
M E M O R A N D U M

DATE: August 5, 2005
TO: City Council Members
FROM: Russell Weeks
RE: Ground Transportation Ordinances: Proposed Amendments
CC: Cindy Gust-Jenson, Rocky Fluhart, Sam Guevara, Ed Rutan, Tim Campbell, Louis Zunguze, Orion Goff, Randy Berg, Gary Mumford, Laurie Donnell, Larry Spendlove, Jodi Howick, Melanie Reif, Edna Drake, David Korzep, Larry Bowers.

This memorandum is intended to address issues pertaining to proposed amendments to Salt Lake City ordinances regulating ground transportation in the city and at the Salt Lake City International Airport. The proposed amendments are the result of two meetings involving the City Council's Ground Transportation/Taxi Subcommittee, the City Attorney's Office and representatives of Mayor Ross C. Anderson's Administration. The second meeting also included, Dr. Ray Mundy, who is under contract to the City Council to study ground transportation industry.

The City Council is scheduled to hold a briefing Tuesday at the Council's work session. The Council also is scheduled to consider the proposed amendments at its formal meeting that starts at 7 p.m. Due to the potential effect on ground transportation companies and the interest of those companies; they have been invited by letter to speak to the City Council about the proposed amendments during the "Public Comment" portion of the formal meeting.

OPTIONS

- Adopt the proposed amendments.
- Do not adopt the proposed amendments.
- Adopt some but not all the proposed amendments.
- Adopt the proposed amendments and add a "sunset" clause.

POTENTIAL MOTIONS

- I move that the City Council adopt the proposed ordinance titled *Commercial Ground Transportation*.
- I move that the City Council consider the next item on the agenda.
- I move that the City Council adopt the proposed ordinance titled *Commercial Ground Transportation* with the following amendments:
 1. Paragraphs 16.60.097-C and 5.71.028-B contain a monetary figure of (either \$25, \$35 or \$40) instead of \$30.
 2. Paragraph 5.71.010-R contain the time element of (either 20 minutes, 45 minutes or one hour) instead of 30 minutes.

3. That the ordinance contain a sunset date of either (30 days, 60 days, 90 days or 120 days) from the effective date of the ordinance.

KEY POINTS

- The proposed amendments are intended to address only issues outlined in a July 13 letter to ground transportation businesses about current regulations in Salt Lake City's ground transportation ordinances with one exception.
- The exception is new language that would require "every taxicab company holding a certificate of (public) convenience and necessity" to "obtain no later than sixty days from the effective date of this ordinance" at least one vehicle to transport disabled persons, including those who use motorized wheelchairs. An alternative is to contract with a third party to meet the new requirement.
- The amendments are not intended to address all issues raised in the *Ground Transportation Study*, written by Dr. Ray Mundy. The proposed amendments are considered "stop-gap" amendments to allow ground transportation companies to operate between now and the adoption of future ordinances regulating ground transportation.

ISSUES/QUESTIONS FOR CONSIDERATION

Does the word "every" in the proposed section titled *Mandatory Accessible Vehicle* mean that *each* company holding a certificate of public convenience and necessity would have to provide a vehicle or that *all* the companies could pool to provide a vehicle?

POTENTIAL AMENDMENTS CONSIDERED

City Council staff has listed three potential amendments. Staff listed the amendments in part to reflect the full range of discussion that occurred among the Ground Transportation/Taxi Subcommittee's discussions with various parties. The potential amendments follow listed in order with brief comments.

Paragraphs 16.60.097-C and 5.71.028-B contain a monetary figure of (either \$25, \$35 or \$40) instead of \$30. The \$30 figure involves a monetary amount limousine service would charge customers for on-demand service. The figure is believed to reflect charges for limousine service based on the current definition of "limousine" under Title 16. The current definition reads: "Limousine" means any motor propelled vehicle ... operated on the streets and highways for hire at a fare at least twenty percent (20%) higher than the maximum legal rate that may be charged by a taxicab." Staff included the optional monetary figures based on the interest of one Subcommittee Member to have a higher rate and the potential that representatives of the limousine industry do not believe the \$30 rate accurately reflects what they now charge.

Paragraph 5.71.010-R contain the time element of (either 20 minutes, 45 minutes or one hour) instead of 30 minutes. The paragraph relates to the definition of "prearrangement." Prearranging transportation services is a way to differentiating between a taxicab – which can provide on-demand service – and other forms of ground transportation – of which most companies must prearrange services with customers. Council staff included the range because the 20-minute, 45-minute, and one-hour figures all have been considered during discussions of revising ground transportation ordinances. It might be noted that the 30-minute figure reflects a

possible compromise. Some Subcommittee Members voiced support for the 20-minute time element. Another voiced support for a time element longer than 30 minutes.

That the ordinance contain a sunset date of either (30 days, 60 days, 90 days or 120 days) from the effective date of the ordinance. The Subcommittee noted the intended temporariness of the proposed ordinance amendments and indicated that the City Council should press forward to revise existing ground transportation ordinances. Enacting a sunset date is one way to emphasize those points. It should be noted that some have cautioned that if a sunset date expires, all amendments would revert back to the current ordinance. However, the City Council has extended the sunset dates of other ordinances before they expired. Given that, enacting a sunset date remains a potential tool.

BACKGROUND/DISCUSSION

In July businesses providing ground transportation received a letter from the Salt Lake City Business Licensing Office that said in part that current City ordinances regulating ground transportation businesses “do not allow anyone other than the duly licensed taxi-cab companies ... to pick up any fares within the City limits, whether on-demand, prearranged or under contract.” (Please see attachment.)

The City Council Ground Transportation Subcommittee then met with representatives of the Administration to prepare a “stopgap” measure to address issues raised by the letter. In another meeting, Dr. Ray Mundy, who the City Council hired to study ground transportation in Salt Lake City, also addressed issues pertaining to the proposed ordinance amendments as part of a final presentation of his study.

Again, the proposed amendments – with one exception – are designed to address issues outlined in the July letter from the Salt Lake City Business Licensing Office. They may be retained during later revisions of ground transportation ordinances. However, the City Council Subcommittee made clear in meetings that more extensive revisions to ground transportation ordinances should move ahead after consideration of the proposed amendments.

Discussions with the Administration and the City Attorney’s Office indicated that roughly 80 percent of perceived problems with the existing ground transportation ordinances could be resolved by including a definition of “prearrangement.” Requiring advance reservations is one way to produce a clear difference between taxicab businesses, which generally pick-up passengers without an advance reservation, and other kinds of ground transportation businesses. Administration representatives also suggested that ground transportation regulations for the International Airport and for the city mesh better to provide a consistency of regulation.

The lone issue that was not part of the letter involves requiring taxicab companies that hold public certificates of convenience and necessity to provide a more extensive service to people with disabilities than they have in the past. The proposed amendment reads:

Every taxicab company holding a certificate of convenience and necessity from the City shall, as a condition of retaining such certificate, obtain no later than sixty (60) days from the effective date of this ordinance and use continuously thereafter as part of its fleet of taxicabs in the operation of its business, or through the service of a third-party provider, at least one vehicle that is fully accessible for the transport of disabled persons, including persons using electrically-powered wheelchairs. Said vehicles shall meet the equipment standards and technical specifications set forth for such transport in the federal Americans with Disabilities Act, or its successor. Said vehicles shall operate with equivalent response times and shall charge equivalent fares to the average response times and the fares of ordinary taxicabs operated by such company.

The definition of “prearranged service” appears in Paragraph R of Section 5.71.070 (Page 8). The paragraph reads:

“Prearranged service” means transportation provided by an authorized ground transportation business from points within the City, other than from the airport, in which the name of the prospective passenger and other required information are listed on the vehicle driver's manifest at least thirty (30) minutes prior to the transporting of the passenger by such vehicle. Prearranged service from the airport is governed by Section 16.60.090 (L) or its successor.

In addition, the proposed amendments seek to clarify how limousines operate. According to the proposed amendments, limousines can pick up customers “on-demand” – if they charge a “minimum fare of \$30 per trip.” If a limousine company arranges a trip 30 minutes in advance, it need not charge the \$30 minimum fare, according to the proposed ordinance.

The other significant change involves a new Section 5.71.028 titled *Ground Transportation Destinations*. The propose amendment clarifies that “only taxicabs, courtesy vehicles, and limousines may provide on-demand service with the city ...”

However, the section also contains the following paragraph:

Subsection B of this Section 5.71.028 notwithstanding, hotel vehicles may transport motel or hotel patrons on-demand to and from locations other than a terminal of public transportation as follows: (1) to and from a convention center during a convention within the City involving 5,000 or more participants, or (2) to and from other locations providing such transport involves 3 or more persons riding together to and from the same destination and with the consent of the motel or hotel manager on duty.

The proposed amendment is intended to provide a spectrum of ground transportation service for large conventions. According to the Salt Lake Convention and Visitors Bureau, generally there are about 10 conventions a year that draw 5,000 or more participants. The largest is the Outdoor Retailers convention which draws about 18,000 participants.

ORION GOFF
BUILDING OFFICIAL

SALT LAKE CITY CORPORATION
DEPARTMENT OF COMMUNITY DEVELOPMENT
BUSINESS LICENSING

ROSS C. "ROCKY" ANDERSON
MAYOR

July 13, 2005

Re: Business Licensing Enforcement on Ground Transportation

Dear Representative [REDACTED]

Business Licensing is tasked with the enforcement of ordinances governing the ground transportation industry operating within the corporate boundaries of Salt Lake City, Utah.

Questions have been raised in recent media coverage on the services which the various types of ground transportation may provide in the City. The City Attorney's Office has advised that current Salt Lake City ordinances, following last year's amendments do not allow anyone other than the duly licensed taxi-cab companies that hold a Certificate of Public Convenience and Necessity issued by the city to pick up any fares within the City limits, whether on demand, prearranged or under contract. The only exceptions to this are transportation operated over a fixed route or upon a fixed schedule and pick ups at the airport. Airport pick ups, other than taxicabs, are limited to fixed route or fixed schedule, courtesy and hotel vehicles, and transportation arranged prior to arrival of the passenger at the airport, unless otherwise allowed in an emergency upon approval of the airport director.

The City has also received complaints that taxicab drivers, are not renewing their City issued Taxicab licenses annually as required by City ordinance. Anyone driving a ground transportation vehicle without a current City-issued Taxicab license is in violation of the law.

Business Licensing has the responsibility to enforce the ordinance. City Code Section 5.72.640 provides the guidelines for enforcement of the pertinent ordinances regulating the Taxi-cab industry. It provides for penalties up to and including a criminal citation for violation. See also Chapter 5.71.

Due to the negative implication of individual drivers as well as business owners possibly receiving criminal citations as a consequence of violating the ordinance, we thought it would be in everyone's best interest that Business Licensing gives notice of our intention to enforce as directed by the ordinance.

If you have any questions in regards to this notice you can contact our office at (801) 535-6644 or Orion Goff, Director of Building Services and Licensing at (801) 535-6681. Thanks for your continued support as we move forward with our responsibility to enforce the ordinance.

Sincerely,



Edna Drake
Business License Administrator

SALT LAKE CITY ORDINANCE
No. _____ of 2005
(Commercial Ground Transportation)

AUG 05 2005

AN ORDINANCE AMENDING SECTION 16.60.090 *SALT LAKE CITY CODE*, ENTITLED "DEFINITIONS FOR ARTICLE II," PERTAINING TO DEFINITIONS REGARDING GROUND TRANSPORTATION BUSINESSES AT THE AIRPORT; AMENDING SECTION 16.60.097, *SALT LAKE CITY CODE*, PERTAINING TO GROUND TRANSPORTATION DESTINATIONS; AMENDING SECTION 5.71.010, *SALT LAKE CITY CODE*, PERTAINING TO DEFINITIONS FOR GROUND TRANSPORTATION REQUIREMENTS; AMENDING SECTION 5.71.028, *SALT LAKE CITY CODE*, PERTAINING TO GROUND TRANSPORTATION DESTINATIONS; AMENDING ARTICLE VII OF TITLE 5.71, *SALT LAKE CITY CODE*, PERTAINING TO MANIFESTS FOR PREARRANGED SERVICE; AMENDING SECTION 5.72.100, *SALT LAKE CITY CODE*, PERTAINING TO DEFINITION OF "TAXICABS;" AMENDING SECTION 5.72.130, *SALT LAKE CITY CODE*, RELATING TO REQUIREMENTS FOR OPERATION OF TAXICABS; AND ENACTING SECTION 5.72.142, *SALT LAKE CITY CODE*, PERTAINING TO MANDATORY ACCESSIBLE VEHICLE.

Be it ordained by the City Council of Salt Lake City, Utah:

SECTION 1. That Section 16.60.090 *Salt Lake City Code*, entitled "Definitions for Article II," pertaining to definitions regarding ground transportation businesses at the airport be, and the same hereby is, amended by adding or amending certain definitions to read as follows (unless amended, existing definitions shall remain as presently constituted):

16.60.090 Definitions For Article II:

D. "Courtesy vehicle" means any motor vehicle which is regularly operated for transportation of customers and/or baggage, without making a specific separate charge to the passenger for such transportation, ~~between the airport and any auto rental office, parking lot, or other business or entity which is situated off airport property and which transportation is incidental to the principal purpose of the business providing such transportation.~~ All contracts providing for operating a courtesy vehicle at the airport on behalf of a hotel or motel shall be filed under the direction of the Director of Airports and shall be subject to all applicable airport rules and regulations.

G. "Hotel vehicle" means any motor vehicle which is regularly operated for transportation of customers and/or baggage ~~to or from~~ between any railroad station, bus station, the airport, or similar terminal of public transportation and any motel or hotel ~~situated off airport property~~ and under contract with such motel or hotel and for which transportation the customer is charged a separate fee or fare. All contracts providing for operating a hotel vehicle at the airport shall be filed under the direction of the ~~D~~irector of Airports and shall be subject to all applicable airport rules and regulations.

H. "Limousine" means any motor propelled vehicle which is a Rolls Royce or other automobile described by its manufacturer as a limousine or luxury vehicle having a wheel base in excess of one hundred twenty inches (120"), operated on the streets and highways for hire-at-a ~~fare at least twenty percent (20%) higher than the maximum legal rate that may be charged by a taxicab,~~ with a driver furnished who is dressed in a "chauffeur's uniform" (defined as a jacket and tie for a man or a pants suit or dress for a woman) or tuxedo while on duty, operated on a scheduled or prearranged basis, and licensed as required by this code.

I. "Manifest", for purposes of this chapter, means a daily record of all prearranged service provided by ~~an driver-operator~~ of a ground transportation vehicle during such driver's hours of work which record shall be made by such ~~driveroperator~~, showing time(s) and place(s) of origin and destination, intermediate stop(s), the names of all passengers, and the amount of fare of each trip. ~~In the instance of taxicabs, "manifest" shall include computer records permitted under section 5.72.605 of this code.~~

K. "On demand airport service" or "on demand service" means transportation provided by an authorized airport ground transportation business which is not "scheduled service" nor "prearranged service" as defined in this section. ~~Only taxicabs, courtesy vehicles, and hotel vehicles may provide such on demand service from the airport to points inside the corporate limits of Salt Lake City.~~

L. "Prearranged service from the airport" means transportation from the airport to points within or without the corporate limits of Salt Lake City provided by an authorized airport ground transportation business which is contracted for between the business and the person to be transported, or by an agent of the person, prior to the arrival of the person at the Salt Lake City international airport. "Prearranged service from the airport" shall include airport ground transportation contracted for by an airline company on behalf of its own passengers whose regular air travel may have been disrupted in some manner. An agent may include a travel agent, family member, employee, business entity or meeting planner, but excludes an authorized ground transportation business. Prearranged service to the airport shall be provided on the same basis as permitted under Chapter 5.71 of this Code.

SECTION 2. That Section 16.60.097, *Salt Lake City Code*, pertaining to ground transportation destinations be, and the same hereby is, amended to read as follows:

16.60.097 Ground Transportation Destinations:

A. All authorized airport ground transportation businesses may provide prearranged service or scheduled service to or from the airport as defined in Section 16.60.090.

B. ~~Except as provided under chapter 5.72 of this code for taxicabs,~~ All authorized airport ground transportation businesses may provide on demand service between the airport and destinations outside the corporate limits of Salt Lake City.

C. For transportation back and forth between the airport and points within the corporate limits of Salt Lake City, ~~Only taxicabs, courtesy vehicles, and hotel vehicles and limousines~~ may provide on demand service ~~from the airport to points within the corporate limits of Salt Lake City,~~ unless the director or his or her designee determines that circumstances at the airport exist that create congestion, security concerns, emergency conditions, or other operational problems, and that a temporary suspension of this limitation is in the best interests of the city to address such circumstances. The foregoing notwithstanding, limousines may provide on-demand service only upon charging a minimum fare of \$30 per trip. Limousines may provide prearranged service without charging a set minimum fare.

SECTION 3. That Section 5.71.010, *Salt Lake City Code*, pertaining to definitions for ground transportation requirements be, and the same hereby is, amended to read as follows:

5.71.010 Definitions:

The words and phrases, when used in this Chapter, shall have the meanings defined and set forth in this Section.

A. "Authorized ground transportation business" means any business operating any ground transportation vehicle, which has a current, valid business license as required by the City and, when applicable, a current certificate of convenience and necessity as required by the City. This shall not include an "authorized airport ground transportation business" as defined by Title 16 and which shall be governed by that title.

B. "Automobile" ~~or "station wagon"~~ means any motor vehicle which is registered at a gross weight of less than six thousand (6,000) pounds, or, if not registered commercially, that such vehicle would receive a weight classification as gross weight of less than six thousand (6,000) pounds, if such vehicle were to be registered commercially.

C. "Bus" means any motor vehicle operated on the streets and highways for hire on a scheduled or nonscheduled basis that is registered with the State at a gross weight of over thirty six thousand (36,000) pounds, ~~and is licensed under Section 5-26-050 of this Division, or its successor.~~ Such defined word, however, shall not include any buses operated by the Utah Transit Authority.

D. "Business licensing office" means the Division of Building Services and Licensing of Salt Lake City Corporation or its successor.

E. "Civil notice" means the written notice of ground transportation violation as provided under this Chapter.

F. "Comment form" or "form" has the meaning set forth in Article I of this Chapter, or its successor.

GF. "Courtesy ~~vehicle~~car" means any motor vehicle, ~~other than a taxicab, bus or limousine,~~ which is regularly operated on Salt Lake City streets for transportation of customers and/or

baggage ~~between any railroad station, bus station, airport, or business, and any motel, hotel, auto rental office, business or parking lot,~~ without making a specific separate charge for such transportation, ~~and which is licensed under chapter 5.26 of this title, or its successor.~~ All contracts providing for operating a courtesy vehicle at the airport on behalf of a hotel or motel shall be filed under the direction of the Director of Airports and shall be subject to all applicable airport rules and regulations.

H. "Department" means the city department delegated by the mayor to have responsibility for the enforcement of this chapter.

I. "Fixed schedule" means ground transportation service operating on a regular time schedule previously announced as to time of departure and arrival between definitely established and previously announced points along definitely established and previously announced routes regardless of whether there are passengers or freight to be carried.

J. "Ground transportation business" means any business operating any ground transportation vehicle.

KG. "Ground transportation vehicle" means any motor vehicle which is used for the transportation of persons using Salt Lake City streets for commercial purposes or as a courtesy in connection with a business including, but not limited to, any automobile, "bus", "courtesy vehicle", "hotel vehicle", "limousine", "minibus", "special transportation vehicle", "taxicab" and "van" as defined in this Section or its successor.

L. "Hotel vehicle" means any motor vehicle which is regularly operated for transportation of customers and/or baggage to and from any railroad station, bus station, airport, or similar terminal of public transportation and any motel or hotel and under contract with such motel or

hotel and for which transportation the customer is charged a separate fee or fare. All contracts providing for operating a hotel vehicle at the airport shall be filed under the direction of the Director of Airports and shall be subject to all applicable airport rules and regulations.

MH. "Limousine" means any motor-propelled vehicle which is a Rolls Royce or other automobile described by its manufacturer as a limousine or luxury vehicle having a wheel base in excess of one hundred twenty inches (120"), operated on the streets and highways for hire, with a driver furnished who is dressed in a chauffeur's uniform (defined as a jacket and tie for a man or a pants suit or dress for a woman) or tuxedo while on duty, operated on a scheduled or nonscheduled basis, and licensed as required by city code under Section 5.26.050 of this Division, or its successor. This definition shall not include a taxicab, bus, van, or minibus.

N. "Manifest," for purposes of this chapter, means a daily record of all prearranged service trips provided by a driver operator of a ground transportation vehicle during such driver's hours of work which record shall be made by such driver, showing time(s) and place(s) of origin and destination, intermediate stop(s), the names of all passengers, and the amount of fare of each trip.

OF. "Minibus" means any motor vehicle which is registered with the State at a gross weight of ten thousand one (10,001) to thirty six thousand (36,000) pounds, operated on a scheduled or nonscheduled basis, or is designed to transport sixteen (16) or more persons, including the driver, and is licensed as required by city code under Section 5.26.050 of this Division, or its successor.

Such term, however, shall not include any minibus operated by any local, State or Federal agency.

P-J. "Named party" means the driver, vehicle owner or authorized ground transportation business named in a civil notice issued by the City.

Q. "On-demand airport service" or "on-demand service" means transportation provided by an authorized ground transportation business which is not "scheduled service" or "prearranged service" as defined in this Section.

~~K.~~ "Comment form" or "form" shall have the meaning set forth in Article I of this Chapter, or its successor.

R. "Prearranged service" means transportation provided by an authorized ground transportation business from points within the City, other than from the airport, in which the name of the prospective passenger and other required information are listed on the vehicle driver's manifest at least thirty (30) minutes prior to the transporting of the passenger by such vehicle. Prearranged service from the airport is governed by Section 16.60.090 (L) or its successor.

S. "Scheduled service" means transportation provided by an authorized ground transportation business on a fixed schedule posted with the City business license office in advance of such transportation.

TL. "Special transportation vehicle" means any vehicle for hire on Salt Lake City streets, which is used for the transportation of disabled persons and is licensed under Chapter 5.76 of this Division, or its successor.

U-M. "Starter" means a person appointed by and representing a ground transportation business at a terminal of public transportation ~~and who providing~~ coordinateds travel arrangements and information about available services and fares.

V-N. "Taxicab" means a motor vehicle used in the transportation of passengers for hire over the public streets and not operated over a fixed route or upon a fixed schedule, but which is

subject for contract hire by persons desiring special trips from one point to another, and which is licensed under Chapter 5.72 of this ~~Code~~Division, or its successor. It does not include an automobile rental vehicle licensed under any other section of these ordinances.

~~W~~-~~Q~~. "Temporary vehicle" means any motor vehicle used in the transportation of passengers and their luggage, using the streets within the corporate limits of Salt Lake City, for commercial purposes, or in connection with the operation of a hotel, motel, parking establishment, car rental operation, or in connection with the operations of a transportation for hire, for a period not to exceed fourteen (14) days. It does not include any vehicle operated as a taxicab licensed under Chapter 5.72 of this Division or its successor.

~~X~~-~~P~~. "Van" means any motor vehicle which is registered with the State at a gross weight of four thousand (4,000) to ten thousand (10,000) pounds, or is designed to transport fifteen (15) passengers or ~~fewer~~less, including the driver, and which is licensed as required by city code~~under Section 5.26.050 of this Division, or its successor.~~

SECTION 4. That Section 5.71.028, *Salt Lake City Code*, pertaining to ground transportation destinations be, and is hereby enacted to read as follows:

5.71.028 Ground Transportation Destinations:

A. All authorized ground transportation businesses may provide scheduled service and prearranged service within the City.

B. Only taxicabs, courtesy vehicles, hotel vehicles, and limousines may provide on-demand service within the city, except that: (1) hotel vehicles may provide on-demand service only to and from any railroad station, bus station, airport, or similar terminal of public transportation and any motel or hotel; and (2) limousines may provide on-demand service only

upon charging a minimum fare of \$30 per trip. Limousines may provide prearranged service without charging a set minimum fare.

C. Subsection B of this Section 5.71.028 notwithstanding, hotel vehicles may transport motel or hotel patrons on-demand to and from locations other than a terminal of public transportation as follows: (1) to and from a convention center during a convention within the City involving 5,000 or more participants, or (2) to and from other locations providing such transport involves 3 or more persons riding together to and from the same destination and with the consent of the motel or hotel manager on duty.

SECTION 5. That Article VII of Title 5.71, *Salt Lake City Code*, pertaining to manifests for prearranged service be, and the same hereby is, enacted to read as follows:

Article VII. Manifests for Prearranged Service

5.71.440 Drivers to Keep Manifests:

Except for drivers of taxicabs, every ground transportation vehicle driver providing prearranged service shall maintain a daily manifest upon which is reported all prearranged service trips made during such driver's hours of work, showing time(s) and place(s) or origin and destination of trip, intermediate stop(s), the names of all passengers and amount of fare of each trip, and all such complete manifests shall be returned by the driver at the conclusion of his or her working day to the licensee of the ground transportation business for whom the driver is operating the vehicle. Taxicab drivers shall be governed by the manifest requirements of Article VIII of Chapter 5.72 or its successor.

5.71.450 Manifest Forms To Be Approved:

The forms for each manifest shall be furnished to the driver by the licensee of the ground transportation business for whom the driver is operating the vehicle, and shall be of a character approved by the Mayor.

5.71.460 Manifests-Holding Period-Availability:

Every licensee of a ground transportation business providing prearranged service shall retain and preserve all drivers' manifests in a safe place for at least the calendar year next preceding the current calendar year, and such manifests shall be available at a place readily accessible for examination by the department and the licensing office.

SECTION 6. That Section 5.72.100, *Salt Lake City Code*, pertaining to definition of "Taxicabs," be, and the same hereby is, amended to read as follows:

5.72.100 Taxicab:

~~Except as provided in chapter 16.60, article II of this code or successor provisions, relating to ground transportation business in connection with the Salt Lake City international airport,~~ "Taxicab" means a motor vehicle used in the transportation of passengers for hire over the public streets of the city, and not operated over a fixed route or upon a fixed schedule, but is subject to contract for hire by persons desiring special trips from one point to another. "Taxicab" does not include an automobile rental licensed under any other section of this code.

SECTION 7. That Section 5.72.130, *Salt Lake City Code*, pertaining to requirements for operation of taxicabs be, and the same hereby is, amended to read as follows:

5.72.130 Required For Operation:

A. No person shall operate or permit a taxicab owned or controlled by such person to be operated as a vehicle for hire upon the streets of Salt Lake City without first having obtained a

certificate of public convenience and necessity from the city in accordance with chapter 5.05 of this title, or its successor.

B. For the purpose of this section, the term "operate for hire upon the streets of Salt Lake City" shall not include the transporting, by a taxicab properly licensed in a jurisdiction outside the corporate limits of the city, of a passenger or passengers for hire where a trip shall originate with the passenger or passengers being picked up outside of the corporate limits of the city and where the destination is either within or beyond the city corporate limits. The term "operate for hire upon the streets of Salt Lake City" means and shall include the soliciting or picking up of a passenger or passengers within the corporate limits of the city, whether the destination is within or outside of the corporate limits of the city.

~~C. Taxicabs may operate as provided in Section 5.71.028 and Section 16.60.097 or its successors.~~

~~C. The foregoing notwithstanding, due to the Salt Lake City 2002 winter Olympics scheduled to be conducted within the city during the months of February and March of 2002 and the anticipated need for additional taxicabs within the city during said period, a taxicab may operate within the city, commencing on the effective date hereof and until March 31, 2002, without additional authority being granted by the city for such operation under a certificate of public convenience and necessity, provided the following conditions are met:~~

~~1. It is operated by a taxicab company that holds a current certificate of convenience and necessity issued by the city to operate taxicabs within the city as of the effective date hereof;~~

~~2. Its operation complies with and is subject to all ordinances of Salt Lake City applicable to taxicabs and taxicab drivers within the city, including, but not limited to, the vehicle and driver requirements set forth in chapter 5.71 of this title and this chapter; and~~

~~3. It is operated by a company that maintains continuous vehicle insurance covering the operation of such vehicle within the city in accordance with the requirements of and at the minimum levels of coverage set forth in section 5.05.120 of this title or its successor or by the Utah department of transportation or by the United States department of transportation, whichever levels are higher. Proof of insurance shall be required prior to such taxicab operating within the city, and may be verified upon the city's receipt of negative comment form as provided by chapter 5.71 of this title or at the time of an on-street unscheduled ground transportation vehicle inspection. All taxicab companies shall send a copy of any notice of cancellation or reduction of such insurance coverage to the Salt Lake City department responsible for the enforcement of ground transportation and/or taxicab violations immediately upon such cancellation or reduction.~~

SECTION 8. That Section 5.72.142, *Salt Lake City Code*, pertaining to mandatory accessible vehicle be, and the same hereby is, enacted to read as follows:

5.72.142. Mandatory Accessible Vehicle.

Every taxicab company holding a certificate of convenience and necessity from the City shall, as a condition of retaining such certificate, obtain no later than sixty (60) days from the effective date of this ordinance and use continuously thereafter as part of its fleet of taxicabs in the operation of its business, or through the service of a third-party provider, at least one vehicle that is fully accessible for the transport of disabled persons, including persons using electrically-

powered wheelchairs. Said vehicles shall meet the equipment standards and technical specifications set forth for such transport in the federal Americans with Disabilities Act, or its successor. Said vehicles shall operate with equivalent response times and shall charge equivalent fares to the average response times and the fares of ordinary taxicabs operated by such company.

SECTION 8. This ordinance shall take effect immediately upon the date of its first publication.

Passed by the City Council of Salt Lake City, Utah this _____ day of August, 2005.

CHAIRPERSON

ATTEST:

CHIEF DEPUTY CITY RECORDER

Transmitted to Mayor on _____.

Mayor's Action: _____ Approved. _____ Vetoed.

MAYOR

CHIEF DEPUTY CITY RECORDER

(SEAL)

Bill No. _____ of 2005.

Published: _____.

G:\Ordina05\Taxicabs & Ground Transportation\Amending 5.71 and 5.72 LVS's 8-4-05 draft

AUG 05 2005

SALT LAKE CITY ORDINANCE
No. _____ of 2005
(Commercial Ground Transportation)

AN ORDINANCE AMENDING SECTION 16.60.090 *SALT LAKE CITY CODE*, ENTITLED "DEFINITIONS FOR ARTICLE II," PERTAINING TO DEFINITIONS REGARDING GROUND TRANSPORTATION BUSINESSES AT THE AIRPORT; AMENDING SECTION 16.60.097, *SALT LAKE CITY CODE*, PERTAINING TO GROUND TRANSPORTATION DESTINATIONS; AMENDING SECTION 5.71.010, *SALT LAKE CITY CODE*, PERTAINING TO DEFINITIONS FOR GROUND TRANSPORTATION REQUIREMENTS; AMENDING SECTION 5.71.028, *SALT LAKE CITY CODE*, PERTAINING TO GROUND TRANSPORTATION DESTINATIONS; AMENDING ARTICLE VII OF TITLE 5.71, *SALT LAKE CITY CODE*, PERTAINING TO MANIFESTS FOR PREARRANGED SERVICE; AMENDING SECTION 5.72.100, *SALT LAKE CITY CODE*, PERTAINING TO DEFINITION OF "TAXICABS;" AMENDING SECTION 5.72.130, *SALT LAKE CITY CODE*, RELATING TO REQUIREMENTS FOR OPERATION OF TAXICABS; AND ENACTING SECTION 5.72.142, *SALT LAKE CITY CODE*, PERTAINING TO MANDATORY ACCESSIBLE VEHICLE.

Be it ordained by the City Council of Salt Lake City, Utah:

SECTION 1. That Section 16.60.090 *Salt Lake City Code*, entitled "Definitions for Article II," pertaining to definitions regarding ground transportation businesses at the airport be, and the same hereby is, amended by adding or amending certain definitions to read as follows (unless amended, existing definitions shall remain as presently constituted):

16.60.090 Definitions For Article II:

D. "Courtesy vehicle" means any motor vehicle which is regularly operated for transportation of customers and/or baggage, without making a specific separate charge to the passenger for such transportation,. All contracts providing for operating a courtesy vehicle at the airport on behalf of a hotel or motel shall be filed under the direction of the Director of Airports and shall be subject to all applicable airport rules and regulations.

G. "Hotel vehicle" means any motor vehicle which is regularly operated for transportation of customers and/or baggage to or from any railroad station, bus station, airport, or similar terminal of public transportation and any motel or hotel and under contract with such motel or hotel and for which transportation the customer is charged a separate fee or fare. All contracts providing for operating a hotel vehicle at the airport shall be filed under the direction of the Director of Airports and shall be subject to all applicable airport rules and regulations.

H. "Limousine" means any motor propelled vehicle which is a Rolls Royce or other automobile described by its manufacturer as a limousine or luxury vehicle having a wheel base in excess of one hundred twenty inches (120"), operated on the streets and highways for hire, with a driver furnished who is dressed in a "chauffeur's uniform" (defined as a jacket and tie for a man or a pants suit or dress for a woman) or tuxedo while on duty, operated on a scheduled or prearranged basis, and licensed as required by this code.

I. "Manifest", for purposes of this chapter, means a daily record of all prearranged service provided by a driver of a ground transportation vehicle during such driver's hours of work which record shall be made by such driver, showing time(s) and place(s) of origin and destination, intermediate stop(s), the names of all passengers, and the amount of fare of each trip.

K. "On demand airport service" or "on demand service" means transportation provided by an authorized airport ground transportation business which is not "scheduled service" or "prearranged service" as defined in this section.

L. "Prearranged service from the airport" means transportation from the airport to points within or without the corporate limits of Salt Lake City provided by an authorized airport ground transportation business which is contracted for between the business and the person to be transported, or by an agent of the person, prior to the arrival of the person at the Salt Lake City international airport. "Prearranged service from the airport" shall include airport ground transportation contracted for by an airline company on behalf of its own passengers whose regular air travel may have been disrupted in some manner. An agent may include a travel agent, family member, employee, business entity or meeting planner, but excludes an authorized ground transportation business. Prearranged service to the airport shall be provided on the same basis as permitted under Chapter 5.71 of this Code.

SECTION 2. That Section 16.60.097, *Salt Lake City Code*, pertaining to ground transportation destinations be, and the same hereby is, amended to read as follows:

16.60.097 Ground Transportation Destinations:

A. All authorized airport ground transportation businesses may provide prearranged service or scheduled service to or from the airport as defined in Section 16.60.090.

B. All authorized airport ground transportation businesses may provide on demand service between the airport and destinations outside the corporate limits of Salt Lake City.

C. For transportation back and forth between the airport and points within the corporate limits of Salt Lake City, only taxicabs, courtesy vehicles, hotel vehicles and limousines

may provide on demand service , unless the director or his or her designee determines that circumstances at the airport exist that create congestion, security concerns, emergency conditions, or other operational problems, and that a temporary suspension of this limitation is in the best interests of the city to address such circumstances. The foregoing notwithstanding, limousines may provide on-demand service only upon charging a minimum fare of \$30 per trip. Limousines may provide prearranged service without charging a set minimum fare.

SECTION 3. That Section 5.71.010, *Salt Lake City Code*, pertaining to definitions for ground transportation requirements be, and the same hereby is, amended to read as follows:

5.71.010 Definitions:

The words and phrases, when used in this Chapter, shall have the meanings defined and set forth in this Section.

A. "Authorized ground transportation business" means any business operating any ground transportation vehicle, which has a current, valid business license as required by the City and, when applicable, a current certificate of convenience and necessity as required by the City. This shall not include an "authorized airport ground transportation business" as defined by Title 16 and which shall be governed by that title.

B. "Automobile" means any motor vehicle which is registered at a gross weight of less than six thousand (6,000) pounds, or, if not registered commercially, that such vehicle would receive a weight classification as gross weight of less than six thousand (6,000) pounds, if such vehicle were to be registered commercially.

C. "Bus" means any motor vehicle operated on the streets and highways for hire on a scheduled or nonscheduled basis that is registered with the State at a gross weight of over thirty

six thousand (36,000) pounds. Such defined word, however, shall not include any buses operated by the Utah Transit Authority.

D. "Business licensing office" means the Division of Building Services and Licensing of Salt Lake City Corporation or its successor.

E. "Civil notice" means the written notice of ground transportation violation as provided under this Chapter.

F. "Comment form" or "form" has the meaning set forth in Article I of this Chapter, or its successor.

G. "Courtesy vehicle" means any motor vehicle which is regularly operated on Salt Lake City streets for transportation of customers and/or baggage without making a specific separate charge for such transportation,. All contracts providing for operating a courtesy vehicle at the airport on behalf of a hotel or motel shall be filed under the direction of the Director of Airports and shall be subject to all applicable airport rules and regulations. H. "Department" means the city department delegated by the mayor to have responsibility for the enforcement of this chapter.

I. "Fixed schedule" means ground transportation service operating on a regular time schedule previously announced as to time of departure and arrival between definitely established and previously announced points along definitely established and previously announced routes regardless of whether there are passengers or freight to be carried.

J. "Ground transportation business" means any business operating any ground transportation vehicle.

K. "Ground transportation vehicle" means any motor vehicle which is used for the transportation of persons using Salt Lake City streets for commercial purposes or as a courtesy in connection with a business including, but not limited to, any automobile, bus, courtesy vehicle, hotel vehicle, limousine, minibus, special transportation vehicle, taxicab and van .

L. "Hotel vehicle" means any motor vehicle which is regularly operated for transportation of customers and/or baggage to and from any railroad station, bus station, airport, or similar terminal of public transportation and any motel or hotel and under contract with such motel or hotel and for which transportation the customer is charged a separate fee or fare. All contracts providing for operating a hotel vehicle at the airport shall be filed under the direction of the Director of Airports and shall be subject to all applicable airport rules and regulations.

M. "Limousine" means any motor-propelled vehicle which is a Rolls Royce or other automobile described by its manufacturer as a limousine or luxury vehicle having a wheel base in excess of one hundred twenty inches (120"), operated on the streets and highways for hire, with a driver furnished who is dressed in a chauffeur's uniform (defined as a jacket and tie for a man or a pants suit or dress for a woman) or tuxedo while on duty, and licensed as required by city code.

N. "Manifest," for purposes of this chapter, means a daily record of all prearranged service trips provided by a driver operator of a ground transportation vehicle during such driver's hours of work which record shall be made by such driver, showing time(s) and place(s) of origin and destination, intermediate stop(s), the names of all passengers, and the amount of fare of each trip.

O. "Minibus" means any motor vehicle which is registered with the State at a gross weight of ten thousand one (10,001) to thirty six thousand (36,000) pounds, operated on a scheduled or nonscheduled basis, or is designed to transport sixteen (16) or more persons, including the driver,

and is licensed as required by city code. Such term, however, shall not include any minibus operated by any local, State or Federal agency.

P. "Named party" means the driver, vehicle owner or authorized ground transportation business named in a civil notice issued by the City.

Q. "On-demand airport service" or "on-demand service" means transportation provided by an authorized ground transportation business which is not "scheduled service" or "prearranged service" as defined in this Section.

R. "Prearranged service" means transportation provided by an authorized ground transportation business from points within the City, other than from the airport, in which the name of the prospective passenger and other required information are listed on the vehicle driver's manifest at least thirty (30) minutes prior to the transporting of the passenger by such vehicle. Prearranged service from the airport is governed by Section 16.60.090 (L) or its successor.

S. "Scheduled service" means_ transportation provided by an authorized ground transportation business on a fixed schedule posted with the City business license office in advance of such transportation.

T. "Special transportation vehicle" means any vehicle for hire on Salt Lake City streets, which is used for the transportation of disabled persons and is licensed under Chapter 5.76 of this Division, or its successor.

U. "Starter" means a person appointed by and representing a ground transportation business at a terminal of public transportation and providing coordinated travel arrangements and information about available services and fares.

V. "Taxicab" means a motor vehicle used in the transportation of passengers for hire over the public streets and not operated over a fixed route or upon a fixed schedule, but which is subject for contract hire by persons desiring special trips from one point to another, and which is licensed under Chapter 5.72 of this Code, or its successor. It does not include an automobile rental vehicle licensed under any other section of these ordinances.

W. "Temporary vehicle" means any motor vehicle used in the transportation of passengers and their luggage, using the streets within the corporate limits of Salt Lake City, for commercial purposes, or in connection with the operation of a hotel, motel, parking establishment, car rental operation, or in connection with the operations of a transportation for hire, for a period not to exceed fourteen (14) days. It does not include any vehicle operated as a taxicab licensed under Chapter 5.72 of this Division or its successor.

X. "Van" means any motor vehicle which is registered with the State at a gross weight of four thousand (4,000) to ten thousand (10,000) pounds, or is designed to transport fifteen (15) passengers or fewer, including the driver, and which is licensed as required by city code.

SECTION 4. That Section 5.71.028, *Salt Lake City Code*, pertaining to ground transportation destinations be, and is hereby enacted to read as follows:

5.71.028 Ground Transportation Destinations:

A. All authorized ground transportation businesses may provide scheduled service and prearranged service within the City.

B. Only taxicabs, courtesy vehicles, hotel vehicles, and limousines may provide on-demand service within the city, except that: (1) hotel vehicles may provide on-demand service only to and from any railroad station, bus station, airport, or similar terminal of public

transportation and any motel or hotel; and (2) limousines may provide on-demand service only upon charging a minimum fare of \$30 per trip. Limousines may provide prearranged service without charging a set minimum fare.

C. Subsection B of this Section 5.71.028 notwithstanding, hotel vehicles may transport motel or hotel patrons on-demand to and from locations other than a terminal of public transportation as follows: (1) to and from a convention center during a convention within the City involving 5,000 or more participants, or (2) to and from other locations providing such transport involves 3 or more persons riding together to and from the same destination and with the consent of the motel or hotel manager on duty.

SECTION 5. That Article VII of Title 5.71, *Salt Lake City Code*, pertaining to manifests for prearranged service be, and the same hereby is, enacted to read as follows:

Article VII. Manifests for Prearranged Service

5.71.440 Drivers to Keep Manifests:

Except for drivers of taxicabs, every ground transportation vehicle driver providing prearranged service shall maintain a daily manifest upon which is reported all prearranged service trips made during such driver's hours of work, showing time(s) and place(s) or origin and destination of trip, intermediate stop(s), the names of all passengers and amount of fare of each trip, and all such complete manifests shall be returned by the driver at the conclusion of his or her working day to the licensee of the ground transportation business for whom the driver is operating the vehicle. Taxicab drivers shall be governed by the manifest requirements of Article VIII of Chapter 5.72 or its successor.

5.71.450 Manifest Forms To Be Approved:

The forms for each manifest shall be furnished to the driver by the licensee of the ground transportation business for whom the driver is operating the vehicle, and shall be of a character approved by the Mayor.

5.71.460 Manifests-Holding Period-Availability:

Every licensee of a ground transportation business providing prearranged service shall retain and preserve all drivers' manifests in a safe place for at least the calendar year next preceding the current calendar year, and such manifests shall be available at a place readily accessible for examination by the department and the licensing office.

SECTION 6. That Section 5.72.100, *Salt Lake City Code*, pertaining to definition of "Taxicabs," be, and the same hereby is, amended to read as follows:

5.72.100 Taxicab:

"Taxicab" means a motor vehicle used in the transportation of passengers for hire over the public streets of the city, and not operated over a fixed route or upon a fixed schedule, but is subject to contract for hire by persons desiring special trips from one point to another. "Taxicab" does not include an automobile rental licensed under any other section of this code.

SECTION 7. That Section 5.72.130, *Salt Lake City Code*, pertaining to requirements for operation of taxicabs be, and the same hereby is, amended to read as follows:

5.72.130 Required For Operation:

A. No person shall operate or permit a taxicab owned or controlled by such person to be operated as a vehicle for hire upon the streets of Salt Lake City without first having obtained a

certificate of public convenience and necessity from the city in accordance with chapter 5.05 of this title, or its successor.

B. For the purpose of this section, the term "operate for hire upon the streets of Salt Lake City" shall not include the transporting, by a taxicab properly licensed in a jurisdiction outside the corporate limits of the city, of a passenger or passengers for hire where a trip shall originate with the passenger or passengers being picked up outside of the corporate limits of the city and where the destination is either within or beyond the city corporate limits. The term "operate for hire upon the streets of Salt Lake City" means and shall include the soliciting or picking up of a passenger or passengers within the corporate limits of the city, whether the destination is within or outside of the corporate limits of the city.

C. Taxicabs may operate as provided in Section 5.71.028 and Section 16.60.097 or their successors.

SECTION 8. That Section 5.72.142, *Salt Lake City Code*, pertaining to mandatory accessible vehicle be, and the same hereby is, enacted to read as follows:

5.72.142. Mandatory Accessible Vehicle.

Every taxicab company holding a certificate of convenience and necessity from the City shall, as a condition of retaining such certificate, obtain no later than sixty (60) days from the effective date of this ordinance and use continuously thereafter as part of its fleet of taxicabs in the operation of its business, or through the service of a third-party provider, at least one vehicle that is fully accessible for the transport of disabled persons, including persons using electrically-powered wheelchairs. Said vehicles shall meet the equipment standards and technical specifications set forth for such transport in the federal Americans with Disabilities Act, or its

successor. Said vehicles shall operate with equivalent response times and shall charge equivalent fares to the average response times and the fares of ordinary taxicabs operated by such company.

SECTION 8. This ordinance shall take effect immediately upon the date of its first publication.

Passed by the City Council of Salt Lake City, Utah this _____ day of August, 2005.

CHAIRPERSON

ATTEST:

CHIEF DEPUTY CITY RECORDER

Transmitted to Mayor on _____.

Mayor's Action: _____ Approved. _____ Vetoed.

MAYOR

CHIEF DEPUTY CITY RECORDER

(SEAL)

Bill No. _____ of 2005.

Published: _____.

APPROVED AS TO FORM
Salt Lake City Attorney's Office
Date 8/5/2005
By W. Spindlove