet other than the passenger(s) or a licensed trainee in the taxicab without the express approval of the passenger(s);

Q. Drive or authorized a driver to drive a taxicab without a valid taxicab license;

R. Drive or authorized a driver to drive a taxicab without a valid for-hire driver's license;

S. Drive or authorized a driver to drive a taxicab that was not insured as required by SMC § 6.212.080.

Section 5. Section 6.212.080 of the Seattle Municipal Code is amended as follows:

6.212.080 - Financial responsibility.

A. All taxicab licensees shall maintain and furnish to the Director proof of compliance with RCW Chapter 46.72, as now or hereafter amended, relating to financial responsibility. Such proof shall consist of proof of for-hire certification with the state of Washington.

B. Additionally, all licensees shall maintain a policy

such time that a new certificate of insurance is filed.

Section 6. Section 6.212.113 of the Seattle Municipal Code is amended as follows:

6.212.113 Rates-Changing.

Rates may be changed by filing a new rate schedule with the Director ~~(during the months of August, November, February, and May);~~ not more than two times during the

~~and at least one (1) month after the most recent previous rate change license year.~~ If the rate change does not necessitate a

meter adjustment, the new rate becomes effective for each affected taxicab when the cab meter is approved; provided, that no taxicab affected by the rate filing shall operate after thirty days following the filing of the new rate schedule unless its meter has been adjusted and approved by the Director. The Director may waive this limitation for good cause.

Section 7. There is added to Chapter 6.212 of the Seattle Municipal Code a new section 6.212.115 as follows:

6.212.115 - Rate ceiling.

No rate may exceed a ceiling rate of ten percent (10%) above the average of rates filed with the City on January 1 of each year. The average rate for the filed drop and for the per mile charge will be calculated by multiplying the filed drop or mileage charge, respectively, by the number of vehicles in each taxicab company and taking a cumulative sum for each which is then divided by the number of taxis licensed by the City. The average rate and ceiling rate will be rounded off to the nearest ten (10) cents. If the Director determines that any rate has been filed for the purpose of exaggerating the average rate so as not to reflect the market condition, such rate may be disregarded in the foregoing calculation.

Section 8. There is added to Chapter 6.212 of the Seattle Municipal Code a new section 6.212.116 as follows:

6.212.116 - Discount rates.

All discounts on fares must be filed with the Director, be expressed as a percentage discount of the filed rate, and set forth the conditions that must be met to qualify for the discount.

Section 9. There is added to Chapter 6.212 of the Seattle Municipal Code a new section 6.212.117 as follows:

6.212.117 - Extra charges prohibited.

No charge may be made for carrying extra passengers or for carrying the baggage of any passenger.

Section 10. There is added to Chapter 6.212 of the Seattle Municipal Code a new section 6.212.118 as follows:

6.212.118 - Surcharges.

Any charge for special services must be filed with and approved by the Director as part of the taxicab rates and are applicable only when the passenger has specifically requested the special service.

Section 11. There is added to Chapter 6.212 of the Seattle Municipal Code a new section 6.212.119 as follows:

6.212.119 - Limitation on wait time charges.

The charge for waiting time on a taximeter shall not be utilized when the taxicab is traveling in excess of fifteen (15) miles per hour. The wait time per minute may not exceed twenty-five percent (25%) of the rate charged per

B. Each taxicab, within its passenger compartment, shall display a sign, plaque, or card of identification in the manner and form required by the Director by rule.

Section 13. Section 6.212.160 of the Seattle Municipal Code is amended as follows:

6.212.160 - Equipment.

A. ((If exclusive-ride service is offered, w)) Each taxicab shall be equipped with a taximeter installed in the vehicle in such a position that the face upon which the fare or charge is indicated is readily visible to and readable by passengers. Taximeters shall compute, record and display only a single tariff or rate of fare. The use of multiple rate meters is prohibited.

B. At a minimum, each taxicab shall be equipped with either a top light, a flag attached to the taximeter, or other equipment approved by the Director which indicates that the taxicab is employed or unemployed and is visible from a distance of ten feet from the vehicle.

C. Cabulances may be exempted from all or part of the requirements of this section if deemed necessary by the Director.

Section 14. Section 6.212.170 of the Seattle Municipal Code is amended as follows:

6.212.170 - Packages.

((Passenger valises or small hand baggage which can be carried conveniently within a taxicab shall be loaded, conveyed, and unloaded from the taxicab free of charge.)) Nothing in this chapter shall prohibit or limit the right of licensees to use taxicabs for transporting packages for-hire without a passenger.

Section 15. There is added to Chapter 6.212 of the Seattle Municipal Code a new section 6.212.190 as follows:

6.212.190 - Impoundment of taxicabs.

Taxicabs found unattended at taxistands, or operating without a valid taxicab license may be impounded.

Section 16. There is added to Chapter 6.212 of the Seattle Municipal Code a new section 6.212.200 as follows:

6.212.200 - Zone Fare.

The taxi trips between the Seattle-Tacoma International Airport and the downtown hotel district represent a special condition where the passengers are predominantly visitors, who are not generally aware of the varying taxi fare structure. In order to provide a clear rate structure for the visitor, all taxicab licensees shall charge a standardized fare for all trips which travel directly between the airport and downtown zone. The standard fare shall be the average of all rates filed by January 1st multiplied by fifteen miles, added to the average drop rate, and rounded to

the nearest dollar. This fare shall be recalculated annually to reflect market changes.

Section 17. There is added to Chapter 6.212 of the Seattle Municipal Code a new section 6.212.210 as follows:

6.212.210 - Trip Sheets Required.

A. It is unlawful for any person owning or operating any taxicab to fail to keep an accurate daily record on a trip sheet, the form and size to be approved by the Director. All daily trip sheets shall be kept on file for a period of one year at the address for which the vehicle license is issued. All daily trip sheets shall be open for inspection by the Director either while carried in the vehicle for hire or at the address of the licensee. The following information shall be contained on each trip sheet:

1. The driver's name as licensed;
2. The driver's residence address and phone number;
3. The driver's for-hire driver license number;
4. The company name and vehicle number;
5. The date, time and place of origin and dismissal of each trip (including trips where the passenger did not complete an actual trip);
6. The fare charged or to be collected;
7. The number of passengers paying and any other items for which a charge was made;
8. Any discounts given on each trip;
9. The beginning and ending odometer reading for the vehicle for each shift worked;
10. The beginning and ending time for each shift worked; and
11. If the trip is made pursuant to a contract, as allowed by this ordinance, the trip sheet shall show the fare charged and the identification of the contract under which the transportation was provided.

Section 18. There is added to Chapter 6.212 of the Seattle Municipal Code a new section 6.212.220 as follows:

6.212.220 - Cooperative Agreement Authorized.

Pursuant to Section 3 of Chapter 127, Laws of Washington 1984, the Mayor is authorized to enter into cooperative agreements with any other city, town, county or port district for the joint regulation of taxicabs in a manner consistent with the provisions of this chapter. Cooperative agreements may provide for, but are not limited to the granting, revocation, and suspension of taxicab licenses, and the sharing of enforcement responsibilities.

Section 19. This ordinance shall take effect and be in force thirty days from and after its passage and approval, if approved by the Mayor; otherwise it shall take effect at the time it shall become a law under the provisions of the city charter.

Passed by the City Council the 17th day of September 1984
 and signed by me in open session in authentication of its passage this 17th day of September 1984
 _____ Mayor
 Approved by me this 21st day of September 1984
 _____ Mayor
 Filed by me this 21st day of September 1984

Affidavit of Publication

STATE OF WASHINGTON KING COUNTY—SS.

The undersigned, on oath states that he is an authorized representative of The Daily Journal of Commerce, a daily newspaper, which newspaper is a legal newspaper of general circulation and it is now and has been for more than six months prior to the date of publication hereinafter referred to, published in the English language continuously as a daily newspaper in Seattle, King County, Washington, and it is now and during all of said time was printed in an office maintained at the aforesaid place of publication of this newspaper. The Daily Journal of Commerce was on the 12th day of June, 1941, approved as a legal newspaper by the Superior Court of King County.

The notice in the exact form annexed, was published in regular issues of The Daily Journal of Commerce, which was regularly distributed to its subscribers during the below stated period. The annexed notice, a

Ordinance No. 111906

was published on **September 25, 1984**

B. Blaw
.....
Subscribed and sworn to before me on

September 25, 1984

Robert C. James
.....
Notary Public for the State of Washington,
residing in Seattle.