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Ordinance No. 122802

Council Bill No. 116326

AN ORDINANCE relating to taxicabs and for-hire vehicles; making the current mandatory digital security camera equipment requirement a permanent safety feature for all licensed taxicabs; adding a new permanent mandatory digital security camera equipment requirement for all for-hire vehicles; and amending Section 6.310.320 of the Seattle Municipal Code.

The City of Seattle - Legislative Department

Council Bill/Ordinance sponsored by: Jan Golden
Councilmember

Committee Action:

Pass JG, SC, NL

9-22-08 Passed 8-0 (Absent: Rasmussen)

CF No. _____

Date Introduced:	<u>9.8.08</u>	
Date 1st Referred:		To: Finance and Budget (FAB)
Date Re - Referred:		To: (committee)
Date Re - Referred:		To: (committee)
Date of Final Passage:	<u>9-22-08</u>	Full Council Vote: <u>8-0</u>
Date Presented to Mayor:	<u>9-23-08</u>	Date Approved: <u>9-29-08</u>
Date Returned to City Clerk:	<u>10-2-08</u>	Date Published: <u>3</u> T.O. <input type="checkbox"/> F.T. <input checked="" type="checkbox"/>
Date Vetoed by Mayor:		Date Veto Published:
Date Passed Over Veto:		Veto Sustained:

This file is complete and ready for presentation to Full Council. Committee: _____ (initial/date)

Law Department

Law Dept. Review

OMP Review

City Clerk Review

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City of Seattle

Gregory J. Nickels, Mayor

Office of the Mayor

August 19, 2008

Honorable Richard Conlin
President
Seattle City Council
City Hall, 2nd Floor

Dear Council President Conlin:

I am pleased to transmit the proposed Council Bill making digital security camera equipment a permanent requirement for all licensed for-hire vehicles operating within the city.

Driving a taxicab has been identified by the Occupation Safety and Health Administration as a high risk occupation for workplace violence. In response to growing concerns regarding taxicab driver safety, the City of Seattle passed Ordinance 121738 in 2005, requiring that all licensed taxicabs operating within the city install and maintain operational digital security cameras. The Ordinance further provided that this safety requirement would expire on March 1, 2009, unless the City passed a subsequent ordinance extending the safety requirement.

According to the Seattle Police Department's crime statistics, robbery crimes against taxicab drivers were reduced from 13.8 per year during the period 2000-2005 before digital security cameras were installed to 5.0 per year during the period 2006-2007 after digital security cameras were installed, for a reduction of approximately 63.8% in "planned" crimes.

Further, digital security cameras have proven to be an effective tool in the arrest and prosecution of suspects in taxicab crimes. An example of this is the recent conviction in King County Superior Court for a murder-arson crime where the images recorded during the crime were the key evidence presented to the jury. This clearly demonstrated the effectiveness of the cameras in reducing crimes against taxicab drivers and the need to make the cameras a permanent safety feature for all taxicabs and for-hire vehicles operating within Seattle.

Thank you for your consideration of this legislation. Should you have questions, please contact Denise Movius at (206) 684-9259.

Sincerely,

A handwritten signature in black ink, appearing to read "Greg Nickels", written over a large, faint circular stamp or watermark.

GREG NICKELS
Mayor of Seattle

cc: Honorable Members of the Seattle City Council

600 Fourth Avenue, 7th Floor, P.O. Box 94749, Seattle, WA 98124-4749

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ORDINANCE 122802

AN ORDINANCE relating to taxicabs and for-hire vehicles; making the current mandatory digital security camera equipment requirement a permanent safety feature for all licensed taxicabs; adding a new permanent mandatory digital security camera equipment requirement for all for-hire vehicles; and amending Section 6.310.320 of the Seattle Municipal Code.

WHEREAS, driving a taxicab is identified as a high risk occupation for workplace violence by the Occupation Safety and Health Administration, and a 2004 comprehensive study on Seattle taxicab driver personal safety by the Taxicab Advisory Group recommended that additional safety equipment be required for all taxicabs, including digital security cameras; and

WHEREAS, Ordinance 121738 was adopted in 2005 requiring all taxicabs operating in Seattle to be equipped with operational digital security cameras; and

WHEREAS, according to Seattle Police Department crime statistics, robbery crimes against taxicab drivers were reduced from 13.8 per year during the period 2000-2005 before digital security cameras were installed, to 5.0 per year during the period 2006-2007 after digital security cameras were installed, for a reduction of 63.8% in "planned" crimes thus demonstrating the effectiveness of the mandatory security cameras in preventing such crimes against taxicab drivers; and

WHEREAS, digital security cameras have proved very effective in the arrest and prosecution of suspects in taxicab crimes as demonstrated by a recent conviction in King County Superior Court for a notorious murder-arson crime where the images recorded during the crime were the key evidence presented to the jury; and

WHEREAS, the recent licensing of a small fleet of for-hire vehicles has made it necessary to extend the protection provided by digital security cameras to drivers of for-hire vehicles who are subject to the same occupational risks as drivers of taxicabs; and

WHEREAS, the City recognizes the importance of making the current digital security camera requirement a permanent safety feature for all taxicabs operating within the city and also establishing a new permanent digital security camera safety requirement for all for-hire vehicles operating within the city; NOW, THEREFORE,

BE IT ORDAINED BY THE CITY OF SEATTLE AS FOLLOWS:

Section 1. Section 6.310.320 of the Seattle Municipal Code is amended as follows:



FISCAL NOTE FOR NON-CAPITAL PROJECTS

Department:	Contact Person/Phone:	DOF Analyst/Phone:
Executive Administration	Denise Movius/4-9259	Lawand Anderson/3-2780

Legislation Title:

AN ORDINANCE relating to taxicabs and for-hire vehicles; making the current mandatory digital security camera equipment requirement a permanent safety feature for all licensed taxicabs; adding a permanent mandatory digital security camera equipment requirement for all for-hire vehicles; and amending Section 6.310.320 of the Seattle Municipal Code

• **Summary of the Legislation:**

The proposed legislation amends SMC Chapter 6.310 to make the current mandatory digital security camera equipment requirement a permanent vehicle safety feature for all taxicabs licensed and operating within the city of Seattle. It also establishes a new mandatory digital security camera equipment requirement for all licensed for-hire vehicles operating within the city of Seattle and requires compliance for all for-hire vehicles no later than March 1, 2009.

• **Background:** *(Include brief description of the purpose and context of legislation and include record of previous legislation and funding history, if applicable):*

Driving a taxicab has been identified by the Occupation Safety and Health Administration as a high risk occupation for workplace violence. In 2004, a comprehensive study was conducted by the Taxicab Advisory Group on Seattle taxicab driver personal safety. The advisory group recommended that additional safety equipment be required for all taxicabs, including digital security cameras. The City of Seattle responded by passing Ordinance 121738 in 2005, that required all licensed taxicabs operating within the city of Seattle to install and maintain operational digital security cameras. The ordinance further provided that this safety requirement would expire March 1, 2009 unless the City passed a subsequent ordinance extending the requirement.

According to the Seattle Police Department's crime statistics records, robbery crimes against taxicab drivers were reduced from 13.8 per year during the period 2000-2005 before digital security cameras were installed to 5.0 per year during the period 2006-2007 after digital security cameras were installed for a reduction of 63.8% in "planned" crimes. These statistics clearly demonstrate the effectiveness of the mandatory security cameras in reducing such crimes against taxicab drivers.

Further, digital security cameras have also proven to be very effective in the arrest and prosecution of suspects in taxicab crimes. An example of this is the recent conviction in King County Superior Court for a murder-arson crime where the images recorded during the crime were the key evidence presented to the jury.



Lastly, the City's recent licensing of a small fleet of for-hire vehicles makes it necessary to extend the same protection provided by digital security cameras to drivers of for-hire vehicles who are subjected to the same occupational risks as taxicab drivers. Therefore, the proposed legislation also makes the digital security camera requirement a permanent safety feature for all for-hire vehicles.

- *Please check one of the following:*

This legislation does not have any financial implications.

STATE OF WASHINGTON – KING COUNTY

--SS.

229961
CITY OF SEATTLE, CLERKS OFFICE

No.

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.

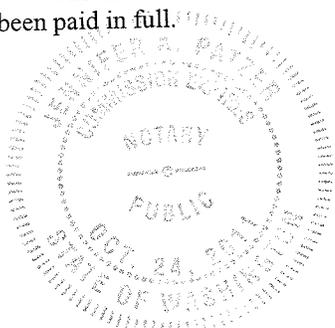
The notice in the exact form annexed, was published in regular issues of The Daily Journal of Commerce, which was regularly distributed to its subscribers during the below stated period. The annexed notice, a

CT:ORDINANCE 122802

was published on

10/07/08

The amount of the fee charged for the foregoing publication is the sum of \$ 175.63, which amount has been paid in full.



Subscribed and sworn to before me on

10/07/08 _____

Notary public for the State of Washington,
residing in Seattle

Affidavit of Publication

State of Washington, King County

City of Seattle

ORDINANCE 122802

AN ORDINANCE relating to taxicabs and for-hire vehicles; making the current mandatory digital security camera equipment requirement a permanent safety feature for all licensed taxicabs; adding a new permanent mandatory digital security camera equipment requirement for all for-hire vehicles; and amending Section 6.310.320 of the Seattle Municipal Code.

WHEREAS, driving a taxicab is identified as a high risk occupation for workplace violence by the Occupation Safety and Health Administration, and a 2004 comprehensive study on Seattle taxicab driver personal safety by the Taxicab Advisory Group recommended that additional safety equipment be required for all taxicabs, including digital security cameras; and

WHEREAS, Ordinance 121738 was adopted in 2005 requiring all taxicabs operating in Seattle to be equipped with operational digital security cameras; and

WHEREAS, according to Seattle Police Department crime statistics, robbery crimes against taxicab drivers were reduced from 13.8 per year during the period 2000-2005 before digital security cameras were installed, to 5.0 per year during the period 2006-2007 after digital security cameras were installed, for a reduction of 63.8% in "planned" crimes thus demonstrating the effectiveness of the mandatory security cameras in preventing such crimes against taxicab drivers; and

WHEREAS, digital security cameras have proved very effective in the arrest and prosecution of suspects in taxicab crimes as demonstrated by a recent conviction in King County Superior Court for a notorious murder-arson crime where the images recorded during the crime were the key evidence presented to the jury; and

WHEREAS, the recent licensing of a small fleet of for-hire vehicles has made it necessary to extend the protection provided by digital security cameras to drivers of for-hire vehicles who are subject to the same occupational risks as drivers of taxicabs; and

WHEREAS, the City recognizes the importance of making the current digital security camera requirement a permanent safety feature for all taxicabs operating within the city and also establishing a new permanent digital security camera safety requirement for all for-hire vehicles operating within the city; NOW, THEREFORE.

BE IT ORDAINED BY THE CITY OF SEATTLE AS FOLLOWS:

Section 1. Section 6.310.320 of the Seattle Municipal Code is amended as follows:

6.310.320 Taxicab and for-hire vehicle - Vehicle operating requirements.

No taxicab or for-hire vehicle, unless otherwise specifically provided herein, licensed by the City may lawfully operate within ~~((F))~~ ~~((C))~~ the City of Seattle unless the following minimum vehicle requirements are met:

...the taxicab and for-hire vehicle must be equipped with an operable digital security camera system approved by the Director pursuant to specifications provided by rule and adopted by the Director (summary suspension and Class B). ~~((The requirement for digital security cameras will expire on March 1, 2009, unless the City of Seattle adopts an ordinance to extend the requirement.))~~ All for-hire vehicles must be in compliance with this provision by March 1, 2009. Access to images made by any digital security camera is restricted to law enforcement personnel solely for the investigation and prosecution of crimes (Class C). Nothing in this subsection shall be construed to remove a law enforcement agency's obligation to comply with the Fourth Amendment of the United States Constitution and article I, section 7 of the Washington Constitution in obtaining access to digital security camera images, including the requirement to obtain a search warrant if needed.

Section 2. If the amendment to Seattle Municipal Code 6.310.320 submitted by Council Bill No. 116210 is also enacted into law, then both the amendment to Seattle Municipal Code 6.310.320 in Council Bill No. 116210 and the amendments to Seattle Municipal Code 6.310.320 in this ordinance shall be coordinated and given effect.

Section 3. This ordinance shall take effect and be in force thirty (30) days from and after its approval by the Mayor, but if not approved and returned by the Mayor within ten (10) days after presentation, it shall take effect as provided by Municipal Code Section 1.04.020.

Passed by the City Council the 22nd day of September, 2008, and signed by me in open session in authentication of its passage this 22nd day of September, 2008.

RICHARD CONLIN,

President of the City Council

Approved by me this 29th day of September, 2008.

GREG NICKELS,

Mayor.

Filed by me this 2nd day of October, 2008.

(Seal) JUDITH PIPPIN,

City Clerk

Publication ordered by Judith Pippin, City Clerk.

Date of publication in the Seattle Daily Journal of Commerce, October 7, 2008.

10/7(229961)