

DRAFT – FOR DISCUSSION PURPOSES ONLY

NOT YET APPROVED BY THE CITY ATTORNEY

ARTICLE I. IN GENERAL

DIVISION 1. VEHICLES FOR HIRE GENERALLY

Sec. 46-11.5. Waiting period before becoming eligible to reapply.

A person whose application for a ~~permit, license, or certificate of registration~~ has been denied or whose current ~~permit, license, or certificate of registration~~ has been revoked or refused for renewal and such action has become final shall be required to wait a period of one year from the date the denial, revocation, or refusal became final before becoming eligible to reapply for a ~~permit, license, or certificate of registration~~.

ARTICLE II. TAXICABS

DIVISION 1. GENERALLY

Sec. 46-18. General prerequisites to putting vehicle into service.

- (a) Before any permittee may put a taxicab into service or replace a taxicab, he shall submit, for the director's approval, the vehicle, the certificate of title showing the current true ownership of the vehicle, his public liability insurance policy, insurance endorsement or evidence of self-insurance and, in the case of a leased vehicle, the written lease contract. In addition, before a permittee may replace a taxicab that is an electric-drive vehicle or a wheelchair accessible vehicle with a vehicle that is not an electric-drive vehicle or a wheelchair accessible vehicle, the permittee shall be required to pay, in full, the difference between the permit fee amount he paid for the electric-drive vehicle or the wheelchair accessible vehicle and the permit fee amount for the replacement vehicle.
- (b) The director shall not authorize a vehicle to initially be placed into service unless it is equipped with an air conditioning system that was factory-installed by the vehicle manufacturer.

(Ord. No. 2014-754, § 2(Exh. A), 8-6-2014; Ord. No. 2016-736, § 12, 10-5-2016; Ord. No. 2016-986, § 10, 12-14-2016; Ord. No. 2019-669, § 13, 9-4-2019)

Sec. 46-20. Age and mechanical condition of taxicabs.

A licensee or permittee shall not drive or cause to be driven upon the streets of the city any taxicab vehicle that is more than ~~ten~~fifteen years old. For purposes of this requirement, a taxicab will be considered to be ~~ten~~fifteen years old on ~~April 30th~~March 31st of the ~~tenth~~fifteenth year following the manufacturer's model year of the vehicle, regardless of the purchase date or the date it was originally placed into service.

(Ord. No. 2014-754, § 2(Exh. A), 8-6-2014; Ord. No. 2015-997, § 41, 10-14-2015; Ord. No. 2016-736, § 13, 10-5-2016; Ord. No. 2016-986, § 11, 12-14-2016)

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Sec. 46-22. Vehicle color scheme.

- (a) A permittee or licensee shall not drive or cause to be driven any taxicab in the city until the permittee has filed with the director, ~~for approval,~~ the primary color scheme that he proposes to use under his ownership or dispatch service. ~~All vehicles operating under the same company name shall be the same color scheme.~~
- (b) The color scheme shall be of contrasting colors that are visible from a distance of 50 feet.
- (c) Upon vehicle inspection, if the director determines the color scheme displayed on the vehicle does not contrast, the director may require the permittee or licensee to change the color scheme.
- ~~(b) A permittee who first obtained a permit pursuant to a permit transfer in accordance with section 46-72 of this Code or via pursuant to a permit distribution on or after October 5, 2016, must operate vehicles that are white, and all signage letters on the vehicles must be dark or deep green. The vehicle primary color scheme shall include a two-inch wide dark or deep green stripe along the length of the vehicle, placement of which shall be designated by the director. Provided:~~
- ~~(1) If a vehicle operated pursuant to the permit transfer or distribution is at the time of the transfer or distribution authorized to operate under a leased permit, the permittee may operate the leased vehicle without changing the color scheme until such time as the vehicle is replaced; or~~
- ~~(2) If a vehicle operated pursuant to the permit transfer or distribution is affiliated with a dispatch service, the permittee may operate the vehicle under the dispatch service color scheme.~~

Replacement vehicles must be operated in compliance with this subsection. The director shall determine whether the colors submitted by the permittee comply with the requirements articulated within this section.

(Ord. No. 2014-754, § 2(Exh. A), 8-6-2014; Ord. No. 2016-736, § 14, 10-5-2016; Ord. No. 2016-986, § 12, 12-14-2016; Ord. No. 2019-669, § 16, 9-4-2019)

Sec. 46-24. Stool light.

No permittee or licensee shall operate or cause to be operated any taxicab within the city unless it is equipped with a stool light that is illuminated when the taxicab is vacant and available for hire or illuminated at all times. The stool light may be magnetic or permanently affixed to:

- (1) The top of the vehicle; or
- (2) The front and rear windshields; or
- (3) The front dashboard and rear windshield.

If the stool light is connected to taximeter, the stool light shall illuminate a "vacant" or "taxi" sign. If the stool light is not connected to the taximeter then it must illuminate a "taxi" sign. Permittees and licensees shall be authorized to display and illuminate either the taxicab permittee name or permit number on the stool light when the taximeter is not recording.

(Ord. No. 2014-754, § 2(Exh. A), 8-6-2014; Ord. No. 2016-736, § 15, 10-5-2016)

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Sec. 46-35. Required operation; placing taxicab vehicles into service.

- (a) Permittees shall pick up or accept delivery of any permit initially granted under this article and place the taxicab into service as follows:
- (1) ~~The permittee shall pick up or accept delivery of the permit and place the taxicab into service within 180 days subsequent to the date of the granting of the permit; A permit initially applied for on or after the effective date of this ordinance shall not be issued unless the permittee has a vehicle to place into service.~~
 - (2) The permittee shall present the taxicab for initial placement into service and for inspection at a location authorized and identified by the director within 180 days subsequent to the date of the granting of the permits; and
 - (3) If any permit is not obtained or any taxicab is not placed into service as provided herein, the permit shall be automatically revoked, and the director shall cause the permittee to surrender any certification decals or other permit indicia that have been issued.
- (b) Permittees shall operate or cause their taxicabs to be operated whenever public convenience requires that the taxicabs be in operation. The director may order any or all permittees to put into operation any taxicab not then in operation whenever public convenience requires that all permitted taxicabs be in operation.
- (c) If a vehicle is removed from any permit initially applied for and issued on or after the effective date of this ordinance and not replaced with another vehicle, the vacant permit shall be returned to the director. Permittee may reapply for a permit as stated in this article.

(Ord. No. 2014-754, § 2(Exh. A), 8-6-2014; Ord. No. 2015-997, § 14, 10-14-2015; Ord. No. 2019-669, § 24, 9-4-2019)

DIVISION 2. VEHICLE PERMIT

~~**Sec. 46-64. Availability of permits for distribution.**~~

- ~~(a) A permit that has been surrendered or revoked shall revert to the city and be held for redistribution in the annual permit distribution and drawing process as provided in this article.~~
- ~~(b) On or before July 1 of each year, the director shall cause the available permit number to be published on the website maintained by the department of administration and regulatory affairs and posted at any other location as designated by the director.~~
- ~~(c) If permits are to be issued, then the publication shall also include an explanation of how to obtain filing information. Additionally, the director shall mail the information regarding permits available and filing procedures to all permittees and licensees at their last known addresses or electronic address (e-mail address).~~

(Ord. No. 2014-754, § 2(Exh. A), 8-6-2014; Ord. No. 2019-669, § 27, 9-4-2019)

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Sec. 46-654. Application for permit – form.

- (a) An application for a permit shall be submitted on forms to be furnished by the director and the applicant shall furnish the following information with each application, Applications for permits may be filed in conjunction with a permit distribution drawing as described in section 46-66 of this Code or a transfer as authorized under section 46-72 of this Code. Each applicant shall submit his application upon forms promulgated by the director, including any information requested in accordance with the director's instructions. Without limitation of other information that the director may require in order to determine compliance with this Code and other applicable laws, the applicant shall set forth and provide the following information, which shall be sworn to before a notary public or conform to minimum state law requirements for unsworn declarations:
- (1) The applicant's name, mailing address (and street address if different), and telephone number (which information a permittee shall keep current).
 - (2) The name and form of business under which the service will be operated (If a partnership or corporation, a copy of the partnership agreement or articles of incorporation must be attached.)~~Evidence of the type of business enterprise that the applicant utilizes, e.g. proprietorship, partnership, or corporation, together with the identity and address of each principal.~~
 - (3) Criminal history information for every principal as required by the director to determine compliance with section 1-10 of this Code.
 - (4) Evidence that the applicant has a place of business within the metropolitan area from which the applicant's taxicab business is or will be operated and that use of the proposed location is in compliance with any applicable deed restrictions.
 - (5) Evidence that the operator is either a United States citizen or an alien legally residing in the United States with the legal right to engage in employment in the United States.
 - ~~(6) If the application is filed in association with section 46-72 of this Code, a statement indicating the number of permits to be transferred to the applicant.~~
 - (7) Any additional information that may be reasonably requested by the director.

Each application shall be accompanied by an application filing fee. The filing fee established by city council is stated in the city fee schedule and is not subject to the annual fee increase established in section 1-13 of this Code. The application filing fee is non-refundable.

Sec. 46-65. Permit issuance procedure.

- (ba) The director shall initially review each application for issuance or amendment of a permit to determine whether the application is complete and all required information has been provided. If not, the director shall return the application and advise the applicant of the deficiencies. ~~For permit distributions, each applicant shall be limited to the consideration of one application.~~
- (b) The director shall review complete applications to determine whether the applicant has met all applicable requirements of this article and of other applicable provisions, including section 1-10 of this Code. If so, the director shall issue the permit without conducting a hearing. If, based upon the review, the director determines that one or more requirements may not have been met, the director shall afford the applicant the right to a hearing before acting on the application.

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- (c) Prior to the denial of an application, the director shall afford the applicant notice of the proposed grounds for denial and that the applicant may, within 15 business days following the date of deposit of the notice in the mail request a hearing. Where the grounds are based in whole or in part upon section 1-10 of this Code, the hearing shall conform to the requirements of section 1-9 of this Code with respect to those grounds.
- (d) In the event that the director approves the permit, issuance shall be subject to compliance with this article, including, but not limited to, payment of any required fees, inspection of vehicles to be utilized, and submission of proof of insurance.
- (e) A permit does not entitle the permittee to act as the driver of covered vehicles. A separate license is required for that purpose pursuant to the applicable provisions concerning the issuance of vehicle for hire driver's licenses contained in this chapter.
- ~~(c) An application filed by an applicant shall be considered a duplication if any principal is also named in another application. In case of multiple applications, the first one filed shall be considered, and all others shall be returned unless the applicant elects in writing to withdraw the earlier filed application.~~
- ~~(d) The director shall review applications received and advise each applicant whether the applicant has been determined to be qualified or unqualified. The director shall, within ten days of receiving an application pursuant to section 46-72 of this Code, advise the applicant as to whether his status has been determined to be qualified or unqualified. An applicant is considered qualified if each of the following criteria is met:~~
- ~~(1) The application was filed in completed form with no material inaccuracies or omissions, provided that if the application as originally filed was substantially complete and in proper form, the director shall allow an applicant a reasonable opportunity to correct any minor inaccuracies or omissions if that can be accomplished without delaying the processing of applications.~~
- ~~(2) The applicant and its principals are in compliance with the criminal history provisions of section 1-10 of this Code.~~
- ~~(3) The applicant's operator is a citizen or resident alien with work privileges as provided in item (a)(5) above.~~
- ~~(4) The applicant has a place of business within the metropolitan area as provided in item (a)(4) above.~~
- ~~(5) The applicant is in compliance with any other applicable requirement of this Code and other laws.~~
- ~~(e) Applicants who are determined to be unqualified shall also be notified of the grounds asserted for that determination and of their right to a hearing upon the determination to be conducted by an independent hearing examiner designated by the director. If the determination is based in whole or in part upon section 1-10 of this Code, then the notice and hearing procedures shall also include any requirements to comply with section 1-9 of this Code and applicable state laws. The determination of the hearing examiner with respect to the application shall be final, unless otherwise provided by law.~~
- ~~(f) Following the completion of the appeal hearings, if any, as provided in subsection (e), the director shall generate: (1) a list of qualified applicants and (2) a list of unqualified applicants.~~

(Ord. No. 2014-754, § 2(Exh. A), 8-6-2014; Ord. No. 2016-736, § 19, 10-5-2016 ; Ord. No. 2019-669, § 28, 9-4-2019)

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Sec. 46-66. ~~Drawing; payment of initial annual permit fee; distribution~~Transfer of permit.

~~A permit initially applied for on or after the effective date of this ordinance may not be transferred. The director shall conduct or cause to be conducted a public drawing to determine the granting of permits. Each qualified applicant shall be invited to attend the drawing, at which a qualified applicant shall pay the initial annual permit fee for each permit he is awarded. The drawing shall be conducted in such a manner as to ensure distribution of each permit by random chance, generally as follows: (1) each qualified applicant whose name is drawn shall receive one permit, then (2) that name shall be placed back in the pool and another name drawn until all permits have been awarded, provided a qualified applicant may request the removal of his name from the drawing at any time during the drawing.~~

(Ord. No. 2014-754, § 2(Exh. A), 8-6-2014; Ord. No. 2016-736, § 20, 10-5-2016 ; Ord. No. 2019-669, § 29, 9-4-2019)

Sec. 46-68. Fee.

- (a) The annual fee for each permit under this division is stated for this provision in the city fee schedule. After payment of the initial annual permit fee, the annual permit fee shall be paid to the department on or before April 1 of each calendar year. ~~For permits first issued prior to September 4, 2019, t~~The annual permit fee may be paid in advance to the department in three installments on or before April 1, May 1, and June 1 of each calendar year in amounts prescribed in the city fee schedule. To be eligible for installment payments, the first installment payment must be paid on or before April 1. In the event the permit is issued for a period of time less than one year, the fee shall be prorated, payable at the rate stated for this provision in the city fee schedule for each month or fraction thereof remaining in the calendar year, not to exceed the full amount of the annual fee.
- (b) There shall be no fee for replacement of a vehicle with another vehicle of equivalent capacity, with the exception of Section 46-18, if applicable.
- (c) The permit fee is non-refundable.

(Ord. No. 2014-754, § 2(Exh. A), 8-6-2014; Ord. No. 2016-736, § 38, 10-5-2016 ; Ord. No. 2019-669, § 30, 9-4-2019)

Sec. 46-69. ~~Permit is privilege, not property right~~Reserved.

~~A permit shall constitute a privilege to which no property interests or rights of any kind or character shall appertain. However, in the case of the death of any permittee or principal thereof, a spouse, child or other close relative of the permittee who wishes to carry on the business may request reassignment of the permit by application duly filed with the department in the same manner as in section 46-65 of this Code. Upon his determination that the applicant is qualified as provided in that section, the director may authorize the reassignment of the permit to the spouse, child, or other close relative applicant.~~

(Ord. No. 2014-754, § 2(Exh. A), 8-6-2014; Ord. No. 2015-997, § 15, 10-14-2015; Ord. No. 2019-669, § 31, 9-4-2019)

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Sec. 46-70. Permit - Term; renewal; temporary vehicles.

- (a) A taxicab permit issued under this division shall be valid for a one-year permit term commencing April 1 and extending through the succeeding March 31. A permit may be renewed each year on forms promulgated by the director and by payment of the annual fee as provided in section 46-68 of this code. A permit issued under this division shall be valid for a one-year permit term commencing on April 1 and extending through the succeeding March 31. A permit may be renewed each year by payment of the annual fee as provided in section 46-68 of this Code.
- (b) In addition to the vehicles regularly operated by a permittee, the permittee may place one or more vehicles into use on a temporary basis from time to time to meet seasonal or unexpected needs in accordance with this subsection. The director shall issue temporary certification decals for a term of 30 consecutive calendar days to commence on the date of issuance at the fee stated for this provision in the city fee schedule per vehicle, per certification decal, upon the permittee's provision to the director of proof of the identity of the vehicle to be used. Proof of identity shall include verification that the vehicle is in compliance with all requirements of this division and proof that it is insured as required in section 46-67 of this Code and has been inspected and approved for use as provided in section 46-23 of this Code within six months preceding the date the temporary certification decal is issued. If the permittee's insurance policy on file with the director pursuant to section 46-67 of this Code also covers the vehicles that will be placed in service on a temporary basis, no additional proof of insurance is required.

(Ord. No. 2014-754, § 2(Exh. A), 8-6-2014; Ord. No. ~~2019-669~~, § 32, 9-4-2019)

Sec. 46-71. ~~Changes in principals after issuance~~Reserved.

~~Any change in principals of a permittee shall be subject to an application to be filed in the same manner as under section 46-65 of this Code for a permit application and shall only be authorized to the extent that the applicant is qualified thereunder, provided that the director may utilize modified application forms and procedures that do not require the provision of information or data that is applicable by its nature to the issuance of a new permit but not applicable to the decision process for a change in principal. The director shall authorize the permittee to continue to operate on a temporary basis pending the determination if, based upon an initial review of the application, it appears that the applicant will be determined to be qualified. If the application is denied, the permittee may not continue to utilize the permit(s), and the permit(s) shall terminate on the 30th day following notice of denial and any appeal therefrom, unless the permittee divests itself of the new principal or otherwise returns to compliance with this article.~~

(Ord. No. 2014-754, § 2(Exh. A), 8-6-2014)

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ARTICLE IV. SIGHTSEEING, CHARTER AND CHAUFFEURED LIMOUSINE SERVICES

DIVISION 1. Generally

Sec. 46-191. Definitions.

The following words, terms and phrases, when used in this article, shall have the meanings assigned to them in this section, except where the context clearly indicates a different meaning.

Chauffeured limousine means:

- a. A sedan-type luxury motor vehicle with a passenger capacity of five or six persons (including the driver), which vehicle is either less than or equal to ~~ten~~ten ~~fifteen~~ years of age;
- b. An extended-body type motor vehicle with a passenger capacity of no more than 15 persons (including the driver), which vehicle is either less than or equal to ~~ten~~ten ~~fifteen~~ years of age and modified to extend its original factory wheelbase by 40 inches or more in conformity with Federal Motor Vehicle Safety Standard requirements;
- c. A vehicle that is classified in the United States Environmental Protection Agency's annual Fuel Economy Guide as a sport utility vehicle that: (i) has a passenger capacity of not less than five persons nor more than nine persons, including the driver; (ii) has a manufacturer's suggested base retail selling price of not less than \$37,600.00, adjusted annually based upon Consumer Price Index (CPI-U), All Urban Consumers, U.S. City Average, New Trucks, as published by the U.S. Department of Labor, excluding the cost of any manufacturer installed options or of any modifications or conversions that were made by other persons following the original assembly of the vehicle by the manufacturer. The adjustment shall be based upon the not seasonally adjusted data for the month of August and shall be effective November 1st; and (iii) is either less than or equal to ~~ten~~ten ~~fifteen~~ years of age;
- d. A passenger van with a passenger capacity of eight to 15 persons (including the driver), which vehicle is less than or equal to ~~ten~~ten ~~fifteen~~ years of age and has a manufacturer's suggested base retail selling price of not less than \$32,500, adjusted annually on November 1st each year based upon Consumer Price Index (CPI-U), All Urban Consumers, U.S. City Average, New Trucks, as published by the U.S. Department of Labor, excluding the cost of any manufacturer installed options or of any modifications or conversions that were made by other persons following the original assembly of the vehicle by the manufacturer, with the adjustment based upon the not seasonally adjusted data for the month of August; or
- e. An antique, classic, or special interest vehicle.

For the purposes of this article, antique means a vehicle that is 25 years old or older; classic means a vehicle recognized by the Classic Car Club of America; and special interest means a vehicle that, due to limited production, outstanding design, and/or technical achievement, is of special interest. The age of the vehicle will be measured from the manufacturer model year date. The model year shall always count as the first full year. It shall be the duty of the director to make a determination as to whether or not a given vehicle is less than or equal to ~~ten~~ten ~~fifteen~~ years of age or is an antique, classic or special interest vehicle within the meaning of this article.

DIVISION 2. SIGHTSEEING AND CHARTER SERVICES

Sec. 46-204. Permit application; issuance procedure

(b) An applicant for a permit under this division must:

- (1) Be not less than 18 years of age.
- (2) Not have been convicted of an applicable offense specified in section 1-10 of this Code unless the license is granted notwithstanding the conviction pursuant to section 1-9 of this Code.
- (3) Be able to read and write the English language.
- ~~(4) Not have had a license or permit issued under this chapter denied, revoked or refused for renewal within the one-year period preceding the date of filing of the application.~~

Sec. 46-211. Annual permit fee.

- (a) *Fees.* The annual fee for a permit under this division for each sightseeing or charter vehicle is stated for this provision in the city fee schedule and shall be paid in advance to the department of administration and regulatory affairs in two installments on or before January 1 and March 1 of each calendar year in amounts prescribed in the city fee schedule. In the event the permit is issued for a period of time less than one year, the fee shall be prorated, payable at the rate stated for this provision in the city fee schedule for each month or fraction thereof remaining in the calendar year, not to exceed the full annual fee. The reissuance of each certification decal that is lost, mutilated, or otherwise rendered unusable shall be provided only upon reinspection of the sightseeing or charter service vehicle.
- (b) *Additional to other required fees.* The fees established in this section shall be payable in addition to any other applicable fees imposed by this Code or other ordinances of the city.
- (c) In addition, before a permittee may replace a sightseeing or charter vehicle that is an electric-drive vehicle or a wheelchair accessible vehicle with a vehicle that is not an electric-drive vehicle or a wheelchair accessible vehicle, the permittee shall be required to pay, in full, the difference between the permit fee amount he paid for the electric-drive vehicle or the wheelchair accessible vehicle and the permit fee amount for the replacement vehicle.

(Ord. No. 2014-754, § 2(Exh. A), 8-6-2014; Ord. No. 2015-997, § 24, 10-14-2015; Ord. No. 2019-669, § 36, 9-4-2019)

DIVISION 3. CHAUFFEURED LIMOUSINE SERVICE

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Sec. 46-232. Annual permit fee; other fees and taxes to be paid.

- (a) *Required.* The annual fee for a permit under this division for each limousine is stated for this provision in the city fee schedule shall be paid in advance to the department of administration and regulatory affairs in two installments on or before January 1 and March 1 of each calendar year in amounts prescribed in the city fee schedule. In the event the permit is issued for a period of time less than one year, the fee shall be prorated, payable at the rate stated for this provision in the city fee schedule for each month or fraction thereof remaining in the calendar year, not to exceed the full amount of the annual fee. The reissuance of any certification decal that is lost, mutilated, or otherwise rendered unusable shall be provided only upon reinspection of the limousine.
- (b) *Additional fees.* The fees established in this section shall be payable in addition to any other applicable fees imposed by this Code or other ordinances of the city.
- (c) In addition, before a permittee may replace a taxicab that is an electric-drive vehicle or a wheelchair accessible vehicle with a vehicle that is not an electric-drive vehicle or a wheelchair accessible vehicle, the permittee shall be required to pay, in full, the difference between the permit fee amount he paid for the electric-drive vehicle or the wheelchair accessible vehicle and the permit fee amount for the replacement vehicle.

(Ord. No. 2014-754, § 2(Exh. A), 8-6-2014; Ord. No. 2015-997, § 25, 10-14-2015; Ord. No. 2019-669, § 37, 9-4-2019)

ARTICLE V. SCHOOL VEHICLES

DIVISION 2. PERMITS AND LICENSES

Sec. 46-288. Review.

- (a) Following review of the application, the director shall notify the applicant of intent to issue the permit unless:
- (1) The applicant or any proposed licensee is determined to be unfit in accordance with the criteria of section 1-10 of this Code following a hearing under section 1-9 of this Code;
 - (2) The applicant fails to demonstrate that each proposed licensee has a state certificate;
 - (3) The applicant, if a natural person, is not yet 18 years old;
 - (4) The applicant, or a representative of the applicant who shall be designated as the liaison with the director, is unable to read and write the English language; or
 - (5) Any information provided in the application was materially incomplete or false; ~~or~~

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~~(6) The applicant or any one of the proposed licensees has had a permit or license issued pursuant to this chapter or a school bus license issued by ordinance denied, revoked or refused for renewal by the city within the one-year period preceding the date of filing of the application.~~

ARTICLE VI. JITNEYS

DIVISION 2. LICENSES AND PERMITS

Sec. 46-331. Permit required.

(a) It shall be unlawful for any person to operate a jitney service unless a permit has been issued for the operation of the jitney service under this article.

(b) Each applicant for a permit required by this division must:

(1) Have no conviction of an offense stated in subsection (c) of section 1-10 of this Code;

(2) Identify the make, model, manufacturer's rated seating capacity and vehicle identification number for each vehicle the applicant desires to receive a permit for and operate as a jitney;

(3) Be 18 years of age or older, if a natural person;

(4) Be able to read and write the English language, if a natural person;

(5) Provide evidence that the applicant has a place of business within the metropolitan area from which the applicant's jitney service will be operated and that such use of the location is in compliance with any applicable deed restrictions;

(6) Hold a current and valid class A, B or C Texas driver license; and

~~(7) Not have had a license, permit or franchise issued under any article of this chapter denied, revoked or not renewed for cause by the city within the one-year period preceding the date of filing of the application; and~~

~~(8)~~ Provide any other information reasonably requested by the director for administration of this article.

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DIVISION 3. OPERATING REQUIREMENTS

Sec. 46-353. Age of vehicle.

- (a) No licensee or permittee shall drive or operate or cause to be driven or operated any jitney that is more than ~~ten~~ten~~fifteen~~ years old. For purposes of this requirement, a jitney is considered to be ~~ten~~ten~~fifteen~~ years old on the 31st day of May of the ~~ten~~ten~~fifteenth~~ year following the manufacturer's model year of the jitney, regardless of the date of its original purchase or the date it was first placed into service.
- (b) A permittee or licensee may drive or cause to be driven a jitney beyond the age limitations prescribed in subsection (a) of this section provided:
 - (1) The licensee or permittee submits the jitney for inspection at a location authorized and identified by the director prior to the expiration of the permit issued authorizing the operation of the jitney; and
 - (2) The vehicle is determined to be in compliance with the provisions of section 46-337 of this Code and any other conditions of operation prescribed by the director.
- (c) A permittee or licensee may initially submit a vehicle into service beyond the age limitations prescribed in subsections (a) and (b) of this section, provided:
 - (1) The licensee or permittee submits the jitney for inspection at a location authorized and identified by the director; and
 - (2) The vehicle is determined to be in compliance with the provisions of section 46-337 of this Code and any other conditions of operation prescribed by the director.

(Ord. No. 2014-754, § 2(Exh. A), 8-6-2014; Ord. No. 2015-997, § 43a, 10-14-2015)

ARTICLE VII. LOW-SPEED SHUTTLES

DIVISION 2. PERMITS AND LICENSES

Sec. 46-391. Permit required.

- (a) It shall be unlawful for any person to operate a low-speed shuttle service without first obtaining a permit pursuant to the terms of this division.
- (b) Each applicant for a permit required by this division must:
 - (1) Have no conviction of an offense stated in subsection (c) of section 1-10 of this Code;

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- (2) Identify the make, model, manufacturer's rated seating capacity and vehicle identification number for each vehicle to be used as a low-speed shuttle;
- (3) Identify the proposed zone(s) where the applicant desires to operate the low-speed shuttle service;
- (4) Provide proof of insurance pursuant to the requirements of this article;
- (5) If a natural person:
 - a. Be 18 years of age or older;
 - b. Be able to read and write the English language; and
 - c. Hold a current and valid class A, B, or C Texas driver license;
- ~~(6) Not have had a license, permit, or franchise issued under this chapter revoked or not renewed for cause by the city within the one-year period preceding the date of filing of the application;~~
- ~~(6)7) Provide evidence that the applicant has a place of business within the metropolitan area from which the applicant's low-speed shuttle service will be operated and that such use of the location is in compliance with any applicable deed restrictions; and~~
- ~~(7)8) Provide any other information reasonably requested by the director for administration of this article.~~

DIVISION 3. LOW-SPEED SHUTTLE OPERATING REQUIREMENTS

Sec. 46-424. Age of vehicle.

No person shall drive or operate or cause to be driven or operated any low-speed shuttle that is more than ~~ten~~fifteen years old. For purposes of this requirement, a low-speed shuttle is considered to be ~~ten~~fifteen years old on the 31st of May of the ~~tenth~~fifteenth year following the manufacturer's model year of the low-speed shuttle, regardless of the date of its original purchase or the date it was first placed into service.

(Ord. No. 2014-754, § 2(Exh. A), 8-6-2014; Ord. No. 2019-669, § 47, 9-4-2019)

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ARTICLE X. WHEELCHAIR ACCESSIBLE SERVICE PROVIDERS

Sec. 46-544. Wheelchair accessible service provider permit—Application and qualifications.

(c) Each applicant for a permit required by this article must:

- (1) Have no conviction of an offense stated in subsection (c) of section 1-10 of this Code;
- (2) Identify the make, model, manufacturer's rated seating capacity, current rated seating capacity, and vehicle identification number for each wheelchair accessible vehicle to be used as a vehicle for hire;
- (3) Provide proof of insurance pursuant to the requirements of this article;
- ~~(4) Not have had a license, permit, or registration issued under this chapter revoked or not renewed for cause by the city within the one-year period preceding the date of filing of the application;~~
- ~~(4)5~~ Provide evidence that the applicant has a place of business within the metropolitan area from which the applicant's wheelchair accessible service will be operated and that such use of the location is in compliance with any applicable deed restrictions; and
- ~~(5)6~~ Provide any other information reasonably requested by the director for administration of this article.

Sec. 46-556. Vehicle age and standards.

- (a) Each wheelchair accessible vehicle must be a ramp- or lift-equipped wheelchair accessible vehicle or a vehicle constructed and designed or redesigned, modified, or equipped to provide vehicle for hire transportation services to persons with disabilities who require the use of a wheelchair as a means of movement or ability to move from one place to another.
- (b) Except as provided in subsection (c) of this section, a licensee or permittee shall not drive or cause to be driven upon the streets of the city any wheelchair accessible vehicle that is more than ~~ten~~fifteen years old. For the purposes of this requirement, a wheelchair accessible vehicle will be considered to be ~~ten~~fifteen years old on September 30th of the ~~ten~~fifteenth year following the manufacturer's model year of the vehicle, regardless of the purchase date or the date it was originally placed into service.

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- (c) A licensee or permittee may drive or cause to be driven a wheelchair accessible vehicle indefinitely beyond the age limitation prescribed in subsection (b) of this section provided the licensee or permittee submits the wheelchair accessible vehicle for inspection each year, at a location authorized and identified by the director prior to the expiration of the permit and the director determines that the wheelchair accessible vehicle is in compliance with the provisions of section 46-548 of this Code and any other conditions of operation prescribed by the director.

(Ord. No. 2015-998, § 6(Exh. A), 10-14-2015; Ord. No. 2016-986 , § 17, 12-14-2016)