

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

AN ORDINANCE AMENDING AND ENACTING SPECIFIED SECTIONS OF CHAPTERS 5.71, 5.72, AND 16.60, *SALT LAKE CITY CODE*, PERTAINING TO GROUND TRANSPORTATION.

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

SECTION 1. That Subsection M of Section 5.71.010, *Salt Lake City Code*, pertaining to definition of "Limousine" be, and the same hereby is, amended to read as follows:

5.71.010 Definitions:

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 ten inches (110"), 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.

SECTION 2. That Subsection H of Section 16.60.090, *Salt Lake City Code*, pertaining to definition of "Limousine" be, and the same hereby is, amended to read as follows:

16.60.090 Definitions For Article II:

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 ten inches (110"), 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.

SECTION 3. That Section 5.71.180, *Salt Lake City Code*, pertaining to periodic inspections be, and is hereby amended to read as follows:

5.71.180 Periodic Inspections:

With the exception of busses operated by charter bus companies in interstate commerce, every vehicle subject to the requirements of this Chapter shall be inspected by the City every six (6) months in order to make certain that such vehicles and their drivers comply with the requirements of this Chapter and that each such vehicle is being maintained in a safe and efficient operating condition in accordance with the following inspection requirements:

A. Vehicle Exterior: Vehicle exteriors shall meet the requirements set forth in Sections 5.71.150 and 5.71.160 of this Chapter and shall meet the following requirements:

1. Tires: Tire tread depth shall be not less than one-sixteenth of an inch (1/16") for rear tires, nor less than one-eighth of an inch (1/8") on any front tire when measured on any portion of the tire's tread grooves of an original, regrooved or retreaded tire, with no cuts or breaks in sidewalls. Measurements shall not be made where any tie bar, hump, or filet is located. No regrooved, recapped, or retreaded tires shall be used on the front axles of the vehicle, but may be used on the rear axles.

2. Signage: All vehicles shall be properly and adequately numbered and identified in conformance with this Chapter and other applicable statutes and ordinances. When present, identifying signage shall be in good repair.

3. Cleanliness: The engine and engine compartment shall be reasonably clean and free of uncontained combustible materials.

4. Mufflers: Mufflers shall conform to the requirements of Section 12.28.100 of

this Code, or its successor.

5. Door Latches: All door latches shall be operable.

6. Suspension System: The vehicle suspension system shall be maintained so that there are no sags because of weak or broken springs and no excessive motion when the vehicle is in operation because of weak or defective shock absorbers. All parts affixed to the undercarriage of the vehicle shall be permanently affixed and in good repair.

B. Vehicle Interior: The interior of all vehicles shall be maintained as set forth in Sections 5.71.150 and 5.71.160 of this Chapter and shall be maintained as follows:

1. Lights: All interior lights shall be operable, and must otherwise conform to applicable ordinances and statutes.

2. Brakes: The foot brake pedal must not be capable of being depressed beyond a point one inch (1") from the floor of the car.

3. Steering: Excessive play in the steering mechanism shall not exceed three inches (3") free play in turning the steering wheel from side to side.

4. Display Information: With the exception of limousines, the following materials shall be easily readable, and shall be displayed in the vehicle in an area which is in full view of and is accessible by passengers in the vehicle: the comment forms required to be maintained in each vehicle; the name, photograph and number (if any) of the driver operating the vehicle; the name of the authorized ground transportation business with which the driver or vehicle is associated; and the vehicle number. Every limousine driver shall exhibit to any passenger of such driver requesting the same the name, photograph and number (if any) of the driver operating the vehicle; the name of the authorized ground transportation business with which the driver or vehicle is associated; and the vehicle number.

C. Meter Inspections: Any meter used in a ground transportation vehicle to calculate the fare for transportation shall be inspected as set forth in Chapter 5.72, Article V, of this Division, or its successor.

SECTION 4. That Section 5.71.190, *Salt Lake City Code*, pertaining to inspection stickers be, and the same hereby is, amended to read as follows:

5.71.190 Inspection Sticker:

When the City finds that a vehicle has met the standards established by this Chapter, including that the vehicle is operated by a company duly licensed by the city, an officer of the City shall issue a sticker signifying the same. No ground transportation vehicle shall operate without such sticker. Such sticker shall be affixed to the lower left portion of the rear window of the vehicle, extending no more than three inches to the right of the left edge or more than four inches above the bottom edge of the window.

SECTION 5. That Section 5.71.290, *Salt Lake City Code*, pertaining to application fee required for a driver of a ground transportation vehicle be, and the same hereby is, amended to read as follows:

5.71.290 Application-Fee Required:

At the time the application is filed, the applicant shall pay to the department a fee, in an amount to be determined by the mayor or his or her designee, but not to exceed one hundred dollars (\$100.00).

SECTION 6. That Section 5.71.415, *Salt Lake City Code*, pertaining to payment for furnishing of passengers be, and the same hereby is, enacted to read as follows:

5.71.415 Payment for Furnishing of Passengers:

It shall be unlawful for any person operating a ground transportation vehicle, business, driver, independent contractor or employee to pay any remuneration to another person, specifically including bellman, doorman and vehicle dispatcher, for the furnishing of passengers and/or baggage to be transported by a ground transportation vehicle. It shall be unlawful for any person, specifically including bellmen, doormen and vehicle dispatcher, to receive any remuneration from any person operating a ground transportation vehicle, business, driver, independent contractor or employee for the furnishing of passengers and/or baggage to be transported by a ground transportation vehicle. Nothing herein shall prohibit hotels and motels from contracting or invoicing for, and being paid or making payment for, the transportation of customers and/or baggage, which payment may include a portion thereof being distributed by the hotel or motel to a bellman or doorman as a gratuity.

SECTION 7. That Section 5.72.130, *Salt Lake City Code*, pertaining to certificates of convenience and necessity required 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. The City is considering alternate methods of regulation, and intends to adopt alternate methods at a future date. Certificates of convenience and necessity issued by the City are terminable by the City, and in order to prepare for changes in regulation, all such certificates issued under this Chapter shall expire at the same time that the certificate holder's current

business license expires, which shall be no later than January 31, 2006. Future certificates of convenience and necessity under this Chapter will be issued only on a renewal basis to existing certificate holders upon submission of an acceptable renewal application, and shall remain subject to termination. Prior to adopting regulatory changes, the City will provide notice to these certificate holders, and all such certificates will terminate 180 days from the date when such notice is issued. Upon any final termination, a pro rata refund of that portion of the annual business license fee and certificate of convenience and necessity fee shall be given to those persons whose licenses and certificates have been terminated according to the portion of the year remaining at the time of said termination. In the event no termination occurs as provided herein within twelve (12) months of the issuance of any renewal certificate of convenience and necessity and business license, a renewal certificate and business license shall be reissued to such persons or entities applying therefor under the same conditions as provided hereinabove unless or until there is a termination as provided above in this subparagraph, or unless such certificate or license is terminated for other causes as set forth in Chapter 5.05 or other sections of this Code. All certificate holders as of the date of this ordinance that remain in good standing shall have an opportunity to compete for any future certificates, contracts or other similar authorizations from the City.

C. 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.

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

SECTION 8. That Section 5.72.150, *Salt Lake City Code*, pertaining to required minimum use of taxicabs be, and the same hereby is, amended to read as follows:

5.72.150 Certificate Not a Franchise and Not Irrevocable:

No certificate issued in accordance with section 5.72.130 of this article, or its successor, shall be construed to be either a franchise or irrevocable.

SECTION 9. That Section 5.72.240, *Salt Lake City Code*, pertaining to application fee required for operators of taxicabs be, and the same hereby is, amended to read as follows:

5.72.240 Application-Fee Required:

At the time the application is filed, the applicant shall pay to the Police Department a fee, in an amount to be determined by the Mayor or his or her designee, but not to exceed one hundred (\$100.00).

SECTION 10. That Section 5.72.315, *Salt Lake City Code*, pertaining to vehicle inspection prior to licensing of taxicabs be, and the same hereby is, amended to read as follows:

5.72.315 Vehicle Inspection Prior To Licensing:

Prior to the use and operation of any vehicle under the provisions of this Chapter, the vehicle shall be thoroughly examined and inspected as set forth in Chapter 5.71, Article V of this Division, or its successor, and found to comply with the requirements thereof. In addition, the vehicle shall at all times in which it is in operation as a taxicab within the City be maintained in conformity with the safety inspection requirements of Utah and Federal law. Following the

effective date of this ordinance, no vehicle shall be licensed by the City as a taxicab that: (1) was not previously so licensed or (2) was manufactured more than five (5) years prior to application for licensure.

SECTION 11. That Section 5.72.610, *Salt Lake City Code*, pertaining to limitations on taxicab operations at the airport be, and the same hereby is, enacted to read as follows:

5.72.610 Limitations on Taxicab Operations at the Airport

The Airport Director shall establish procedures that restrict the access of taxicabs doing business at the airport in a manner that reduces the number of unnecessary taxicabs waiting at the airport, and thereby promotes the availability of taxicab service in other areas of the city. Such restrictions shall be imposed in a manner that does not create unreasonable burdens among the different taxicab companies authorized to provide services. Among other things, the Airport Director shall have broad discretion to determine airport needs and the measures necessary to address them, and may waive or alter any such rules on any reasonable basis to respond to airport conditions as they may occur.

SECTION 12. That Section 16.60.110, *Salt Lake City Code*, pertaining to ground transportation vehicle fees and per use charges be, and the same hereby is, amended to read as follows:

16.60.110 Fees and Per Use Charges:

The Airport Enterprise Fund imposes commercial charges for the use of airport facilities and services, and all such charges imposed on ground transportation providers shall be limited to the recovery of costs incurred by the fund for providing facilities and services to ground transportation providers.

SECTION 13. 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 _____, 2005.

CHAIRPERSON

ATTEST:

CITY RECORDER

Transmitted to Mayor on _____.

Mayor's Action: _____ Approved. _____ Vetoed.

MAYOR

CITY RECORDER

(SEAL)

Bill No. _____ of 2005.

Published: _____.

ATTEST: _____

