
MEMORANDUM

DATE: December 9, 2005
TO: City Council Members
FROM: Russell Weeks
RE: Proposed Amendments to Ordinances Regulating Ground Transportation Businesses
CC: Cindy Gust-Jenson, Rocky Fluhart, Sam Guevara, Ed Rutan, Tim Campbell, Alison McFarlane, Louis Zunguze, Gary Mumford, Orion Goff, Edna Drake, Larry Spendlove, Jodi Howick, Melanie Reif, Randy Berg, David Korzep, Larry Bowers, Laurie Donnell

This memorandum is intended to address a proposed ordinance that would clarify and make uniform application fees for Salt Lake City reviews of license applications and background check reviews for people driving for ground transportation businesses and drivers for taxicab companies regulated by the City.

OPTIONS

- Adopt the proposed ordinance.
- Do not adopt the proposed ordinance.

POTENTIAL MOTIONS

- I move the City Council adopt an ordinance amending and enacting specified sections of City Code Chapters 5.71, 5.72, and 16.60, pertaining to ground transportation.
- I move that the City Council consider the next item on the agenda.
- I move the City Council adopt an ordinance amending and enacting specified sections of City Code Chapters 5.71, 5.72, and 16.60, pertaining to ground transportation with the following amendments: (Council Members may make amendments if they choose).

KEY POINTS

The proposed amendments are designed to make the application fee for Salt Lake City Police Department review of applications for a ground transportation vehicle driver's license – including background check reviews – the same as the application fee for a taxicab driver's license.

BACKGROUND/DISCUSSION

On December 8 the City Council adopted a motion that, among other things, amended City Code Section 5.72.240 titled *Application-Fee Required*. The section pertains to fees required of taxicab drivers. The motion amended Section 5.72.240 to read, "At the time the

application is filed, the applicant shall pay the department a fee of seventy-five dollars (\$75). The motion also included an amendment that said, "That one year from now the fee would be increased -- unless there is intervening (City) Council action -- to one-hundred dollars."

However, the ordinance adopted on December 8 contains another section -- Section 5.71.290 -- that pertains to application fees required of drivers of ground transportation businesses that are not taxicabs. That section reads: "At the time the application is filed, the applicant shall pay to the police department a fee in an amount determined by the mayor or his or her designee, but not to exceed one hundred dollars (\$100).

If Section 5.71.290 were not amended, it would mean that drivers for ground transportation businesses would until December next year pay up to \$100 for the same application review and background check reviews that taxicab drivers would pay \$75 for.

Given the apparent discrepancy, the Attorney's Office has suggested the following language to amend Section 5.71.290 and Section 5.72.240:

"At the time the application is filed, the applicant shall pay to the police department a fee of seventy-five (\$75). Commencing December 8, 2006 the application fee shall be one-hundred dollars (\$100).

The proposed ordinance also formalizes the effective date for the amended ordinance that the City Council adopted at its December 8 meeting.

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 ~~tent~~twenty inches (~~110~~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.

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 ~~tent~~twenty inches (~~110~~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.

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 windowwindshield 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 ~~in an area approved by the~~ City.

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 police department a fee, ~~in an amount to be determined by the mayor or his or her designee, but not to exceed~~ of seventy-

thirty dollars (\$75.00~~30.00~~). Commencing December 8, 2006 the application fee shall be 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.

CB. 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.

DE. 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 ~~Minimum Use Of Taxicabs Required~~ Certificate Not a Franchise and Not Irrevocable:

~~A.——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. It is the intent of the city council that all taxicabs authorized be actually used for the transportation of passengers for hire. In order to implement that intent, the city council hereby imposes the following requirements:~~

- ~~1. Each taxicab authorized under a certificate must be in service a minimum of one hundred four (104) cab days during any calendar six (6) months.~~
- ~~2. Within thirty (30) days after the end of each calendar six (6) months, a holder of a certificate~~

~~must file a report with the city license supervisor's office. Such report shall be in writing, signed by the holder or by some person authorized to sign the same on behalf of the holder, and must be properly verified. The report shall contain the following information:~~

~~a. A list of all vehicles licensed under a certificate during the preceding calendar six (6) months, showing the serial or engine number, the state license plate number and the city business license sticker number for each vehicle. Such list shall include any vehicle which has been salvaged or otherwise removed from the fleet, as well as the replacement thereof;~~

~~b. The number of cab days each such vehicle was in service during the preceding calendar six (6) months;~~

~~c. The holder may also file with such report a written statement of the circumstances that caused any taxicab to be in service for less than one hundred four (104) cab days.~~

~~d. A statement that the information contained in the report was obtained from the company records, and that all statements contained in the report are true and accurate.~~

~~C. — In the event any taxicab or a replacement or substitution for the taxicab licensed under the provisions of this chapter is not actually in service for the minimum required one hundred four (104) cab days during any calendar six (6) months, the right to operate that taxicab may, upon at least ten (10) days' notice to the holder, and upon the hearing had therefor before a mayoral hearing examiner as provided by chapter 5.02 of this title, be revoked by the city. The holder may appear in person or be represented by counsel at such hearing to show cause, if any he or she has, why the right to operate such taxicab should not be revoked. If, at the conclusion of the hearing, the city shall find that the holder has shown extenuating circumstances, the city may grant continuance of authority.~~

~~D. Upon revocation by the city of such authority, the certificate shall be modified to reflect the number of taxicabs actually in service for one hundred four (104) cab days during such calendar six (6) months, and the unused portion of the license fee will be refunded. "Unused portion", for the purposes of this section, means any remaining full calendar quarter in the calendar year in which the revocation takes place. The refund shall be one fourth (1/4) of the fee paid for each such calendar quarter. Such forfeited right to operate any vehicle may be reissued only upon application required by section 5.05.105 of this title, or its successor, and by a showing of public convenience and necessity as required by section 5.05.140 of this title, or its successor.~~

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 of seventy-five thirty dollars (\$75.0030.00).~~ Commencing December 8, 2006 the application fee shall be one hundred dollars (\$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:

~~A. All ground transportation vehicles shall use the airport's commercial ground transportation lanes and shall be subject to a per use fee. Use of the ground transportation lanes shall include pick up and drop off of passengers.~~

~~B. There are hereby established the following fees for the following time periods:~~

~~Per Use Charge~~

~~Type Of Vehicle From August 1, 1996~~

~~Automobile or station wagon \$0.49~~

~~Taxicab 0.54~~

~~Limousine 0.61~~

~~Van 0.61~~

~~Minibus 0.92~~

~~Bus 1.22~~

~~1. Taxicab rates include new taximeter amortization fee of \$0.05/trip.~~

~~C. The fees to be assessed from August 1, 1996, to June 30, 1997, are established in order to recover ninety percent (90%) of actual costs related to the operation, maintenance and improvement of the commercial ground transportation lanes. The annual fees effective July 1, 1997, and thereafter shall represent a one hundred percent (100%) cost recovery rate, and shall be established by the director of airports, upon the advice and counsel of the airport board, when the 1997 costs are determined. Fees for each successive fiscal year may not exceed the previous annual fee by more than ten percent (10%). A schedule of the established fees shall be made available by the director of airports to operators of commercial ground transportation vehicles at least ninety (90) days prior to any adjustment in fees.~~

~~D. With advice and counsel from the airport board, the director of airports may establish the methods of payment and collection of the fee.~~

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 on January 7, 2006.

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: _____

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 police department a fee of seventy-five dollars (\$75.00). Commencing December 8, 2006 the application fee shall be 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 of seventy-five (\$75.00). Commencing December 8, 2006 the application fee shall be one hundred dollars (\$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 on January 7, 2006.

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: _____

I:\Ordinance 05\Taxicabs & Ground Transportation #2\Amending Chapters 5.71, 5.72 & 16.60 re Taxicabs & Ground Transportation 12-09-05 clean

APPROVED AS TO FORM
Salt Lake City Attorneys Office
Date 12/9/2005
By TV Spurdens