

ORDINANCE No. 118341

COUNCIL BILL No. 111404

AN ORDINANCE relating to for-hire vehicles, suspended and unlicensed drivers, and to amend chapter 21.06 of the Seattle Municipal Code to prohibit for-hire vehicles, including for-hire drivers and taxable organizations, both for regulation and revenue, and for a finding that it is in the best interests of the Seattle community.

Res. 29476

COMPTROLLER FILE No. _____

Introduced: <u>9-9-96</u>	By: <u>Drago</u>
Referred: <u>9-9-96</u>	To: <u>BECO</u>
Referred:	To:
Referred:	To:
Reported: <u>OCT 21 1996</u>	Second Reading: <u>OCT 21 1996</u>
Third Reading: <u>OCT 21 1996</u>	Signed: <u>OCT 21 1996</u>
Presented to Mayor: <u>OCT 21 1996</u>	Approved: <u>OCT 21 1996</u>
Returned to City Clerk: <u>OCT 21 1996</u>	Published: <u>Full 32 pages</u>
Vetoed by Mayor:	Veto Published:
Passed over Veto:	Veto Sustained:

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The City of Seattle--Leg

REPORT OF CO

Honorable President:

Your Committee on _____

to which was referred the within Council Bill No. _____
report that we have considered the same and respectfully re

BECO Committee

Full Council Vote

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The City of Seattle--Legislative Department

Date Reported
and Adopted

INDEXED

REPORT OF COMMITTEE

Honorable President:

Your Committee on _____

to which was referred the within Council Bill No. _____
report that we have considered the same and respectfully recommend that the same:

BECA Committee Report as amended 20

Full Council vote 9-0

Committee Chair

OFFICE OF THE CLERK OF THE CITY OF SEATTLE
1000 4TH AVENUE, SUITE 1000
SEATTLE, WASHINGTON 98101

ORDINANCE **118341**

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AN ORDINANCE relating to for-hire vehicles, taxicabs and for-hire drivers, adding a new chapter 6.310 to the Seattle Municipal Code to license for-hire vehicles, taxicabs, for-hire drivers and taxicab associations both for regulation and revenue, and repealing Chapters 6.208, 6.211 and 6.212 of the Seattle Municipal Code.

BE IT ORDAINED BY THE CITY OF SEATTLE AS FOLLOWS:

Section 1. Chapters 5.208, 6.211 and 6.212 of the Seattle Municipal Code are hereby repealed.

Section 2. A new chapter is added to the Seattle Municipal Code as follows:

Chapter 6.3

TAXICABS AND FOR-HIRE VEHICLES

I. GENERAL PROVISIONS

6.310.100 Purpose.

This ordinance is an exercise of the City of Seattle's power to license for-hire vehicles, taxicabs, for-hire drivers and taxicab associations, for regulation and revenue. Some of its regulatory purposes are to increase the safety, reliability, cost-effectiveness, and the economic viability and stability of privately-operated for-hire vehicle and taxicab services within the City of Seattle.

6.310.110 Definitions.

For the purposes of this chapter and unless the context plainly requires otherwise, the following definitions apply:

A. "Affected licensee" means any licensee that may incur some penalty as a result of a violation. For example, if a for-hire driver of a taxicab commits a violation, the for-hire driver, the taxicab owner, and the taxicab association with which that taxicab is associated are all affected licensees.

B. "Affiliated taxicab" means a taxicab licensed to operate within a particular taxicab association.

C. "Approved mechanic" means a mechanic on a list maintained by the Director. The list shall contain the name of each mechanic that has applied to the Director for inclusion and who 1) has met all requirements of the National Institute for Automotive Service Excellence, 2) has been awarded a Certificate in Evidence of Competence satisfactory to the Director, 3) does not own, lease or drive a taxicab or for-hire vehicle, and 4) has no financial interest, including any employment interest, in any

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1 taxicab association, taxicab or for-hire vehicle or in any company that owns or leases taxicabs or for-hire
2 vehicles.

3 D. "Certificate of Safety" means a document from an approved mechanic certifying that a
4 particular vehicle meets all vehicle safety standards set forth in this chapter and in regulations adopted
5 pursuant to this chapter.

6 E. "Committed a violation" means that a licensee has been issued a Notice of Violation and
7 either has not contested the violation or did contest the violation but lost.

8 F. "Contract rate" means the rate specified in a written contract signed by both parties before
9 the dispatch of a taxicab or for-hire vehicle for the services identified in the contract. Contracts for
10 package delivery may be made on an oral basis

11 G. "Department" means the Department of Finance of the City of Seattle, or any department
12 that succeeds to the Department of Finance's duties under this chapter.

13 H. "Director" means the director of the Department of Finance or any successor department
14 and the director's authorized designee.

15 I. "For-hire driver" means any person in physical control of a taxicab or for-hire vehicle, who
16 is required to be licensed under this chapter. The term includes a lease driver, owner/operator, or
17 employee who drives taxicabs or for-hire vehicles.

18 J. "For-hire vehicle" means any motor vehicle used for the transportation of passengers for
19 compensation, except:

- 20 (1) Taxicabs as defined in this chapter;
- 21 (2) School buses operating exclusively under a contract to a school district;
- 22 (3) Ride-sharing vehicles under chapter 46.74 RCW;
- 23 (4) Limousine carriers licensed under chapter 81.90 RCW;
- 24 (5) Vehicles used by nonprofit transportation providers solely for elderly or
handicapped persons and their attendants under chapter 81.66 RCW;
- (6) Vehicles used by auto transportation companies licensed under chapter 81.68
RCW;
- (7) Vehicles used to provide courtesy transportation at no charge to and from parking
lots, hotels, and rental offices; and,
- (8) Charter party carriers and excursion service carriers licensed under chapter 81.70
RCW.

K. "Handicapped person" means any person who, by reason of illness, injury, age, congenital
malfunction, or other permanent or temporary incapacity or disability, is unable without special facilities
or special planning or design to use mass transportation facilities and services as efficiently as persons
who are not so affected. Handicapped persons include ambulatory persons whose capacities are hindered
by sensory disabilities such as blindness or deafness, such mental disabilities as mental retardation or
emotional illness, and physical disabilities that still permit the person to walk comfortably, or a
combination of these disabilities. It also includes a semiambulatory person who requires such special aids
to travel as canes, crutches, walkers, respirators, or human assistance, and a nonambulatory person who
must use wheelchairs or wheelchair-like equipment to travel.

L. "Knowingly permit" means 1) to know of an action or condition that violates this chapter
or any regulation promulgated pursuant to this chapter, and 2) to fail to take reasonable steps to cure the
violation and to prevent future violations. There is a rebuttable presumption that a person knows a fact,
action or condition of which a reasonable person in the same position would have knowledge.

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1 M. "Lease driver" means a for-hire driver who is an independent contractor
2 who has leased a taxicab or for-hire vehicle from a taxicab or for-hire vehicle owner
association.

3 N. "Lessor" means an owner of a taxicab or for-hire vehicle who is not a lease driver.

4 O. "Licensee" means any person or entity licensed under this chapter as a for-hire
drivers, taxicab or for-hire vehicle owners, and taxicab associations.

5 P. "Motor vehicle" means every motorized vehicle by or upon which any person may be
transported or carried upon a public street, highway or alley; provided, that vehicles used exclusively
6 upon stationary rail tracks or propelled by use of overhead electric wires are not considered motor
vehicles for purposes of this chapter.

7 Q. "Operating in the City of Seattle" means owning, leasing, advertising, driving, occupying
and/or otherwise using a taxicab or for-hire vehicle that at any time transports any passenger or item for
8 compensation from a point within the geographical confines of the City of Seattle. The vehicle is
considered to be operating during the administering of inspections at the city's inspection facility. The
term does not include being in control of a vehicle that is physically inoperable. A taxicab association is
"operating in the City of Seattle" if it represents or includes any taxicab that at any time transports any
9 passenger or item for compensation from a point within the geographical confines of the City of Seattle.

10 R. "Owner" means the person whose lawful right of possession of a taxicab or for-hire
vehicle has most recently been recorded with the state Department of Motor Vehicles.

11 S. "Senior Citizen" means any person over the age of 60 with a valid identification
confirming that person's age.

12 T. "Special rate" means discounted rates for senior citizens and handicapped persons.

13 U. "Taxicab" means every motor vehicle

(1) that is held out to the public as providing transportation to passengers or articles
14 for hire;

(2) where the route traveled or destination is controlled by the customer;

15 (3) that carries signs or indicia of a taxicab, including the words "taxi," "taxicab," or
"cab," and

(4) where the fare is based on an amount recorded and indicated on a taximeter, or by
16 a special contract rate permitted under this chapter. Despite the foregoing, "taxicab" does not include
those vehicles listed in SMC 6.310.110(J)(2-8) or for-hire vehicles.

17 V. "Taxicab association" means a person or organization licensed under this chapter that
represents or owns at least 15 taxicabs licensed by the City that use the same color scheme, trade name,
and dispatch services. An individual person may be a taxicab association as long as that individual owns
18 or represents at least 15 taxicabs and otherwise meets the requirements of this chapter.

19 W. "Taxicab association representative" means the person or persons that a taxicab
association has authorized to:

(1) file applications, special contract rates and charges on behalf of the taxicab
20 association and individual owners in the taxicab association; and

(2) receive and accept all correspondence and notices from the City pertaining to the
21 taxicab association, or to the taxicabs, taxicab owners and/or for-hire drivers operating within the taxicab
association; and

(3) forward any correspondence, notices and/or legal process received by the
22 association and intended for a taxicab owner and/or taxicab driver operating within the taxicab
association.

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1 X. "Taximeter" means any instrument or device by which the charge for hire of a passenger
2 carrying vehicle is measured or calculated either for the distance traveled by such vehicle or for waiting
time, or for both, and upon which such calculated charges shall be indicated by means of figures.

3 **6.310.120 Scope.**

4 This chapter applies to all taxicab associations, all taxicabs, all for-hire vehicles and all for-hire
5 drivers operating within the City of Seattle. This chapter is not intended to be a part of the New License
Code, Chapter 6.202 et seq.

6 **6.310.130 Licenses required.**

7 A. It is unlawful to own, lease, drive or otherwise operate within the City of Seattle any
8 taxicab or for-hire vehicle within the scope of this chapter, unless:

- 9 (1) The for-hire driver has a valid license issued under this chapter;
10 (2) The for-hire vehicle or taxicab has a valid license issued under this chapter; and
11 (3) If the vehicle is a taxicab, the taxicab is affiliated with a taxicab association

12 licensed under this chapter.

13 B. It is unlawful to operate a taxicab association within the City without a valid license issued
14 pursuant to this chapter.

15 **6.310.140 Rule-making authority.**

16 The Director is authorized to promulgate and adopt rules pursuant to SMC chapter 3.02 to
17 implement the provisions of this chapter.

18 **6.310.150 Fees.**

19 The following non-refundable fees shall apply:

20 Taxicab Association, Taxicab, For-Hire Vehicle and For-Hire Driver Fees

21 A. Taxicab association annual fee	\$750.00
22 Late fee for taxicab association annual fee	75.00
23 Fingerprinting of owners and officers	charge as determined by Director to 24 cover costs.

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B. Taxicab or for-hire vehicle license

Annual fee	\$240.00
Late fee (renewal)	24.00
Change of equipment	50.00
Change of owner: Sept/Feb	240.00
Mar/Aug (pro-rated)	120.00
July 16-Aug 31*	
Replace taxicab plate	10.00
Special inspection fee (SMC 7.04)**	30.00/hr. (1 hour min.)
Vehicle re-inspection fee (for Class A violations)	20.00
Inspection rescheduling fee	20.00
Taxicab meter registration fee (SMC 7.04)	5.00
Taxicab change of association affiliation	50.00
Suspension reinstatement fee (when no penalty is assessed) or re-inspection fee (for Class B violations).	50.00
Fingerprinting of owners	Charge as determined by Director to cover costs.

* No fee is due if change of ownership takes place during July 16-Aug 31 and is in conjunction with annual license renewal.

** For re-test of taxicab meter and inspections provided to other municipalities.

C. For-hire driver

For-hire	\$55.00
Add/change affiliation***	20.00
Late fee	10.00
ID photo	2.00
Fingerprinting	Charge as determined by Director to cover costs.
Replacement license	5.00
Training class fee	As determined by Director.

*** Taxicab drivers may only drive for a maximum of three (3) associations.

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II. TAXICAB ASSOCIATIONS LICENSING AND OPERATING REQUIREMENTS

6.310.200 Taxicab Association -- license application.

A. Any business or individual desiring to operate as a taxicab association within the City of Seattle shall file with the Director a signed and notarized taxicab association application, on forms approved by the Director. The application shall include the following information:

(1) The applicant taxicab association's name, business street address and post office box address (if any), business FAX number, business phone number where the taxicab association representative can generally be reached between 9 a.m. and 5 p.m. on all non-holiday weekdays, and FCC-licensed frequencies used for dispatch or response;

(2) The form of business entity under which the association will operate (e.g. corporation, partnership, cooperative association);

(a) If the applicant taxicab association is individually owned, the name, business address (or home address if no business address), telephone number and date of birth of the owner; or

(b) If the applicant taxicab association is a corporation, partnership or other business entity, the names, home and business addresses, telephone numbers, and date of birth of all officers, directors, general and managing partners, registered agents, and of all other persons vested with authority to manage or direct the affairs of the legal entity or to bind the legal entity in dealings with third parties, and the entity's true legal name, state of incorporation or registration with the Secretary of State of the State of Washington (if any) and State of Washington business license number, and any other information that the Director may reasonably require;

(3) The color scheme the applicant taxicab association proposes to require for each affiliated taxicab, and two (2) 2" X 2" sample color chips;

(4) A brief description of the uniform the applicant taxicab association proposes to require for drivers of affiliated taxicabs, which shall include full length pants (hemmed slack material), collared shirt, and shoes. The uniform may include the option to wear shorts in the summer, provided that the shorts extend no higher than 2" above the kneecap and are of a similar color and pattern to the uniform full-length pants. Further, the uniform may be modified in individual cases as necessary to 1) avoid interfering with the for-hire driver's religious beliefs and/or 2) accommodate the for-hire driver's disability or disabilities;

(5) The name, address, phone number and date of birth of the taxicab association representative;

(6) The taxicab number (assigned by the City/County) and the name of each taxicab vehicle owner that will be affiliated with the taxicab association;

(7) The special and/or contract rates that will be charged by taxicabs affiliated with the taxicab association; and

(8) Any other information required by regulations adopted pursuant to this chapter.

(9) The above application and information must be completed for each annual license renewal.

B. All applications submitted to the Director must be accompanied by the license fee set forth in SMC 6.310.150.

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

3 **6.310.205 Taxicab association owners, partners, and principals--Investigation.**

4 All applicants for a taxicab or for-hire vehicle license must consent to be fingerprinted for a
5 criminal background check.

6 **6.310.210 Taxicab Association -- standards for license denial.**

7 A. The operation of a taxicab association is a privilege, not a right. The taxicab association's
8 ability to satisfy stated criteria for a taxicab association license does not create a right to a taxicab
9 association license.

10 B. The Director shall deny any taxicab association license application if the Director
11 determines that:

- 12 (1) The applicant does not represent at least 15 affiliated taxicabs;
- 13 (2) The application has a material misstatement or omission;
- 14 (3) The application is incomplete; and/or
- 15 (4) Within three (3) years of the date of application, the applicant, or any owner,
16 officer, director, managing partner, general partner or principal of the applicant, has had a bail forfeiture,
17 conviction or other final adverse finding for crimes of fraud, theft, larceny, extortion, embezzlement,
18 racketeering, Uniform Controlled Substances Act, prostitution, alcohol and/or narcotics where the
19 commission of such crime(s) involved a taxicab association, taxicab or for-hire vehicle company, taxicab,
for-hire vehicle or limousine.

20 C. The Director may deny any taxicab association license application if the Director
21 determines that, within five (5) years of the date of application, the taxicab association applicant, or if the
22 taxicab association applicant is a business entity, any officer, director managing partner, general partner,
23 registered agent or principal of the taxicab association:

- 24 (1) Within five (5) years of the date of application, has had a bail forfeiture,
conviction or other final adverse finding involving crimes directly related to the applicant's ability to
operate a taxicab association, including but not limited to prostitution, gambling, fraud, larceny,
extortion, income tax evasion; and/or
- (2) Has exhibited past conduct, as evidenced by a criminal conviction, bail forfeiture
or other final adverse finding (including in a civil suit or administrative proceeding) in operating a taxicab
association, business or vehicle that would lead the Director to reasonably conclude that the applicant will
not fulfill the taxicab association responsibilities and requirements set forth in this chapter.

6.310.220 Taxicab Association-- approval of color scheme and uniform

The Director shall have final approval over the taxicab association's color scheme and uniform, in
order to ensure that there is no risk of confusion between the colors of different taxicab associations, and
to ensure that the uniform meets the standards of SMC 6.310.200(A)(3&4).

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1 **6.310.230 Taxicab Association--Operating Responsibilities.**

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

- 4 (1) Maintain a business office that
- 5 (a) Is open and personally staffed all business days between 9 a.m. and 5 p.m.
6 (b) Has a business telephone number that is listed in the white and yellow
7 (c) Has a mailing address where the taxicab association representative will
8 (d) Stores all records that this chapter requires the taxicab association to
9 (e) maintain (Class A);
 - 10 (2) Ensure that each affiliated taxicab is insured as required in SMC 6.310.300 (C)(5-
11 (3) " Ensure that each affiliated taxicab maintains the taxicab association's color scheme
12 and identification; provided, that taxicab associations comprised exclusively of independent taxicabs need
13 not meet this requirement until January 1, 1999. For purposes of this subsection, an "independent
14 taxicab" means a taxicab that, prior to October 1, 1996, shared a central dispatch service with 9 or fewer
15 other taxicabs. A taxicab permanently loses its status as an "independent taxicab if it affiliates with a
16 taxicab association that is not comprised exclusively of independent taxicabs (Class B);
 - 17 (4) Maintain on file at the taxicab association's place of business proof of insurance
18 required by SMC 6.310.300(C)(5-6) and .320(D) (Class A);
 - 19 (5) Accept on behalf of any owner or driver of an affiliated taxicab all correspondence
20 from the Director to that owner or driver (Class A);
 - 21 (6) Deliver to the owner and for-hire driver of an affiliated taxicab any correspondence
22 from the Director to that owner or driver as soon as reasonably possible after the taxicab association
23 receives such correspondence (Class A);
 - 24 (7) Collect and store for at least two (2) years trip sheet records for all affiliated
 taxicabs, including daily logs, as prescribed by the Director, of taxicabs in service, together with the
 driver's name, taxicab number and summary of trip sheet totals; (Class A);
 - (8) Collect and provide the following service information to the Director annually, at a
 time set by regulation adopted pursuant to this chapter:
 - (a) Number of service requests (trips),
 - (b) Average number of taxicabs operating during the year,
 - (c) Average number of operating hours per week per taxicab,
 - (d) Total paid trip miles for the past year per taxicab, and;
 - (e) Number of complaints received regarding
 - (i) driver conduct sorted by driving behavior, communication, personal
 dress or hygiene;
 - (ii) vehicle condition sorted by appearance, mechanical and/or safety;
 - (iii) service response; and
 - (iv) lack of driver knowledge of route or requested destination (all
 subsections Class B);

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1 (9) Maintain a log of, and forward to the Director upon request, each oral or written
2 customer complaint that the taxicab association receives about the taxicab association or about an owner,
3 lessee or driver of an affiliated taxicab. Where applicable, the taxicab association should include a notice
4 of the action taken by the taxicab association to resolve the complaint and the disposition (Class A);

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

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

11 (b) A conviction, bail forfeiture or other final adverse finding received by the
12 driver or the owner of an affiliated taxicab for any other criminal offense directly bearing on the driver's
13 fitness to operate a taxicab or the owner's fitness to own a taxicab, including but not limited to theft,
14 fraud, robbery, burglary, assault, sex crimes, alcohol, drugs, or prostitution (Class B),

15 (c) A vehicle accident required to be reported to the State of Washington
16 involving any affiliated taxicab (Class B),

17 (d) Any restriction, suspension or revocation of a State of Washington driver's
18 license issued to a driver of an affiliated taxicab (Class B), and/or

19 (e) Any matter listed in SMC 6.310.210(B)(4) or 6.310.210 (C) (Class B);

20 (11) Notify the Director within five (5) working days of any change in the affiliation
21 status of any taxicab, including any new taxicab joining the association, any taxicab leaving the
22 association, and any suspension, termination, non-renewable or revocation of a taxicab by the taxicab
23 association or by any jurisdiction other than the City of Seattle (Class A);

24 (12) Continue to affiliate with at least fifteen (15) taxicabs licensed under this chapter.
If the number of taxicabs falls below fifteen (15), the taxicab association must increase the number to
fifteen (15) within six (6) months from the date the number falls below fifteen (15), or combine with an
already existing association, or lose its license under this chapter (Revocation or non-renewal);

(13) Comply with all regulations promulgated pursuant to this chapter (See applicable
rules for penalties or actions);

(14) Permit the Director to carry out inspections without notice of all taxicab records
required to be kept under this chapter, and all affiliated taxicabs (Class B); and

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

B. Taxicab associations must meet the requirements of 6.310.200(C).

C. Failure to meet the requirements of this section (SMC 2.310.230) is a violation of this
chapter.

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1 **6.310.240 Taxicab association -- transfers in the interest of a taxicab association.**

2 A taxicab association license is not transferable. However, an interest in a business entity holding
3 a taxicab association license may be transferred, but only after the new owner or principal has submitted
4 an application, met the standards and requirements contained in sections 6.310.200, 6.310.205, and
5 6.310.210, and secured written approval of the Director.

6 **6.310.250 Taxicab association -- license renewals.**

7 A taxicab association license is valid for no more than one (1) year and expires on December 31.
8 No taxicab association license may be renewed unless the renewal fee has been paid and all outstanding
9 penalties assessed against the taxicab association, its affiliated taxicabs and the for-hire drivers of
10 affiliated taxicabs have been paid to the Director. The Director shall not renew the taxicab association
11 license unless the Director determines that the taxicab association's continued operation is in the public
12 interest. All denials of renewal applications must be set forth in writing, together with the reasons for
13 denial. The written denial shall be delivered either personally or by first class mail to the address
14 provided by the applicant on the license renewal application.

15 **III. TAXICAB AND FOR-HIRE VEHICLE LICENSING AND REQUIREMENTS**

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

17 A. A taxicab association representative is responsible for filing with the City a taxicab license
18 application, on forms approved by the Director, for each taxicab that is, or is proposed to be, affiliated
19 with the association. The taxicab owner must sign and swear to the application, which shall include the
20 information specified in subsection C of this section.

21 B. A for-hire vehicle owner must file with the City a for-hire vehicle license application on
22 forms provided by the Director.

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

24 (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

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

 (2) Vehicle information, including the name of the taxicab association with which a
taxicab is or will be affiliated, the taxicab or for-hire vehicle number assigned by any regulatory agency,

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1 the make, model, year, vehicle identification number, Washington State vehicle license plate number, and
2 any other vehicle information required by rule or regulation promulgated under this chapter;

3 (3) Information as requested by the Department pertaining to any driver's, for-hire
4 vehicle or taxicab license suspension, denial, non-renewable or revocation, imposed in connection with a
5 taxicab or for-hire vehicle owned or leased by the owner within the last three (3) years;

6 (4) Criminal history, as requested by the Department, of the owner, or if the owner is
7 a business entity, of the persons specified in subsection (C)(1)(b) above;

8 (5) Certificate of insurance proving compliance with chapter 46.72 RCW, as now or
9 hereafter amended, for each taxicab or for-hire vehicle for which a license is sought. The certificate
10 shall:

11 (a) Be issued by a company authorized to carry on an insurance business in the
12 State of Washington,

13 (b) Name the City of Seattle as a certificate holder, and

14 (c) Provide that the insurer will notify the Director, in writing, of any
15 cancellation at least thirty (30) days before that cancellation takes effect;

16 (6) Certificate of underinsured motorist coverage indicating a minimum coverage of
17 fifty thousand dollars (\$50,000) twenty-five thousand dollars (\$25,000) per person, and fifty thousand
18 dollars (\$50,000) per accident, or a certificate of self-insurance issued pursuant to RCW 46.29.630;

19 (7) State of Washington For-Hire Certificate;

20 (8) State of Washington vehicle registration;

21 (9) Certificate of safety as required in SMC 6.310.320(E);

22 (10) Certificate of taxicab association membership (if application is for a taxicab
23 license); and

24 (11) Any other documents required by regulations promulgated under this chapter.

(12) The above application and information must also be completed and supplied during
any annual license renewal.

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

6.310.305 Taxicab and for-hire vehicle owners--Investigation.

All applicants for a taxicab or for-hire vehicle license must consent to be fingerprinted for a
criminal background check.

6.310.310 Taxicab and for-hire vehicle -- standards for license denial.

A. The Director shall deny any taxicab or for-hire vehicle owner license application if the
Director determines that:

(1) The applicant has failed to submit a complete, satisfactory application pursuant to
SMC 6.310.300;

(2) The applicant taxicab owner has failed to affiliate with a licensed taxicab
association;

(3) The applicant has made any material misstatement or omission in the application
for a license;

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1 (4) The applicant fails to meet one or more of the applicant or vehicle requirements of
2 a taxicab or for-hire vehicle owner licensee pursuant to SMC 6.310.320; and/or

3 (5) Within three (3) years of the date of application, the applicant, or if the applicant is
4 a business entity any officer, director, general partner, managing partner or principal of the applicant, has
5 had a conviction, bail forfeiture or other final adverse finding of criminal fraud, larceny, theft,
6 prostitution, extortion, racketeering, robbery, or violation of the Uniform Controlled Substances Act
7 within three (3) years of the date of application where such crime involved the use of a taxicab, for-hire
8 vehicle or limousine.

9 B. The Director may deny any taxicab or for-hire vehicle owner license application if the
10 Director determines that:

11 (1) Within five (5) years of the date of application, the applicant, or if the applicant is a
12 business entity, any officer, director, general partner, managing partner or principal of the applicant, has
13 had a conviction, bail forfeiture, or other final adverse finding involving crimes reasonably related to the
14 applicant's ability to operate a taxicab or for-hire business, including but not limited to prostitution,
15 gambling, fraud, larceny, extortion, income tax evasion;

16 (2) Within two (2) years of the date of application, the applicant, or if the applicant is
17 a business entity any officer, director, general partner, managing partner or principal of the applicant, has
18 been found, either through a criminal conviction, bail forfeiture or other final adverse finding (including in
19 a civil suit or administrative proceeding) to have exhibited past conduct in driving or operating a taxicab
20 or for-hire vehicle or operating a taxicab or for-hire business which would lead the Director to reasonably
21 conclude that the applicant will not comply with the provisions of the chapter related to vehicle
22 requirements and the safe operation of the vehicle;

23 (3) Within two (2) years of the date of application, the applicant, or if the applicant is
24 a business entity any officer, director, general partner, managing partner or principal of the applicant, has
25 engaged in the business of operating any taxicab or for-hire vehicle within the City of Seattle without a
26 current valid license from the City of Seattle;

27 (4) Within twelve (12) months of the date of application, the applicant has violated
28 and/or caused or knowingly permitted a driver to violate, any King County or Port of Seattle ordinance
29 or regulation pertaining to the operation of taxicabs while in those jurisdictions, if such violation would
30 constitute grounds for license revocation or denial if occurring within the City; and/or

31 (5) Within twelve (12) months of the date of application, the applicant has had its City
32 of Seattle taxicab or for-hire vehicle license revoked.

33 **6.310.320 Taxicab and for-hire vehicle -- vehicle operating requirements.**

34 No taxicab or for-hire vehicle licensed by the City may lawfully operate within the City of Seattle
35 unless the following minimum vehicle requirements are met:

36 A. All applicable licenses specified in 6.310.230 are in force for the taxicab or for-hire vehicle
37 (Misdemeanor and Class C);

38 B. For taxicabs only, and subject to section 6.310.230(A)(3), the vehicle complies with the
39 approved color scheme of the taxicab owner's taxicab association (Suspension and Class B);

40 C. Vehicle age requirements:

41 (1) Prior to August 31, 2002. The vehicle's model year shall be no more than eight
42 (8) years prior to the date of application. For example, vehicles licensed on August 31 of 1999 must be
43 1991 models or newer. All vehicles purchased and licensed after October 1, 1996 must be this 8-year
44

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- 1 age limit. The following transition periods will apply to vehicles purchased and licensed on or before
that date:
- 2 (a) Owners of single taxicabs or for-hire vehicles:
- | | |
|-------------------|---|
| 3 Renewal date | Oldest permitted model year at renewal date |
| August 31, 1997 | ten (10) years prior to application date |
| August 31, 1998 | nine (9) years prior to application |
| 4 August 31, 1999 | eight (8) years prior to application date. |
- 5 (b) Owners of more than one taxicab or for-hire vehicle:
- | | |
|-----------------|---|
| 6 Renewal date | Percent of fleet that must meet 8-year or newer requirement |
| August 31, 1997 | At least 33% |
| August 31, 1998 | At least 66% |
| August 31, 1999 | 100% |
- 7 Replacement of vehicles under this subsection (1)(b) shall be on an oldest vehicle first basis unless
permission is granted by the Director
- 8 (2) As of August 31, 2002, the vehicle model year can be no more than seven (7)
years prior to the date of application (Denial of license).
- 9 D. The vehicle has insurance as required by SMC 6.310.300(C)(5)-(6), provided, that if an
insurance policy is canceled, or a vehicle is deleted from the policy, proof of a new policy including the
10 vehicle must be filed with the Director before the vehicle is canceled or deleted from the previous policy
(Suspension and Class C);
- 11 E. An approved mechanic has issued a valid certificate of safety for the vehicle within the last
license year. Attached to this certificate of safety must be a certification stating that the taxicab or for-
12 hire vehicle has passed an emissions tests conducted by an Authorized Emission Specialist who has been
certified by the Washington Department of Ecology. The safety certificate and emission certification
13 remain valid, if the vehicle is sold, until the next renewal date (Suspension and Class B);
- 14 F. The taxicab or for-hire vehicle has passed a City inspection at least once in the past license
year, or more often if required by the Director because of previous violations (Suspension and Class B);
- 15 G. The taxicab or for-hire vehicle meets the vehicle and safety standards set forth in
regulations promulgated by the Director (Class A for vehicle standards, Suspension and Class B for
safety standards);
- 16 H. The taxicab or for-hire vehicle displays a taxicab vehicle license plate with a current year
decal issued by the Director (Suspension and Class B);
- 17 I. All rates, including discounts or special rates, and all taxicab numbers and letters are
displayed in the manner prescribed by rule or regulation promulgated pursuant to this chapter (Class A);
- 18 J. The vehicle contains a map of Seattle and the region published within the past two (2)
years, which will be displayed to any passenger upon request (Class A);
- 19 K. The taxicab is equipped with a properly sealed, working and accurate taximeter as
prescribed by the Director (Suspension and Class B);
- 20 L. The taxicab or for-hire vehicle is equipped with a consumer information board, the size,
material, and placement of which is prescribed by the Director by rule. Such board shall include, at a
21 minimum, the taxicab or for-hire vehicle name and number, the driver's license number, the taxi hotline
number and consumer survey and complaint cards (Class A);
- 22 M. The taxicab contains no scanner or other type of receiver that is capable of monitoring
another Taxicab Association's assigned frequency, except as otherwise permitted by the Director
23 (Suspension and Class B);
- 24

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1 N. The taxicab is equipped and operated so that it can be contacted by two-way radio
2 communication in response to a telephone or other request for service by a prospective passenger. Until
3 December 31, 1999, this requirement can be met by use of a mobile radio telephone service. After
4 December 31, 1999, the requirement can only be met by two-way radio communication. Taxicab drivers
5 using mobile radio telephone service must respond to Director inquiries within a time period to be
6 specified by rule. (Class B); and

7 O. Any other requirements set forth in regulations adopted pursuant to this chapter
(safety regulations - Class B; non-safety regulations - Class A).

8 **6.310.330 Taxicab owner and for-hire vehicle owner responsibilities.**

9 A. The owner of a taxicab or for-hire vehicle must ensure the taxicab or for-hire vehicle is
10 being operated only by a driver who holds a valid for-hire driver license (Suspension (5 days) and Class
11 B)

12 B. The taxicab or for-hire vehicle owner must maintain a business address and a mailing
13 address where the owner can accept mail, and a business telephone in working order that can be
14 answered at least 9 a.m. to 5 p.m. Monday through Friday, and during all hours of operation. The
15 taxicab association office or dispatch center may suffice for this requirement (Class A);

16 C. The taxicab owner shall comply with all requirements for taxicabs under the taxicab
17 association requirements listed in 6.310.200 - .330 (same Class violation as applied to association for
18 same violation, except that penalty for owner will be monetary penalty only);

19 D. The taxicab or for-hire vehicle owner must notify the Director within three (3) working
20 days of learning of the following occurrences:

21 (1) Any conviction, bail forfeiture or other final adverse finding received by the taxicab
22 driver or for-hire vehicle driver, for any criminal offense that occurs during, or arises out of, the driver's
23 operation of a taxicab or for-hire vehicle (Class B);

24 (2) Any conviction, bail forfeiture or other final adverse finding received by the taxicab
or for-hire vehicle driver for any criminal offense involving theft, robbery, burglary, assault, sex crimes,
drugs, prostitution, or any related offense (Class B);

(3) Any vehicle accident required to be reported to the State of Washington involving
any taxicab operated by the taxicab driver or for-hire vehicle operated by the for-hire driver (Class B); or,

(4) Any restriction, suspension or revocation of the taxicab or for-hire vehicle driver's
motor vehicle driver's license (Class B);

E. The taxicab or for-hire vehicle owner must maintain daily trip sheet records and complaint
logs, as prescribed by the Director by rule for all licensed vehicles. A taxicab owner must insure that all
original daily trip sheets are given to the taxicab association representative at least weekly. A The for-
hire vehicle owner must keep daily trip sheets and complaint logs for a minimum of two (2) years. The
for-hire vehicle owner must provide to the Director annually the following information compiled from the
daily trip sheets:

(1) Number of service requests (trips) during the last year;

(2) Average operating hours per week per vehicle for the last year;

(3) Number of complaints received regarding:

(a) driver conduct categorized by driving behavior, communication, personal
dress or hygiene;

(b) vehicle condition categorized by appearance, mechanical and/or safety;

- 1 (c) service response; and
2 (d) lack of driver knowledge including incorrect route or no knowledge of
3 destination requested.

4 (4) All complaints received regarding either the for-hire driver or the taxicab or for-
5 hire vehicle, where such complaint involves an alleged violation of this chapter, including a note of the
6 action taken to resolve the complaint and the disposition, if known (all violations within subsection E are
7 Class A);

8 F. The taxicab or for-hire vehicle's owner and driver permits the Department to inspect the
9 vehicle without notice, upon request (Suspension and Class B);

10 G. The owner of a taxicab or for-hire vehicle must ensure that the for-hire driver complies
11 with operating and conduct standards per SMC 6.310.450-475 (Same class of violation as for the for-hire
12 driver);

13 H. The taxicab or for-hire vehicle owner shall comply with any applicable regulations
14 promulgated under this chapter (Class B for safety requirements, otherwise Class A).

15 **6.310.340 Taxicab and for-hire vehicle -- license transfer.**

16 A for-hire vehicle or taxicab license may be transferred. No transfer of a for-hire vehicle or
17 taxicab license can take effect until all outstanding penalties assessed against the owner and/or any driver
18 of the for-hire vehicle or taxicab are paid in full to the Director. The proposed transferee must submit a
19 for-hire vehicle or taxicab license application according to the standards set forth in SMC 6.310.300. The
20 standards for denial set forth in SMC 6.310.310 apply to proposed transfers. Transfers shall not become
21 effective, and the proposed transferee may not operate the taxicab or for-hire vehicle, until the proposed
22 transferee receives the taxicab or for-hire vehicle license.

23 **6.310.350 Taxicab and for-hire vehicle -- license expiration and renewal.**

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

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

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

**6.310.360 Destruction, replacement, retirement or inactivity of a taxicab or for-hire
vehicle.**

A. The taxicab association and/or taxicab owner shall notify the Director in writing within
five (5) working days whenever a taxicab is destroyed, rendered permanently inoperable, sold or is taken
out of service by the owner for any reason.

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1 B. A for-hire vehicle owner shall notify the Director in writing within five (5) working days
2 whenever a for-hire vehicle is destroyed, rendered permanently inoperable, sold or is taken out of service
by the owner for any reason.

3 C. Any vehicle that, for a period of at least sixty (60) days, is not legally operated as a taxicab
4 or for-hire vehicle, shall be considered retired, and the license for each retired vehicle shall be deemed
5 abandoned and void. The licensee shall immediately surrender the taxicab license plate and year decal, or
for-hire vehicle license plate and year decal, for each such vehicle to the Director. Abandoned licenses
6 may not be transferred or reinstated by any means without the Director's prior written permission. The
7 Director, in considering whether to grant such permission shall consider the following nonexclusive
8 factors:

9 (1) The licensee must submit a written request for an extension of time that states the
10 specific reason additional time is required, identifies a plan and timetable for placing the taxicab or for-
hire vehicle in service within the shortest possible time, and attaches all documents substantiating the
11 factual information contained in the request.

12 (2) The plan and timetable submitted must reflect a reasonable approach for placing a
taxicab or for-hire vehicle in service within the shortest possible time frame;

13 (3) If the Director determines that the request for an extension of time should be
14 granted, the Director may grant the licensee no more than thirty (30) additional calendar days (in addition
to the original sixty (60) days) to place the taxicab or for-hire vehicle back into service;

15 (4) No extensions will be granted to any licensee who is unable to meet the basic
16 operational costs, including liability insurance, regulatory fees, and normal maintenance and repairs of
operating a taxicab or for-hire vehicle;

17 (5) No more than one extension will be granted for each vehicle license during its
license year (September 1 through August 31).

18 **6.310.370 Taxicab and for-hire vehicle -- owner surrender of vehicle license.**

19 It is unlawful to operate a taxicab or for-hire vehicle whose license has been suspended or
20 revoked. The taxicab association, taxicab owner and taxicab driver are jointly and severally responsible
21 for immediately surrendering the vehicle license plate or decal and taxicab vehicle license to the Director.
22 The for-hire vehicle owner and for-hire vehicle driver(s) are jointly and severally responsible for
23 immediately surrendering the vehicle license plate or decal and for-hire vehicle license to the Director
(Class C and Misdemeanor if violation was knowingly permitted).

24 **IV. FOR-HIRE DRIVER LICENSING AND REQUIREMENTS**

6.310.400 For-hire driver license application.

A. A for-hire driver must complete, sign, swear to and file with the Director a for-hire driver
license application on forms provided by the Director to include the following information.

(1) Name, aliases, residence and business address, residence and business telephone
numbers,

(2) Place and date of birth (which shall be at least twenty one (21) years prior to the
date of application, height, weight, color of hair and eyes,

- 1 (3) Social security number and Washington State driver's license number. The
applicant must present his/her Washington State driver's license at time of renewal;
- 2 (4) Proof that the applicant is a United States citizen or has documentation, as
required by the United States Department of Justice Immigration and Naturalization Service, that the
3 applicant is authorized to work in the United States;
- 4 (5) The applicant's criminal history for the last five (5) years;
- 5 (6) Information indicating whether or not the applicant has ever had a for-hire or
driver's license suspended, revoked, or denied and for what cause;
- 6 (7) A signed statement authorizing the Director to obtain a current copy of the
applicant's driving record from the Washington State Department of Licensing; and
- 7 (8) Such other information as may be reasonably required by regulation promulgated
under this chapter.
- 8 (9) The above application and information must also be completed on all annual
renewals.

8 B. The following additional information must be filed prior to sitting for the written and oral
examination:

- 9 (1) If the applicant will drive a taxicab, a certification signed under penalty of perjury
10 by a taxi association representative certifying that the applicant has successfully completed a one week
association training program in which the applicant has:
 - 11 (a) Ridden with a trainer designated by the association in a taxicab for at least
three 8-hour days; and
 - 12 (b) Received instruction in the region's geography, important structures and
sites of interest;
- 13 (2) Proof of successful completion of a certified training program per 6.310.415
approved by the Director;

14 C. A physician's certification signed not more than three (3) months prior to the date of initial
application that complies with section 6.310.410 and certifies the applicant's fitness as a for-hire driver
must be filed prior to issuance of the for-hire drivers license.

15 D. All applications for for-hire driver's licenses become void if the applicant, for any reason
16 other than delay caused by the City, fails or neglects to complete the application process or obtain a
license within sixty (60) days of submitting an application.

17 **6.310.405 Criminal background check.**

18 All applicants for a for-hire driver's license must consent to be fingerprinted for a criminal
background check.

19 **6.310.410 For-hire driver physician's certification.**

20 A. A medical examination and certification shall be required upon initial application, and
21 every three (3) years thereafter, on the anniversary date of the license; provided, however, the Director
may at any time require any for-hire licensee or applicant to be re-examined if it appears that the licensee
22 has become physically or mentally unfit to be a for-hire driver.

23
24

1 B. The required medical certification and examination shall be performed by a physician
2 licensed to practice in Washington State under chapter 18.71 RCW and completed following that
physician's physical examination of the applicant.

3 C. The scope of the certificate form and the examination shall be prescribed by the Director
by rule.

4 D. A Washington State Department of Transportation medical certification meets the
5 requirements of this section, as long as it was signed no more than three months prior to the date of initial
application, or in the case of the three-year renewal certification no more than three months prior to the
date of renewal.

6 **6.310.415 For-hire driver training program.**

7 A. All initial for-hire driver applicants must have successfully completed, prior to taking the
8 written and oral examination, no earlier than six (6) months before submitting the application, a training
9 program approved by the Director that provides information about the history and geography of the
Seattle and Puget Sound area, incentives for defensive driving and personal safety, enhancement of
driver/passenger relations, and appearance and communication skills.

10 B. Currently-licensed for-hire drivers must meet the requirements of subsection (A) of this
section if:

11 (1) they fail a one-time test given to all currently-licensed for-hire drivers administered
by the Director. This one-time test will be given during 1997 at the time the for-hire driver renews
his/her for-hire drivers license;

12 (2) a taxicab association with which the for-hire driver is affiliated requests that the
for-hire driver receive a refresher course; or

13 (3) the Director has reasonable grounds, based on documented complaints and/or
violations, to believe that a refresher course is necessary.

14 **6.310.420 For-hire driver written and oral examination.**

15 A. The Director shall prescribe the content of the examination, which must test the
16 applicant's:

17 (1) knowledge of taxicab, for-hire vehicle and for-hire driver requirements contained
in applicable codes and regulations,

18 (2) ability to speak and understand oral and written English sufficient for fulfilling the
minimum acceptable standards for a taxicab, for-hire vehicle and/or for-hire driver,

19 (3) knowledge of vehicle safety requirements,

20 (4) knowledge of the geography of Seattle, King County and surrounding areas, and
knowledge of local public and tourist destinations and attractions.

21 B. After submitting an application for an initial for-hire license, the applicant must pass a
written and oral examination administered by the City of Seattle and/or jointly with King County.

22 C. An applicant who fails the written and/or oral examination is entitled to one free
23 opportunity to retake the examination. A second failure will result in a sixty (60) day wait for another
24 opportunity to take the examination, and another license application fee. All later examination tries will
require the sixty (60) day wait, and repayment of the license application fee.

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1 D. The written and oral examination is not required for the renewal of a for-hire driver's
2 license unless the applicant's license has remained expired for more than one (1) year.

3 **6.310.425 For-hire driver: temporary permit.**

4 A. Pending final action on a for-hire driver license application, the Director may issue a
5 temporary for-hire driver license to an applicant who has filed a complete license application, meets the
6 requirements of 6.310.400(A) and (B) and has passed the written and oral examination per section
7 6.310.420. The temporary license is valid for a period not to exceed sixty (60) days from the date of the
8 application and shall not be extended or renewed. Only one temporary license may be issued to the same
9 person within any two (2) year time period.

10 B. The temporary license shall not be transferable or assignable and shall be valid only for
11 operating the taxicab(s) or for-hire vehicle(s) specified by the Director on the license.

12 C. The temporary license shall become void immediately upon (1) suspension, revocation or
13 expiration of the applicant's Washington State driver's license, (2) issuance of the for-hire driver's license,
14 or (3) the Director's denial of the for-hire driver's license application, regardless whether the applicant
15 appeals that denial.

16 **6.310.430 For-hire driver -- standards for license denial.**

17 A. The Director shall deny any for-hire driver license application if the Director determines
18 that the applicant:

- 19 (1) Has made any material misstatement or omission in the application for a license;
20 (2) Fails to meet any of the qualifications of a for-hire driver contained in SMC
21 6.310.400;
22 (3) Has had a bail forfeiture, conviction, or other final adverse finding for crimes
23 pertaining to hit-and-run, or for crimes pertaining to driving under the influence of alcohol or controlled
24 substances while operating a taxicab or for-hire vehicle, within three (3) years of the date of application;
25 (4) Is required to register as a sex offender pursuant to RCW 9A.44.130.

26 B. The Director may deny any for-hire driver license application if the Director determines
27 that the applicant:

28 (1) Has had a bail forfeiture, conviction or other final adverse finding involving crimes
29 pertaining to prostitution, gambling, physical violence, or other crimes directly related to the applicant's
30 honesty and integrity, including but not limited to hit-and-run, fraud, larceny, burglary, extortion and/or
31 directly related to the driver's ability to operate a taxicab, including without limitation driving under the
32 influence of alcohol or controlled substances, provided that such bail forfeiture or conviction was within
33 five (5) years of the date of application; or

34 (2) Has been found, either through a criminal conviction, bail forfeiture or other final
35 adverse finding (including in a civil suit or administrative proceeding), to have exhibited past conduct in
36 driving or operating a taxicab or for-hire vehicle that causes the Director reasonably to conclude that the
37 applicant will not comply with the provisions of the chapter related to driver/operator conduct and the
38 safe operation of the vehicle.

39 **6.310.440 For-hire driver license expiration and renewal.**

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- 1 A. All for-hire driver's licenses shall expire one (1) year from the date of application.
2 B. Each for-hire driver must renew the for-hire driver's license every year. No for-hire
3 driver's license may be renewed unless all outstanding penalties against the for-hire driver are paid in full
4 to the Director.
5 C. The Director shall deny any renewal application if grounds exist for the Director to deny a
6 license pursuant to 6.310.430(A). If such grounds exist, the Director shall examine all Department
7 records on the for-hire vehicle or taxicab and may deny the renewal if grounds exist that would justify
8 denial under 6.310.430(B).

9 **6.310.450 For-hire driver operating standards.**

- 10 A. A for-hire driver shall not operate a taxicab or for-hire vehicle without first obtaining and
11 maintaining a valid for-hire drivers license (Misdemeanor and Class C).
12 B. No for-hire driver whose license has been revoked by the Director shall apply for a new
13 license for one (1) year from the effective date of such revocation (denial of license).
14 C. A for-hire driver, before starting each shift, shall check the lights, brakes, tires, steering,
15 seat belts, taximeter seal, and other vehicle equipment to see that they are working properly (Class B).
16 D. A for-hire driver, before starting each shift, shall ensure that the state for-hire certificate,
17 the county and/or city taxicab or for-hire vehicle license, vehicle registration and proof of insurance card
18 are in the vehicle. (Class A)
19 E. A for-hire driver shall not operate a taxicab or for-hire vehicle unless the interior and the
20 exterior of the taxicab or the for-hire vehicle is clean and in good repair. (Class A)
21 F. A for-hire driver shall not transport more passengers than the number of seat belts
22 available nor more luggage than the taxicab capacity will safely and legally allow. (Suspension and Class
23 B)
24 G. A for-hire driver shall allow the Director to inspect the taxicab or for-hire vehicle without
notice at any reasonable time or place. (Class B)
 H. A for-hire driver shall pay all penalties imposed by the Department that are either not
contested or are ultimately upheld.

6.310.455 For-hire driver conduct standards

- A. A for-hire driver shall not drink any alcoholic beverage while on duty or less than eight
hours prior to going on duty, and shall not possess an open or unsealed container of any alcoholic
beverage while in the for-hire vehicle or taxicab. (Suspension and Class B)
 B. A for-hire driver shall, at the end of each trip, check the vehicle for any article that is left
behind by passenger(s). Such articles found in taxicabs are to be reported as found property on the TAXI
Hotline, as well as to the taxicab association, and such property is to be returned to the taxicab
association representative at the end of the shift or sooner if possible. (Class A)
 C. A for-hire driver shall have in the driver's possession a valid for-hire driver's license and
valid Washington State driver's license at any time the for-hire driver is operating the taxicab or for-hire
vehicle; such for-hire license shall be displayed as prescribed by the Director. (Suspension and Class B)
 D. A for-hire driver shall comply with any written notice of violation issued by the Director,
including notices suspending or revoking a vehicle license, and notices requiring repair. (Suspension and
Class B)

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1 E. A for-hire driver shall not operate a taxicab or for-hire vehicle when such taxicab or for-
2 hire vehicle license has been suspended or revoked by the Director or by order of the King County
official responsible for implementing taxicabs or for-hire vehicle regulations or ordinances. (Revocation
and Class B)

3 F. A for-hire driver shall immediately surrender the vehicle license plate and year decal to the
4 Director upon written notice that the vehicle license has been suspended, not renewed or revoked.
(Revocation and Class B)

5 G. A for-hire driver shall not be in control of a taxicab or for-hire vehicle for more than
twelve (12) hours spread over a total of fifteen (15) hours in any 24-hour period. Thereafter, such for-
6 hire driver shall not drive any taxicab until ten (10) consecutive hours have elapsed. (Suspension and
Class B)

7 H. A for-hire driver operating under a temporary for-hire license shall not drive, operate, or
be in control of a taxicab or for-hire vehicle other than that designated on the temporary for-hire license.
(Class A)

8 I. A for-hire driver shall not drive, be in control of or operate a taxicab or for-hire vehicle
9 where the required customer information board is not displayed or does not contain all required
information. (Class A)

10 J. A for-hire driver shall operate the taxicab or for-hire vehicle with due regard for the
safety, comfort and convenience of passengers. (Class B for safety violations; Class A for non-safety
violations)

11 K. A for-hire driver shall not solicit for prostitution nor allow the vehicle to be used for such
unlawful purpose. (Revocation and Class C)

12 L. A for-hire driver shall not knowingly permit the taxicab or for-hire vehicle to be used for
the illegal solicitation, transportation, or sale, or any other activity related to illegal drugs. (Revocation
and Class C)

13 M. A for-hire driver shall deposit all refuse appropriately and shall under no circumstances
14 litter. (Class A)

15 N. A for-hire driver shall not use offensive language, expressions, or gestures to any person
while driving, operating, picking up customers, or in control of a taxicab or for-hire vehicle. (Class B)

16 O. A for-hire driver shall, upon request by the Director, a passenger, or a police officer,
provide the City-issued for-hire license and/or Washington state driver's license for inspection.
(Suspension and Class B, Class A if request was by passenger).

17 **6.310.460 For-hire driver taxicab meter/rates standards.**

18 A. A for-hire driver shall not operate any taxicab that does not have a sealed taximeter in
19 good working order. (Suspension and Class B)

20 B. A for-hire driver must activate the taximeter at the beginning of each trip and deactivate
the taximeter upon completion of the trip. Beginning of a trip means the point where the passenger is
seated and the forward motion of the vehicle begins. (Class A)

21 C. A for-hire driver shall assure that the meter reading is visible from a normal passenger
position at all times. (Class A)

22 D. A for-hire driver shall not operate a taxicab or for-hire vehicle that does not have the rate
23 posted as prescribed by the Director. (Class A)

24

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1 E. A for-hire driver shall not ask, demand or collect any rate or fare other than as specified
2 on the meter, required by ordinance, or pursuant to special rates or contract rates on file with the
Director. (Class B)

3 F. A for-hire driver shall complete daily tripsheets, as prescribed by the Director, and shall
show all trips in an accurate and legible manner as each trip occurs. Daily tripsheets shall include the
following information:

- 4 (1) Driver's name and for-hire license number;
- 5 (2) Owner's name and vehicle name and number;
- 6 (3) Vehicle for-hire license number;
- 7 (4) Beginning and ending odometer reading;
- 8 (5) Beginning and ending time of each shift worked;
- 9 (6) Date, time, place or origin, and dismissal of each trip;
- 10 (7) Fare collected;
- 11 (8) Number of passengers;
- 12 (9) "No shows"; and
- 13 (10) Contract rates or special rates. (All Class A).

14 G. A for-hire driver shall allow the Director to inspect the daily trip sheet at any time, without
notice. (Class E)

15 H. A taxicab driver shall turn in completed trip sheets to the taxicab association at least
16 weekly. (Class A)

17 **6.310.465 For-hire driver-passenger relations standards.**

18 A. A taxicab driver shall wear the uniform adopted by the association and approved by the
19 Director (Class A).

20 B. A for-hire driver's clothes shall be neat and clean at all times that the driver is on the
21 driver's shift. The term "neat and clean" as it relates to clothes shall mean that all clothing is clean, free
22 from soil, grease and dirt and without unrepaired rips or tears. Drivers shall not wear as an outer
23 garment any of the following: undershirt or underwear, tank tops, body shirts (see-through mesh),
24 swimwear, jogging or warm-up suits or sweatshirts or similar attire, shorts or trunks (jogging or bathing),
sandals, or any similar clothing. Summer uniforms can include Bermuda shorts (hemmed slack material)
that extend down to within two (2) inches of the top of the knee cap. (Class A)

25 C. A for-hire driver shall be clean and well groomed at all times while on duty. "Clean"
26 means that state of personal hygiene, body and hair cleanliness and absence of offensive body odor
27 normally associated with frequent clothes laundering and bathing or showering. "Well groomed" means
28 beards and mustaches are groomed and neatly trimmed, and scalp and facial hair is neatly trimmed, and
29 combed or brushed. (Class A)

30 D. A for-hire driver shall provide customers with professional and courteous service at all
31 times (Class A)

32 E. A for-hire driver shall not refuse a request for service because of the driver's position in
33 line at a taxicab zone; a passenger may select any taxicab in line. (Class B)

34 F. A for-hire driver shall at all times assist a passenger by placing luggage or packages (under
fifty (50) pounds) in and out of the taxicab or for-hire vehicle. (Class A)

35 G. A for-hire driver shall not refuse to transport in the taxicab or for-hire vehicle any
36 passenger's wheelchair which can be folded and placed in either the passenger, driver, or trunk

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1 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)

2 H. A for-hire driver shall provide each passenger a receipt upon payment of the fare. The
receipt shall accurately show the date and time, place of pickup and delivery, the amount of the fare, the
3 taxicab name, number and association, and the printed name and for-hire driver license number of the for-
hire driver. (Class A)

4 I. A for-hire driver shall use the most direct available route on all trips unless the passenger
specifically requests to change the route. (Class B)

5 J. A for-hire driver shall not permit any person or pet to ride in the taxicab or for-hire vehicle
unless that person or pet accompanies, or is in the vehicle at the request of, a fare-paying individual. This
6 requirement shall not apply to uniformed driver trainees. (Class A)

7 K. A for-hire driver shall not refuse to transport any person except when:
(1) The for-hire driver has already been dispatched on another call;
(2) The passenger is acting in a disorderly or threatening manner, or otherwise causes
8 the for-hire driver to reasonably believe that the for-hire driver's health or safety, or that of others, may
be endangered;

9 (3) The passenger cannot, upon request, show ability to pay the fare. (Class B)
L. A for-hire driver shall not smoke while the taxicab or for-hire vehicle is occupied without
10 the consent of all passengers. (Class A)

11 M. A for-hire driver shall be able to provide a reasonable amount of change, and if correct
change is not available, no additional charge will be made to the passenger in attempting to secure the
change. (Class A)

12 N. A for-hire driver shall not make any discriminatory charges to any person, or make any
rebate or in any manner reduce the charge to any person unless such is in conformity with the discounts
13 or surcharges contained in the filed rates. (Class B)

14 **6.310.470 For-hire driver soliciting and cruising standards.**

15 A. A for-hire driver may solicit passengers only from the driver's seat or standing immediately
adjacent to the taxicab or for-hire vehicle (within 12 feet), and only when the vehicle is safely and legally
16 parked. (Class A)

17 B. A for-hire driver shall not use any other person to solicit passengers. (Class A)

18 C. A for-hire driver shall not hold out the for-hire vehicle or taxicab for designated
destinations. (Class A)

19 **6.310.475 For-hire driver taxi zone standards.**

20 A. A for-hire driver shall not leave the taxicab unattended in a taxicab zone for more than
fifteen (15) minutes. Such vehicles will be impounded by order of the Director. (Class A)

21 B. A for-hire driver shall occupy a taxicab zone only when available for hire. (Class A)

22 C. A for-hire driver shall not perform engine maintenance or repairs on the taxicab while in a
taxicab zone. (Class A)

23 **V. ENTRY STANDARDS AND RATES**

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1 **6.310.500 Taxicabs. Maximum number.**

2 A. The total number of taxicab licenses in effect at any one time shall not exceed the number
in effect as of December 31, 1990.

3 B. The Director may, at the Director's discretion, issue taxicab licenses to special service
4 vehicles used to provide transportation to disabled persons defined in K.C.C. 6.64.010 or to handicapped
persons as defined in SMC 6.310.110.

5 **6.310.510 Response times.**

6 The Director shall establish a schedule of optimum average taxicab response times to requests for
7 taxicab service at selected points within the City. The Director shall periodically thereafter survey actual
8 taxicab response times. A comparison of average actual response times to the optimum average taxicab
response times shall be used as an indicator of taxicab industry performance and may be used as one
criterion in evaluating and recommending rate and entry changes.

6.310.520 Director's Reports.

10 When requested by the Seattle City Council, the Director shall file a report with the Seattle City
11 Council based upon data collected on tripsheets or through taximeter readings. The report may include
but not be limited to the following:

12 A. Number of taxicabs licensed in Seattle/King County during the reporting period and
during the preceding year.

13 B. Number of drivers licensed in Seattle/King County during the reporting period and during
the preceding year.

14 C. Numbers and nature of complaints.

15 D. Results of any survey of taxicab response times and any changes in response times from
previous reporting periods.

16 E. Results of meter readings.

17 F. Any other information deemed appropriate by the Director.

18 **6.310.530 Rates.**

19 A. The rates for taxicabs licensed to operate in Seattle shall be established by the Seattle City
Council.

20 B. In reviewing rates the council may take into account, among other things, and with the
objective of prescribing a just and reasonable rate, the following factors:

21 (1) The information in a report prepared by the Director pursuant to SMC 6.310.520;

22 (2) The public's need for adequate taxi service at the lowest level of charges
consistent with the provision, maintenance and continuation of such service;

23 (3) The rates of other licensees operating in similar areas;

24 (4) The effect of such rates upon transportation of passengers by other modes of
transportation;

 (5) The owners' need for revenue of a level that, under honest, efficient and
economical management, is sufficient to cover the cost (including all operating expenses, depreciation

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1 accruals, rents, license fees and taxes of every kind) of providing adequate taxi service, plus an amount
2 equal to such percentage of the cost as is reasonably necessary for the replacement of deteriorated
taxicabs and a reasonable profit to the owner.

(6) Consistency of rates with those charged by King County.

3 C. No taxicab shall have more than one rate on its meter.

4 D. Except for special or contract rates as provided for in this chapter or any per trip fee
established by the Port of Seattle and set forth in any operating agreement or tariff, it shall be unlawful for
5 anyone operating a taxicab licensed by the City of Seattle to advertise, charge, demand or receive any
greater or lesser rate than the following:

6 Meter rate

- 7 (1) Drop charge: For passengers for first
1/9 mile \$1.80
8 (2) Per mile: For each 1/9 mile or fraction
thereof after the first 1/9 mile \$.20
9 (3) For every one minute of waiting time \$.50 *
(4) Extra charge for passengers over two
excluding children under 12 \$.50

10 * Waiting time charges are initiated when speedometer is less than 17 miles per hour or when taxicab is
asked to wait for the customer.

11 E. Special rates and contract rates.

12 (1) Special rates as defined in this chapter shall be calculated as a percentage of the
meter rate.

13 (2) The special rates must be filed with the Director on forms furnished by the
Director.

14 (3) All special rates and/or contract rates shall be filed once a year at the time of
application by the taxicab association representative or by the owner of a for-hire vehicle which is not a
15 taxicab.

(4) Licensees may change the special rates filed no more than once a year.

16 (5) Contract rates set during the license year shall be filed within two weeks of
securing such contract and before implementing the contract rate.

17 F. Every for-hire vehicle licensee shall file all rates and charges with the director. All rates
and charges, including any adopted senior citizen discount rate shall be conspicuously displayed in the
18 interior of the for-hire vehicle so as to be readily discernible to the passenger. The Director will prescribe
the manner of such posting.

19 G. The rates specified in this section shall not apply to transportation of persons provided
pursuant to a written contract which establishes a fare at a different rate for specified transportation and
20 has been previously filed with the Director; provided, that no contract may include any provision the
effect of which is to directly or indirectly require exclusive use of the transportation services of the
21 contracting taxicab or for-hire vehicle.

22 H. It is unlawful under the Americans with Disabilities Act to charge a special service vehicle
rate which is different from the taxicab rates adopted in subsection D, except in those instances where the
23 transportation of disabled persons is pursuant to a written contract as specified in subsection G. (Class B)

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VI. ENFORCEMENT

6.310.600 Penalties.

A. Violations of SMC 6.310.130 shall be a misdemeanor and upon conviction shall be punished by a fine not to exceed one thousand dollars (\$1,000), or by imprisonment for a term not to exceed ninety (90) days, or by both such fine and imprisonment.

B. For each violation of a provision in this chapter that has a class referenced in parenthesis after the provision, a civil penalty and penalty points shall be imposed by and paid to the Department according to the provisions of SMC 6.310.605.

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1 **6.310.605 Monetary Penalties and Penalty Poir. s.**

2 A. For-Hire Driver or Taxicab/For-hire Vehicle Violations.

3 VIOLATION	PENALTIES AGAINST 4 FOR-HIRE DRIVER, OR 5 OWNER OF TAXICAB 6 OR FOR-HIRE VEHICLE	PENALTY POINTS 7 ATTRIBUTED TO 8 TAXICAB 9 ASSOCIATION ¹
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10 (1) Violations found away from city's inspection facility

11 First Class A in one year 12 (Sept. 1-Aug. 31	\$30	2
13 Second Class A in one year	\$60	3
14 Third or more Class A 15 violation in one year	\$100	4
16 First Class B violation in 17 one year	\$60	4
18 Second Class B violation in 19 one year	\$150	7
20 Third or more Class B 21 violation in one year	\$250	10
22 All Class C violations	\$1000	20

23 (2) Violations found during inspections at city's inspection facility.

24 Class A violation found during inspection at city's inspection facility.	Vehicle re-inspection fee. See fee schedule in Section 6.310.150	2 each violation
Class B violation found during inspection at city's inspection facility.	Vehicle re-inspection fee. See fee schedule in Section 6.310.150	4 each violation

¹ Penalties and penalty points are attributed to the taxicab association with which the taxicab and/or for-hire driver is affiliated at the time the violation occurs.

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1 B. Taxicab Association Violations.

2 VIOLATION	PENALTY POINTS AGAINST TAXICAB ASSOCIATION
3 First Class A violation in one year (September 1 - August 31)	5
4 Second Class A violation in one year	6
Third or more Class A violation in one year	7
5 First Class B violation in one year	10
Second Class B violation in one year	12
6 Third or more Class B violation in one year	15

7 As soon as an association accumulates more than 5 penalty points per affiliated taxicab, on average,
8 it must pay a penalty to the Director of \$100 per affiliated taxicab. As soon as an association accumulates
9 more than 7 penalty points per affiliated taxicab, on average, it must pay an additional penalty to the
10 Director of \$150 per affiliated taxicab. As soon as an association accumulates more than 10 points per
11 affiliated taxicab, on average, it must pay an additional penalty to the Director of \$250 per affiliated
12 taxicab. For purposes of this subsection, average number of penalty points per affiliated taxicab means
13 total association penalty points divided by number of taxicabs within the association.

14 Upon renewal of the taxicab association license, the association will start the new year with zero (0)
15 penalty points.

16 C. Taxicab or For-Hire Vehicle Owner's Responsibility for Penalties Incurred by For-Hire Drivers.
17 A taxicab or for-hire vehicle owner is jointly and severally liable for each monetary penalty assessed
18 against any for-hire driver who commits a violation while operating a taxicab or for-hire vehicle
19 belonging to that owner. The City is not required to pursue collection of the penalty from the driver as a
20 prerequisite to pursuing collection of the penalty from the owner.

21 D. Taxicab Association's Responsibility for Penalties Incurred By For-Hire Drivers and Taxicab
22 Owners. In addition to incurring penalty points, the taxicab association is jointly and severally liable for
23 each monetary penalty assessed against any for-hire driver or taxicab affiliated with the taxicab
24 association. The City is not required to pursue collection of the penalty from the for-hire driver or the
25 taxicab owner as a prerequisite to pursuing collection of the penalty from the taxicab association.

26 **6.210.610 Suspension or Revocation.**

27 A. Summary suspension or revocation. Notwithstanding any other provision of this chapter, the
28 Director may summarily suspend or revoke a license issued under this chapter prior to any hearing if the
29 Director determine that grounds for license suspension or revocation exist and that summary suspension
30 or revocation is necessary to prevent a clear, substantial and imminent hazard to life, safety, or property.

31 B. Suspension standards.

32 (1) The Director may suspend any license issued under this chapter for three or more class B
33 violations occurring during a twelve (12) month period. The Director may suspend any for-hire driver
34 found to have committed three or more traffic violations during a two-year period. All suspensions
35 issued under this subsection shall extend for one (1) month, or until expiration of the license, whichever
36 occurs first.

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1 (2) The Director may suspend any license issued under this chapter upon a violation of any
2 provision that indicates suspension as a penalty in parentheses after the provision. All suspensions, other
3 than summary suspensions, issued under this subsection shall extend until the violation is cured, or for the
4 specified number of days in parentheses following the requirement.

5 C. Revocation standards.

6 (1) Any license. The Director shall revoke a license issued under this chapter if the Director
7 determines that:

8 (a) The licensee has violated any of the provisions of this chapter that indicate a revocation
9 as a penalty in parentheses after the provision.

10 (b) The license application contained a material misstatement or omission;

11 (c) The licensee fails to pay a monetary penalty imposed under this chapter within thirty
12 (30) days after an unappealed notice of violation or final decision or order imposing such monetary
13 penalty is issued.

14 (2) Taxicab associations.

15 (a) The Director shall revoke a taxicab association license if during the license period the
16 taxicab association, or any owner, officer, director, managing partner, general partner or principal of the
17 taxicab association, receives a bail forfeiture, conviction or other final adverse finding for crimes of fraud,
18 theft, larceny, extortion, embezzlement, racketeering, Uniform Controlled Substances Act, prostitution,
19 alcohol and/or narcotics where the commission of such crimes involved or used a taxicab association,
20 taxicab, for-hire vehicle or limousine. If an owner, officer, director, managing partner, general partner or
21 principal of the taxicab association found in violation of this subsection is (i) removed immediately from
22 all operational or management duties or authority and (ii) is divested of all ownership in the taxicab
23 association as soon as possible, the license may be reinstated.

24 (b) The Director may revoke a taxicab association license if during the license period the
taxicab association, or any owner, officer, director, managing partner, general partner or principal of the
taxicab association, receives a bail forfeiture, conviction or other final adverse finding involving crimes
directly related to the applicant's ability to operate a taxicab association, including but not limited to
prostitution, gambling, fraud, larceny, extortion, income tax evasion. If an owner, officer, director,
managing partner, general partner or principal of the taxicab association found in violation of this
subsection is (i) removed immediately from all operational or management duties or authority and (ii) is
divested of all ownership in the taxicab association as soon as possible, the license may be reinstated

(3) Taxicab and For-Hire Vehicle Licenses.

(a) The Director shall revoke a taxicab or for-hire vehicle owner license if
(i) the licensee, or any officer, director, general partner, managing partner or principal
of the licensee, has had a conviction, bail forfeiture or final adverse finding of criminal fraud, larceny,
theft, prostitution, extortion, racketeering, robbery or violation of the Uniform Controlled Substances
Act, where the crime is associated with operating a taxicab or for-hire vehicle;

(ii) the licensee has had the license suspended twice within a one-year period for lack
of a current, valid insurance policy;

(iii) the licensee's State of Washington for-hire certificate has been revoked; or

(iv) the licensee is not affiliated with a taxicab association licensed under this chapter.

(b) The Director may revoke a taxicab or for-hire vehicle license if:

(i) the licensee, or any officer, director, general partner, managing partner or principal
of the licensee, receives a bail forfeiture or conviction involving crimes reasonably related to the

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1 applicant's ability to operate a taxicab or for-hire business, including but not limited to prostitution,
2 gambling, fraud, larceny, extortion, income tax evasion; or

(ii) the licensee commits three or more Class B violations within one year.

(4) For-Hire Driver's Licenses.

(a) The Director shall revoke a for-hire driver's license if:

(i) the for-hire driver receives a bail forfeiture, conviction, or other final adverse
4 finding for crimes pertaining to hit-and-run, or for crimes pertaining to driving under the influence of
alcohol or controlled substances while operating a taxicab or for-hire vehicle;

(ii) the for-hire driver's Washington State driver's license expires or is revoked; or

(iii) the for-hire driver has committed one (1) Class C violations in any one-year
6 period.

(b) The Director may revoke a for-hire driver's license if:

(i) the for-hire driver is found to be in possession of illegal drugs or an open container
7 of alcohol while in control of or while operating any taxicab or for-hire vehicle; or

(ii) the for-hire driver has received a conviction, bail forfeiture, or other final adverse
8 finding involving crimes pertaining to prostitution, gambling, physical violence, Uniform Controlled
Substances Act, fraud, theft, robbery, larceny, burglary, extortion and/or crimes directly related to the
9 driver's ability to operate a taxicab.

D. Effect of Notice of Suspension or Revocation.

(1) Summary suspension or revocation. Whenever any license is summarily suspended or
11 revoked the suspension or revocation is effective upon issuance of the notice. Such notice may be
appealed pursuant to the procedures of 6.310.635. If a timely appeal is not filed by the licensee, the
12 notice of summary suspension or revocation shall be final. Such summary suspension shall extend until
any administrative or judicial appeal is finally concluded in the licensee's favor, until the license expires,
13 or until evidence satisfactory to the Director is produced showing that the violation is cured, whichever
occurs first. Summary revocations shall extend until the end of the annual license period or until any
14 administrative or judicial appeal is finally concluded in the licensee's favor, whichever occurs first.

(2) Suspension or revocation. If the licensee does not file a timely appeal pursuant to section
15 6.310.635, the notice of suspension or revocation shall be final. Suspensions or revocations become
effective upon the date any notice of suspension or revocation or order on appeal affirming such notice
16 becomes final. Unless a time period is specified in a particular section of this ordinance, suspensions shall
extend until the license expires or until evidence satisfactory to the Director is produced showing that the
17 violation is cured, whichever occurs first. Revocations shall extend until the end of the annual license
period.

(3) Except in the case of a summary suspension or revocation as provided in subsection (1)
18 above, whenever a timely appeal is filed pursuant to section 6.310.635, a licensee may continue to engage
19 in the activity for which the license is required pending a final decision on appeal.

6.310.635 Notice and Hearing for Denials, Violations, Suspensions and Revocations.

A. For each violation, and for each denial, suspension or revocation, the Director shall give written
21 notice to the affected licensee. If the affected licensee is a taxicab driver, the Director shall at the same
22 time give written notice of violations to the taxicab owner and the taxicab association. If the affected
licensee is a taxicab owner, the Director shall at the same time give written notice of violations to the
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1 taxicab association. All notices directed to a taxicab driver or taxicab owner may be served by personal
2 delivery to, or by first-class mail addressed to, the taxicab association.

3 B. Any notice of denial, violation, suspension or revocation shall state that the driver, owner and/or
4 taxicab association is entitled to a hearing to respond to the notice and introduce any evidence to refute
5 or mitigate the violation. Upon written request filed within ten (10) days after the date of the notice of
6 denial, violation, suspension or revocation, the Director shall set a hearing date and time to be held as
7 soon as possible and not more than fourteen (14) days from the date of the request.

8 C. The hearing shall be held by the Director or the Director's designee, provided that the designee
9 may not be a person who directly supervises the inspector who issued the notice of denial, violation
10 suspension or revocation.

11 D. The hearing shall be informal, but shall be recorded by the means provided by the
12 Director. Within twenty (20) days of the hearing, the Director shall issue a written ruling including
13 factual findings and the Director's conclusion, with supporting reasons, affirming, modifying or reversing
14 the notice. The decision shall be mailed by first class mail to the affected licensee at the address listed on
15 the application, or in any supplemental materials. However, if the licensee is a taxicab owner or taxicab
16 driver, the decision shall be mailed by first class mail to the licensee at the address of the taxicab
17 association.

18 E. The decision of the Director is final if a monetary penalty only is imposed or if no timely appeal
19 is filed pursuant to subsection.

20 F. If the Director's decision imposes or affirms a denial, suspension or revocation, any affected
21 licensee may appeal the entire decision to the Hearing Examiner by filing a notice of appeal with the
22 Hearing Examiner within ten (10) days after the date of mailing of the decision.

23 G. If a timely notice of appeal is filed pursuant to subsection (F) above, a hearing shall be scheduled
24 and conducted by the Hearing Examiner according to the Hearing Examiner rules for contested cases. At
the Hearing Examiner hearing, the Department shall have the burden of proving by a preponderance of
the evidence that the alleged violation occurred.

H. The Hearing Examiner may affirm, modify or reverse the decisions of the Director.

VII. MISCELLANEOUS

6.310.700 Consumer complaint hotline.

The Director may establish, in conjunction with King County and the Port of Seattle, a shared
consumer complaint telephone number and complaint process.

6.310.710 Passenger complaint process.

A. Upon receiving a written 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 for-hire driver and vehicle owner, and company,
if applicable, advising such person of the allegation(s) made in the complaint;
- (2) Require the for-hire driver, vehicle owner, and the taxicab association if applicable,
to respond, in writing, to the allegation(s) in the notice of complaint within ten days of receipt of the
notice of complaint;

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1 (3) Investigate the allegation(s) in the written complaint and the response submitted by
the for-hire driver, vehicle owner, and taxicab association, if applicable; and

2 (4) Make a finding as to the validity of the allegation(s) in the written complaint. If it
is found to be a valid complaint the director shall issue a notice of violation pursuant to SMC 6.310.635.

3 B. Failure to respond in writing within ten 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
4 allegation(s) in the written complaint and shall be conclusive evidence that the allegation(s) are valid.

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

6 **6.310.720 Renewal of license, registration or permit - late penalty.**

7 A late penalty shall be charged on all applications for renewal of a license, registration or permit
received later than ten working days after the expiration date of such license, registration or permit as set
8 forth in the respective resolution or ordinance establishing the expiration date of such license, registration
or permit. The amount of such late penalty is fixed in SMC 6.310.150.

9 **6.310.730 Plates, tags, etc. property of City.**

10 All taxicab or for-hire vehicle license plates, year decals shall remain the property of the City.

11
12 **Section 3.** Unless otherwise specifically stated in this ordinance, the provisions of this
13 ordinance relating to taxicab associations, the requirement that taxicab owners and for-hire drivers join
14 associations, and the provisions relating to penalty points associated with violations shall take effect May
15 1, 1997. The fee provisions of section 6.310.150 and the provisions of section 6.310.605 imposing
16 monetary penalties shall become effective January 1, 1997. Taxicab association license fees paid in 1997
17 shall be prorated on a monthly basis. New license requirements for taxicab or for-hire vehicle owners or
18 drivers shall take effect upon the person's license anniversary date.

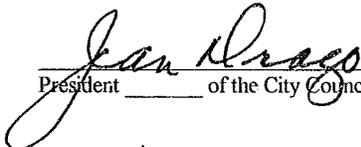
19 **Section 4.** Severability. Should any section, subsection paragraph, sentence, clause or phrase
20 of this chapter be declared unconstitutional or invalid for any reason, such decision shall not affect the
21 validity remaining portion of this chapter.
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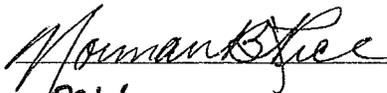
Section 5. This ordinance shall take effect and be in force January 1, 1997 after its approval by the Mayor, but if not approved and returned by the Mayor within ten (10) days after presentation, it shall take effect as provided by Municipal Code Section 1.04.020.

Passed by the City Council the 21 day of October, 1996, and signed by me in open session in authentication of its passage this 21 day of October, 1996.



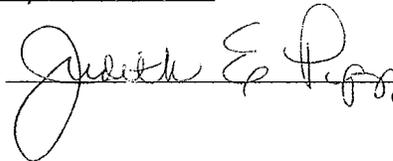
President _____ of the City Council

Approved by me this 21 day of October, 1996.



Mayor

Filed by me this 21 day of October, 1996.



City Clerk

(Seal)
1996199619961996

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ORDINANCE _____

2 **AN ORDINANCE** relating to for-hire vehicles, taxicabs and for-hire drivers, adding a new chapter
3 6.310 to the Seattle Municipal Code to license for-hire vehicles, taxicabs, for-hire drivers and
4 taxicab associations both for regulation and revenue, and repealing Chapters 6.208, 6.211 and
5 6.212 of the Seattle Municipal Code.

6 **BE IT ORDAINED BY THE CITY OF SEATTLE AS FOLLOWS:**

7 **Section 1.** Chapters 6.208, 6.211 and 6.212 of the Seattle Municipal Code are hereby
8 repealed.

9 **Section 2.** A new chapter is added to the Seattle Municipal Code as follows:

10 **Chapter 6.310**

11 **TAXICABS AND FOR-HIRE VEHICLES**

12 **I. GENERAL PROVISIONS**

13 **6.310.100 Purpose.**

14 This ordinance is an exercise of the City of Seattle's power to license for-hire vehicles, taxicabs,
15 for-hire drivers and taxicab associations, for regulation and revenue. Some of its regulatory purposes are
16 to increase the safety, reliability, cost-effectiveness, and the economic viability and stability of privately-
17 operated for-hire vehicle and taxicab services within the City of Seattle.

18 **6.310.110 Definitions.**

19 For the purposes of this chapter and unless the context plainly requires otherwise, the following
20 definitions apply:

21 **A.** "Affected licensee" means any licensee that may incur some penalty as a result of a
22 violation. For example, if a for-hire driver of a taxicab commits a violation, the for-hire driver, the
23 taxicab owner, and the taxicab association with which that taxicab is associated are all affected licensees.

24 **B.** "Affiliated taxicab" means a taxicab licensed to operate within a particular taxicab
association.

C. "Approved mechanic" means a mechanic on a list maintained by the Director. The list
shall contain the name of each mechanic that has applied to the Director for inclusion and who 1) has
met all requirements of the National Institute for Automotive Service Excellence, 2) has been awarded a
Certificate in Evidence of Competence satisfactory to the Director, 3) is an authorized emission
specialist certified by the Washington Department of Ecology, 4) does not own, lease or drive a taxicab

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1 or for-hire vehicle and 5) has no financial interest, including any employment interest, in any taxicab
2 association, taxicab or for-hire vehicle or in any company that owns or leases taxicabs or for-hire
vehicles.

3 D. "Certificate of Safety" means a document from an approved mechanic certifying that a
particular vehicle meets all vehicle safety standards set forth in this chapter and in regulations adopted
pursuant to this chapter.

4 E. "Committed a violation" means that a licensee has received a Notice of Violation and
5 either has not contested the violation or did contest the violation but was ultimately determined to have
committed the violation.

6 F. "Contract rate" means the rate specified in a written contract signed by both parties before
the dispatch of a taxicab or for-hire vehicle for the services identified in the contract.

7 G. "Department" means the Department of Finance of the City of Seattle, or any department
that succeeds to the Department of Finance's duties under this chapter.

8 H. "Director" means the director of the Department of Finance or any successor
department and the director's authorized designee.

9 I. "For-hire driver" means any person in physical control of a taxicab or for-hire vehicle,
who is required to be licensed under this chapter. The term includes a lease driver, owner/operator, or
employee who drives taxicabs or for-hire vehicles.

10 J. "For-hire vehicle" means any motor vehicle used for the transportation of passengers for
compensation, except:

- 11 (1) Taxicabs as defined in this chapter;
- 12 (2) School buses operating exclusively under a contract to a school district;
- 13 (3) Ride-sharing vehicles under chapter 46.74 RCW;
- 14 (4) Limousine carriers licensed under chapter 81.90 RCW;
- 15 (5) Vehicles used by nonprofit transportation providers solely for elderly or
16 handicapped persons and their attendants under chapter 81.66 RCW;
- 17 (6) Vehicles used by auto transportation companies licensed under chapter 81.68
18 RCW;
- 19 (7) Vehicles used to provide courtesy transportation at no charge to and from parking
20 lots, hotels, and rental offices; and,
- 21 (8) Charter party carriers and excursion service carriers licensed under chapter 81.70
22 RCW.

23 K. "Handicapped person" means any person who, by reason of illness, injury, age,
24 congenital malfunction, or other permanent or temporary incapacity or disability, is unable without
special facilities or special planning or design to use mass transportation facilities and services as
efficiently as persons who are not so affected. Handicapped persons include ambulatory persons whose
capacities are hindered by sensory disabilities such as blindness or deafness, such mental disabilities as
mental retardation or emotional illness, and physical disabilities that still permit the person to walk
comfortably, or a combination of these disabilities. It also includes a semiambulatory person who
requires such special aids to travel as canes, crutches, walkers, respirators, or human assistance, and a
nonambulatory person who must use wheelchairs or wheelchair-like equipment to travel.

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1 L. "Knowingly permit" means 1) to know of an action or condition that violates this chapter
2 or any regulation promulgated pursuant to this chapter, and 2) to fail to take reasonable steps to cure the
violation and to prevent future violations. There is a rebuttable presumption that a person knows a fact,
action or condition of which a reasonable person in the same position would have knowledge.

3 M. "Lease driver" means a for-hire driver who is an independent contractor/sole proprietor
4 who has leased a taxicab or for-hire vehicle from a taxicab or for-hire vehicle owner or taxicab
association.

5 N. "Lessor" means an owner of a taxicab or for-hire vehicle who leases to a lease driver.

6 O. "Licensee" means any person or entity licensed under this chapter, including for-hire
drivers, taxicab or for-hire vehicle owners, and taxicab associations.

7 P. "Motor vehicle" means every motorized vehicle by or upon which any person may be
transported or carried upon a public street, highway or alley; provided, that vehicles used exclusively
upon stationary rail tracks or propelled by use of overhead electric wires are not considered motor
vehicles for purposes of this chapter.

8 Q. "Operating in the City of Seattle" means owning, leasing, advertising, driving, occupying
and/or otherwise using a taxicab or for-hire vehicle that at any time transports any passenger or item for
9 compensation from a point within the geographical confines of the City of Seattle. The term does not
include being in control of a vehicle that is physically inoperable. A taxicab association is "operating in
10 the City of Seattle" if it represents or includes any taxicab that at any time transports any passenger or
item for compensation from a point within the geographical confines of the City of Seattle.

11 R. "Owner" means the person whose lawful right of possession of a taxicab or for-hire
vehicle has most recently been recorded with the state Department of Motor Vehicles.

12 S. "Senior Citizen" means any person over the age of 60 with a valid identification
confirming that person's age.

13 T. "Special rate" means discounted rates for senior citizens and handicapped persons.

14 U. "Taxicab" means every motor vehicle

15 (1) that is held out to the public as providing transportation to passengers or articles
for hire;

16 (2) where the route traveled or destination is controlled by the customer;

17 (3) that carries signs or indicia of a taxicab, including the words "taxi," "taxicab," or
"cab;" and

18 (4) where the fare is based on an amount recorded and indicated on a taximeter, or by
a special contract rate permitted under this chapter. Despite the foregoing, "taxicab" does not include
19 those vehicles listed in SMC 6.310.110(J)(2-8) or for-hire vehicles.

20 V. "Taxicab association" means a person or organization licensed under this chapter that
represents or owns at least 15 taxicabs licensed by the City that use the same color scheme, trade name,
21 and dispatch services. An individual person may be a taxicab association as long as that individual owns
or represents at least 15 taxicabs and otherwise meets the requirements of this chapter.
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- 1 W. "Taxicab association representative" means the person or persons that a taxicab
association has authorized to:
- 2 (1) file applications, special contract rates and charges on behalf of the taxicab
association and individual owners in the taxicab association; and
- 3 (2) receive and accept all correspondence and notices from the City pertaining to the
taxicab association, or to the taxicabs, taxicab owners and/or for-hire drivers operating within the taxicab
4 association; and
- 5 (3) forward any correspondence, notices and/or legal process received by the
association and intended for a taxicab owner and/or taxicab driver operating within the taxicab
association.

6 X. "Taximeter" means any instrument or device by which the charge for hire of a passenger
carrying vehicle is measured or calculated either for the distance traveled by such vehicle or for waiting
7 time, or for both, and upon which such calculated charges shall be indicated by means of figures.

8 **6.310.120 Scope.**

9 This chapter applies to all taxicab associations, all taxicabs, all for-hire vehicles and all for-hire
drivers operating within the City of Seattle. This chapter is not intended to be a part of the New License
10 Code, Chapter 6.202 et seq.

11 **6.310.130 Licenses required.**

12 A. It is unlawful to own, lease, drive or otherwise operate within the City of Seattle any
taxicab or for-hire vehicle within the scope of this chapter, unless:

- 13 (1) The for-hire driver has a valid license issued under this chapter;
- 14 (2) The for-hire vehicle or taxicab has a valid license issued under this chapter; and
- 15 (3) If the vehicle is a taxicab, the taxicab is affiliated with a taxicab association
licensed under this chapter.

16 B. It is unlawful to operate a taxicab association within the City without a valid license
issued pursuant to this chapter.

17 **6.310.140 Rule-making authority.**

18 The Director is authorized to promulgate and adopt rules pursuant to SMC chapter 3.02 to
implement the provisions of this chapter.

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6.310.150 Fees.

The following non-refundable fees shall apply:

Taxicab Association, Taxicab, For-Hire Vehicle and For-Hire Driver Fees

A.	Taxicab association annual fee	\$750.00
	Late fee for taxicab association annual fee	75.00
B.	Taxicab or for-hire vehicle license	
	City (Annual fee)	\$240.00
	Late fee	24.00
	Change of equipment	50.00
	Change of owner: Sept/Feb	240.00
	Mar/Aug (pro-rated)	120.00
	Replace taxicab plate	10.00
	Special inspection fee	30.00/hr. (1
	Taxicab change of association	hour.min.)
	affiliation	50.00
	Suspension Reinstatement fee	50.00
	(not including assessed	
	penalties).	
	Inspection Rescheduling fee	30.00
C.	For-hire driver	
	For-hire	55.00
	Change in affiliation	20.00
	Late fee	10.00
	ID photo	2.00
	Fingerprinting	per charge
		authorized by
		RCW 10.97.100
	Replacement license	5.00
	Training class fee	30.00
		or per contract

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1 **II. TAXICAB ASSOCIATIONS LICENSING AND OPERATING REQUIREMENTS**

2 **6.310.200 Taxicab Association -- license application.**

3 A. Any business or individual desiring to operate as a taxicab association within the City of
4 Seattle shall file with the Director a signed and notarized taxicab association application, on forms
approved by the Director. The application shall include the following information:

5 (1) The applicant taxicab association's name, business street address and post office
6 box address (if any), business FAX number, business phone number where the taxicab association
representative can generally be reached between 9 a.m. and 5 p.m. on all non-holiday weekdays, and
FCC-licensed frequencies used for dispatch or response;

7 (2) The form of business entity under which the association will operate (e.g.
corporation, partnership, cooperative association);

8 (a) If the applicant taxicab association is individually owned, the name,
9 business address (or home address if no business address), telephone number and date of birth of the
owner; or

10 (b) If the applicant taxicab association is a corporation, partnership or other
11 business entity, the names, home and business addresses, telephone numbers, and date of birth of all
officers, directors, general and managing partners, registered agents, and of all other persons vested with
12 authority to manage or direct the affairs of the legal entity or to bind the legal entity in dealings with
third parties, and the entity's true legal name, state of incorporation or registration with the Secretary of
State of the State of Washington (if any) and State of Washington business license number, and any
other information that the Director may reasonably require;

13 (3) The color scheme the applicant taxicab association proposes to require for each
affiliated taxicab, and two (2) 2" X 2" sample color chips;

14 (4) A brief description of the uniform the applicant taxicab association proposes to
15 require for drivers of affiliated taxicabs, which shall include full length pants (hemmed slack material),
collared shirt, and shoes. The uniform may include the option to wear shorts in the summer, provided
16 that the shorts extend no higher than 2" above the kneecap and are of a similar color and pattern to the
uniform full-length pants. Further, the uniform may be modified in individual cases as necessary to 1)
17 avoid interfering with the for-hire driver's religious beliefs and/or 2) accommodate the for-hire driver's
disability or disabilities;

18 (5) The name, address, phone number and date of birth of the taxicab association
representative;

19 (6) The taxicab number (assigned by the City/County) and the name of each taxicab
vehicle owner that will be affiliated with the taxicab association;

20 (7) The special and/or contract rates that will be charged by taxicabs affiliated with
the taxicab association; and

(8) Any other information required by regulations adopted pursuant to this chapter.

21 B. All applications submitted to the Director must be accompanied by the license fee set
22 forth in SMC 6.310.150.

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

3 **6.310.210 Taxicab Association -- standards for license denial.**

4 A. The operation of a taxicab association is a privilege, not a right. The taxicab
5 association's ability to satisfy stated criteria for a taxicab association license does not create a right to a
taxicab association license.

6 B. The Director shall deny any taxicab association license application if the Director
determines that:

- 7 (1) The applicant does not represent at least 15 affiliated taxicabs;
8 (2) The application has a material misstatement or omission;
9 (3) The application is incomplete; and/or
10 (4) Within three (3) years of the date of application, the applicant, or any owner,
officer, director, managing partner, general partner or principal of the applicant, has had a bail forfeiture,
11 conviction or other adverse finding for crimes of fraud, theft, larceny, extortion, embezzlement,
12 racketeering, Uniform Controlled Substances Act, prostitution, alcohol and/or narcotics where the
13 commission of such crime(s) involved a taxicab association, taxicab or for-hire vehicle company,
14 taxicab, for-hire vehicle or limousine.

15 C. The Director may deny any taxicab association license application if the Director
16 determines that the taxicab association applicant, or if the taxicab association applicant is a business
17 entity, any officer, director, managing partner, general partner, registered agent or principal of the
taxicab association:

- 18 (1) Within five (5) years of the date of application, has had a bail forfeiture,
19 conviction or other adverse finding involving crimes directly related to the applicant's ability to operate a
20 taxicab association, including but not limited to prostitution, gambling, fraud, larceny, extortion, income
21 tax evasion; and/or
22 (2) Has exhibited past conduct, as evidenced by a criminal conviction, bail forfeiture
23 or other adverse finding (including in a civil suit or administrative proceeding) in operating a taxicab
24 association, business or vehicle that would lead the Director to reasonably conclude that the applicant
will not fulfill the taxicab association responsibilities and requirements set forth in this chapter.

18 **6.310.220 Taxicab Association-- approval of color scheme and uniform**

19 The Director shall have final approval over the taxicab association's color scheme and uniform,
20 in order to ensure that there is no risk of confusion between the colors of different taxicab associations,
21 and to ensure that the uniform meets the standards of SMC 6.310.200(A)(4).
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1 **6.310.230 Taxicab Association--Operating Responsibilities.**

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

- 4 (1) Maintain a business office that
- 5 (a) Is open and personally staffed all business days between 9 a.m. and 5 p.m.
 - 6 (b) Has a business telephone number that is listed in the white and yellow
 - 7 (c) Has a mailing address where the taxicab association representative will
 - 8 (d) Stores all records that this chapter requires the taxicab association to
 - 9 (e) accept mail (Class A), and
 - 10 (f) maintain (Class A);
- 11 (2) Ensure that each affiliated taxicab is insured as required in SMC 6.310.300 (D)(5-
- 12 (3) Maintain on file at the taxicab association's place of business proof of insurance
- 13 (4) Accept on behalf of any owner or driver of an affiliated taxicab all
- 14 (5) Deliver to the owner and for-hire driver of an affiliated taxicab any
- 15 (6) Collect and store for at least two (2) years trip sheet records for all affiliated
- 16 (7) Collect and provide the following service information to the Director annually, at
- 17 (a) Number of service requests (trips),
- 18 (b) Average number of taxicabs operating during the year,
- 19 (c) Average number of operating hours per week per taxicab,
- 20 (d) Total paid trip miles for the past year per taxicab, and;
- 21 (e) Number of complaints received regarding
- 22 (i) driver conduct sorted by driving behavior, communication,
- 23 (ii) vehicle condition sorted by appearance, mechanical and/or safety;
- 24 (iii) service response; and
- (iv) lack of driver knowledge of route or requested destination (all
- (8) Maintain a log of, and forward to the Director upon request, each oral or written
- (9) customer complaint that the taxicab association receives about the taxicab association or about an owner,
- (10) lessee or driver of an affiliated taxicab. Where applicable, the taxicab association should include a notice
- (11) of the action taken by the taxicab association to resolve the complaint and the disposition (Class A);

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

2 (a) A conviction, bail forfeiture or other adverse finding received by the driver
3 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),

4 (b) A conviction, bail forfeiture or other adverse finding received by the driver
5 or the owner of an affiliated taxicab for any other criminal offense directly bearing on the driver's fitness
to operate a taxicab or the owner's fitness to own a taxicab, including but not limited to theft, fraud,
robbery, burglary, assault, sex crimes, alcohol, drugs, or prostitution (Class B),

6 (c) A vehicle accident required to be reported to the State of Washington
involving any affiliated taxicab (Class B),

7 (d) Any restriction, suspension or revocation of a State of Washington driver's
license issued to a driver of an affiliated taxicab (Class B), and/or

8 (e) Any matter listed in SMC 6.310.210(B)(4) or 6.310.210 (C) (Class B);

9 (10) Notify the Director within five (5) working days of any change in the affiliation
status of any taxicab, including any new taxicab joining the association, any taxicab leaving the
association, and any suspension, termination, nonrenewal or revocation of a taxicab by the taxicab
association or by any jurisdiction other than the City of Seattle (Class A);

10 (11) Continue to affiliate with at least fifteen (15) taxicabs licensed under this chapter.
11 If the number of taxicabs falls below fifteen (15), the taxicab association must increase the number to
fifteen (15) within six (6) months from the date the number falls below fifteen (15), or combine with an
already existing association, or lose its license under this chapter (Revocation or non-renewal);

12 (12) Comply with all regulations promulgated pursuant to this chapter (See applicable
13 rules for penalties or actions);

14 (13) Permit the Director to carry out inspections without notice of all taxicab records
required to be kept under this chapter, and all affiliated taxicabs (Class B); and

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

16 B. Taxicab associations must meet the requirements of 6.310.200(C).

17 C. Failure to meet the requirements of this section SMC 2.310.230 is a violation of this
chapter.

18 **6.310.240 Taxicab association -- transfers in the interest of a taxicab association.**

19 A taxicab association license is not transferable. An interest in a business entity holding a
20 taxicab association license may be transferred, but only after applying to and securing written approval
of the Director.
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1 **6.310.250 Taxicab association -- license renewals.**

2 A taxicab association license is valid for one (1) year from the date of issuance. No taxicab
3 association license may be renewed unless the renewal fee has been paid and all outstanding penalties
4 assessed against the taxicab association, its affiliated taxicabs and the for-hire drivers of affiliated
5 taxicabs have been paid to the Director. The Director shall not renew the taxicab association license
6 unless the Director determines that the taxicab association's continued operation is in the public interest.
7 All denials of renewal applications must be set forth in writing, together with the reasons for denial. The
8 written denial shall be delivered either personally or by first class mail to the address provided by the
9 applicant on the license renewal application.

10 **III. TAXICAB AND FOR-HIRE VEHICLE LICENSING AND REQUIREMENTS**

11 **6.310.300 Taxicab and for-hire vehicle license application.**

12 A. A taxicab association representative is responsible for filing with the City a taxicab
13 license application, on forms approved by the Director, for each taxicab that is, or is proposed to be,
14 affiliated with the association. The taxicab owner must sign and swear to the application, which shall
15 include the information specified in subsection C of this section.

16 B. A for-hire vehicle owner must file with the City a for-hire vehicle license application on
17 forms provided by the Director.

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

20 (1) Ownership type:

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

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

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

 (3) Information as requested by the Department pertaining to any driver's, for-hire
vehicle or taxicab license suspension, denial, nonrenewal or revocation, imposed in connection with a
taxicab or for-hire vehicle owned or leased by the owner within the last three (3) years;

 (4) Criminal history, as requested by the Department, of the owner, or if the owner is
a business entity, of the persons specified in subsection (C)(1)(b) above;

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1 (5) Certificate of insurance proving compliance with chapter 46.72 RCW, as now or
hereafter amended, for each taxicab or for-hire vehicle for which a license is sought. The certificate
2 shall:

3 (a) Be issued by a company authorized to carry on an insurance business in
the State of Washington,

4 (b) Name the City of Seattle as a certificate holder, and

5 (c) Provide that the insurer will notify the Director, in writing, of any
cancellation at least thirty (30) days before that cancellation takes effect;

6 (6) Certificate of underinsured motorist coverage indicating a minimum coverage of
fifty thousand dollars (\$50,000) per person, and one hundred thousand dollars (\$100,000) per accident,
or a certificate of self-insurance issued pursuant to RCW 46.29.630;

7 (7) State of Washington For-Hire Certificate;

8 (8) State of Washington vehicle registration;

9 (9) Certificate of safety as required in SMC 6.310.32

10 (10) Certificate of taxicab association membership (if application is for a taxicab
license); and

11 (11) Any other documents required by regulations promulgated under this chapter.

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

15 **6.310.305 Taxicab and for-hire vehicle owners--Investigation.**

16 All applicants for a taxicab or for-hire vehicle license must consent to be fingerprinted by the
17 King County Department of Public Safety and submit to a criminal background check. Information
18 relating to the applicants' criminal convictions, bail forfeitures or other adverse findings, shall be made
19 available to the King County business license section for review.

20 **6.310.310 Taxicab and for-hire vehicle -- standards for license denial.**

21 A. The Director shall deny any taxicab or for-hire vehicle owner license application if the
Director determines that:

22 (1) The applicant has failed to submit a complete, satisfactory application pursuant to
SMC 6.310.300;

23 (2) The applicant taxicab owner has failed to affiliate with a licensed taxicab
association;

24 (3) The applicant has made any material misstatement or omission in the application
for a license;

(4) The applicant fails to meet one or more of the applicant or vehicle requirements of
a taxicab or for-hire vehicle owner licensee pursuant to SMC 6.310.320; and/or

(5) Within three (3) years of the date of application, the applicant, or if the applicant
is a business entity any officer, director, general partner, managing partner or principal of the applicant,
has had a conviction, bail forfeiture or other adverse finding of criminal fraud, larceny, theft,
prostitution, extortion, racketeering, robbery, or violation of the Uniform Controlled Substances Act

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1 within three (3) years of the date of application where such crime involved the use of a taxicab, for-hire
2 vehicle or limousine.

3 B. The Director may deny any taxicab or for-hire vehicle owner license application if
4 the Director determines that:

5 (1) Within five (5) years of the date of application, the applicant or, if the applicant is
6 a business entity, any officer, director, general partner, managing partner or principal of the applicant,
7 has had a conviction, bail forfeiture, or other adverse finding involving crimes reasonably related to the
8 applicant's ability to operate a taxicab or for-hire business, including but not limited to prostitution,
9 gambling, fraud, larceny, extortion, income tax evasion;

10 (2) Within two (2) years of the date of application, the applicant, or if the applicant is
11 a business entity any officer, director, general partner, managing partner or principal of the applicant, has
12 been found, either through a criminal conviction, bail forfeiture or other adverse finding (including in a
13 civil suit or administrative proceeding) to have exhibited past conduct in driving or operating a taxicab
14 or for-hire vehicle or operating a taxicab or for-hire business which would lead the Director to
15 reasonably conclude that the applicant will not comply with the provisions of the chapter related to
16 vehicle requirements and the safe operation of the vehicle;

17 (3) Within two (2) years of the date of application, the applicant, or if the applicant is
18 a business entity any officer, director, general partner, managing partner or principal of the applicant, has
19 engaged in the business of operating any taxicab or for-hire vehicle within the City of Seattle without a
20 current valid license from the City of Seattle;

21 (4) Within twelve (12) months of the date of application, the applicant has violated
22 and/or caused or knowingly permitted a driver to violate, any King County or Port of Seattle ordinance
23 or regulation pertaining to the operation of taxicabs while in those jurisdictions, if such violation would
24 constitute grounds for license revocation or denial if occurring within the City; and/or

(5) Within twelve (12) months of the date of application, the applicant has had its
City of Seattle taxicab or for-hire vehicle license revoked.

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

No taxicab or for-hire vehicle licensed by the City may lawfully operate within the City of
Seattle unless the following minimum vehicle requirements are met:

A. All applicable licenses specified in 6.310.130 are in force for the taxicab or for-hire
vehicle (Revocation and Misdemeanor);

B. For taxicabs only, the vehicle complies with the approved color scheme of the taxicab
owner's taxicab association (Class B);

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1 C. The vehicle's model year is no more than seven (7) years prior to the date of application.
2 For example, vehicles licensed on August 31 of 1998 must be 1991 models or newer. A transition
3 period will be allowed for previously licensed taxicabs or for-hire vehicles according to the following
4 table:

<u>Renewal date</u>	<u>Oldest model year at renewal date</u>
August 31, 1997	model year nine (9) years prior to the date of application or less
August 31, 1998	model year seven (7) years prior to the date of application or less (Suspension and Class B);

6 D. The vehicle has insurance as required by SMC 6.310.300(D)(5)-(6), provided that if an
7 insurance policy is canceled, or a vehicle is deleted from the policy, proof of a new policy including the
8 vehicle must be filed with the Director before the vehicle is canceled or deleted from the previous policy
(Suspension and Class C);

9 E. An approved mechanic has issued a valid certificate of safety for the vehicle within the
10 last calendar year (Suspension and Class B);

11 F. The taxicab or for-hire vehicle has passed a City inspection at least once in the past
12 license year, or more often if required by the Director because of previous violations (Suspension and
13 Class B);

14 G. The taxicab or for-hire vehicle meets the vehicle and safety standards set forth in
15 regulations promulgated by the Director (Class A for vehicle standards, Suspension and Class B for
16 safety standards);

17 H. The taxicab or for-hire vehicle displays a taxicab vehicle plate with a current annual decal
18 issued by the Director (Suspension and Class B);

19 I. All rates, including discounts or special rates, and all taxicab numbers and letters are
20 displayed in the manner prescribed by rule or regulation promulgated pursuant to this chapter (Class A);

21 J. The vehicle contains a map of Seattle and the region published within the past two (2)
22 years, which will be displayed to any passenger upon request (Class A);

23 K. The taxicab is equipped with a properly sealed, working and accurate taximeter as
24 prescribed by the Director (Suspension and Class B);

L. The taxicab or for-hire vehicle is equipped with a consumer information board, the size,
material, and placement of which is prescribed by the Director by rule. Such board shall include, at a
minimum, the taxicab or for-hire vehicle name and number, the driver's license number, the taxi hotline
number and consumer survey and complaint cards (Class A);

M. The taxicab contains no scanner or other type of receiver that is capable of monitoring
another Taxicab Association's assigned frequency, except as otherwise permitted by the Director
(Suspension and Class B);

N. The taxicab is equipped and operated so that it can be dispatched by two-way radio
communication in response to a telephone or other request for service by a prospective passenger. This
requirement may not be met by use of a mobile radio telephone service (Class B); and

O. Any other requirements set forth in regulations adopted pursuant to this chapter (safety
regulations - Class B; non-safety regulations - Class A).

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6.310.330 Taxicab owner and for-hire vehicle owner responsibilities.

A. The owner of a taxicab or for-hire vehicle must ensure the taxicab or for-hire vehicle is being operated only by a driver who meets all for-hire driver requirements in SMC 6.310.400 - 6.310.495 (same class violation as for the for-hire driver violations set forth in 6.310.400-.495);

B. The taxicab or for-hire vehicle owner must maintain a business address and a mailing address where the owner can accept mail, and a business telephone in working order that can be answered at least 9 a.m. to 5 p.m. Monday through Friday, and during all hours of operation. The taxicab association office or dispatch center may suffice for this requirement (Class A);

C. The taxicab owner shall comply with all requirements for taxicabs under the taxicab association requirements listed in 6.310.200 - .330 (same Class violation as applied to association for same violation, except that penalty for owner will be monetary penalty only);

D. The taxicab or for-hire vehicle owner must notify the Director within three (3) working days of learning of the following occurrences:

(1) Any conviction, bail forfeiture or other adverse finding received by the taxicab driver or for-hire vehicle driver, for any criminal offense, or any traffic violation, that occurs during, or arises out of, the driver's operation of a taxicab or for-hire vehicle (Class B);

(2) Any conviction, bail forfeiture or other adverse finding received by the taxicab or for-hire vehicle driver for any criminal offense involving theft, robbery, burglary, assault, sex crimes, drugs, prostitution, or any related offense (Class B);

(3) Any vehicle accident required to be reported to the State of Washington involving any taxicab operated by the taxicab driver or for-hire vehicle operated by the for-hire driver (Class B); or,

(4) Any restriction, suspension or revocation of the taxicab or for-hire vehicle driver's motor vehicle driver's license (Class B);

E. The taxicab or for-hire vehicle owner must maintain daily trip sheet records and complaint logs, as prescribed by the Director by rule for all licensed vehicles. The for-hire vehicle owner must keep those records for a minimum of two (2) years;

(1) The taxicab owner must insure that all daily trip sheets are given to the Taxicab Association Representative at least weekly;

(2) The for-hire vehicle owner must provide to the Director annually the following information compiled from the daily trip sheets:

- (a) Number of service requests (trips) during the last year;
- (b) Average operating hours per week per vehicle for the last year;
- (c) Number of complaints received regarding:
 - (i) driver conduct categorized by driving behavior, communication, personal dress or hygiene;
 - (ii) vehicle condition categorized by appearance, mechanical and/or safety;
 - (iii) service response; and
 - (iv) lack of driver knowledge including incorrect route or no knowledge of destination requested.

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1 (d) All complaints received regarding either the for-hire driver or the taxicab
2 or for-hire vehicle, where such complaint involves an alleged violation of this chapter, including a note
3 of the action taken to resolve the complaint and the disposition, if known (all violations within
4 subsection E are Class A);

5 F. The taxicab or for-hire vehicle's owner and driver permits the Department to inspect the
6 vehicle without notice, upon request (Suspension and Class B);

7 G. The taxicab or for-hire vehicle owner shall comply with any applicable regulations
8 promulgated under this chapter (Class B for safety requirements, otherwise Class A).

9 **6.310.340 Taxicab and for-hire vehicle -- license transfer.**

10 A for-hire vehicle or taxicab license may be transferred. No transfer of a for-hire vehicle or
11 taxicab license can take effect until all outstanding penalties assessed against the owner and/or any
12 driver of the for-hire vehicle or taxicab are paid in full to the Director. The proposed transferee must
13 submit a for-hire vehicle or taxicab license application according to the standards set forth in SMC
14 6.310.300. The standards for denial set forth in SMC 6.310.310 apply to proposed transfers. Transfers
15 shall not become effective, and the proposed transferee may not operate the taxicab or for-hire vehicle,
16 until the proposed transferee receives the taxicab or for-hire vehicle license.

17 **6.310.350 Taxicab and for-hire vehicle -- license expiration and renewal.**

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

20 B. Each taxicab or for-hire vehicle owner must renew the for-hire vehicle or taxicab license
21 every year. No taxicab or for-hire vehicle or taxicab license may be renewed unless all outstanding
22 penalties assessed against the owner or the for-hire driver of the taxicab or for-hire vehicle are paid in
23 full to the Department.

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

**6.310.360 Destruction, replacement, retirement or inactivity of a taxicab or for-hire
vehicle.**

A. The taxicab association and/or taxicab owner shall notify the Director in writing within
five (5) working days whenever a taxicab is destroyed, rendered permanently inoperable, sold or is taken
off the road for any reason.

B. A for-hire vehicle owner shall notify the Director in writing within five (5) working days
whenever a for-hire vehicle is destroyed, rendered permanently inoperable, sold or is taken off the road
for any reason.

C. Any vehicle that, for a period of at least sixty (60) days, is not legally operated as a
taxicab or for-hire vehicle, shall be considered retired, and the license for each retired vehicle shall be

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1 deemed abandoned and void. The licensee shall immediately surrender the taxicab plate, decal and/or
2 tab, or for-hire vehicle plate, decal and/or tab, for each such vehicle to the Director. Abandoned licenses
3 may not be transferred or reinstated by any means without the Director's prior written permission. The
4 Director, in considering whether to grant such permission shall consider the following nonexclusive
5 factors:

6 (1) The licensee must submit a written request for an extension of time that states the
7 specific reason additional time is required, identifies a plan and timetable for placing the taxicab or for-
8 hire vehicle in service within the shortest possible time, and attaches all documents substantiating the
9 factual information contained in the request.

10 (2) The plan and timetable submitted must reflect a reasonable approach for placing a
11 taxicab or for-hire vehicle in service within the shortest possible time frame;

12 (3) If the Director determines that the request for an extension of time should be
13 granted, the Director may grant the licensee no more than thirty (30) additional calendar days (in
14 addition to the original sixty (60) days) to place the taxicab or for-hire vehicle back into service;

15 (4) No extensions will be granted to any licensee who is unable to meet the basic
16 operational costs, including liability insurance, regulatory fees, and normal maintenance and repairs of
17 operating a taxicab or for-hire vehicle;

18 (5) No more than one extension will be granted for each vehicle license during its
19 license year (September 1 through August 31).

20 **6.310.370 Taxicab and for-hire vehicle -- owner surrender of vehicle license.**

21 It is unlawful to operate a taxicab or for-hire vehicle whose license has been suspended or
22 revoked. The taxicab association, taxicab owner and taxicab driver are jointly and severally responsible
23 for immediately surrendering the vehicle license plate or decal and taxicab vehicle license to the
24 Director. The for-hire vehicle owner and for-hire vehicle driver(s) are jointly and severally responsible
for immediately surrendering the vehicle license plate or decal and for-hire vehicle license to the
Director (Class C and Misdemeanor if violation was knowingly permitted).

25 **IV. FOR-HIRE DRIVER LICENSING AND REQUIREMENTS**

26 **6.310.430 For-hire driver license application.**

27 A. A for-hire driver must file with the City a for-hire driver license application on forms
28 provided by the Director.

29 B. An applicant shall complete, sign, swear to and file an application form that shall include
30 the following information:

31 (1) Name, aliases, residence and business address, residence and business telephone
32 numbers;

33 (2) Place and date of birth (which shall be at least twenty one (21) years prior to the
34 date of application, height, weight, color of hair and eyes,

(3) Social security number and Washington State driver's license number;

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1 (4) A physician's certification, obtained in the two (2) months prior to the date of
application in compliance with section 6.310.410 certifying the applicant's fitness as a for-hire driver.

2 (5) If the applicant will drive a taxicab, a certification signed under penalty of perjury
3 by a taxi association representative certifying that the applicant has successfully completed a one week
association training program in which the applicant has:

4 (a) Ridden with a veteran taxicab driver in a taxicab for at least three 8-hour
days; and

5 (b) Become thoroughly knowledgeable of the region's geography, important
structures and sites of interest;

6 (6) Proof of successful completion of a certified training program per 6.310.415
approved by the Director;

7 (7) Proof that the applicant has passed a written and oral English and geography
examination after completing the certified training program and association training program;

8 (8) Proof that the applicant is a United States citizen or has documentation, as
required by the United States Department of Justice Immigration and Naturalization Service, that the
applicant is authorized to work in the United States;

9 (9) The applicant's criminal history for the last five (5) years;

10 (10) Information indicating whether or not the applicant has ever had a for-hire or
driver's license suspended, revoked, or denied and for what cause;

11 (11) A signed statement authorizing the Director to obtain a current copy of the
applicant's driving record from the Washington State Department of Licensing; and

12 (12) Such other information as may be reasonably required by regulation promulgated
under this chapter.

13 C. All applications for for-hire driver's licenses become void if the applicant, for any reason
other than delay caused by the City, fails or neglects to complete the application process or obtain a
license within sixty (60) days of submitting an application.

14 **6.310.405 Criminal background check.**

15 All applicants for a for-hire driver's license must consent to be fingerprinted by the King County
16 Department of Public Safety and submit to a criminal background check. Information relating to the
applicants' criminal history, including convictions, bail forfeitures or other adverse findings, shall be
17 forwarded to the King County business license section for review.

18 **6.310.410 For-hire driver physician's certification.**

19 A. The medical certification and examination required under SMC 6.310.400 shall be
performed by a physician licensed to practice in Washington State under chapter 18.71 RCW and
20 completed following that physician's physical examination of the applicant.

21 B. The scope of the certificate form and the examination shall be prescribed by the Director
by rule.

22 C. The examination and certification shall be required upon initial application, and every
three (3) years thereafter; provided, however, the Director may at any time require any for-hire licensee

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1 or applicant to be re-examined if it appears that the licensee has become physically or mentally
2 incapacitated to a degree that renders the applicant or licensee unfit to be a for-hire driver.

3 **6.310.415 For-hire driver training program.**

4 A. All for-hire driver applicants must have successfully completed, no later than the date of
5 application and no earlier than six (6) months before submitting the application, a training program
6 providing information about the history and geography of the Seattle and Puget Sound area, incentives
7 for defensive driving and personal safety, and enhancement of driver/passenger relations, appearance
8 and communication skills.

9 B. Such training shall be required upon initial application and also when a taxicab
10 association requests that a for-hire driver receive a refresher course. The Director may also require a for-
11 hire driver to attend a refresher course if the Director has reasonable grounds to believe that a refresher
12 course is necessary.

13 C. The Director shall ensure that this training is offered by the City and/or offered by
14 another public or private entity. If training is offered by a non-city entity, only training approved by the
15 Director qualifies as certified training for purposes of obtaining or renewing a license pursuant to this
16 chapter.

17 **6.310.420 For-hire driver written and oral examination.**

18 A. Before submitting an application for an initial for-hire license, the applicant must pass a
19 written and oral examination administered by the City of Seattle and/or jointly with King County.

20 B. The Director shall prescribe the content of the examination, which must test the
21 applicant's

- 22 (1) knowledge of the chapter requirements dealing with fare determination and
23 driver-passenger relations,
24 (2) ability to speak and understand oral and written English,
(3) knowledge of vehicle safety requirements and driver regulations,
(4) knowledge of the geography of Seattle, King County and surrounding areas, and
knowledge of local public and tourist destinations and attractions.

C. An applicant who fails the written and/or oral examination is entitled to one free chance
to retake the examination. A second failure will result in a sixty (60) day wait for another opportunity to
take the examination, and another license application fee. All later examination tries will require the
sixty (60) day wait, and repayment of the license application fee.

D. The written and oral examination is not required for the renewal of a for-hire driver's
license unless the applicant's license has remained expired for more than one (1) year.

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6.310.425 For-hire driver temporary permit.

A. Pending final action on a for-hire driver license application, the Director may issue a temporary for-hire driver license to an applicant who has filed a complete license application and meets the requirements of 6.310.400(A) and (B). The temporary license is valid for a period not to exceed sixty (60) days from the date of the application.

B. The temporary license shall not be transferable or assignable and shall be valid only for operating the taxicab(s) or for-hire vehicle(s) specified by the Director on the license.

C. The temporary license shall become void immediately upon suspension, revocation or expiration of the applicant's Washington State driver's license, upon issuance of the for-hire driver's license, or immediately upon the Director's denial of the for-hire driver's license application, regardless whether the applicant appeals that denial.

D. Where the applicant fails to complete the license issuance process, a temporary license will not be issued unless the incomplete license application was filed at least two (2) years preceding the application under consideration.

6.310.430 For-hire driver -- standards for license denial.

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

- (1) Has made any material misstatement or omission in the application for a license;
- (2) Fails to meet any of the qualifications of a for-hire driver contained in SMC 6.310.400;
- (3) Has had a bail forfeiture, conviction, or other adverse finding for crimes pertaining to hit-and-run, driving under the influence of alcohol or controlled substances, within three (3) years of the date of application;
- (4) Is required to register as a sex offender pursuant to RCW 9A.44.130.

B. The Director may deny any for-hire driver license application if the Director determines that the applicant:

- (1) Has had a bail forfeiture, conviction or other adverse finding involving crimes pertaining to prostitution, gambling, physical violence, or other crimes directly related to the applicant's honesty and integrity, including but not limited to hit-and-run, fraud, larceny, burglary, extortion and/or directly related to the driver's ability to operate a taxicab, provided that such bail forfeiture or conviction was within five (5) years of the date of application; or
- (2) Has been found, either through a criminal conviction, bail forfeiture or other adverse finding (including in a civil suit or administrative proceeding), to have exhibited past conduct in driving or operating a taxicab or for-hire vehicle that causes the Director reasonably to conclude that the applicant will not comply with the provisions of the chapter related to driver/operator conduct and the safe operation of the vehicle.

6.310.440 For-hire driver license expiration.

All for-hire driver's licenses shall expire one (1) year from the date of issuance.

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1 **6.310.450 For-hire driver operating standards.**

2 A. A for-hire driver shall operate a taxicab or for-hire vehicle in compliance with all of the
3 for-hire driver operating and conduct standards set forth in this chapter and in regulations promulgated
4 pursuant to this chapter. (Class B)

5 B. No for-hire driver whose license has been revoked by the Director shall apply for a new
6 license for one (1) year from the effective date of such revocation.

7 C. A for-hire driver, before starting each shift, shall check the lights, brakes, tires, steering,
8 seat belts, taximeter seal, and other vehicle equipment to see that they are working properly (Class B).

9 D. A for-hire driver, before starting each shift, shall ensure that the state for-hire certificate,
10 the county and/or city taxicab or for-hire vehicle license, vehicle registration and proof of insurance card
11 are in the vehicle. (Class A)

12 E. A for-hire driver shall maintain the interior and the exterior of the taxicab or the for-hire
13 vehicle in a clean condition and good repair. (Class A)

14 F. A for-hire driver shall not transport more passengers than the number of seat belts
15 available nor more luggage than the taxicab capacity will safely and legally allow. (Suspension and
16 Class B)

17 G. A for-hire driver shall allow the Director to inspect the taxicab or for-hire vehicle without
18 notice at any reasonable time or place. (Class B)

19 H. A for-hire driver shall pay all penalties imposed by the Department that are either not
20 contested or are ultimately upheld.

21 **6.310.455 For-hire driver conduct standards.**

22 A. A for-hire driver shall not drink any alcoholic beverage while on duty or less than eight
23 hours prior to going on duty, and shall not possess an open or unsealed container of any alcoholic
24 beverage while in the for-hire vehicle or taxicab. (Suspension and Class B)

 B. A for-hire driver shall, at the end of each trip, check the vehicle for any article that is left
behind by passenger(s). Such articles found in taxicabs are to be reported as found property on the
TAXI Hotline, as well as to the taxicab association, and such property is to be returned to the taxicab
association representative at the end of the shift or sooner if possible. For-hire drivers operating for-hire
vehicles shall deposit said items at the Weights and Measures facility of the Finance Department. (Class
A)

 C. A for-hire driver shall have in the driver's possession a valid for-hire driver's license and
valid Washington State driver's license at any time the for-hire driver is operating the taxicab or for-hire
vehicle; such for-hire license shall be displayed as prescribed by the Director. (Suspension and Class B)

 D. A for-hire driver shall comply with any written notice of violation issued by the Director,
including without limitation notices suspending or revoking a vehicle license, and notices requiring
repair. (Suspension and Class D)

 E. A for-hire driver shall not operate a taxicab or for-hire vehicle when such taxicab or for-
hire vehicle has been placed out-of-service by the Director or by order of the King County official
responsible for implementing taxicabs or for-hire vehicle regulations or ordinances. (Revocation and
Class B)

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1 F. A for-hire driver shall immediately surrender the vehicle license, plate or decal to the
2 Director upon written notice that that the vehicle license has been suspended, not renewed or revoked.
(Revocation and Class B)

3 G. A for-hire driver shall not be in control of a taxicab or for-hire vehicle for more than
4 twelve (12) hours spread over a total of fifteen (15) hours in any 24-hour period. Thereafter, such for-
hire driver shall not drive any taxicab until ten (10) consecutive hours have elapsed. (Suspension and
Class B)

5 H. A for-hire driver operating under a temporary for-hire license shall not drive, operate, or
be in control of a taxicab or for-hire vehicle other than that designated on the temporary for-hire license.
(Class A)

6 I. A for-hire driver shall not drive, be in control of or operate a taxicab or for-hire vehicle
7 where the required customer information board is not displayed or does not contain all required
information. (Class A)

8 J. A for-hire driver shall operate the taxicab or for-hire vehicle with due regard for the
safety, comfort and convenience of passengers. (Class B for safety violations; Class A for non-safety
violations)

9 K. A for-hire driver shall not solicit for prostitution nor allow the vehicle to be used for such
unlawful purpose. (Revocation and Class C)

10 L. A for-hire driver shall not knowingly permit the taxicab or for-hire vehicle to be used for
the illegal solicitation, transportation, or sale, or any other activity related to illegal drugs. (Revocation
and Class C)

11 M. A for-hire driver shall deposit all refuse appropriately and shall under no circumstances
12 litter. (Class A)

13 N. A for-hire driver shall not use offensive language, expressions, or gestures to any person
while driving, operating, picking up customers, or in control of a taxicab or for-hire vehicle. (Class B)

14 O. A for-hire driver shall, upon request by the Director, a passenger, or a police officer,
provide the City-issued for-hire license and/or Washington state driver's license for inspection.
(Suspension and Class B/Class A if request was by passenger).

15 **6.310.460 For-hire driver taxicab meter/rates standards.**

16 A. A for-hire driver shall not operate any taxicab that does not have a sealed taximeter in
17 good working order. (Suspension and Class B)

18 B. A for-hire driver must activate the taximeter at the beginning of each trip and deactivate
the taximeter upon completion of the trip. Beginning of a trip means the point where the passenger is
seated and the forward motion of the vehicle begins. (Class A)

19 C. A for-hire driver shall assure that the meter reading is visible from a normal passenger
position at all times. (Class A)

20 D. A for-hire driver shall not operate a taxicab or for-hire vehicle that does not have the rate
posted as prescribed by the Director. (Class A)

21 E. A for-hire driver shall not ask, demand or collect any rate or fare other than as specified
22 on the meter, required by ordinance, or pursuant to special rates or contract rates on file with the
Director. (Class B)

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1 F. A for-hire driver shall complete daily tripsheets, as prescribed by the Director, and shall
2 show all trips in an accurate and legible manner as each trip occurs. Daily tripsheets shall include the
following information:

- 3 (1) Driver's name and for-hire license number;
- 4 (2) Owner's name and vehicle name and number;
- 5 (3) Vehicle for-hire license number;
- 6 (4) Beginning and ending odometer reading;
- 7 (5) Beginning and ending time of each shift worked;
- 8 (6) Date, time, place or origin, and dismissal of each trip;
- 9 (7) Fare collected;
- 10 (8) Number of passengers;
- 11 (9) "No shows"; and
- 12 (10) Contract rates or special rates. (All Class A).

13 G. A for-hire driver shall allow the Director to inspect the daily trip sheet at any time,
14 without notice. (Class B)

15 H. A taxicab driver shall turn in completed trip sheets to the taxicab association at least
16 weekly. (Class A)

17 **6.310.465 For-hire driver-passenger relations standards.**

18 A. A taxicab driver shall wear the uniform adopted by the association and approved by the
19 Director. (Class A).

20 B. A for-hire driver's clothes shall be neat and clean at all times that the driver is on the
21 driver's shift. The term "neat and clean" as it relates to clothes shall mean that all clothing is clean, free
22 from soil, grease and dirt and without unrepaired rips or tears. Drivers shall not wear as an outer
23 garment any of the following: undershirt or underwear, tank tops, body shirts (see-through mesh),
24 swimwear, jogging or warm-up suits or sweatshirts or similar attire, shorts or trunks (jogging or
bathing), sandals, or any similar clothing. Summer uniforms can include bermuda shorts (hemmed slack
material) that extend down to within two (2) inches of the top of the knee cap. (Class A)

25 C. A for-hire driver shall be clean and well groomed at all times while on duty. "Clean"
26 means that state of personal hygiene, body and hair cleanliness and absence of offensive body odor
27 normally associated with frequent clothes laundering and bathing or showering. "Well groomed" means
28 beards and mustaches are groomed and neatly trimmed, and scalp and facial hair is neatly trimmed, and
29 combed or brushed. (Class A)

30 D. A for-hire driver shall provide customers with professional and courteous service at all
31 times. (Class A)

32 E. A for-hire driver shall not refuse a request for service because of the driver's position in
33 line at a taxicab zone; a passenger may select any taxicab in line. (Class B)

34 F. A for-hire driver shall at all times assist a passenger by placing luggage or packages
35 (under fifty (50) pounds) in and out of the taxicab or for-hire vehicle. (Class A)

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

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1 H. A for-hire driver shall provide each passenger a receipt upon payment of the fare. The
2 receipt shall accurately show the date and time, place of pickup and delivery, the amount of the fare, the
3 taxicab name, number and association, and the printed name and for-hire driver license number of the
4 for-hire driver. (Class A)

5 I. A for-hire driver shall use the most direct available route on all trips unless the passenger
6 specifically requests to change the route. (Class B)

7 J. A for-hire driver shall not permit any person or pet to ride in the taxicab or for-hire
8 vehicle unless that person or pet accompanies, or is in the vehicle at the request of, a fare-paying
9 individual. This requirement shall not apply to uniformed driver trainees. (Class A)

10 K. A for-hire driver shall not refuse to transport any person except when:

11 (1) The for-hire driver has already been dispatched on another call;
12 (2) The passenger is acting in a disorderly or threatening manner, or otherwise causes
13 the for-hire driver to reasonably believe that the for-hire driver's health or safety, or that of others, may
14 be endangered;

15 (3) The passenger cannot, upon request, show ability to pay the fare. (Class B)

16 L. A for-hire driver shall not smoke while the taxicab or for-hire vehicle is occupied without
17 the consent of all passengers. (Class A)

18 M. A for-hire driver shall be able to provide a reasonable amount of change, and if correct
19 change is not available, no additional charge will be made to the passenger in attempting to secure the
20 change. (Class A)

21 N. A for-hire driver shall not make any discriminatory charges to any person, or make any
22 rebate or in any manner reduce the charge to any person unless such is in conformity with the discounts
23 or surcharges contained in the filed rates. (Class B)

24 **6.310.470 For-hire driver soliciting and cruising standards.**

A. A for-hire driver may solicit passengers only from the driver's seat or standing
immediately adjacent to the taxicab or for-hire vehicle, and only when the vehicle is safely and legally
parked. (Class A)

B. A for-hire driver shall not use any other person to solicit passengers. (Class A)

C. A for-hire driver shall not hold out the for-hire vehicle or taxicab for designated
destinations. (Class A)

6.310.475 For-hire driver taxi zone standards.

A. A for-hire driver shall not leave the taxicab unattended in a taxicab zone for more than
fifteen (15) minutes. Such vehicles will be impounded by order of the Director. (Class A)

B. A for-hire driver shall occupy a taxicab zone only when available for hire. (Class A)

C. A for-hire driver shall not perform engine maintenance or repairs on the taxicab while in
a taxicab zone. (Class A)

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V. ENTRY STANDARDS AND RATES

6.310.500 Taxicabs. Maximum number.

A. The total number of taxicab licenses in effect at any one time shall not exceed the number in effect as of December 31, 1990.

B. When the total number of taxicab licenses in effect is less than the maximum number allowed, the Director may apportion new taxicab licenses as follows:

(1) The Director may apportion new taxicab licenses by lottery. No lottery shall occur until King County has adopted a similar process for reapportioning King County taxicab licenses. If King County adopts a similar lottery process, the first lottery shall occur within six (6) months of the adoption of this ordinance, or the adoption of a King County ordinance, whichever occurs later. Thereafter, the Director shall determine the number of licenses in effect as of December 31, and may conduct a lottery annually on or before May 1 to reapportion new taxicab licenses.

(2) A lottery shall be conducted in two levels. Applications meeting Level I, as hereafter defined, will be chosen by lottery until the number of taxicab licenses to reapportion is reached, or until all approved Level I applications are drawn, whichever occurs first. If all approved Level I applications are drawn, and there are taxicab licenses left to reapportion, a second lottery of Level II applications, as hereafter defined, shall occur. Applications meeting Level II, as hereafter defined, will be chosen by lottery until the number of taxicab licenses to reapportion is reached, or until all approved Level II applications are drawn, whichever occurs first.

(a) A Level I lottery application can be submitted by the representative of any taxicab association licensed by King County and/or the City for an affiliated taxicab that has a current and valid King County but no City license. A Level I lottery application shall include a copy of the King County license and the lottery application fee, and any other information as prescribed by the Director.

(b) A Level II lottery application can be submitted by any person; provided that subsequent to approval to add a taxicab, no taxicab license shall be issued unless the taxicab will be affiliated with a taxicab association licensed under this chapter. If a company, association or business entity has the exclusive right to provide taxicab service to Seatac Airport, that entity's members may only participate in the Level II lottery.

(3) The Director shall provide notice that the City is accepting lottery applications.

(4) The Director shall prescribe lottery drawing process and procedures.

(5) The Director will provide notification via first class mail to applicants drawn in the lottery to the address provided by the applicant for such notification. Taxicab associations whose applications are drawn in the lottery will have ninety (90) days from the date of the notification to apply for and have issued a taxicab license. The lottery application fee does not apply toward the license fee.

(6) There will be no extension of time for completing the license application process and placing the taxicab into service.

C. The Director may issue taxicab licenses to special service vehicles used to provide transportation to disabled persons defined in K.C.C. 6.64.010.

D. The Director may, at the Director's discretion, issue taxicab licenses to special service vehicles used to provide transportation to handicapped persons, as defined in SMC 6.310.110.

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6.310.510 Response times.

The Director shall establish a schedule of optimum average taxicab response times to requests for taxicab service at selected points within the City. The Director shall periodically thereafter survey actual taxicab response times. A comparison of average actual response times to the optimum average taxicab response times shall be used as an indicator of taxicab industry performance and may be used as one criterion in evaluating and recommending rate and entry changes.

6.310.520 Director's Reports.

When requested by the Seattle City Council, the Director shall file a report with the Seattle City Council based upon data collected on tripsheets or through taximeter readings. The report may include but not be limited to the following:

- A. Number of taxicabs licensed in Seattle/King County during the reporting period and during the preceding year.
- B. Number of drivers licensed in Seattle/King County during the reporting period and during the preceding year.
- C. Numbers and nature of complaints.
- D. Results of any survey of taxicab response times and any changes in response times from previous reporting periods.
- E. Results of meter readings.
- F. Any other information deemed appropriate by the Director.

6.310.530 Rates.

- A. The rates for taxicabs licensed to operate in Seattle shall be established by the Seattle City Council.
- B. In reviewing rates the council may take into account, among other things, and with the objective of prescribing a just and reasonable rate, the following factors:
 - (1) The information in a report prepared by the Director pursuant to SMC 6.310.520;
 - (2) The public's need for adequate taxi service at the lowest level of charges consistent with the provision, maintenance and continuation of such service;
 - (3) The rates of other licensees operating in similar areas;
 - (4) The effect of such rates upon transportation of passengers by other modes of transportation;
 - (5) The owners' need for revenue of a level that, under honest, efficient and economical management, is sufficient to cover the cost (including all operating expenses, depreciation accruals, rents, license fees and taxes of every kind) of providing adequate taxi service, plus an amount equal to such percentage of the cost as is reasonably necessary for the replacement of deteriorated taxicabs and a reasonable profit to the owner.
 - (6) Consistency of rates with those charged by King County.
- C. No taxicab shall have more than one rate on its meter.

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1 D. Except for special or contract rates as provided for in this chapter or any per trip fee
2 established by the Port of Seattle and set forth in any operating agreement or tariff, it shall be unlawful
3 for anyone operating a taxicab licensed by the City of Seattle to charge, demand or receive any greater or
4 lesser rate than the following:

5 Meter rate

- 6 (1) Drop charge: For passengers for first
7 1/9 mile \$1.80
8 (2) Per mile: For each 1/9 mile or fraction
9 thereof after the first 1/9 mile \$.20
10 (3) For every one minute of waiting time \$.50
11 (4) Extra charge for passengers over two
12 excluding children under 12 \$.50

13 E. Special rates and contract rates.

- 14 (1) Special rates as defined in this chapter shall be calculated as a percentage of the
15 meter rate.
16 (2) The special rates must be filed with the Director on forms furnished by the
17 Director.
18 (3) All special rates and/or contract rates shall be filed once a year at the time of
19 application by the taxicab association representative or by the owner of a for-hire vehicle which is not a
20 taxicab.
21 (4) Licensees may change the special rates filed no more than once a year.
22 (5) Contract rates set during the license year shall be filed within two weeks of
23 securing such contract and before implementing the contract rate.

24 F. Every for-hire vehicle licensee shall file all rates and charges with the director. All rates
and charges, including any adopted senior citizen discount rate shall be conspicuously displayed in the
interior of the for-hire vehicle so as to be readily discernible to the passenger. The Director will
prescribe the manner of such posting.

G. The rates specified in this section shall not apply to transportation of persons provided
pursuant to a written contract which establishes a fare at a different rate for specified transportation and
has been previously filed with the Director; provided, that no contract may include any provision the
effect of which is to directly or indirectly require exclusive use of the transportation services of the
contracting taxicab or for-hire vehicle.

H. It is unlawful under the Americans with Disabilities Act to charge a special service
vehicle rate which is different from the taxicab rates adopted in subsection D, except in those instances
where the transportation of disabled persons is pursuant to a written contract as specified in subsection
G. (Class B)

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VI. ENFORCEMENT

6.310.600 Penalties.

A. Violations of SMC 6.310.130 shall be a misdemeanor and upon conviction shall be punished by a fine not to exceed one thousand dollars (\$1,000), or by imprisonment for a term not to exceed ninety (90) days, or by both such fine and imprisonment.

B. For each violation of a provision in this chapter that has a class referenced in parenthesis after the provision, a civil penalty and penalty points shall be imposed by and paid to the Department according to the provisions of SMC 6.310.605.

6.310.605 Monetary Penalties and Penalty Points.

A. For-Hire Driver or Taxicab/For-hire Vehicle Violations.

VIOLATION	PENALTIES AGAINST FOR-HIRE DRIVER, OR OWNER OF TAXICAB OR FOR-HIRE VEHICLE	PENALTY POINTS ATTRIBUTED TO TAXICAB ASSOCIATION ¹
First Class A in one year (Sept. 1-August 31)	\$30	2
Second Class A in one year	\$60	3
Subsequent Class A violation in one year	\$100	4
First Class B violation in one year	\$60	4
Second Class B violation in one year	\$150	7
Subsequent Class B violation in one year	\$250	10
All Class C violations	\$1000	20

¹ Penalties and penalty points are attributed to the taxicab association with which the taxicab and/or for-hire driver is affiliated at the time the violation occurs.

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1 B. Taxicab Association Violations.

2 VIOLATION	3 PENALTY POINTS AGAINST TAXICAB ASSOCIATION
4 First Class A violation in one year (September 1 - August 31)	5
5 Second Class A violation in one year	6
6 Subsequent Class A violation in one year	7
7 First Class B violation in one year	10
8 Second Class B violation in one year	12
9 Subsequent Class B violation in one year	15

10 An association that accumulates more than 5 penalty points per affiliated taxicab, on average, will pay \$100 per affiliated taxicab. If that association accumulates more than 7 penalty points per affiliated taxicab, on average, it will pay an additional \$150 per affiliated taxicab. If that association accumulates more than 10 points per affiliated taxicab, on average, it will pay an additional \$250 per affiliated taxicab.

11 Upon renewal of the taxicab association license, the association will start the new year with zero (0) penalty points.

12 C. Taxicab or For-Hire Vehicle Owner's Responsibility for Penalties Incurred by For-Hire Drivers.

13 A taxicab or for-hire vehicle owner is jointly and severally liable for each monetary penalty assessed against any for-hire driver who commits a violation while operating a taxicab or for-hire vehicle belonging to that owner. The City is not required to pursue collection of the penalty from the driver as a prerequisite to pursuing collection of the penalty from the owner.

16 D. Taxicab Association's Responsibility for Penalties Incurred By For-Hire Drivers and Taxicab Owners.

17 In addition to incurring penalty points, the taxicab association is jointly and severally liable for each monetary penalty assessed against any for-hire driver or taxicab affiliated with the taxicab association. The City is not required to pursue collection of the penalty from the for-hire driver or the taxicab owner as a prerequisite to pursuing collection of the penalty from the taxicab association.

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1 **6.310.610 Suspension or Revocation.**

2 A. Summary suspension or revocation. Notwithstanding any other provision of this chapter, the
3 Director may summarily suspend or revoke a license issued under this chapter prior to any hearing if the
4 Director determine that grounds for license suspension or revocation exist and that summary suspension
5 or revocation is necessary to prevent a clear, substantial and imminent hazard to life, safety, or property.

6 B. Suspension standards.

7 (1) The Director shall suspend any license issued under this chapter for three or more class B
8 violations occurring during a twelve (12) month period. All suspensions issued under this subsection
9 shall extend for one (1) month, or until expiration of the license, whichever occurs first.

10 (2) The Director may suspend any license issued under this chapter upon a violation of any
11 provision that indicates suspension as a penalty in parentheses after the provision. All suspensions,
12 other than summary suspensions, issued under this subsection shall extend until the violation is cured,
13 but in no case for less than one (1) month.

14 C. Revocation standards.

15 (1) Any license. The Director shall revoke a license issued under this chapter if the Director
16 determines that:

17 (a) The licensee has violated any of the provisions of this chapter that indicate a
18 revocation as a penalty in parentheses after the provision.

19 (b) The license application contained a material misstatement or omission;

20 (c) The licensee fails to pay a monetary penalty imposed under this chapter within
21 thirty (30) days after an unappealed notice of violation or final decision or order imposing such
22 monetary penalty is issued.

23 (2) Taxicab associations.

24 (a) The Director shall revoke a taxicab association license if the taxicab association,
or any owner, officer, director, managing partner, general partner or principal of the taxicab association,
receives a bail forfeiture, conviction or other adverse finding for crimes of fraud, theft, larceny,
extortion, embezzlement, racketeering, Uniform Controlled Substances Act, prostitution, alcohol and/or
narcotics where the commission of such crimes involved or used a taxicab association, taxicab, for-hire
vehicle or limousine.

(b) The Director may revoke a taxicab association license if the taxicab association,
or any owner, officer, director, managing partner, general partner or principal of the taxicab association,
receives a bail forfeiture, conviction or other adverse finding involving crimes directly related to the

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1 applicant's ability to operate a taxicab association, including but not limited to prostitution, gambling,
2 fraud, larceny, extortion, income tax evasion.

3 (3) Taxicab and For-Hire Vehicle Licenses.

4 (a) The Director shall revoke a taxicab or for-hire vehicle owner license if

5 (i) the licensee, or any officer, director, general partner, managing partner or
6 principal of the licensee, has had a conviction, bail forfeiture or adverse finding of criminal fraud,
7 larceny, theft, prostitution, extortion, racketeering, robbery or violation of the Uniform Controlled
8 Substances Act, where the crime is associated with operating a taxicab or for-hire vehicle;

9 (ii) the licensee has had the license suspended twice within a one-year period
10 for lack of a current, valid insurance policy;

11 (iii) the licensee's State of Washington for-hire certificate has been revoked;

12 or

13 (iv) the licensee is not affiliated with a taxicab association licensed under this
14 chapter.

15 (b) The Director may revoke a taxicab or for-hire vehicle license if:

16 (i) the licensee, or any officer, director, general partner, managing partner or
17 principal of the licensee, receives a bail forfeiture or conviction involving crimes reasonably related to
18 the applicant's ability to operate a taxicab or for-hire business, including but not limited to prostitution,
19 gambling, fraud, larceny, extortion, income tax evasion; or

20 (ii) the licensee commits three or more Class B violations within one year.

21 (4) For-Hire Driver's Licenses.

22 (a) The Director shall revoke a for-hire driver's license if:

23 (i) the for-hire driver receives a bail forfeiture, conviction, or other adverse
24 finding for crimes pertaining to hit-and-run or to driving under the influence of alcohol or controlled
substances;

revoked;

(ii) The for-hire driver's Washington State driver's license expires or is

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(b) The Director may revoke a for-hire driver's license if:

(i) the for-hire driver is found to be in possession of illegal drugs or an open container of alcohol while in control of or while operating any taxicab or for-hire vehicle;

(ii) the for-hire driver has received a conviction, bail forfeiture, or other adverse involving crimes pertaining to prostitution, gambling, physical violence, Uniform Controlled Substances Act, fraud, theft, robbery, larceny, burglary, extortion and/or crimes directly related to the driver's ability to operate a taxicab; or

(iii) the for-hire driver has committed at least two Class C violations in any one-year period or three Class C violations in any two-year period.

D. Effect of Notice of Suspension or Revocation.

(1) Summary suspension or revocation. Whenever any license is summarily suspended or revoked the suspension or revocation is effective upon issuance of the notice. Such notice may be appealed pursuant to the procedures of 6.310.635. If a timely appeal is not filed by the licensee, the notice of summary suspension or revocation shall be final. Such summary suspension shall extend until any administrative or judicial appeal is finally concluded in the licensee's favor, until the license expires, or until evidence satisfactory to the Director is produced showing that the violation is cured, whichever occurs first. Summary revocations shall extend until the end of the annual license period or until any administrative or judicial appeal is finally concluded in the licensee's favor, whichever occurs first.

(2) Suspension or revocation. If the licensee does not file a timely appeal pursuant to section 6.310.635, the notice of suspension or revocation shall be final. Suspensions or revocations become effective upon the date any notice of suspension or revocation or order on appeal affirming such notice becomes final. Unless a time period is specified in a particular section of this ordinance, suspensions shall extend until the license expires or until evidence satisfactory to the Director is produced showing that the violation is cured, whichever occurs first. Revocations shall extend until the end of the annual license period.

(3) Except in the case of a summary suspension or revocation as provided in subsection (1) above, whenever a timely appeal is filed pursuant to section 6.310.635, a licensee may continue to engage in the activity for which the license is required pending a final decision on appeal.

6.310.635 Notice and Hearing for Denials, Violations, Suspensions and Revocations.

A. For each violation, and for each denial, suspension or revocation, the Director shall give written notice to the affected licensee. If the affected licensee is a taxicab driver, the Director shall at the same time give written notice of violations to the taxicab owner and the taxicab association. If the affected licensee is a taxicab owner, the Director shall at the same time give written notice of violations to the taxicab association. All notices directed to a taxicab driver or taxicab owner may be served by personal delivery to, or by first-class mail addressed to, the taxicab association.

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2 B. Any notice of denial, violation, suspension or revocation shall state that the driver, owner
3 a. taxicab association is entitled to a hearing to respond to the notice and introduce any evidence to
4 refute or mitigate the violation. Upon written request filed within ten (10) days after the date of the
5 notice of denial, violation, suspension or revocation, the Director shall set a hearing date and time to be
6 held as soon as possible and not more than fourteen (14) days from the date of the request.

7 C. The hearing shall be held by the Director or the Director's designee, provided that the designee
8 may not be a person who directly supervises the inspector who issued the notice of denial, violation,
9 suspension or revocation.

10 D. The hearing shall be informal, but shall be recorded by electronic means provided by the
11 Director. Within twenty (20) days of the hearing, the Director shall issue a written ruling including
12 factual findings and the Director's conclusion, with supporting reasons, affirming, modifying or
13 reversing the notice. The decision shall be mailed by first class mail to each affected licensee at the
14 address listed on the application, or in any supplemental materials. However, if the licensee is a taxicab
15 owner or taxicab driver, the decision shall be mailed by first class mail to the licensee at the address of
16 the taxicab association.

17 E. The decision of the Director is final if a monetary penalty only is imposed or if no timely
18 appeal is filed pursuant to subsection F.

19 F. If the Director's decision imposes or affirms a denial, suspension or revocation, any affected
20 licensee may appeal the entire decision to the Hearing Examiner by filing a notice of appeal with the
21 Hearing Examiner within ten (10) days after the date of mailing of the decision.

22 G. If a timely notice of appeal is filed, a hearing shall be scheduled and conducted by the Hearing
23 Examiner according to the Hearing Examiner rules for contested cases. At the Hearing Examiner
24 hearing, the Department shall have the burden of proving by a preponderance of the evidence that the
alleged violation occurred.

H. The Hearing Examiner may affirm, modify or reverse the decisions of the Director.

VII. MISCELLANEOUS

6.310.700 Consumer complaint hotline.

The Director may establish, in conjunction with King County and the Port of Seattle, a shared
consumer complaint telephone number and complaint process.

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1 **6.310.710 Passenger complaint process.**

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

(1) Issue a notice of complaint to the for-hire driver and vehicle owner, and company,
5 if applicable, advising such person of the allegation(s) made in the complaint;

(2) Require the for-hire driver, vehicle owner, and the taxicab association if
6 applicable, to respond, in writing, to the allegation(s) in the notice of complaint within ten days of
7 receipt of the notice of complaint;

(3) Investigate the allegation(s) in the written complaint and the response submitted
8 by the for-hire driver, vehicle owner, and taxicab association, if applicable; and

(4) Make a finding as to the validity of the allegation(s) in the written complaint. If it
9 is found to be a valid complaint the director shall issue a notice of violation pursuant to SMC 6.310.635.

B. Failure to respond in writing within ten days to a Notice of Complaint shall constitute a
10 waiver of the for-hire driver's, vehicle owner's, and association's, if applicable, right to contest the
11 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
12 Class B violation.

13 **6.310.720 Renewal of license, registration or permit - late penalty.**

14 A late penalty shall be charged on all applications for renewal of a license, registration or permit
15 received later than ten working days after the expiration date of such license, registration or permit as set
16 forth in the respective resolution or ordinance establishing the expiration date of such license,
17 registration or permit. The amount of such late penalty is fixed in SMC 6.310.150.

18 **6.310.730 Plates, tags, etc. property of City.**

19 All plates, decals or tags shall remain the property of the City.

20 **Section 3.** The provisions of this ordinance relating to taxicab associations and the requirement
21 that taxicab owners and for-hire drivers join associations shall take effect six months after the Mayor's
22 approval of this ordinance or the City Council's passage of this ordinance over the Mayor's veto.
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Section 4.. Severability. Should any section, subsection paragraph, sentence, clause or phrase of this chapter be declared unconstitutional or invalid for any reason, such decision shall not affect the validity remaining portion of this chapter.

Section 5.. 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 ____ day of _____, 1996, and signed by me in open session in authentication of its passage this ____ day of _____, 1996.

President _____ of the City Council

Approved by me this ____ day of _____, 1996.

Filed by me this ____ day of _____, 1996. Mayor

City Clerk

(Seal)
1996199619961996

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ORDINANCE _____

AN ORDINANCE relating to for-hire vehicles, taxicabs and for-hire drivers, adding a new chapter 6.310 to the Seattle Municipal Code to license for-hire vehicles, taxicabs, for-hire drivers and taxicab associations both for regulation and revenue, and repealing Chapters 6.208, 6.211 and 6.212 of the Seattle Municipal Code.

BE IT ORDAINED BY THE CITY OF SEATTLE AS FOLLOWS:

Section 1. Chapters 6.208, 6.211 and 6.212 of the Seattle Municipal Code are hereby repealed.

Section 2. A new chapter is added to the Seattle Municipal Code as follows:

Chapter 6.310

TAXICABS AND FOR-HIRE VEHICLES

I. GENERAL PROVISIONS

6.310.100 Purpose.

This ordinance is an exercise of the City of Seattle's power to license for-hire vehicles, taxicabs, for-hire drivers and taxicab associations, for regulation and revenue. Some of its regulatory purposes are to increase the safety, reliability, cost-effectiveness, and the economic viability and stability of privately-operated for-hire vehicle and taxicab services within the City of Seattle.

6.310.110 Definitions.

For the purposes of this chapter and unless the context plainly requires otherwise, the following definitions apply:

A. "Affected licensee" means any licensee that may incur some penalty as a result of a violation. For example, if a for-hire driver of a taxicab commits a violation, the for-hire driver, the taxicab owner, and the taxicab association with which that taxicab is associated are all affected licensees.

B. "Affiliated taxicab" means a taxicab licensed to operate within a particular taxicab association.

C. "Approved mechanic" means a mechanic on a list maintained by the Director. The list shall contain the name of each mechanic that has applied to the Director for inclusion and who 1) has met all requirements of the National Institute for Automotive Service Excellence, 2) has been awarded a Certificate in Evidence of Competence satisfactory to the Director, 3) does not own, lease or drive a taxicab or for-hire vehicle, and 4) has no financial interest, including any employment interest, in any

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1 taxicab association, taxicab or for-hire vehicle or in any company that owns or leases taxicabs or for-hire
2 vehicles.

3 D. "Certificate of Safety" means a document from an approved mechanic certifying that a
4 particular vehicle meets all vehicle safety standards set forth in this chapter and in regulations adopted
5 pursuant to this chapter.

6 E. "Committed a violation" means that a licensee has been issued a Notice of Violation and
7 either has not contested the violation or did contest the violation but lost.

8 F. "Contract rate" means the rate specified in a written contract signed by both parties before
9 the dispatch of a taxicab or for-hire vehicle for the services identified in the contract. Contracts for
10 package delivery may be made on an oral basis

11 G. "Department" means the Department of Finance of the City of Seattle, or any department
12 that succeeds to the Department of Finance's duties under this chapter.

13 H. "Director" means the director of the Department of Finance or any successor department
14 and the director's authorized designee.

15 I. "For-hire driver" means any person in physical control of a taxicab or for-hire vehicle,
16 who is required to be licensed under this chapter. The term includes a lease driver, owner/operator, or
17 employee who drives taxicabs or for-hire vehicles.

18 J. "For-hire vehicle" means any motor vehicle used for the transportation of passengers for
19 compensation, except:

- 20 (1) Taxicabs as defined in this chapter;
- 21 (2) School buses operating exclusively under a contract to a school district;
- 22 (3) Ride-sharing vehicles under chapter 46.74 RCW;
- 23 (4) Limousine carriers licensed under chapter 81.90 RCW;
- 24 (5) Vehicles used by nonprofit transportation providers solely for elderly or
handicapped persons and their attendants under chapter 81.66 RCW;
- (6) Vehicles used by auto transportation companies licensed under chapter 81.68
RCW;
- (7) Vehicles used to provide courtesy transportation at no charge to and from parking
lots, hotels, and rental offices; and,
- (8) Charter party carriers and excursion service carriers licensed under chapter 81.70
RCW.

19 K. "Handicapped person" means any person who, by reason of illness, injury, age,
20 congenital malfunction, or other permanent or temporary incapacity or disability, is unable without
21 special facilities or special planning or design to use mass transportation facilities and services as
22 efficiently as persons who are not so affected. Handicapped persons include ambulatory persons whose
23 capacities are hindered by sensory disabilities such as blindness or deafness, such mental disabilities as
24 mental retardation or emotional illness, and physical disabilities that still permit the person to walk
comfortably, or a combination of these disabilities. It also includes a semiambulatory person who
requires such special aids to travel as canes, crutches, walkers, respirators, or human assistance, and a
nonambulatory person who must use wheelchairs or wheelchair-like equipment to travel.

20 L. "Knowingly permit" means 1) to know of an action or condition that violates this chapter
21 or any regulation promulgated pursuant to this chapter, and 2) to fail to take reasonable steps to cure the
22 violation and to prevent future violations. There is a rebuttable presumption that a person knows a fact,
23 action or condition of which a reasonable person in the same position would have knowledge.

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1 M. "Lease driver" means a for-hire driver who is an independent contractor/sole proprietor
2 who has leased a taxicab or for-hire vehicle from a taxicab or for-hire vehicle owner or taxicab
association.

N. "Lessor" means an owner of a taxicab or for-hire vehicle who leases to a lease driver.

3 O. "Licensee" means any person or entity licensed under this chapter, including for-hire
drivers, taxicab or for-hire vehicle owners, and taxicab associations.

4 P. "Motor vehicle" means every motorized vehicle by or upon which any person may be
5 transported or carried upon a public street, highway or alley; provided, that vehicles used exclusively
upon stationary rail tracks or propelled by use of overhead electric wires are not considered motor
vehicles for purposes of this chapter.

6 Q. "Operating in the City of Seattle" means owning, leasing, advertising, driving, occupying
and/or otherwise using a taxicab or for-hire vehicle that at any time transports any passenger or item for
7 compensation from a point within the geographical confines of the City of Seattle. The vehicle is
considered to be operating during the administering of inspections at the city's inspection facility. The
8 term does not include being in control of a vehicle that is physically inoperable. A taxicab association is
"operating in the City of Seattle" if it represents or includes any taxicab that at any time transports any
9 passenger or item for compensation from a point within the geographical confines of the City of Seattle.

R. "Owner" means the person whose lawful right of possession of a taxicab or for-hire
10 vehicle has most recently been recorded with the state Department of Motor Vehicles.

S. "Senior Citizen" means any person over the age of 60 with a valid identification
11 confirming that person's age.

T. "Special rate" means discounted rates for senior citizens and handicapped persons.

12 U. "Taxicab" means every motor vehicle

13 (1) that is held out to the public as providing transportation to passengers or articles
for hire;

(2) where the route traveled or destination is controlled by the customer;

14 (3) that carries signs or indicia of a taxicab, including the words "taxi," "taxicab," or
"cab;" and

15 (4) where the fare is based on an amount recorded and indicated on a taximeter, or by
a special contract rate permitted under this chapter. Despite the foregoing, "taxicab" does not include
16 those vehicles listed in SMC 6.310.110(J)(2-8) or for-hire vehicles.

V. "Taxicab association" means a person or organization licensed under this chapter that
17 represents or owns at least 15 taxicabs licensed by the City that use the same color scheme, trade name,
and dispatch services. An individual person may be a taxicab association as long as that individual owns
18 or represents at least 15 taxicabs and otherwise meets the requirements of this chapter.

19 W. "Taxicab association representative" means the person or persons that a taxicab
association has authorized to:

20 (1) file applications, special contract rates and charges on behalf of the taxicab
association and individual owners in the taxicab association; and

21 (2) receive and accept all correspondence and notices from the City pertaining to the
taxicab association, or to the taxicabs' taxicab owners and/or for-hire drivers operating within the taxicab
association; and
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1 (3) forward any correspondence, notices and/or legal process received by the
2 association and intended for a taxicab owner and/or taxicab driver operating within the taxicab
3 association.

4 X. "Taximeter" means any instrument or device by which the charge for hire of a passenger
5 carrying vehicle is measured or calculated either for the distance traveled by such vehicle or for waiting
6 time, or for both, and upon which such calculated charges shall be indicated by means of figures.

7 **6.310.120 Scope.**

8 This chapter applies to all taxicab associations, all taxicabs, all for-hire vehicles and all for-hire
9 drivers operating within the City of Seattle. This chapter is not intended to be a part of the New License
10 Code, Chapter 5.202 et seq.

11 **6.310.130 Licenses required.**

12 A. It is unlawful to own, lease, drive or otherwise operate within the City of Seattle any
13 taxicab or for-hire vehicle within the scope of this chapter, unless:

- 14 (1) The for-hire driver has a valid license issued under this chapter;
15 (2) The for-hire vehicle or taxicab has a valid license issued under this chapter; and
16 (3) If the vehicle is a taxicab, the taxicab is affiliated with a taxicab association
17 licensed under this chapter.

18 B. It is unlawful to operate a taxicab association within the City without a valid license
19 issued pursuant to this chapter.

20 **6.310.140 Rule-making authority.**

21 The Director is authorized to promulgate and adopt rules pursuant to SMC chapter 3.02 to
22 implement the provisions of this chapter.

23 **6.310.150 Fees.**

24 The following non-refundable fees shall apply:

Taxicab Association, Taxicab, For-Hire Vehicle and For-Hire Driver Fees

A. Taxicab association annual fee	\$750.00
Late fee for taxicab association annual fee	75.00
Fingerprinting of owners and officers	charge as determined by Director to cover costs.

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B. Taxicab or for-hire vehicle license

Annual fee	\$240.00
Late fee (renewal)	24.00
Change of equipment	50.00
Change of owner: Sept/Feb	240.00
Mar/Aug (pro-rated)	120.00
July 16-Aug 31*	
Replace taxicab plate	10.00
Special inspection fee (SMC 7.04)**	30.00/hr. (1 hour min.)
Vehicle re-inspection fee (for Class A violations)	20.00
Inspection rescheduling fee	20.00
Taxicab meter registration fee (SMC 7.04)	5.00
Taxicab change of association affiliation	50.00
Suspension reinstatement fee (when no penalty is assessed) or re-inspection fee (for Class B violations).	50.00
Fingerprinting of owners	Charge as determined by Director to cover costs.

* No fee is due if change of ownership takes place during July 16-Aug 31 and is in conjunction with annual license renewal.

** For rest of taxicab meter and inspections provided to other municipalities.

C. For-hire driver

For-hire	\$55.00
Add/change affiliation***	20.00
Late fee	10.00
ID photo	2.00
Fingerprinting	Charge as determined by Director to cover costs.
Replacement license	5.00
Training class fee	As determined by Director.

*** Taxicab drivers may only drive for a maximum of three (3) associations.

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1 **II. TAXICAB ASSOCIATIONS LICENSING AND OPERATING REQUIREMENTS**

2 **6.310.200 Taxicab Association -- license application.**

3 A. Any business or individual desiring to operate as a taxicab association within the City of
4 Seattle shall file with the Director a signed and notarized taxicab association application, on forms
approved by the Director. The application shall include the following information:

5 (1) The applicant taxicab association's name, business street address and post office
6 box address (if any), business FAX number, business phone number where the taxicab association
representative can generally be reached between 9 a.m. and 5 p.m. on all non-holiday weekdays, and
FCC-licensed frequencies used for dispatch or response;

7 (2) The form of business entity under which the association will operate (e.g.
corporation, partnership, cooperative association);

8 (a) If the applicant taxicab association is individually owned, the name,
9 business address (or home address if no business address), telephone number and date of birth of the
owner; or

10 (b) If the applicant taxicab association is a corporation, partnership or other
11 business entity, the names, home and business addresses, telephone numbers, and date of birth of all
12 officers, directors, general and managing partners, registered agents, and of all other persons vested with
authority to manage or direct the affairs of the legal entity or to bind the legal entity in dealings with
third parties, and the entity's true legal name, state of incorporation or registration with the Secretary of
State of the State of Washington (if any) and State of Washington business license number, and any
other information that the Director may reasonably require;

13 (3) The color scheme the applicant taxicab association proposes to require for each
affiliated taxicab, and two (2) 2" X 2" sample color chips;

14 (4) A brief description of the uniform the applicant taxicab association proposes to
15 require for drivers of affiliated taxicabs, which shall include full length pants (hemmed slack material),
collared shirt, and shoes. The uniform may include the option to wear shorts in the summer, provided
16 that the shorts extend no higher than 2" above the kneecap and are of a similar color and pattern to the
uniform full-length pants. Further, the uniform may be modified in individual cases as necessary to 1)
17 avoid interfering with the for-hire driver's religious beliefs and/or 2) accommodate the for-hire driver's
disability or disabilities;

18 (5) The name, address, phone number and date of birth of the taxicab association
representative;

19 (6) The taxicab number (assigned by the City/County) and the name of each taxicab
vehicle owner that will be affiliated with the taxicab association;

20 (7) The special and/or contract rates that will be charged by taxicabs affiliated with
the taxicab association; and

21 (8) Any other information required by regulations adopted pursuant to this chapter.

22 (9) The above application and information must be completed for each annual license
renewal.

23 B. All applications submitted to the Director must be accompanied by the license fee set
forth in SMC 6.310.150.

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

3 **6.310.205 Taxicab association owners, partners, and principals--Investigation.**

4 All applicants for a taxicab or for-hire vehicle license must consent to be fingerprinted for a
5 criminal background check.

6 **6.310.210 Taxicab Association -- standards for license denial.**

7 A. The operation of a taxicab association is a privilege, not a right. The taxicab
8 association's ability to satisfy stated criteria for a taxicab association license does not create a right to a
9 taxicab association license.

10 B. The Director shall deny any taxicab association license application if the Director
11 determines that:

- 12 (1) The applicant does not represent at least 15 affiliated taxicabs;
- 13 (2) The application has a material misstatement or omission;
- 14 (3) The application is incomplete; and/or
- 15 (4) Within three (3) years of the date of application, the applicant, or any owner,

16 officer, director, managing partner, general partner or principal of the applicant, has had a bail forfeiture,
17 conviction or other final adverse finding for crimes of fraud, theft, larceny, extortion, embezzlement,
18 racketeering, Uniform Controlled Substances Act, prostitution, alcohol and/or narcotics where the
19 commission of such crime(s) involved a taxicab association, taxicab or for-hire vehicle company,
20 taxicab, for-hire vehicle or limousine.

21 C. The Director may deny any taxicab association license application if the Director
22 determines that, within five (5) years of the date of application, the taxicab association applicant, or if
23 the taxicab association applicant is a business entity, any officer, director, managing partner, general
24 partner, registered agent or principal of the taxicab association:

- 25 (1) Within five (5) years of the date of application, has had a bail forfeiture,
26 conviction or other final adverse finding involving crimes directly related to the applicant's ability to
27 operate a taxicab association, including but not limited to prostitution, gambling, fraud, larceny,
28 extortion, income tax evasion; and/or
- 29 (2) Has exhibited past conduct, as evidenced by a criminal conviction, bail forfeiture
30 or other final adverse finding (including in a civil suit or administrative proceeding) in operating a
31 taxicab association, business or vehicle that would lead the Director to reasonably conclude that the
32 applicant will not fulfill the taxicab association responsibilities and requirements set forth in this chapter.

33 **6.310.220 Taxicab Association-- approval of color scheme and uniform**

34 The Director shall have final approval over the taxicab association's color scheme and uniform,
in order to ensure that there is no risk of confusion between the colors of different taxicab associations,
and to ensure that the uniform meets the standards of SMC 6.310.200(A)(3&4).

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2 **6.310.230 Taxicab Association--Operating Responsibilities.**

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

- 5 (1) Maintain a business office that
6 (a) Is open and personally staffed all business days between 9 a.m. and 5 p.m.
7 (Class A),
8 (b) Has a business telephone number that is listed in the white and yellow
9 pages of the telephone book and can be answered during all hours of operation (Class A),
10 (c) Has a mailing address where the taxicab association representative will
11 accept mail (Class A), and
12 (d) Stores all records that this chapter requires the taxicab association to
13 maintain (Class A);
14 (2) Ensure that each affiliated taxicab is insured as required in SMC 6.310.300 (C)(5-
15 6) and .320(D) (Class B);
16 (3) Ensure that each affiliated taxicab maintains the taxicab association's color
17 scheme and identification; provided, that taxicab associations comprised exclusively of independent
18 taxicabs need not meet this requirement until January 1, 1999. For purposes of this subsection, an
19 "independent taxicab" means a taxicab that, prior to October 1, 1996, shared a central dispatch service
20 with 9 or fewer other taxicabs. A taxicab permanently loses its status as an "independent taxicab if it
21 affiliates with a taxicab association that is not comprised exclusively of independent taxicabs (Class B);
22 (4) Maintain on file at the taxicab association's place of business proof of insurance
23 required by SMC 6.310.300(C)(5-6) and .320(D) (Class A);
24 (5) Accept on behalf of any owner or driver of an affiliated taxicab all
correspondence from the Director to that owner or driver (Class A);
25 (6) Deliver to the owner and for-hire driver of an affiliated taxicab any
correspondence from the Director to that owner or driver as soon as reasonably possible after the taxicab
association receives such correspondence (Class A);
26 (7) Collect and store for at least two (2) years trip sheet records for all affiliated
taxicabs, including daily logs, as prescribed by the Director, of taxicabs in service, together with the
driver's name, taxicab number and summary of trip sheet totals; (Class A);
27 (8) Collect and provide the following service information to the Director annually, at
a time set by regulation adopted pursuant to this chapter:
28 (a) Number of service requests (trips),
29 (b) Average number of taxicabs operating during the year,
30 (c) Average number of operating hours per week per taxicab,
31 (d) Total paid trip miles for the past year per taxicab, and;
32 (e). Number of complaints received regarding
33 (i) driver conduct sorted by driving behavior, communication,
34 personal dress or hygiene;
35 (ii) vehicle condition sorted by appearance, mechanical and/or safety;
36 (iii) service response; and

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1 (iv) lack of driver knowledge of route or requested destination (all
subsections Class B);

2 (9) Maintain a log of, and forward to the Director upon request, each oral or written
3 customer complaint that the taxicab association receives about the taxicab association or about an owner,
lessee or driver of an affiliated taxicab. Where applicable, the taxicab association should include a notice
4 of the action taken by the taxicab association to resolve the complaint and the disposition (Class A);

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

(a) A conviction, bail forfeiture or other final adverse finding received by the
6 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
7 criminal offense),

(b) A conviction, bail forfeiture or other final adverse finding received by the
8 driver or the owner of an affiliated taxicab for any other criminal offense directly bearing on the driver's
fitness to operate a taxicab or the owner's fitness to own a taxicab, including but not limited to theft,
9 fraud, robbery, burglary, assault, sex crimes, alcohol, drugs, or prostitution (Class B),

(c) A vehicle accident required to be reported to the State of Washington
10 involving any affiliated taxicab (Class B),

(d) Any restriction, suspension or revocation of a State of Washington driver's
11 license issued to a driver of an affiliated taxicab (Class B), and/or

(e) Any matter listed in SMC 6.310.210(B)(4) or 6.310.210 (C) (Class B);

(11) Notify the Director within five (5) working days of any change in the affiliation
12 status of any taxicab, including any new taxicab joining the association, any taxicab leaving the
association, and any suspension, termination, non-renewal or revocation of a taxicab by the taxicab
13 association or by any jurisdiction other than the City of Seattle (Class A);

(12) Continue to affiliate with at least fifteen (15) taxicabs licensed under this chapter.
14 If the number of taxicabs falls below fifteen (15), the taxicab association must increase the number to
fifteen (15) within six (6) months from the date the number falls below fifteen (15), or combine with an
15 already existing association, or lose its license under this chapter (Revocation or non-renewal);

(13) Comply with all regulations promulgated pursuant to this chapter (See applicable
16 rules for penalties or actions);

(14) Permit the Director to carry out inspections without notice of all taxicab records
17 required to be kept under this chapter, and all affiliated taxicabs (Class B); and

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

B. Taxicab associations must meet the requirements of 6.310.200(C).

19 C. Failure to meet the requirements of this section (SMC 2.310.230) is a violation of this
chapter.
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1 **6.310.240 Taxicab association -- transfers in the interest of a taxicab association.**

2 A taxicab association license is not transferable. However, an interest in a business entity
3 holding a taxicab association license may be transferred, but only after the new owner or principal has
4 submitted an application, met the standards and requirements contained in sections 6.310.200,
5 6.310.205, and 6.310.210, and secured written approval of the Director.

6 **6.310.250 Taxicab association -- license renewals.**

7 A taxicab association license is valid for no more than one (1) year and expires on December 31.
8 No taxicab association license may be renewed unless the renewal fee has been paid and all outstanding
9 penalties assessed against the taxicab association, its affiliated taxicabs and the for-hire drivers of
10 affiliated taxicabs have been paid to the Director. The Director shall not renew the taxicab association
11 license unless the Director determines that the taxicab association's continued operation is in the public
12 interest. All denials of renewal applications must be set forth in writing, together with the reasons for
13 denial. The written denial shall be delivered either personally or by first class mail to the address
14 provided by the applicant on the license renewal application.

15 **III. TAXICAB AND FOR-HIRE VEHICLE LICENSING AND REQUIREMENTS**

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

17 A. A taxicab association representative is responsible for filing with the City a taxicab
18 license application, on forms approved by the Director, for each taxicab that is, or is proposed to be,
19 affiliated with the association. The taxicab owner must sign and swear to the application, which shall
20 include the information specified in subsection C of this section.

21 B. A for-hire vehicle owner must file with the City a for-hire vehicle license application on
22 forms provided by the Director.

23 C. The taxicab or for-hire vehicle license application shall include the following
24 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

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

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

5 (3) Information as requested by the Department pertaining to any driver's, for-hire
6 vehicle or taxicab license suspension, denial, non-renewable or revocation, imposed in connection with a
7 taxicab or for-hire vehicle owned or leased by the owner within the last three (3) years;

8 (4) Criminal history, as requested by the Department, of the owner, or if the owner is
9 a business entity, of the persons specified in subsection (C)(1)(b) above;

10 (5) Certificate of insurance proving compliance with chapter 46.72 RCW, as now or
11 hereafter amended, for each taxicab or for-hire vehicle for which a license is sought. The certificate
12 shall:

13 (a) Be issued by a company authorized to carry on an insurance business in
14 the State of Washington,

15 (b) Name the City of Seattle as a certificate holder, and

16 (c) Provide that the insurer will notify the Director, in writing, of any
17 cancellation at least thirty (30) days before that cancellation takes effect;

18 (6) Certificate of underinsured motorist coverage indicating a minimum coverage of
19 fifty thousand dollars (\$50,000) twenty-five thousand dollars (\$25,000) per person, and fifty thousand
20 dollars (\$50,000) per accident, or a certificate of self-insurance issued pursuant to RCW 46.29.630;

21 (7) State of Washington For-Hire Certificate;

22 (8) State of Washington vehicle registration;

23 (9) Certificate of safety as required in SMC 6.310.320(E);

24 (10) Certificate of taxicab association membership (if application is for a taxicab
license); and

(11) Any other documents required by regulations promulgated under this chapter.

(12) The above application and information must also be completed and supplied
during any annual license renewal.

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

6.310.305 Taxicab and for-hire vehicle owners--Investigation.

All applicants for a taxicab or for-hire vehicle license must consent to be fingerprinted for a
criminal background check.

6.310.310 Taxicab and for-hire vehicle -- standards for license denial.

A. The Director shall deny any taxicab or for-hire vehicle owner license application if the
Director determines that:

(1) The applicant has failed to submit a complete, satisfactory application pursuant to
SMC 6.310.300;

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1 (2) The applicant taxicab owner has failed to affiliate with a licensed taxicab
association;
2 (3) The applicant has made any material misstatement or omission in the application
for a license;
3 (4) The applicant fails to meet one or more of the applicant or vehicle requirements of
a taxicab or for-hire vehicle owner licensee pursuant to SMC 6.310.320; and/or

4 (5) Within three (3) years of the date of application, the applicant, or if the applicant
is a business entity any officer, director, general partner, managing partner or principal of the applicant,
5 has had a conviction, bail forfeiture or other final adverse finding of criminal fraud, larceny, theft,
prostitution, extortion, racketeering, robbery, or violation of the Uniform Controlled Substances Act
6 within three (3) years of the date of application where such crime involved the use of a taxicab, for-hire
vehicle or limousine.

7 B. The Director may deny any taxicab or for-hire vehicle owner license application if the
Director determines that:

8 (1) Within five (5) years of the date of application, the applicant or, if the applicant is
a business entity, any officer, director, general partner, managing partner or principal of the applicant,
9 has had a conviction, bail forfeiture, or other final adverse finding involving crimes reasonably related to
the applicant's ability to operate a taxicab or for-hire business, including but not limited to prostitution,
10 gambling, fraud, larceny, extortion, income tax evasion;

11 (2) Within two (2) years of the date of application, the applicant, or if the applicant is
a business entity any officer, director, general partner, managing partner or principal of the applicant, has
been found, either through a criminal conviction, bail forfeiture or other final adverse finding (including
12 in a civil suit or administrative proceeding) to have exhibited past conduct in driving or operating a
taxicab or for-hire vehicle or operating a taxicab or for-hire business which would lead the Director to
13 reasonably conclude that the applicant will not comply with the provisions of the chapter related to
vehicle requirements and the safe operation of the vehicle;

14 (3) Within two (2) years of the date of application, the applicant, or if the applicant is
a business entity any officer, director, general partner, managing partner or principal of the applicant, has
15 engaged in the business of operating any taxicab or for-hire vehicle within the City of Seattle without a
current valid license from the City of Seattle;

16 (4) Within twelve (12) months of the date of application, the applicant has violated
and/or caused or knowingly permitted a driver to violate, any King County or Port of Seattle ordinance
17 or regulation pertaining to the operation of taxicabs while in those jurisdictions, if such violation would
constitute grounds for license revocation or denial if occurring within the City; and/or

18 (5) Within twelve (12) months of the date of application, the applicant has had its
City of Seattle taxicab or for-hire vehicle license revoked.

19 **6.310.320 Taxicab and for-hire vehicle -- vehicle operating requirements.**

20 No taxicab or for-hire vehicle licensed by the City may lawfully operate within the City of
21 Seattle unless the following minimum vehicle requirements are met:

22 A. All applicable licenses specified in 6.310.130 are in force for the taxicab or for-hire
vehicle (Misdemeanor and Class C);

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1 B. For taxicabs only and subject to section 6.310.230(A)(3), the vehicle complies with the
approved color scheme of the taxicab owner's taxicab association (Suspension and Class B);

2 C. Vehicle age requirements:

3 (1) Prior to August 31, 2002. The vehicle's model year shall be no more than eight
4 (8) years prior to the date of application. For example, vehicles licensed on August 31 of 1999 must be
1991 models or newer. All vehicles purchased and licensed after October 1, 1996 must meet this 8-year
5 age limit. The following transition periods will apply to vehicles purchased and licensed on or before
that date:

6	(a) Owners of single taxicabs or for-hire vehicles:	Renewal date	Oldest permitted model year at renewal date
		August 31, 1997	ten (10) years prior to application date
		August 31, 1998	nine (9) years prior to application
		August 31, 1999	eight (8) years prior to application date.
8	(b) Owners of more than one taxicab or for-hire vehicle:	Renewal date	Percent of fleet that must meet 8-year or newer requirement
		August 31, 1997	At least 33%
		August 31, 1998	At least 66%
		August 31, 1999	100%

10 Replacement of vehicles under this subsection (1)(b) shall be on an oldest vehicle first basis unless
permission is granted by the Director

11 (2) As of August 31, 2002, the vehicle model year can be no more than seven (7)
years prior to the date of application (Denial of license).

12 D. The vehicle has insurance as required by SMC 6.310.300(C)(5)-(6), provided, that if an
insurance policy is canceled, or a vehicle is deleted from the policy, proof of a new policy including the
13 vehicle must be filed with the Director before the vehicle is canceled or deleted from the previous policy
(Suspension and Class C);

14 E. An approved mechanic has issued a valid certificate of safety for the vehicle within the
last license year. Attached to this certificate of safety must be a certification stating that the taxicab or
15 for-hire vehicle has passed an emissions tests conducted by an Authorized Emission Specialist who has
been certified by the Washington Department of Ecology. The safety certificate and emission
16 certification remain valid, if the vehicle is sold, until the next renewal date (Suspension and Class B);

17 F. The taxicab or for-hire vehicle has passed a City inspection at least once in the past
license year, or more often if required by the Director because of previous violations (Suspension and
Class B);

18 G. The taxicab or for-hire vehicle meets the vehicle and safety standards set forth in
regulations promulgated by the Director (Class A for vehicle standards, Suspension and Class B for
19 safety standards);

20 H. The taxicab or for-hire vehicle displays a taxicab vehicle license plate with a current year
decal issued by the Director (Suspension and Class B);

21 I. All rates, including discounts or special rates, and all taxicab numbers and letters are
displayed in the manner prescribed by rule or regulation promulgated pursuant to this chapter (Class A);

22 J. The vehicle contains a map of Seattle and the region published within the past two (2)
years, which will be displayed to any passenger upon request (Class A);

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1 K. The taxicab is equipped with a properly sealed, working and accurate taximeter as
prescribed by the Director (Suspension and Class B);

2 L. The taxicab or for-hire vehicle is equipped with a consumer information board, the size,
3 material, and placement of which is prescribed by the Director by rule. Such board shall include, at a
4 minimum, the taxicab or for-hire vehicle name and number, the driver's license number, the taxi hotline
5 number and consumer survey and complaint cards (Class A);

6 M. The taxicab contains no scanner or other type of receiver that is capable of monitoring
another Taxicab Association's assigned frequency, except as otherwise permitted by the Director
(Suspension and Class B);

7 N. The taxicab is equipped and operated so that it can be contacted by two-way radio
8 communication in response to a telephone or other request for service by a prospective passenger. Until
9 December 31, 1999, this requirement can be met by use of a mobile radio telephone service. After
10 December 31, 1999, the requirement can only be met by two-way radio communication. Taxicab drivers
11 using mobile radio telephone service must respond to Director inquiries within a time period to be
12 specified by rule. (Class B); and

13 O. Any other requirements set forth in regulations adopted pursuant to this chapter
(safety regulations - Class B; non-safety regulations - Class A).

14 **6.310.330 Taxicab owner and for-hire vehicle owner responsibilities.**

15 A. The owner of a taxicab or for-hire vehicle must ensure the taxicab or for-hire vehicle is
16 being operated only by a driver who holds a valid for-hire driver license (Suspension (5 days) and Class
17 B)

18 B. The taxicab or for-hire vehicle owner must maintain a business address and a mailing
19 address where the owner can accept mail, and a business telephone in working order that can be
20 answered at least 9 a.m. to 5 p.m. Monday through Friday, and during all hours of operation. The
21 taxicab association office or dispatch center may suffice for this requirement (Class A);

22 C. The taxicab owner shall comply with all requirements for taxicabs under the taxicab
23 association requirements listed in 6.310.200 - .330 (same Class violation as applied to association for
24 same violation, except that penalty for owner will be monetary penalty only);

25 D. The taxicab or for-hire vehicle owner must notify the Director within three (3) working
26 days of learning of the following occurrences:

(1) Any conviction, bail forfeiture or other final adverse finding received by the
taxicab driver or for-hire vehicle driver, for any criminal offense that occurs during, or arises out of, the
driver's operation of a taxicab or for-hire vehicle (Class B);

(2) Any conviction, bail forfeiture or other final adverse finding received by the
taxicab or for-hire vehicle driver for any criminal offense involving theft, robbery, burglary, assault, sex
crimes, drugs, prostitution, or any related offense (Class B);

(3) Any vehicle accident required to be reported to the State of Washington involving
any taxicab operated by the taxicab driver or for-hire vehicle operated by the for-hire driver (Class B);
or,

(4) Any restriction, suspension or revocation of the taxicab or for-hire vehicle driver's
motor vehicle driver's license (Class B);

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1 E. The taxicab or for-hire vehicle owner must maintain daily trip sheet records and
2 complaint logs, as prescribed by the Director by rule for all licensed vehicles. A taxicab owner must
3 insure that all original daily trip sheets are given to the taxicab association representative at least weekly.
4 A. The for-hire vehicle owner must keep daily trip sheets and complaint logs for a minimum of two (2)
5 years. The for-hire vehicle owner must provide to the Director annually the following information
6 compiled from the daily trip sheets:

- 7 (1) Number of service requests (trips) during the last year;
- 8 (2) Average operating hours per week per vehicle for the last year;
- 9 (3) Number of complaints received regarding:
 - 10 (a) driver conduct categorized by driving behavior, communication, personal
11 dress or hygiene;
 - 12 (b) vehicle condition categorized by appearance, mechanical and/or safety;
 - 13 (c) service response; and
 - 14 (d) lack of driver knowledge including incorrect route or no knowledge of
15 destination requested.

16 (4) All complaints received regarding either the for-hire driver or the taxicab or for-
17 hire vehicle, where such complaint involves an alleged violation of this chapter, including a note of the
18 action taken to resolve the complaint and the disposition, if known (all violations within subsection E are
19 Class A);

20 F. The taxicab or for-hire vehicle's owner and driver permits the Department to inspect the
21 vehicle without notice, upon request (Suspension and Class B);

22 G. The owner of a taxicab or for-hire vehicle must ensure that the for-hire driver complies
23 with operating and conduct standards per SMC 6.310.450-475 (Same class of violation as for the for-
24 hire driver);

H. The taxicab or for-hire vehicle owner shall comply with any applicable regulations
promulgated under this chapter (Class B for safety requirements, otherwise Class A).

6.310.340 Taxicab and for-hire vehicle -- license transfer.

A for-hire vehicle or taxicab license may be transferred. No transfer of a for-hire vehicle or
taxicab license can take effect until all outstanding penalties assessed against the owner and/or any
driver of the for-hire vehicle or taxicab are paid in full to the Director. The proposed transferee must
submit a for-hire vehicle or taxicab license application according to the standards set forth in SMC
6.310.300. The standards for denial set forth in SMC 6.310.310 apply to proposed transfers. Transfers
shall not become effective, and the proposed transferee may not operate the taxicab or for-hire vehicle,
until the proposed transferee receives the taxicab or for-hire vehicle license.

6.310.350 Taxicab and for-hire vehicle -- license expiration and renewal.

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

B. Each taxicab or for-hire vehicle owner must renew the for-hire vehicle or taxicab license
every year. No taxicab or for-hire vehicle or taxicab license may be renewed unless all outstanding

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1 penalties assessed against the owner or the for-hire driver of the taxicab or for-hire vehicle are paid in
2 full to the Director.

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

7
8 **6.310.360 Destruction, replacement, retirement or inactivity of a taxicab or for-hire
9 vehicle.**

10 A. The taxicab association and/or taxicab owner shall notify the Director in writing within
11 five (5) working days whenever a taxicab is destroyed, rendered permanently inoperable, sold or is taken
12 out of service by the owner for any reason.

13 B. A for-hire vehicle owner shall notify the Director in writing within five (5) working days
14 whenever a for-hire vehicle is destroyed, rendered permanently inoperable, sold or is taken out of service
15 by the owner for any reason.

16 C. Any vehicle that, for a period of at least sixty (60) days, is not legally operated as a
17 taxicab or for-hire vehicle, shall be considered retired, and the license for each retired vehicle shall be
18 deemed abandoned and void. The licensee shall immediately surrender the taxicab license plate and
19 year decal or for-hire vehicle license plate and year decal, for each such vehicle to the Director.
20 Abandoned licenses may not be transferred or reinstated by any means without the Director's prior
21 written permission. The Director, in considering whether to grant such permission shall consider the
22 following nonexclusive factors:

23 (1) The licensee must submit a written request for an extension of time that states the
24 specific reason additional time is required, identifies a plan and timetable for placing the taxicab or for-
hire vehicle in service within the shortest possible time, and attaches all documents substantiating the
factual information contained in the request.

(2) The plan and timetable submitted must reflect a reasonable approach for placing a
taxicab or for-hire vehicle in service within the shortest possible time frame;

(3) If the Director determines that the request for an extension of time should be
granted, the Director may grant the licensee no more than thirty (30) additional calendar days (in
addition to the original sixty (60) days) to place the taxicab or for-hire vehicle back into service;

(4) No extensions will be granted to any licensee who is unable to meet the basic
operational costs, including liability insurance, regulatory fees, and normal maintenance and repairs of
operating a taxicab or for-hire vehicle;

(5) No more than one extension will be granted for each vehicle license during its
license year (September 1 through August 31).

20 **6.310.370 Taxicab and for-hire vehicle -- owner surrender of vehicle license.**

21 It is unlawful to operate a taxicab or for-hire vehicle whose license has been suspended or
22 revoked. The taxicab association, taxicab owner and taxicab driver are jointly and severally responsible
23 for immediately surrendering the vehicle license plate or decal and taxicab vehicle license to the
24 Director. The for-hire vehicle owner and for-hire vehicle driver(s) are jointly and severally responsible

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1 for immediately surrendering the vehicle license plate or decal and for-hire vehicle license to the
2 Director (Class C and Misdemeanor if violation was knowingly permitted).

3 IV. FOR-HIRE DRIVER LICENSING AND REQUIREMENTS

4 6.310.400 For-hire driver license application.

5 A. A for-hire driver must complete, sign, swear to and file with the Director a for-hire driver
6 license application on forms provided by the Director to include the following information:

7 (1) Name, aliases, residence and business address, residence and business telephone
8 numbers,

9 (2) Place and date of birth (which shall be at least twenty one (21) years prior to the
10 date of application, height, weight, color of hair and eyes,

11 (3) Social security number and Washington State driver's license number. The
12 applicant must present his/her Washington State driver's license at time of renewal;

13 (4) Proof that the applicant is a United States citizen or has documentation, as
14 required by the United States Department of Justice Immigration and Naturalization Service, that the
15 applicant is authorized to work in the United States;

16 (5) The applicant's criminal history for the last five (5) years;

17 (6) Information indicating whether or not the applicant has ever had a for-hire or
18 driver's license suspended, revoked, or denied and for what cause;

19 (7) A signed statement authorizing the Director to obtain a current copy of the
20 applicant's driving record from the Washington State Department of Licensing; and

21 (8) Such other information as may be reasonably required by regulation promulgated
22 under this chapter.

23 (9) The above application and information must also be completed on all annual
24 renewals.

(B). The following additional information must be filed prior to sitting for the written and oral
examination:

(1) A physician's certification signed not more than three (3) months prior to the date
of initial application that complies with section 6.310.410 and certifies the applicant's fitness as a for-
hire driver.

(2) If the applicant will drive a taxicab, a certification signed under penalty of perjury
by a taxi association representative certifying that the applicant has successfully completed a one week
association training program in which the applicant has:

(a) Ridden with a trainer designated by the association in a taxicab for at least
three 8-hour days; and

(b) Received instruction in the region's geography, important structures and
sites of interest;

(3) Proof of successful completion of a related training program per 6.310.415
approved by the Director;

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1 C. All applications for for-hire driver's licenses become void if the applicant, for any reason
2 other than delay caused by the City, fails or neglects to complete the application process or obtain a
license within sixty (60) days of submitting an application.

3 **6.310.405 Criminal background check.**

4 All applicants for a for-hire driver's license must consent to be fingerprinted for a criminal
5 background check.

6 **6.310.410 For-hire driver physician's certification.**

7 A. A medical examination and certification shall be required upon initial application, and
8 every three (3) years thereafter, on the anniversary date of the license; provided, however, the Director
9 may at any time require any for-hire licensee or applicant to be re-examined if it appears that the licensee
has become physically or mentally unfit to be a for-hire driver.

10 B. The required medical certification and examination shall be performed by a physician
licensed to practice in Washington State under chapter 18.71 RCW and completed following that
11 physician's physical examination of the applicant.

12 C. The scope of the certificate form and the examination shall be prescribed by the Director
by rule.

13 D. A Washington State Department of Transportation medical certification meets the
14 requirements of this section, as long as it was signed no more than three months prior to the date of
15 initial application, or in the case of the three-year renewal certification no more than three months prior
16 to the date of renewal.

17 **6.310.415 For-hire driver training program.**

18 A. All initial for-hire driver applicants must have successfully completed, prior to taking the
19 written and oral examination, no earlier than six (6) months before submitting the application, a training
20 program approved by the Director that provides information about the history and geography of the
21 Seattle and Puget Sound area, incentives for defensive driving and personal safety, enhancement of
driver/passenger relations, and appearance and communication skills.

22 B. Currently-licensed for-hire drivers must meet the requirements of subsection (A) of this
section if:

23 (1) they fail a one-time test given to all currently-licensed for-hire drivers
administered by the Director. This one-time test will be given during 1997 at the time the for-hire driver
renews his/her for-hire drivers license;

24 (2) a taxicab association with which the for-hire driver is affiliated requests that the
for-hire driver receive a refresher course; or

(3) the Director has reasonable grounds, based on documented complaints and/or
violations, to believe that a refresher course is necessary.

6.310.420 For-hire driver written and oral examination.

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1 A. The Director shall prescribe the content of the examination, which must test the
2 applicant's:

- 3 (1) knowledge of taxicab, for-hire vehicle and for-hire driver requirements contained
4 in applicable codes and regulations ,
5 (2) ability to speak and understand oral and written English,
6 (3) knowledge of vehicle safety requirements,
7 (4) knowledge of the geography of Seattle, King County and surrounding areas, and
8 knowledge of local public and tourist destinations and attractions.

9 B. After submitting an application for an initial for-hire license, the applicant must pass a
10 written and oral examination administered by the City of Seattle and/or jointly with King County.

11 C. An applicant who fails the written and/or oral examination is entitled to one free
12 opportunity to retake the examination. A second failure will result in a sixty (60) day wait for another
13 opportunity to take the examination, and another license application fee. All later examination tries will
14 require the sixty (60) day wait, and repayment of the license application fee.

15 D. The written and oral examination is not required for the renewal of a for-hire driver's
16 license unless the applicant's license has remained expired for more than one (1) year.

17 **6.310.425 For-hire driver temporary permit.**

18 A. Pending final action on a for-hire driver license application, the Director may issue a
19 temporary for-hire driver license to an applicant who has filed a complete license application and meets
20 the requirements of 6.310.400(A) and (B). The temporary license is valid for a period not to exceed
21 sixty (60) days from the date of the application and shall not be extended or renewed. Only one
22 temporary license may be issued to the same person within any two (2) year time period.

23 B. The temporary license shall not be transferable or assignable and shall be valid only for
24 operating the taxicab(s) or for-hire vehicle(s) specified by the Director on the license.

25 C. The temporary license shall become void immediately upon (1) suspension, revocation or
26 expiration of the applicant's Washington State driver's license, (2) issuance of the for-hire driver's
27 license, or (3) the Director's denial of the for-hire driver's license application, regardless whether the
28 applicant appeals that denial.

29 **6.310.430 For-hire driver -- standards for license denial.**

30 A. The Director shall deny any for-hire driver license application if the Director determines
31 that the applicant:

- 32 (1) Has made any material misstatement or omission in the application for a license;
33 (2) Fails to meet any of the qualifications of a for-hire driver contained in SMC

34 6.310.400:
35 (3) Has had a bail forfeiture, conviction, or other final adverse finding for crimes
36 pertaining to hit-and-run or for crimes pertaining to driving under the influence of alcohol or controlled
37 substances while operating a taxicab or for-hire vehicle, within three (3) years of the date of application;
38 (4) Is required to register as a sex offender pursuant to RCW 9A.44.130.

39 B. The Director may deny any for-hire driver license application if the Director determines
40 that the applicant:

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1 (1) Has had a bail forfeiture, conviction or other final adverse finding involving
2 crimes pertaining to prostitution, gambling, physical violence, or other crimes directly related to the
3 applicant's honesty and integrity, including but not limited to hit-and-run, fraud, larceny, burglary,
4 extortion and/or directly related to the driver's ability to operate a taxicab, including without limitation
5 driving under the influence of alcohol or controlled substances, provided that such bail forfeiture or
6 conviction was within five (5) years of the date of application; or

(2) Has been found, either through a criminal conviction, bail forfeiture or other final
adverse finding (including in a civil suit or administrative proceeding), to have exhibited past conduct in
driving or operating a taxicab or for-hire vehicle that causes the Director reasonably to conclude that the
applicant will not comply with the provisions of the chapter related to driver/operator conduct and the
safe operation of the vehicle.

7 **6.310.440 For-hire driver license expiration and renewal.**

8 A. All for-hire driver's licenses shall expire one (1) year from the date of application.

9 B. Each for-hire driver must renew the for-hire driver's license every year. No for-hire
10 driver's license may be renewed unless all outstanding penalties against the for-hire driver are paid in
11 full to the Director.

12 C. The Director shall deny any renewal application if grounds exist for the Director to deny
13 a license pursuant to 6.310.430(A). If no such grounds exist, the Director shall examine all Department
14 records on the for-hire vehicle or taxicab and may deny the renewal if grounds exist that would justify
15 denial under 6.310.430(B).

16 **6.310.450 For-hire driver operating standards.**

17 A. A for-hire driver shall not operate a taxicab or for-hire vehicle without first obtaining and
18 maintaining a valid for-hire drivers license (Misdemeanor and Class C).

19 B. No for-hire driver whose license has been revoked by the Director shall apply for a new
20 license for one (1) year from the effective date of such revocation (denial of license).

21 C. A for-hire driver, before starting each shift, shall check the lights, brakes, tires, steering,
22 seat belts, taximeter/seal, and other vehicle equipment to see that they are working properly (Class B).

23 D. A for-hire driver, before starting each shift, shall ensure that the state for-hire certificate,
24 the county and/or city taxicab or for-hire vehicle license, vehicle registration and proof of insurance card
are in the vehicle. (Class A)

E. A for-hire driver shall not operate a taxicab or for-hire vehicle unless the interior and the
exterior of the taxicab or the for-hire vehicle is clean and in good repair. (Class A)

F. A for-hire driver shall not transport more passengers than the number of seat belts
available nor more luggage than the taxicab capacity will safely and legally allow. (Suspension and
Class B)

G. A for-hire driver shall allow the Director to inspect the taxicab or for-hire vehicle without
notice at any reasonable time or place. (Class B)

H. A for-hire driver shall pay all penalties imposed by the Department that are either not
contested or are ultimately upheld.

6.310.455 For-hire driver conduct standards

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- 1
- 2 A. A for-hire driver shall not drink any alcoholic beverage while on duty or less than eight
3 hours prior to going on duty, and shall not possess an open or unsealed container of any alcoholic
4 beverage while in the for-hire vehicle or taxicab. (Suspension and Class B)
- 5 B. A for-hire driver shall, at the end of each trip, check the vehicle for any article that is left
6 behind by passenger(s). Such articles found in taxicabs are to be reported as found property on the
7 TAXI Hotline, as well as to the taxicab association, and such property is to be returned to the taxicab
8 association representative at the end of the shift or sooner if possible. (Class A)
- 9 C. A for-hire driver shall have in the driver's possession a valid for-hire driver's license and
10 valid Washington State driver's license at any time the for-hire driver is operating the taxicab or for-hire
11 vehicle; such for-hire license shall be displayed as prescribed by the Director. (Suspension and Class B)
- 12 D. A for-hire driver shall comply with any written notice of violation issued by the Director,
13 including notices suspending or revoking a vehicle license, and notices requiring repair. (Suspension
14 and Class B)
- 15 E. A for-hire driver shall not operate a taxicab or for-hire vehicle when such taxicab or for-
16 hire vehicle license has been suspended or revoked by the Director or by order of the King County
17 official responsible for implementing taxicabs or for-hire vehicle regulations or ordinances. (Revocation
18 and Class B)
- 19 F. A for-hire driver shall immediately surrender the vehicle license plate and year decal to
20 the Director upon written notice that the vehicle license has been suspended, not renewed or revoked.
21 (Revocation and Class B)
- 22 G. A for-hire driver shall not be in control of a taxicab or for-hire vehicle for more than
23 twelve (12) hours spread over a total of fifteen (15) hours in any 24-hour period. Thereafter, such for-
24 hire driver shall not drive any taxicab until ten (10) consecutive hours have elapsed. (Suspension and
Class B)
- H. A for-hire driver operating under a temporary for-hire license shall not drive, operate, or
be in control of a taxicab or for-hire vehicle other than that designated on the temporary for-hire license.
(Class A)
- I. A for-hire driver shall not drive, be in control of or operate a taxicab or for-hire vehicle
where the required customer information board is not displayed or does not contain all required
information. (Class A)
- J. A for-hire driver shall operate the taxicab or for-hire vehicle with due regard for the
safety, comfort and convenience of passengers. (Class B for safety violations; Class A for non-safety
violations)
- K. A for-hire driver shall not solicit for prostitution nor allow the vehicle to be used for such
unlawful purpose. (Revocation and Class C)
- L. A for-hire driver shall not knowingly permit the taxicab or for-hire vehicle to be used for
the illegal solicitation, transportation, or sale, or any other activity related to illegal drugs. (Revocation
and Class C)
- M. A for-hire driver shall deposit all refuse appropriately and shall under no circumstances
litter. (Class A)
- N. A for-hire driver shall not use offensive language, expressions, or gestures to any person
while driving, operating, picking up customers, or in control of a taxicab or for-hire vehicle. (Class B)
- O. A for-hire driver shall, upon request by the Director, a passenger, or a police officer,

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1 provide the City-issued for-hire license and/or Washington state driver's license for inspection.
2 (Suspension and Class B, Class A if request was by passenger).

3 **6.310.460 For-hire driver taxicab meter/rates standards.**

4 A. A for-hire driver shall not operate any taxicab that does not have a sealed taximeter in
5 good working order. (Suspension and Class B)

6 B. A for-hire driver must activate the taximeter at the beginning of each trip and deactivate
7 the taximeter upon completion of the trip. Beginning of a trip means the point where the passenger is
8 seated and the forward motion of the vehicle begins. (Class A)

9 C. A for-hire driver shall assure that the meter reading is visible from a normal passenger
10 position at all times. (Class A)

11 D. A for-hire driver shall not operate a taxicab or for-hire vehicle that does not have the rate
12 posted as prescribed by the Director. (Class A)

13 E. A for-hire driver shall not ask, demand or collect any rate or fare other than as specified
14 on the meter, required by ordinance, or pursuant to special rates or contract rates on file with the
15 Director. (Class B)

16 F. A for-hire driver shall complete daily tripsheets, as prescribed by the Director, and shall
17 show all trips in an accurate and legible manner as each trip occurs. Daily tripsheets shall include the
18 following information:

- 19 (1) Driver's name and for-hire license number;
- 20 (2) Owner's name and vehicle name and number;
- 21 (3) Vehicle for-hire license number;
- 22 (4) Beginning and ending odometer reading;
- 23 (5) Beginning and ending time of each shift worked;
- 24 (6) Date, time, place or origin, and dismissal of each trip;
- (7) Fare collected;
- (8) Number of passengers;
- (9) "No shows"; and
- (10) Contract rates or special rates. (All Class A).

25 G. A for-hire driver shall allow the Director to inspect the daily trip sheet at any time,
26 without notice. (Class B)

27 H. A taxicab driver shall turn in completed trip sheets to the taxicab association at least
28 weekly. (Class A)

29 **6.310.465 For-hire driver-passenger relations standards.**

30 A. A taxicab driver shall wear the uniform adopted by the association and approved by the
31 Director (Class A).

32 B. A for-hire driver's clothes shall be neat and clean at all times that the driver is on the
33 driver's shift. The term "neat and clean" as it relates to clothes shall mean that all clothing is clean, free
34 from soil, grease and dirt and without unrepaired rips or tears. Drivers shall not wear as an outer
35 garment any of the following: undershirt or underwear, tank tops, body shirts (see-through mesh),
36 swimwear, jogging or warm-up suits or sweatshirts or similar attire, shorts or trunks (jogging or
37

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1 bathing), sandals, or any similar clothing. Summer uniforms can include Bermuda shorts (hemmed
2 slack material) that extend down to within two (2) inches of the top of the knee cap. (Class A)

3 C. A for-hire driver shall be clean and well groomed at all times while on duty. "Clean"
4 means that state of personal hygiene, body and hair cleanliness and absence of offensive body odor
5 normally associated with frequent clothes laundering and bathing or showering. "Well groomed" means
6 beards and mustaches are groomed and neatly trimmed, and scalp and facial hair is neatly trimmed, and
7 combed or brushed. (Class A)

8 D. A for-hire driver shall provide customers with professional and courteous service at all
9 times. (Class A)

10 E. A for-hire driver shall not refuse a request for service because of the driver's position in
11 line at a taxicab zone; a passenger may select any taxicab in line. (Class B)

12 F. A for-hire driver shall at all times assist a passenger by placing luggage or packages
13 (under fifty (50) pounds) in and out of the taxicab or for-hire vehicle. (Class A)

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

18 H. A for-hire driver shall provide each passenger a receipt upon payment of the fare. The
19 receipt shall accurately show the date and time, place of pickup and delivery, the amount of the fare, the
20 taxicab name, number and association, and the printed name and for-hire driver license number of the
21 for-hire driver. (Class A)

22 I. A for-hire driver shall use the most direct available route on all trips unless the passenger
23 specifically requests to change the route. (Class B)

24 J. A for-hire driver shall not permit any person or pet to ride in the taxicab or for-hire
vehicle unless that person or pet accompanies, or is in the vehicle at the request of, a fare-paying
individual. This requirement shall not apply to uniformed driver trainees. (Class A)

K. A for-hire driver shall not refuse to transport any person except when:

(1) The for-hire driver has already been dispatched on another call;

(2) The passenger is acting in a disorderly or threatening manner, or otherwise causes
the for-hire driver to reasonably believe that the for-hire driver's health or safety, or that of others, may
be endangered;

(3) The passenger cannot, upon request, show ability to pay the fare. (Class B)

L. A for-hire driver shall not smoke while the taxicab or for-hire vehicle is occupied without
the consent of all passengers. (Class A)

M. A for-hire driver shall be able to provide a reasonable amount of change, and if correct
change is not available, no additional charge will be made to the passenger in attempting to secure the
change. (Class A)

N. A for-hire driver shall not make any discriminatory charges to any person, or make any
rebate or in any manner reduce the charge to any person unless such is in conformity with the discounts
or surcharges contained in the filed rates. (Class B)

6.310.470 For-hire driver soliciting and cruising standards.

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1 A. A for-hire driver may solicit passengers only from the driver's seat or standing
immediately adjacent to the taxicab or for-hire vehicle (within 12 feet), and only when the vehicle is
2 safely and legally parked. (Class A)

B. A for-hire driver shall not use any other person to solicit passengers. (Class A)

3 C. A for-hire driver shall not hold out the for-hire vehicle or taxicab for designated
destinations. (Class A)

4 **6.310.475 For-hire driver taxi zone standards.**

5 A. A for-hire driver shall not leave the taxicab unattended in a taxicab zone for more than
6 fifteen (15) minutes. Such vehicles will be impounded by order of the Director. (Class A)

B. A for-hire driver shall occupy a taxicab zone only when available for hire. (Class A)

7 C. A for-hire driver shall not perform engine maintenance or repairs on the taxicab while in
a taxicab zone. (Class A)

8 **V. ENTRY STANDARDS AND RATES**

9 **6.310.500 Taxicabs. Maximum number.**

10 A. The total number of taxicab licenses in effect at any one time shall not exceed the number
11 in effect as of December 31, 1990.

12 B. The Director may, at the Director's discretion, issue taxicab licenses to special service
vehicles used to provide transportation to disabled persons defined in K.C.C. 6.64.010 or to handicapped
13 persons as defined in SMC 6.310.110.

14 **6.310.510 Response times.**

The Director shall establish a schedule of optimum average taxicab response times to requests for
15 taxicab service at selected points within the City. The Director shall periodically thereafter survey actual
taxicab response times. A comparison of average actual response times to the optimum average taxicab
16 response times shall be used as an indicator of taxicab industry performance and may be used as one
criterion in evaluating and recommending rate and entry changes.

17 **6.310.520 Director's Reports.**

18 When requested by the Seattle City Council, the Director shall file a report with the Seattle City
19 Council based upon data collected on tripsheets or through taximeter readings. The report may include
but not be limited to the following.

20 A. Number of taxicabs licensed in Seattle/King County during the reporting period and
during the preceding year.

21 B. Number of drivers licensed in Seattle/King County during the reporting period and during
the preceding year.

22 C. Numbers and nature of complaints.

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1 D. Results of any survey of taxicab response times and any changes in response times from
previous reporting periods.

2 E. Results of meter readings.

3 F. Any other information deemed appropriate by the Director.

4 **6.31 Rates.**

5 A. The rates for taxicabs licensed to operate in Seattle shall be established by the Seattle
City Council.

6 B. In reviewing rates the council may take into account, among other things, and with the
objective of prescribing a just and reasonable rate, the following factors:

7 (1) The information in a report prepared by the Director pursuant to SMC 6.310.520;

8 (2) The public's need for adequate taxi service at the lowest level of charges
consistent with the provision, maintenance and continuation of such service;

9 (3) The rates of other licensees operating in similar areas;

10 (4) The effect of such rates upon transportation of passengers by other modes of
transportation;

11 (5) The owners' need for revenue of a level that, under honest, efficient and
economical management, is sufficient to cover the cost (including all operating expenses, depreciation
accruals, rents, license fees and taxes of every kind) of providing adequate taxi service, plus an amount
equal to such percentage of the cost as is reasonably necessary for the replacement of deteriorated
taxicabs and a reasonable profit to the owner.

12 (6) Consistency of rates with those charged by King County.

13 C. No taxicab shall have more than one rate on its meter.

14 D. Except for special or contract rates as provided for in this chapter or any per trip fee
established by the Port of Seattle and set forth in any operating agreement or tariff, it shall be unlawful
for anyone operating a taxicab licensed by the City of Seattle to advertise, charge, demand or receive any
greater or lesser rate than the following:

15 Meter rate

16 (1) Drop charge: For passengers for first
1/9 mile \$1.80

17 (2) Per mile: For each 1/9 mile or fraction
thereof after the first 1/9 mile \$.20

18 (3) For every one minute of waiting time \$.50 *

19 (4) Extra charge for passengers over two
excluding children under 12 \$.50

20 * Waiting time charges are initiated when speedometer is less than 17 miles per hour or when taxicab is
asked to wait for the customer.

21 E. Special rates and contract rates.

22 (1) Special rates as defined in this chapter shall be calculated as a percentage of the
meter rate

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6.310.605 Monetary Penalties and Penalty Points.

A. For-Hire Driver or Taxicab/For-hire Vehicle Violations.

VIOLETION	PENALTIES AGAINST FOR-HIRE DRIVER, OR OWNER OF TAXICAB OR FOR-HIRE VEHICLE	PFNALTY POINTS ATTRIBUTED TO TAXICAB ASSOCIATION ¹
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(1) Violations found away from city's inspection facility

First Class A in one year (Sept. 1-Aug. 31)	\$30	2
Second Class A in one year	\$60	3
Third or more Class A violation in one year	\$100	4
First Class B violation in one year	\$60	4
Second Class B violation in one year	\$150	7
Third or more Class B violation in one year	\$250	10
All Class C violations	\$1000	20

(2) Violations found during inspections at city's inspection facility.

Class A violation found during inspection at city's inspection facility.	Vehicle re-inspection fee. See fee schedule in Section 6.310.150	2 each violation
Class B violation found during inspection at city's inspection facility.	Vehicle re-inspection fee. See fee schedule in Section 6.310.150	4 each violation

¹ Penalties and penalty points are attributed to the taxicab association with which the taxicab and/or for-hire driver is affiliated at the time the violation occurs.

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1 B. Taxicab Association Violations.

2 VIOLATION	PENALTY POINTS AGAINST TAXICAB ASSOCIATION
3 First Class A violation in one year (September 1 - August 31)	5
4 Second Class A violation in one year	6
Third or more Class A violation in one year	7
5 First Class B violation in one year	10
Second Class B violation in one year	12
6 Third or more Class B violation in one year	15

7 As soon as an association accumulates more than 5 penalty points per affiliated taxicab, on average,
8 it must pay a penalty to the Director of \$100 per affiliated taxicab. As soon as an association
9 accumulates more than 7 penalty points per affiliated taxicab, on average, it must pay an additional
10 penalty to the Director of \$150 per affiliated taxicab. As soon as an association accumulates more than
11 10 points per affiliated taxicab, on average, it must pay an additional penalty to the Director of \$250 per
12 affiliated taxicab. For purposes of this subsection, average number of penalty points per affiliated
13 taxicab means total association penalty points divided by number of taxicabs within the association.

14 Upon renewal of the taxicab association license, the association will start the new year with zero (0)
15 penalty points.

16 C. Taxicab or For-Hire Vehicle Owner's Responsibility for Penalties Incurred by For-Hire
17 Drivers. A taxicab or for-hire vehicle owner is jointly and severally liable for each monetary penalty
18 assessed against any for-hire driver who commits a violation while operating a taxicab or for-hire
19 vehicle belonging to that owner. The City is not required to pursue collection of the penalty from the
20 driver as a prerequisite to pursuing collection of the penalty from the owner.

21 D. Taxicab Association's Responsibility for Penalties Incurred By For-Hire Drivers and Taxicab
22 Owners. In addition to incurring penalty points, the taxicab association is jointly and severally liable for
23 each monetary penalty assessed against any for-hire driver or taxicab affiliated with the taxicab
24 association. The City is not required to pursue collection of the penalty from the for-hire driver or the
25 taxicab owner as a prerequisite to pursuing collection of the penalty from the taxicab association.

26 **6.310.610 Suspension or Revocation.**

27 A. Summary suspension or revocation. Notwithstanding any other provision of this chapter, the
28 Director may summarily suspend or revoke a license issued under this chapter prior to any hearing if the
29 Director determine that grounds for license suspension or revocation exist and that summary suspension
30 or revocation is necessary to prevent a clear, substantial and imminent hazard to life, safety, or property.

31 B. Suspension standards.

32 (1) The Director may suspend any license issued under this chapter for three or more class B
33 violations occurring during a twelve (12) month period. The Director may suspend any for-hire driver
34 found to have committed three or more traffic violations during a two-year period. All suspensions

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1 issued under this subsection shall extend for one (1) month, or until expiration of the license, whichever
2 occurs first.

3 (2) The Director may suspend any license issued under this chapter upon a violation of any
4 provision that indicates suspension as a penalty in parentheses after the provision. All suspensions,
5 other than summary suspensions, issued under this subsection shall extend until the violation is cured, or
6 for the specified number of days in parentheses following the requirement.

7 C. Revocation standards.

8 (1) Any license. The Director shall revoke a license issued under this chapter if the Director
9 determines that:

10 (a) The licensee has violated any of the provisions of this chapter that indicate a
11 revocation as a penalty in parentheses after the provision.

12 (b) The license application contained a material misstatement or omission;

13 (c) The licensee fails to pay a monetary penalty imposed under this chapter within thirty
14 (30) days after an unappealed notice of violation or final decision or order imposing such monetary
15 penalty is issued.

16 (2) Taxicab associations.

17 (a) The Director shall revoke a taxicab association license if during the license period the
18 taxicab association, or any owner, officer, director, managing partner, general partner or principal of the
19 taxicab association, receives a bail forfeiture, conviction or other final adverse finding for crimes of
20 fraud, theft, larceny, extortion, embezzlement, racketeering, Uniform Controlled Substances Act,
21 prostitution, alcohol and/or narcotics where the commission of such crimes involved or used a taxicab
22 association, taxicab, for-hire vehicle or limousine. If an owner, officer, director, managing partner,
23 general partner or principal of the taxicab association found in violation of this subsection is (i) removed
24 immediately from all operational or management duties or authority and (ii) is divested of all ownership
in the taxicab association as soon as possible, the license may be reinstated.

(b) The Director may revoke a taxicab association license if during the license period the
taxicab association, or any owner, officer, director, managing partner, general partner or principal of the
taxicab association, receives a bail forfeiture, conviction or other final adverse finding involving crimes
directly related to the applicant's ability to operate a taxicab association, including but not limited to
prostitution, gambling, fraud, larceny, extortion, income tax evasion. If an owner, officer, director,
managing partner, general partner or principal of the taxicab association found in violation of this
subsection is (i) removed immediately from all operational or management duties or authority and (ii) is
divested of all ownership in the taxicab association as soon as possible, the license may be reinstated

(3) Taxicab and For-Hire Vehicle Licenses.

(a) The Director shall revoke a taxicab or for-hire vehicle owner license if

(i) the licensee, or any officer, director, general partner, managing partner or
principal of the licensee, has had a conviction, bail forfeiture or final adverse finding of criminal fraud,
larceny, theft, prostitution, extortion, racketeering, robbery or violation of the Uniform Controlled
Substances Act, where the crime is associated with operating a taxicab or for-hire vehicle;

(ii) the licensee has had the license suspended twice within a one-year period for lack
of a current, valid insurance policy;

(iii) the licensee's State of Washington for-hire certificate has been revoked; or

(iv) the licensee is not affiliated with a taxicab association licensed under this chapter.

(b) The Director may revoke a taxicab or for-hire vehicle license if:

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1 (i) the licensee, or any officer, director, general partner, managing partner or
principal of the licensee, receives a bail forfeiture or conviction involving crimes reasonably related to
2 the applicant's ability to operate a taxicab or for-hire business, including but not limited to prostitution,
gambling, fraud, larceny, extortion, income tax evasion; or

3 (ii) the licensee commits three or more Class B violations within one year.

4 (4) For-Hire Driver's Licenses.

(a) The Director shall revoke a for-hire driver's license if:

5 (i) the for-hire driver receives a bail forfeiture, conviction, or other final adverse
finding for crime, pertaining to hit-and-run, or for crimes pertaining to driving under the influence of
alcohol or controlled substances while operating a taxicab or for-hire vehicle;

6 (ii) the for-hire driver's Washington State driver's license expires or is revoked; or

7 (iii) the for-hire driver has committed one (1) Class C violations in any one-year
period.

(b) The Director may revoke a for-hire driver's license if:

8 (i) the for-hire driver is found to be in possession of illegal drugs or an open
container of alcohol while in control of or while operating any taxicab or for-hire vehicle; or

9 (ii) the for-hire driver has received a conviction, bail forfeiture, or other final adverse
finding involving crimes pertaining to prostitution, gambling, physical violence, Uniform Controlled
10 Substances Act, fraud, theft, robbery, larceny, burglary, extortion and/or crimes directly related to the
driver's ability to operate a taxicab.

11 D. Effect of Notice of Suspension or Revocation.

12 (1) Summary suspension or revocation. Whenever any license is summarily suspended or
revoked the suspension or revocation is effective upon issuance of the notice. Such notice may be
13 appealed pursuant to the procedures of 6.310.635. If a timely appeal is not filed by the licensee, the
notice of summary suspension or revocation shall be final. Such summary suspension shall extend until
14 any administrative or judicial appeal is finally concluded in the licensee's favor, until the license expires,
or until evidence satisfactory to the Director is produced showing that the violation is cured, whichever
15 occurs first. Summary revocations shall extend until the end of the annual license period or until any
administrative or judicial appeal is finally concluded in the licensee's favor, whichever occurs first.

16 (2) Suspension or revocation. If the licensee does not file a timely appeal pursuant to section
6.310.635, the notice of suspension or revocation shall be final. Suspensions or revocations become
17 effective upon the date any notice of suspension or revocation or order on appeal affirming such notice
becomes final. Unless a time period is specified in a particular section of this ordinance, suspensions
18 shall extend until the license expires or until evidence satisfactory to the Director is produced showing
that the violation is cured, whichever occurs first. Revocations shall extend until the end of the annual
license period.

19 (3) Except in the case of a summary suspension or revocation as provided in subsection (1)
above, whenever a timely appeal is filed pursuant to section 6.310.635, a licensee may continue to
20 engage in the activity for which the license is required pending a final decision on appeal.

21 **6.310.635 Notice and Hearing for Denials, Violations, Suspensions and Revocations.**

22 For each violation, and for each denial, suspension or revocation, the Director shall give written
notice to the affected licensee. If the affected licensee is a taxicab driver, the Director shall at the same
23

1 time give written notice of violations to the taxicab owner and the taxicab association. If the affected
2 licensee is a taxicab owner, the Director shall at the same time give written notice of violations to the
3 taxicab association. All notices directed to a taxicab driver or taxicab owner may be served by personal
4 delivery to, or by first-class mail addressed to, the taxicab association.

5 B. Any notice of denial, violation, suspension or revocation shall state that the driver, owner
6 and/or taxicab association is entitled to a hearing to respond to the notice and introduce any evidence to
7 refute or mitigate the violation. Upon written request filed within ten (10) days after the date of the
8 notice of denial, violation, suspension or revocation, the Director shall set a hearing date and time to be
9 held as soon as possible and not more than fourteen (14) days from the date of the request.

10 C. The hearing shall be held by the Director or the Director's designee, provided that the designee
11 may not be a person who directly supervises the inspector who issued the notice of denial, violation,
12 suspension or revocation.

13 D. The hearing shall be informal, but shall be recorded by electronic means provided by the
14 Director. Within twenty (20) days of the hearing, the Director shall issue a written ruling including
15 factual findings and the Director's conclusion, with supporting reasons, affirming, modifying or
16 reversing the notice. The decision shall be mailed by first class mail to each affected licensee at the
17 address listed on the application, or in any supplemental materials. However, if the licensee is a taxicab
18 owner or taxicab driver, the decision shall be mailed by first class mail to the licensee at the address of
19 the taxicab association.

20 E. The decision of the Director is final if a monetary penalty only is imposed or if no timely
21 appeal is filed pursuant to subsection.

22 F. If the Director's decision imposes or affirms a denial, suspension or revocation, any affected
23 licensee may appeal the entire decision to the Hearing Examiner by filing a notice of appeal with the
24 Hearing Examiner within ten (10) days after the date of mailing of the decision.

G. If a timely notice of appeal is filed pursuant to subsection (F) above, a hearing shall be
scheduled and conducted by the Hearing Examiner according to the Hearing Examiner rules for
contested cases. At the Hearing Examiner hearing, the Department shall have the burden of proving by a
preponderance of the evidence that the alleged violation occurred.

H. The Hearing Examiner may affirm, modify or reverse the decisions of the Director.

VII. MISCELLANEOUS

6.310.700 Consumer complaint hotline.

The Director may establish, in conjunction with King County and the Port of Seattle, a shared
consumer complaint telephone number and complaint process.

6.310.710 Passenger complaint process.

A. Upon receiving a written 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 for-hire driver and vehicle owner, and company,
if applicable, advising such person of the allegation(s) made in the complaint;

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1 (2) Require the for-hire driver, vehicle owner, and the taxicab association if
2 applicable, to respond, in writing, to the allegation(s) in the notice of complaint within ten days of
3 receipt of the notice of complaint;

(3) Investigate the allegation(s) in the written complaint and the response submitted
4 by the for-hire driver, vehicle owner, and taxicab association, if applicable; and

(4) Make a finding as to the validity of the allegation(s) in the written complaint. If it
5 is found to be a valid complaint the director shall issue a notice of violation pursuant to SMC 6.310.635.

B. Failure to respond in writing within ten days to a Notice of Complaint shall constitute a
6 waiver of the for-hire driver's, vehicle owner's, and association's, if applicable, right to contest the
7 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
8 Class B violation.

6.310.720 Renewal of license, registration or permit - late penalty.

A late penalty shall be charged on all applications for renewal of a license, registration or permit
9 received later than ten working days after the expiration date of such license, registration or permit as set
10 forth in the respective resolution or ordinance establishing the expiration date of such license,
11 registration or permit. The amount of such late penalty is fixed in SMC 6.310.150.

6.310.730 Plates, tags, etc. property of City.

All taxicab or for-hire vehicle license plates, year decals shall remain the property of the City.

Section 3. Unless otherwise specifically stated in this ordinance, the provisions of this
14 ordinance relating to taxicab associations, the requirement that taxicab owners and for-hire drivers join
15 associations, and the provisions relating to penalty points associated with violations shall take effect
16 May 1, 1997. The fee provisions of section 6.310.150 and the provisions of section 6.310.605 imposing
17 monetary penalties shall become effective January 1, 1997. Taxicab association license fees paid in
18 1997 shall be prorated on a monthly basis. New license requirements for taxicab or for-hire vehicle
19 owners or drivers shall take effect upon the person's license anniversary date.
20
21
22
23
24

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City of Seattle

**Department
of Finance**

Dwight D. Dively
Director of Finance

Norman B. Rice
Mayor

September 3, 1996

The Honorable Jan Drago, President
Seattle City Council
600 Fourth Avenue, 11th Floor
Seattle, WA 98104

Via: Mayor's Office
Attention: Tom Tierney, Director, Office of Management and Planning
Subject: Proposed Ordinance Adding to Title 6 of the Seattle Municipal Code and Repealing Chapters 6.208, 6.211 and 6.212 of the Seattle Municipal Code, Providing for the Regulation of Taxicab Associations, and Amending the Regulations for For-Hire Drivers, For-Hire Vehicles and Taxicabs.

Dear Councilmember Drago:

In the summer of 1995, the Mayor and Council requested a thorough review of the City's taxicab regulations. This request stemmed from complaints by consumers and the City's hospitality industry regarding poor cab service, unpredictable charges, dirty or damaged vehicles, and inadequately trained drivers. Many members of the taxicab industry also called for reform as a way to improve the industry's image and increase business. Since then, the Finance Department, in cooperation with your office, has conducted a wide ranging assessment of the current industry and has reviewed a number of regulatory alternatives. This effort included:

- A "peer review" of the Seattle taxi industry was completed last fall. The Finance Department had a team of experts visit Seattle on November 15-17, 1995, to review the status of the industry here. The team included current or former taxi regulators from Las Vegas, New York City, and San Diego. The team met with City and County officials, cab owners and drivers, hospitality and business groups, and individual cab users. After further work, the team issued its report in March and called for a complete overhaul of the taxi industry. Most of the team's recommendations, including uniform fares, maximum ages for cabs, comprehensive driver training, and greater City-County cooperation, are included in the attached ordinance.
- A Taxicab Advisory Group was formed to help develop recommendations. This group included representatives of the City, County, cab users, the hospitality industry, and all segments of the taxicab industry. The group discussed current industry problems and reviewed a wide range of options. The

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proposals included in the attached ordinance are supported by most but not all members of the Advisory Group.

- Public meetings were held to gather input. These meetings resulted in comments and ideas from cab drivers, owners, and the general public.
- The Finance and Law Departments worked together to draft amendments to the current taxi ordinance. The amendments had to balance the need for changes to improve service with the rights of cab owners and operators. The proposed amendments are the result of this effort.

The Executive believes that the proposed changes will result in dramatic improvements in the taxicab industry in Seattle. Cabs will be required to join associations, which will ensure a minimum level of service and performance through dispatching, consistent standards, and ease of enforcement. Rates will be set at fixed levels consistent with those used by King County, with discounts available for senior citizens and the handicapped. A maximum age will be set for vehicles in order to improve safety and appearance. Training requirements will be increased and more stringent testing will be required to ensure that operators have appropriate driving skills and are familiar with Seattle geography. Enforcement will be significantly improved and gradually increasing fines will be assessed against chronic offenders.

This ordinance does not complete the process of reviewing taxi regulations in the City. Several additional issues still need to be resolved, including adding more cab stands in downtown Seattle, implementing new technologies to improve driver safety and vehicle dispatching, and expanding opportunities for Seattle cabs to serve SeaTac Airport. These issues will be addressed in the coming months. Meanwhile, the Executive believes the attached ordinance will make significant improvements in Seattle's taxi industry.

Several provisions of the ordinance will take time to implement. The requirement for all cabs to join associations will take effect six months after the ordinance is signed (aprox. April 1997). The new rate structure will be established as of January 1, 1997. Regulations on ages of cabs will be gradually phased in and will take full effect on September 1, 1998. These transition periods will allow the industry to gradually adapt to the new system.

The attached ordinance adds to Title 6 of the Seattle Municipal Code and repeals chapters 6.208, 6.211 and 6.212 of the Code. The new chapter added by this ordinance contains a number of changes to taxicab regulations within Seattle. These changes are explained below.

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Taxicab Associations

Presently, the City licenses only taxicabs and for-hire drivers. The proposed ordinance provides for a taxicab association license and requires each taxicab operating in the City of Seattle to join with at least 14 other taxicabs and form a taxicab association. Taxicab associations will create better lines of communication and lines of responsibilities than presently found within the highly fractured taxicab industry. The new lines of communication and responsibility will result in more efficient enforcement. They will also enable the taxicab industry to work more closely together and join with businesses and the hospitality industry to promote increased opportunities for cabs. Associations will be organized according to the wishes of the owners represented within each association. However, they must be some form of legal entity to enable the City to hold the association responsible for the actions of its members.

Clarification and Organization of Requirements and Responsibilities

The ordinance sets out clear requirements and responsibilities for the associations (Section II), for-hire vehicles or taxicab owners (Section III), and for-hire drivers (Section IV). The ordinance is comprehensive, but some requirements will be detailed in rules and regulations promulgated by the director.

The ordinance lists the penalty for failure to comply with each requirement or responsibility immediately after the requirement or responsibility. This allows the licensee to clearly see the consequences of any failure to comply with the requirements.

Enforcement Provisions

Presently, the Consumer Affairs Section of the Finance Department inspects cabs and regulates the taxicab industry through notices of correction and notices of violation. Licenses are summarily suspended until a safety violation is corrected, which is usually the same day. Presently, there is no penalty other than the loss of operating time while the discrepancy is corrected. Under this approach, the taxicab industry uses our enforcement personnel as their personal taxicab inspectors with very little loss of revenue. Under the proposed ordinance each inspection or operating violation will carry a monetary penalty. These penalties will ramp up with each succeeding violation. Safety violations will also carry a summary suspension until the discrepancy is corrected. The issuing of notices of violation with the associated penalty should add more deterrent power to the enforcement process.

An additional deterrent comes from assessing penalty points against the association to which the offending vehicle or driver is associated. These penalty points are in addition to the individual monetary penalties levied against the vehicle owner or

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driver. As association penalty points accumulate over a certain threshold, monetary penalties will be assessed against the association.

The ordinance also makes the association jointly responsible for the payment of all penalties against the taxicab owner and the for-hire driver. The taxicab owner is jointly responsible for the payment of penalties against the for-hire driver.

The overall penalty process is designed to create peer pressure to encourage owners and drivers to conform to the taxicab codes and regulations.

Rates

The ordinance sets taxicab rates at a single fixed rate (\$1.80/\$1.80) which is used presently by the majority of taxicabs in Seattle and King County. Presently, Seattle uses a ceiling rate of \$1.80/ \$1.80. The majority of cabs (530 out of 660) use the \$1.80/\$1.80 rate, with only Greytop and Redtop operating at a lower rate of \$1.20/\$1.40. The ordinance provides for a senior citizen discount rate and special contract rates, which must be filed with the Finance Director.

The \$1.80/\$1.80 rate is the same as the King County rate. The Taxicab Advisory Group desired a fixed single rate to eliminate confusion over multiple rates and different charges for the same distance or route. No taxicab business has asked for a higher rate, although Greytop and Redtop would like to continue operating at a lower rate.

Age of Vehicles

The ordinance provides for a maximum age of all taxicabs operating within the City of Seattle. The ordinance requires taxicabs to be a model which is less than eight years of age at time of licensing (September 1st of each year). A transition period allows presently licensed vehicles that are less than ten years of age to operate after September 1, 1997. On September 1, 1998 all vehicles will be required to be less than eight years of age at the time of licensing. Any replacement vehicle licensed after passage of the ordinance will have to meet the less than eight year requirement at time of licensing. This requirement compares very closely to the taxicab age requirement for Stita taxicabs which operate under the authority of the Port of Seattle at SeaTac Airport. This is a very important provision of the ordinance in that the Consumer Affairs Section can show that newer cars have received fewer notices of correction, and taxicab appearance is very important to the industry and to the City.

Training and Testing

Provisions contained in the ordinance will allow for an improved training and testing procedure for new drivers. The ordinance requires that a representative of

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the taxicab association certify that the applicant has successfully completed a one-week association training program in which the applicant has ridden with a veteran driver in a taxicab for at least three 8-hour days, and has become thoroughly knowledgeable of the region's geography, structures, and sites of interest. This is a new requirement. In addition to the association training, the for-hire driver will have to attend a course developed and conducted by the City covering defensive driving, safety, and enhancement of driver/passenger relations. This is not a new requirement; however, the training will be enhanced and expanded from the present one-day course.

The ordinance also provides for more stringent testing procedures. Presently, an applicant can sit for the exam as many times as it takes to pass (within a 60 day period). This takes a lot of time and effort by the City's enforcement staff, and degrades the tests. The ordinance provides for two opportunities to pass the exam before a 60 day mandatory waiting period and another application fee is assessed. Drivers will also have to pass an oral portion of the examination covering the speaking and understanding of the English language before being licensed. Presently, no oral portion is required during the examination.

Lottery for New Licenses Issued

The maximum number of taxicab licenses remains limited to 667, which is the number of licenses in effect as of December 31, 1990. If licenses become available as cabs leave the industry and turn in their licenses, the Finance Director may chose to issue the available licenses through a lottery system. The system is designed to issue new licenses first to King County licensed cabs until all cabs have both City and County licenses. This will lead eventually to a regional taxicab license whereby all taxicabs will be able to operate in both the county and the city.

The above subjects cover the main changes which are addressed within the proposed ordinance. If you have any questions please call Mel McDonald, director of the Revenue and Consumer Affairs Division at 233-0071.

Sincerely,



Dwight Dively
Finance Director

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96-287

City of Seattle

Executive Department—Office of Management and Planning

Thomas M. Tierney, Director
Norman B. Rice, Mayor

September 4, 1996



The Honorable Mark Sidran
City Attorney
City of Seattle

OK
Wingfield
Law

Dear Mr. Sidran:

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

REQUESTING DEPARTMENT: Finance

SUBJECT: AN ORDINANCE relating to for-hire vehicles, taxicabs and for-hire drivers, adding a new chapter 6.310 to the Seattle Municipal Code to license for-hire vehicles, taxicabs, for-hire drivers and taxicab associations both for regulation and revenue, and repealing Chapters 6.208, 6.211 and 6.212 of the Seattle Municipal Code.

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

After reviewing this request and any necessary redrafting of the enclosed legislation, return the legislation to OMP. Any specific questions regarding the legislation can be directed to Leda Young at 233-7268.

Sincerely,

Norman B. Rice
Mayor

by

Leda Young for

TOM TIERNEY
Director

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Enclosure

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STATE OF WASHINGTON - KING COUNTY

73741
City of Seattle, City Clerk

—SS.

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

CT:ORD 118341

was published on

11/04/96

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

Subscribed and sworn to before me on

11/05/96

Notary Public for the State of Washington,
residing in Seattle

Affidavit of Publication

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... "Knowingly" means 1) to know of ... addition that violates the ... cant to this chapter ... 2) to take reasonable steps to ... violation and to prevent future violations. There is a ... able presumption that a person know ... tion or condition of which a reasonable person in the same position would have knowledge. ... "Let-a-driver" means a for-hire driver who is an independent contractor/sole ... who has leased a taxicab or for-hire vehicle from a taxicab or for-hire vehicle owner or taxicab ... association. ... "Lessor" means an owner of a taxicab or for-hire vehicle who leases to a leasee ... including for