

Ordinance No. 120179

Council Bill No. 113443

The City of Seattle
Council Bill/Ordinance

AN ORDINANCE relating to for-hire vehicles, taxicabs and for-hire drivers; correcting errors in drafting Ordinances 118341 and 119872 by repealing, reenacting, and amending various sections of Chapter 6.310 of the Seattle Municipal Code.

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CF No. _____

Date Introduced:	OCT 16 2000	
Date 1st Referred:	To: (committee)	Finance, Budget & Economic Development Committee
Date Re - Referred:	To: (committee)	
Date Re - Referred:	To: (committee)	
Date of Final Passage:	Full Council Vote:	
<u>11-27-00</u>	<u>7-0</u>	
Date Presented to Mayor:	Date Approved:	
<u>11-28-00</u>	<u>11-29-00</u>	
Date Returned to City Clerk:	Date Published:	T.O. <input type="checkbox"/> P.T. <input checked="" type="checkbox"/>
<u>11-30-00</u>	<u>6/11/01</u>	
Date Vetoed by Mayor:	Date Veto Published:	
Date Passed Over Veto:	Veto Sustained:	

11-27-00 Pass

This file is complete and ready

Law Department

Law Dept. Review

The City of Seattle - Legislative Department

Council Bill/Ordinance sponsored by:

Jan Pardo

Councilmember

Committee Action:

11/21

Do Pass 7-0

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11-27-00 Passed 7-0 (Absent Nicastro, Steinbrueck)

This file is complete and ready for presentation to Full Council.

Committee:

(Initial/Date)

Department

Law Dept. Review

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Review

(Handwritten mark)
City Clerk
Review

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ORDINANCE 120179

AN ORDINANCE relating to for-hire vehicles, taxicabs and for-hire drivers; correcting errors in drafting Ordinances 118341 and 119872 by repealing, reenacting, and amending various sections of Chapter 6.310 of the Seattle Municipal Code.

WHEREAS, errors were made in the drafting of Ordinances 118341 and 119872, including the inadvertent omission of certain pre-existing code language; and

WHEREAS, the intent of this Ordinance is only to correct the errors made in drafting Ordinances 118341 and 119872 and not to make additional changes to the City's licensing scheme for for-hire vehicles, taxicabs and for-hire drivers;

NOW THEREFORE, BE IT ORDAINED BY THE CITY OF SEATTLE AS FOLLOWS:

Section 1. In order to correct Subsections 6.310.230 A(10)(a) and 6.310.230 A(15) of the Seattle Municipal Code ("SMC") by restoring language inadvertently dropped in the drafting of Section 5 of Ordinance 119872, SMC Subsections 6.310.230 A(10)(a) and 6.310.230 A(15) are repealed and reenacted to read as follows:

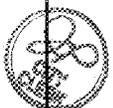
6.310.230 Taxicab Association –Operating Responsibilities.

A. In addition to meeting the license application requirements set forth in 6.310.200, the taxicab association must:

* * *

(10) Notify the Director within two (2) working days of the taxicab association having knowledge of the following:

(a) A conviction, bail forfeiture or other adverse finding received by the driver or the owner of an affiliated taxicab for any criminal offense or traffic violation that occurs during or arises out of the driver's operation of the taxicab (Class A for traffic violation, Class B for any criminal offense),



* * *

1
2 (15) Pay all penalties imposed by the Department that are either not contested or
3 are upheld after review (Revocation of license).

* * *

4
5 Section 2. In order to correct SMC Section 6.310.300 by restoring language inadvertently
6 dropped in the drafting of Section 6 of Ordinance 119872, SMC Subsections 6.310.300 C(1) and
7 (2) and 6.310.300 D are repealed and reenacted to read as follows:

8
9 **6.310.300 Taxicab and for-hire vehicle license application.**

* * *

10
11 C. The taxicab or for-hire vehicle license application shall include the following
12 information:

13
14 (1) Ownership type:

15 (a) If the owner is an individual, the owner's full name, home address,
16 home and business telephone number and date of birth (which shall be at least eighteen years
17 prior to the date of application), or

18 (b) If the owner is a corporation, partnership or other legal entity, the
19 names, home addresses, telephone numbers and date of birth (which must be at least eighteen
20 years before the date of application) for the corporation's or entity's officers, directors, general
21 and managing partners, registered agents, and each person vested with authority to manage or
22 direct the affairs of the legal entity or to bind the legal entity in dealings with third parties; the
23 corporation's, partnership's or entity's true legal name, state of incorporation or partnership
24 registration (if any), business address and telephone and facsimile numbers and State of
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1 Washington business license number, and any other information that the Director may reasonably
2 require.

3 (2) Vehicle information, including the name of the taxicab association with which
4 a taxicab is or will be affiliated, the taxicab or for-hire vehicle number assigned by any regulatory
5 agency, the make, model, year, vehicle identification number, Washington State vehicle license
6 plate number, and any other vehicle information required by rule or regulation promulgated
7 under this chapter;
8

9 * * *

10 D. The taxicab association applicant must inform the Director in writing within seven (7)
11 days if any of the information provided pursuant to subsection (C) changes, ceases to be true or is
12 superseded in any way by new information.
13

14 Section 3. In order to correct an error in drafting Ordinance 118341 that was carried into
15 Ordinance 119872, SMC Subsection 6.310.300 C(6) is amended as follows:

16 **6.310.300 Taxicab and for-hire vehicle license application.**

17 * * *

18
19 C. The taxicab or for-hire vehicle license application shall include the following
20 information:

21 * * *

22
23 (6) Certificate of underinsured motorist coverage indicating a minimum coverage
24 of ~~((fifty thousand dollars (\$50,000)))~~ twenty-five thousand dollars (\$25,000) per person, and
25 fifty thousand dollars (\$50,000) per accident~~((;))~~;

26 * * *



1 Section 4. In order to correct SMC Section 6.310.350 by restoring language inadvertently
2 dropped in the drafting of Section 9 of Ordinance 119872, SMC Section 6.310.350 is repealed
3 and reenacted to read as follows:

4 **6.310.350 Taxicab and for-hire vehicle-License expiration and renewal.**

5 A. All taxicab and for-hire licenses shall expire on August 31st of the year following
6 issuance of the license.

7 B. Each taxicab or for-hire vehicle owner must renew the for-hire vehicle or taxicab
8 license every year. No taxicab or for-hire vehicle license may be renewed unless all outstanding
9 penalties assessed against the owner or the for-hire driver of the taxicab or for-hire vehicle are
10 paid in full to the Director.

11 C. The Director shall deny any renewal application if grounds exist for the Director to
12 deny a license pursuant to Section 6.310.310 (A). If no such grounds exist, the Director shall
13 examine all Department records on the for-hire vehicle or taxicab and may deny the renewal if
14 grounds exist that would justify denial under Section 6.310.310 (B).

15 Section 5. In order to correct SMC Subsection 6.310.430 A by making an amendment
16 that was made to Subsection B in Section 14 of Ordinance 119872 but was inadvertently not
17 made to Subsection A, SMC Subsection 6.310.430 A is amended as follows:

18 **6.310.430 For-hire driver-Standards for license denial.**

19 A. The Director shall deny any for-hire driver's license application if the Director
20 determines that the applicant:

- 21 1. Has made any material misstatement or omission in the application for a
22 license;



1 A. Upon receiving a complaint involving the conduct of the for-hire driver, the route of
2 transportation, the rate charged for the transportation, passenger injury or property damage not
3 arising from a vehicle accident, or other incident, the Director shall:

4 1. Issue a notice of complaint to the applicable taxicab association representative
5 or for-hire vehicle licensee advising such person of the allegation(s) made in the
6 complaint;

7 2. Require the for-hire vehicle licensee or the taxicab association to respond, in
8 writing, to the allegation(s) in the notice of complaint within ten (10) days of receipt of
9 the notice of complaint;

10 3. Require the taxicab association or for-hire vehicle licensee to investigate the
11 allegation(s) in the notice of complaint and the response submitted by the for-hire driver
12 or vehicle owner; and

13 4. Require the taxicab association or for-hire vehicle licensee to make a finding
14 as to the validity of the allegation(s) in the complaint. If it is found to be a valid
15 complaint the director may issue a notice of violation pursuant to SMC Section
16 6.310.635.

17 B. Failure to respond in writing within ten (10) days to a Notice of Complaint shall
18 constitute a waiver of the for-hire driver's, vehicle owner's, and association's, if applicable, right
19 to contest the allegation(s) in the written complaint and shall be conclusive evidence that the
20 allegation(s) are valid.

21 C. Failure to comply with any Notice and Order issued as a result of the above process is
22 a Class B violation.

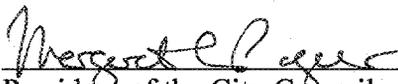
1 Section 8. All violations occurring, all proceedings begun, and all notices given under
2 any of the provisions of SMC Chapter 6.310 that are repealed and reenacted in this ordinance,
3 prior to their repeal by this ordinance, shall continue unaffected by this ordinance.

4 Section 9. The provisions of Chapter 6.310 of the Seattle Municipal Code that are
5 simultaneously repealed and re-enacted in this ordinance will be regarded as having been
6 continuously in force from the date on which they were originally enacted. This ordinance is
7 intended to be an affirmation and continuation of those original provisions.
8

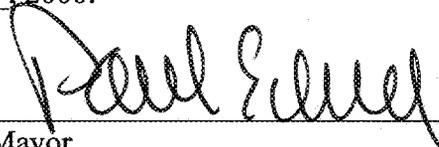
9 Section 10. Any act consistent with the authority and prior to the effective date of the
10 ordinance is hereby ratified and confirmed.

11 Section 11. This ordinance shall take effect and be in force thirty (30) days from and
12 after its approval by the Mayor, but if not approved and returned by the Mayor within ten (10)
13 days after presentation, it shall take effect as provided by Municipal Code Section 1.04.020.
14

15 Passed by the City Council the 27th day of November, 2000, and signed by me in
16 open session in authentication of its passage this 27th day of November, 2000.
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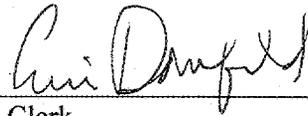
18 
19 _____
President of the City Council

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21 Approved by me this 29th day of NOVEMBER, 2000.

22 
23 _____
Mayor

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25 Filed by me this 30th day of November, 2000.
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acting 
City Clerk

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City of Seattle

Paul Schell, Mayor

Executive Services Department

Dwight D. Dively, Director

Memorandum

Date: September 22, 2000

To: Honorable Margaret Pageler, President
Seattle City Council

From: Dwight D. Dively, Director *DD*
Executive Services Department

Subject: AN ORDINANCE relating to for-hire vehicles, taxicabs and for-hire drivers; correcting errors in drafting Ordinances 118341 and 119872 by repealing, reenacting, and amending various sections of Chapter 6.310 of the Seattle Municipal Code.

In January of 2000, the City Council passed Ordinance 119872, which amended the 1996 updated taxicab code. In the process of comparing Ordinance 119872 with the existing code, Book Publishing Company discovered that the ordinance inadvertently deleted certain code language without including necessary strike throughs. The attached ordinance corrects errors in Sections 1, 2, 4, 6, and 7 of Ordinance 119872 by adding back the language that was previously omitted.

In addition, the attached ordinance corrects redundant wording regarding insurance requirements that was overlooked when amending SMC 6.310.300. Finally, the attached ordinance corrects an omission in Section 14 of Ordinance 119872 to reflect the City's ability to deny a for-hire license to an applicant who has a poor driving record in any type of vehicle, not just a taxi.

If you have any questions, or would like an individual briefing on this matter, please contact Mel McDonald, Director of Revenue and Consumer Affairs at 233-.

cc: Honorable Jan Drago
Mel McDonald



STATE OF WASHINGTON – KING COUNTY

--SS.

125503
City of Seattle, Clerk's Office

No. Ordinance In

Affidavit of Publication

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

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was published on

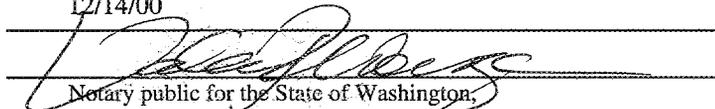
12/14/00

The amount of the fee charged for the foregoing publication is the sum of \$0.00, which amount has been paid in full.



Subscribed and sworn to before me on

12/14/00



Notary public for the State of Washington,
residing in Seattle

Affidavit of Publication

City of Seattle

ORDINANCE 120179

AN ORDINANCE relating to for-hire vehicles, taxicabs and for-hire drivers; correcting errors in drafting Ordinances 118341 and 119872 by repealing, reenacting, and amending various sections of Chapter 6.310 of the Seattle Municipal Code.

WHEREAS, errors were made in the drafting of Ordinances 118341 and 119872, including the inadvertent omission of certain pre-existing code language; and

WHEREAS, the intent of this Ordinance is only to correct the errors made in drafting Ordinances 118341 and 119872 and not to make additional changes to the City's licensing scheme for for-hire vehicles, taxicabs and for-hire drivers;

NOW THEREFORE, BE IT ORDAINED BY THE CITY OF SEATTLE AS FOLLOWS:

Section 1. In order to correct Subsections 6.310.230 A(10)(a) and 6.310.230 A(15) of the Seattle Municipal Code ("SMC") by restoring language inadvertently dropped in the drafting of

Section 5 of Ordinance 119872, SMC Subsections 6.310.230 A(10)(a) and 6.310.230 A(15) are repealed and reenacted to read as follows:

6.310.230 Taxicab Association - Operating Responsibilities.

A. In addition to meeting the license application requirements set forth in 6.310.200, the taxicab association must:

(10) Notify the Director within two (2) working days of the taxicab association having knowledge of the following:

(a) A conviction, bail forfeiture or other adverse finding received by the driver or the owner of an affiliated taxicab for any criminal offense or traffic violation that occurs during or arises out of the driver's operation of the taxicab (Class A for traffic violation, Class B for any criminal offense).

(15) Pay all penalties imposed by the Department that are either not contested or are upheld after review (Revocation of license).

Section 2. In order to correct SMC Section 6.310.300 by restoring language inadvertently dropped in the drafting of Section 6 of Ordinance 119872, SMC Subsections 6.310.300 C(1) and (2) and 6.310.300 D are repealed and reenacted to read as follows:

6.310.300 Taxicab and for-hire vehicle license application.

C. The taxicab or for-hire vehicle license application shall include the following information:

(1) Ownership type:

(a) If the owner is an individual, the owner's full name, home address, home and business telephone number and date of birth (which shall be at least eighteen years prior to the date of application), or

three (3) years of the date of application;

4. Is required to register as a sex offender pursuant to RCW 9A.44.130.

Section 6. In order to correct SMC Subsection 6.310.465 G by restoring language inadvertently dropped in the drafting of Section 17 of Ordinance 119872, SMC Subsection 6.310.465 G is repealed and reenacted to read as follows:

6.310.465 For-hire driver-passenger relations standards.

G. A for-hire driver shall not refuse to transport in the taxicab or for-hire vehicle any passenger's wheelchair which can be folded and placed in either the passenger, driver, or trunk compartment of the taxicab or for-hire vehicle; an assist dog or guide dog to assist the disabled or handicapped; groceries, packages or luggage when accompanied by a passenger. (Class B)

Section 7. In order to correct SMC Section 6.310.710 by restoring language inadvertently dropped in the drafting of Section 22 of Ordinance 119872, SMC Section 6.310.710 is repealed and reenacted to read as follows:

6.310.710 Passenger complaint process.

A. Upon receiving a complaint involving the conduct of the for-hire driver, the route of transportation, the rate charged for the transportation, passenger injury or property damage not arising from a vehicle accident, or other incident, the Director shall:

1. Issue a notice of complaint to the applicable taxicab association representative or for-hire vehicle licensee advising such person of the allegation(s) made in the complaint;

2. Require the for-hire vehicle licensee or the taxicab association to respond, in writing, to the allegation(s) in the notice of complaint within ten (10) days of receipt of the notice of complaint;

3. Require the taxicab association or for-hire vehicle licensee to investigate the allegation(s) in the notice of complaint and the response submitted by the for-hire driver or vehicle owner; and

4. Require the taxicab association or for-hire vehicle licensee to make a finding as to the validity of the allegation(s) in the complaint. If it is found to be a valid complaint the director may issue a notice of violation pursuant to SMC Section 6.310.635.

B. Failure to respond in writing within ten (10) days to a Notice of Complaint shall constitute a waiver of the for-hire driver's, vehicle owner's, and association's, if applicable, right to contest the allegation(s) in the written complaint and shall be conclusive evidence that the allegation(s) are valid.

C. Failure to comply with any Notice and Order issued as a result of the above process is a Class B violation.