

CITY OF SEATTLE
ORDINANCE _____

COUNCIL BILL _____

AN ORDINANCE relating to taxicabs and for-hire vehicles; increasing the taxicab and for-hire regulatory license fees, inspection fees, and miscellaneous fees; increasing monetary penalties for all code violations; eliminating uniform requirements; and amending Sections 6.310.150, 6.310.200, 6.310.465, and 6.310.605 of the Seattle Municipal Code in connection thereto.

WHEREAS, there is a need to enhance licensing and street enforcement activities through increased fees and fines for taxicab and for-hire associations and companies, vehicles and drivers; and

WHEREAS, the taxicab industry should be allowed to establish their own dress code requirements for their drivers; NOW, THEREFORE,

BE IT ORDAINED BY THE CITY OF SEATTLE AS FOLLOWS:

Section 1. Section 6.310.150, which was last amended by Ordinance 123472, is amended as follows:

~~((SMC))~~ **6.310.150 Fees**~~(:)~~

The following nonrefundable fees shall apply:

A. Taxicab association:

Annual fee	\$(1,000) <u>1,500</u>
Late renewal fee	\$(100) <u>150</u>
Fingerprinting of owners and officers	Charge as determined by Director to cover costs.

B. Taxicab or for-hire vehicle license:

Annual fee	\$(600) <u>800</u>
Wheelchair accessible taxicab annual license fee	Waived
Late fee (license renewal)	\$(60) <u>80</u>

1	Change of vehicle	\$(100) <u>200</u>
2	Change of vehicle licensee:	
3	July – December	\$(600) <u>800</u>
4	January -- June (half year)	\$(300) <u>400</u>
5	May ((16)) <u>1</u> -- June 30*	
6	Replace taxicab plate	\$25
7	Special inspection fee**	\$100/hour
8		(1/2 hour minimum)
9	Inspection rescheduling fee	
10	(non-City licensed vehicles only)	\$(25) <u>50</u>
11	Taxicab change of association	
12	affiliation	\$100
13	<u>For-hire vehicle change of</u>	
14	<u>Company affiliation</u>	<u>\$100</u>
15	Vehicle re-inspection fee	
16	(for Class A violations)	\$50
17	Suspension reinstatement fee	
18	(when no penalty is assessed)	
19	or re-inspection fee (for Class	
20	B violations)	\$100
21	Fingerprinting	Charge as determined by
22		Director to cover costs
23	Change of licensee corporation,	
24	limited liability company, or	
25	partnership members	\$100
26	Security camera system inspection	

1 (when not part of annual
2 inspection) \$50

3 Taximeter test (when not part
4 of annual inspection) \$50

5 * No change of taxicab licensee or for-hire vehicle licensee fee is due if the transfer
6 occurs between May ~~((16))~~ 1 -- June 30 and ~~((During this period,))~~ the change of
7 ~~((taxicab or for-hire vehicle))~~ licensee and the annual license renewal are accomplished
8 together~~((and only one (1) fee will be assessed))~~.

9 * * For testing of ~~((taxicab meter))~~ taximeter or taxicab safety inspections provided to
10 other municipalities.

11 C. For-hire driver license:

12 Annual fee \$~~((50))~~150

13 Add/change affiliation* * * \$20

14 Late fee \$15

15 ID photo \$5

16 Fingerprinting Charge as determined by
17 Director to cover costs

18 Replacement license \$5

19 Training class fee ~~((As))~~ Charge as determined by Director to cover
20 costs

21 * * * For-hire drivers may only be affiliated with a maximum of three
22 (3) taxicab associations at any given time. This fee is only charged
23 when the driver is affiliated with three (3) associations and now
24 wants to delete one (1) association and add another.

1 Section 2. Section 6.310.200, which was last amended by Ordinance 118341, is amended
2 as follows:

3 ~~((SMC))~~ **6.310.200 Taxicab association -- License application**~~((:))~~

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

8 ***

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

16 ***

17 Section 3. Section 6.310.465 which was last amended by Ordinance 122763, is amended
18 as follows:

19 ~~((SMC))~~ **6.310.465 For-hire driver -- Passenger relations standards**~~((:))~~

20 ~~((A. A taxicab driver shall wear only the uniform adopted by the association and
21 approved by the Director or a costume meeting all requirements of SMC 6.310.225 and SMC
22 6.310.480. (Class A).))~~

23 ~~((B))~~ A. When wearing a costume a driver shall display a photograph of the driver
24 dressed in the costume along with the driver's for-hire license. (Class A).

25 ~~((C. A for hire driver's clothes shall be neat and clean at all times that the driver is on the
26 driver's shift. The term "neat and clean" as it relates to clothes shall mean that all clothing is~~

1 ~~clean, free from soil, grease and dirt and without unrepaired rips or tears. Drivers shall not wear~~
2 ~~as an outer garment any of the following: undershirt or underwear, tank tops, body shirts (see~~
3 ~~through mesh, swimwear, jogging or warm-up suits or sweatshirts or similar attire, shorts or~~
4 ~~trunks (jogging or bathing, sandals, or any similar clothing. Summer uniforms can include~~
5 ~~Bermuda shorts (hemmed slack material) that extend down to within two 2 inches of the top of~~
6 ~~the knee cap. (Class A).)~~

7 ~~((D) A for hire driver shall be clean and well groomed at all times while on duty. "Clean"~~
8 ~~means that state of personal hygiene, body and hair cleanliness and absence of offensive body~~
9 ~~odor normally associated with frequent clothes laundering and bathing or showering. "Well~~
10 ~~groomed" means beards and mustaches are groomed and neatly trimmed, and scalp and facial~~
11 ~~hair is neatly trimmed, and combed or brushed (Class A).))~~

12 ~~((E)) B. A for-hire driver shall provide customers with professional and courteous service~~
13 ~~at all times (Class A).~~

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

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

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

23 ~~((I)) F. A for-hire driver shall provide each passenger a taximeter receipt upon payment~~
24 ~~of the fare (Class A).~~

25 ~~((J)) G. A for-hire driver shall use the most direct available route on all trips unless the~~
26 ~~passenger specifically requests to change the route (Class B).~~

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

4 ~~((L))~~ I. A for-hire driver shall not refuse to transport any person except when:

5 1. The for-hire driver has already been dispatched on another call;

6 2. The for-hire driver arrives at the place of pick-up and upon arrival the passenger is
7 acting in a disorderly or threatening manner, or otherwise is acting in a manner that would cause
8 a reasonable person to believe that the for-hire driver's health or safety, or that of others, may be
9 endangered;

10 3. The passenger cannot, upon request, show ability to pay the fare; or

11 4. The passenger refuses to state a specific destination upon entering the taxicab (Class
12 B).

13 ~~((M))~~ J. A for-hire driver shall not smoke in the taxicab or for-hire vehicle (Class A).

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

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

20 ~~((P))~~ M. A for-hire driver shall not operate a wheelchair accessible taxicab unless the for-
21 hire driver has successfully completed the special training requirements set forth in ~~((SMC))~~
22 subsection 6.310.415 E (Class C and five-day suspension).

23 Section 4. Section 6.310.605 which was last amended by Ordinance 121738 is amended
24 as follows:

25 ~~((SMC))~~ **6.310.605 Monetary penalties and penalty points**~~((s))~~

26 A. For-hire Driver or Taxicab/For-hire Vehicle Violations.
27

	Violation	Penalties Against a For-hire Driver, or a Taxicab Licensee or For-hire Vehicle For Each Violation	Penalty Points Attributed to Taxicab Association For Each Violation
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1. Violations Found During a Calendar
 Year Away from City's Inspection Facility.

First Class A in one year	\$ ((35)) <u>50</u> .00		2
Second Class A in one year	\$ ((70)) <u>100</u> .00		3
Third or more Class A violation in one year	\$ ((120)) <u>150</u> .00		4
First Class B violation in one year	\$ ((70)) <u>100</u> .00		4
Second Class B violation in one year	\$ ((175)) <u>250</u> .00		7
Third or more Class B violation in one year	\$ ((300)) <u>500</u> .00		10
All Class C violations	\$1,000.00		20

2. Violations Found During Inspections at
 City's Inspection Facility.

Failure to appear for inspection scheduled by the Director (see Section 6.310.330 and paragraph below)	\$50		2 penalty points
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Class A violation found during inspection at City's inspection facility	Vehicle reinspection fee See fee schedule in Section 6.310.150		2 each violation
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Class B violation found during inspection at City's inspection facility	Vehicle reinspection fee See fee schedule in Section 6.310.150		4 each violation
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1 "Failure to appear for inspection scheduled by the Director" includes a late arrival for the
2 inspection. If notification that the vehicle (~~can not~~) cannot appear is made prior to the close of
3 business on the business day before the scheduled inspection, and the taxicab license plates are
4 delivered to the inspection facility prior to the original inspection time, then no penalty will be
5 due.

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

8 B. Taxicab Association Violations During a Calendar Year.

9 Violation	10 Penalty Points
	11 Against Taxicab Association
12 First Class A violation in one year	5
13 Second Class A violation in one year	6
14 Third or more Class A violation in one year	7
15 First Class B violation in one year	10
16 Second Class B violation in one year	12
17 Third or more Class B violation in one year	15
18 <u>All Class C violations</u>	<u>\$1,000 monetary penalty</u>

19
20 As soon as an association accumulates more than five (~~(5)~~) penalty points per affiliated
21 taxicab, on average, it must pay a penalty to the Director of (~~One Hundred Dollars~~)\$100(~~(+)~~)
22 per affiliated taxicab. As soon as an association accumulates more than seven (~~(7)~~) penalty
23 points per affiliated taxicab, on average, it must pay an additional penalty to the Director of
24 (~~One Hundred Fifty Dollars~~)\$150(~~(+)~~) per affiliated taxicab. As soon as an association
25 accumulates more than ten (~~(10)~~) points per affiliated taxicab, on average, it must pay an
26 additional penalty to the Director of (~~Two Hundred Fifty Dollars~~)\$250(~~(+)~~) per affiliated
27

1 Passed by the City Council the ____ day of _____, 2012, and signed by
2 me in open session in authentication of its passage this
3 ____ day of _____, 2012.

4 _____
5 _____
6 President _____ of the City Council

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8 Approved by me this ____ day of _____, 2012.

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10 _____
11 Michael McGinn, Mayor

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13 Filed by me this ____ day of _____, 2012.

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15 _____
16 City Clerk

17 (Seal)

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2013 BUDGET LEGISLATION FISCAL NOTE

Department:	Contact Person/Phone:	CBO Analyst/Phone:
Finance and Administrative Services	Denise Movius/4-9259	Jennifer Devore/5-1328

Legislation Title:

AN ORDINANCE relating to taxicabs and for-hire vehicles; increasing the taxicab and for hire regulatory license fees, inspection fees, and miscellaneous fees; increasing monetary penalties for all code violations; eliminating uniform requirements; and amending Sections 6.310.150, 6.310.200, 6.310.465, and 6.310.605 of the Seattle Municipal Code in connection thereto.

Summary of the Legislation:

This legislation increases taxicab and for hire fees and monetary penalties to provide improved street enforcement in order to reduce illegal activity, and removes an unnecessary mandate in the SMC relating to a dress code for taxi drivers.

Background: A dramatic increase in for-hire vehicle licenses in 2012 resulted in the City issuing its maximum limit of 200 for-hire vehicle licenses. Over the course of the year, we have seen a dramatic increase in unlawful soliciting by Seattle-licensed for-hire vehicles, particularly in the downtown core, and continue to experience the chronic problem of unlicensed taxicabs and for-hire vehicles operating within Seattle’s city limits. This legislation amends Seattle Municipal Code Chapter 6.310 to increase license, inspection, miscellaneous fees and monetary penalties. In addition to providing other additional resources that are critical to the effective regulation of the taxicab and for-hire vehicle industries, additional revenue realized from the passage of this legislation will support the continued employment of two emergency regulatory enforcement staff who were hired in the fourth quarter of 2012 to address ongoing chronic illegal activities that have become a matter of public safety. Taxicab and for hire license fees were last increased in September 2008 via Ordinance 122763. In addition to the financial proposals, this legislation removes an unnecessary mandate in the Seattle Municipal Code requiring taxicab drivers to adhere to a dress code.

Please check one of the following:

This legislation does not have any financial implications.

This legislation has financial implications

Summary of Changes to Revenue Generated Specifically from this Legislation:

	Revenue Source	2013 Proposed	2014 Endorsed
	Taxi and For-hire License Fees	\$203,000	\$203,000
	Late Penalty for Taxi License	\$880	\$880
	Taxi Association License Fee	\$3,000	\$3,000
	Late Penalty for Taxi Association License	\$50	\$50
	For-hire Vehicle License Change of Association	\$1,500	\$1,500
	For-hire Driver's License	\$220,000	\$220,000
	Class A Penalty	\$2,190	\$2,190
	Class B Penalty	\$4,560	\$4,560
	Reschedule Inspection	\$325	\$325
	Change of Vehicle	\$30,300	\$30,300
	Total Fees and Charges Resulting From Passage of This Ordinance	\$465,805	\$465,805

Revenue Change Notes:

- Taxi and for-hire license fee increase from \$600 to \$800 annually and from \$300 to \$400 for a partial year. Fees were last increased in September 2008. Comparable fees for King County are \$450 for licenses and \$300 for a partial year. The effect on the average customer is that the increase in the license fee will be spread across all the driver's fares.
- Late penalty for taxi license increases from \$60 to \$80. Fees were last increased in September 2008.
- Taxi Association license fee increases from \$1,000 to \$1,500. Fees were last increased in September 2008.
- Late penalty for Taxi Association license increases from \$100 to \$150. The penalty was last increased in September 2008.
- For-hire driver's license increases from \$50 to \$150. The fee was last revised in January 2011, when it was lowered from \$75 to \$50, and applied to drivers who are licensed in both the City and the County.
- Class A penalties increase by 25%-43% with the fine beginning at \$50 for the first infraction and topping out at \$150 for the 3rd infraction. Fines were last increased in September 2008.
- Class B penalties increase by 43%-67% with the fine beginning at \$100 for the first infraction and topping out at \$500 for the 3rd infraction. Fines were last increased in September 2008.
- Reschedule inspection fee increases from \$25 to \$50
- Change of vehicle fee increases from \$100 to \$200. Fees were last increased in September 2008. The comparable King County fee is \$75.

Anticipated Total Revenue from Entire Program, Including Changes Resulting from this Legislation:

Fund Name and Number	Revenue Source	Total 2013 Revenue	Total 2014 Revenue
Finance and Administrative Services Fund (50300)	Taxi and For-hire Vehicle Licenses	\$742,600	\$742,600
	For-hire Drivers License	\$330,000	\$330,000
	Taxi and For-hire Fines	\$39,840	\$39,840
	Taxi and For-hire Fees	\$91,325	\$91,325
	Scanning System Licenses	\$237,413	\$237,413
	Limo Program (Inspection fees and reimbursement from State for regulatory costs)	\$160,000	\$160,000
	Training Charges	\$25,000	\$25,000
TOTAL		\$1,626,178	\$1,626,178

Total Revenue Notes:

Other Implications:

- a) Does the legislation have indirect financial implications, or long-term implications?
No
- b) What is the financial cost of not implementing this legislation?
If this legislation is not implemented, the City will not have the ability to address many illegal activities involving the taxi and for-hire vehicle industry.
- c) Does this legislation affect any departments besides the originating department? No
- d) What are the possible alternatives to the legislation that could achieve the same or similar objectives? The primary objective of this legislation is to improve enforcement of the regulation of taxicabs and for-hire vehicles. If fees and fines are not increased, the General Fund could support enforcement and regulatory activities, but then the cost would be borne by the general public rather than users of the service.
- e) Is the legislation subject to public hearing requirements? No
- f) Other Issues: