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# M E M O R A N D U M

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**DATE:** November 4, 2010  
**TO:** City Council Members  
**FROM:** Russell Weeks  
**RE:** Proposed Revisions to Ground Transportation and Taxicab Ordinances  
**CC:** Cindy Gust-Jenson, David Everitt, Ed Rutan, Neil Lindberg, Maureen Riley, Frank Gray, Karen Hale, Lisa Harrison-Smith, Ray Mundy, Randy Berg, Jennifer Bruno, Bianca Shreeve, Larry Bowers, John Buckner, Quin Card, Kay Christensen, Robert Farrington, Dave Korzep, Marco Kunz, Gordon Hoskins, Gina Chamness, Mary Beth Thompson

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This memorandum pertains to proposed amendments to the *Salt Lake City Municipal Code* relating to ground transportation and taxicab service in the City and at the Salt Lake City International Airport. The proposed amendments would revise *City Code* Chapters 5.71, 5.72, 16.60, and 16.64.

The City Council held two public hearings – on September 21 and October 19 – on the most recent versions of the proposed ordinances. The Council is scheduled to hear a briefing on issues and motions at the Council work session on November 9 and consider the proposed amendments as a *Potential Action Item* at the Council’s formal meeting the same day. The work session is scheduled to start at 1 p.m. in Room 326 of the City & County Building, 451 South State Street. The formal meeting is scheduled to start at 7 p.m. in the City Council Chamber (Room 315).

The proposed ordinances are the result of several months of discussion, public hearings, and revisions based on comments from the public, the ground transportation and hotel industries, the Salt Lake Visitors and Convention Bureau, and The Downtown Alliance.

It should be noted that options for City Council consideration and potential motions start on Page 6 of this memorandum. The sections before Page 6 are summaries of the proposed changes now contained in the ordinances before the Council. Roughly 25 amendments or revisions have been made to the proposed ordinances since the Administration transmitted them to the City Council for consideration.

As indicated in September, here are the top five changes, in City Council staff’s opinion, to the City’s ground transportation ordinances. The proposed ordinances would:

- **Simplify definitions of various vehicles** – Vehicles would be categorized by passenger seating instead of registered weight or wheelbase length.
- **Eliminate six-month vehicle inspections** – A vehicle would be inspected when it first is registered as a ground transportation vehicle. After that, it would be subject to spot inspections by Department of Airports personnel.
- **Establish a maximum age limit of six years or 350,000 miles for vehicles** – Exceptions may be given to buses, minibuses, special transportation vehicles, limousines, and “vehicles

that are unique in their design or built for a specific purpose.” Exemptions would be considered on a case-by-case basis upon application to city. The maximum age limit requirement would be phased in over a two-year period. In addition, if a vehicle is seven years old but has less than 350,000 miles on its odometer, it would be allowed to continue to operate in its seventh year.

- **Replace criminal penalties for violations with civil citations carrying fines ranging from \$100 to \$1,000.** Citation amounts are intended to provide meaningful penalties for violating rules and regulations. People who wish to contest citations would appear in Salt Lake City Justice Court.
- **Replace City regulation of taxicab businesses through certificates of public convenience and necessity with a periodic competitive bid process** – Successful bids would lead to a contract between the City and taxicab service providers.

### **OTHER PROPOSED CHANGES**

The proposed ordinances also would:

- Revise definitions to accommodate contract-based regulations
- Provide definitions and language establishing an Airport Shared Ride Service. It should be noted that a contract for airport shared ride service would not be bid until such time as the director of the Department of Airports determines the ground transportation industry has stabilized from any changes enacted by City Council adoption of the proposed ordinances and, if portions of the proposed ordinances are adopted, taxicab contracts.
- Remove the ability for limousines to provide on-demand service within Salt Lake City limits.
- Eliminate the requirement to keep and maintain manifests.
- Establish a Ground Transportation Hearing Officer to hear and rule on appeals, suspensions, and other matters related to ground transportation in the City.
- Require taxicab drivers to pick up people who hail taxicabs.
- Revise Chapter 16 of the *Salt Lake City Code* to reflect corresponding changes made in Chapters 5.71, and 5.72.

### **ISSUES SINCE OCTOBER 19 PUBLIC HEARING**

After the October 19 Public Hearing staff from the City Council and the Administration met to address several issues raised at the hearing, by City Council Members, and issues raised by others. The meeting resulted in amending earlier drafts of the proposed ordinance to:

- Exempt bus and motor coach drivers from various sections of the proposed ordinances because they must comply with U.S. Department of Transportation regulations.
- Allow the director of the department designated by the mayor to enforce City ground transportation ordinances some latitude to require ground transportation driver license renewals more frequently than every two years – if future federal or state laws, regulations or directives require it. (Section 5.71.095, Paragraph C). It should be noted that current ordinances require yearly license renewals.
- Prohibit a ground transportation business from advertising or holding itself out as a business that provides services to customers, such as taxicab service, when the City has not authorized

the business to operate as that kind or service – or its license to operate as that kind of service has been revoked or terminated. (Section 5.71.130, Paragraph B)

- o Include a mechanic familiar with vehicles in commercial ground transportation fleets, the Wasatch Front Regional Council mobility coordinator, and the Salt Lake City Accessibility Services Advisory Council or the City ADA Coordinator on the proposed ground transportation discussion group. (5.71.258, Paragraph B)

**OUTSTANDING ISSUES**

There appear to be two outstanding issues:

One involves definitions of “limousine” and “hotel vehicle.” Under the proposed definitions, a “limousine” is “any vehicle described by its manufacturer or aftermarket manufacturer as a limousine or a luxury vehicle such as, but not limited to, a Cadillac Escalade, Chevrolet Suburban, Mercedes Benz, or Lincoln Town Car, with a driver furnished, who is dressed in professional business attire or a chauffeur’s uniform.” Under the proposed amendments, a limousine can transport passengers only if the passengers arrange for the service 30 minutes in advance and pay a \$30 per trip minimum fare. A “hotel vehicle” under the proposed definitions, is “any motor vehicle regularly operated by a ground transportation business under contract to or directly by a motel, hotel, or other lodging business, to provide transportation of customers and/or baggage for the contracted establishment for which transportation the customer is charged a separate fee or fare, and which is subject to a contract filed with the department providing for operating the vehicle.” In response to a question posed by City Council staff, some of the reviewers of the proposed ordinance indicate that a “limousine” could be a “hotel vehicle” and would not have to meet the prearrangement and minimum fare required for limousines in Section 5.71.060, Subsection B.1. Council staff has prepared a motion addressing the issue in the *Potential Motions* section of this memorandum.

The other item involves concern that the proposed four-person minimum Section 5.71.060, Subsection C.2. The subsection allows hotel vehicles to transport hotel guests on-demand to and from a hotel to locations within the City as long as there are four guests going to the same destination. The driver of the vehicle also would need the consent of the hotel manager on duty. The current ordinance requires three hotel guests instead of four. Some contend there should be no minimum passenger limit. Others have indicated that the minimum limit is a way to differentiate between limousine and taxicab service.

Here is a comparison of the existing and the proposed ordinance pertaining to hotel vehicles:

<b>CURRENT ORDINANCE – HOTEL VEHICLES MAY:</b>	<b>PROPOSED ORDINANCE – HOTEL VEHICLES MAY:</b>
Provide on-demand service only to and from any railroad station, bus station, airport or similar terminal of public transportation and a hotel under contract.	Provide on-demand service only to and from any railroad station, bus station, airport, or similar terminal of public transportation and any hotel, motel, or other lodging business under contract.
Transport hotel patrons on demand to and from a convention center during a convention of 5,000 or more people.	Transport hotel patrons on demand to and from a convention center during a convention of 5,000 or more people.
Transport patrons to and from other locations providing such transport involves three (3) or more persons riding together to and from the same destination and with the consent of the motel or hotel manager on duty.	Transport patrons to and from other locations providing such transport involves four (4) or more persons riding together to and from the same destination and with the consent of the motel or hotel manager on duty.
Provide on-demand service from a hotel to a destination outside Salt Lake City limits. (Chapter 5.71.028)	Provide on-demand service from a hotel to a destination outside Salt Lake City limits.

Except for increasing the number of people from three to four to go to a destination within Salt Lake City, the proposed ordinance is nearly identical to the current ordinance. However, Council staff has prepared a motion addressing the issue of transportation to a convention center in the *Potential Motions* section of this memorandum.

## **PREVIOUS ISSUES**

The City Council on October 5 discussed 13 issues that stemmed from the September 21 public hearing on the proposed revisions to the City's ground transportation ordinances. In earlier meetings, the Council also had indicated its preferences on some other issues. After the October 5 discussion City Council and Administration staffs met to see how the Council's decisions in the October 5 work session could be implemented. Staffs then proposed to put almost all the City Council's decisions and preferences into new proposed ordinance revisions. The lone exception was an item titled, *Taxis as Primary Ground Transportation Source*. Council staff believes that adoption of all or most of the items from the October 5 discussion would help make taxicabs a primary, if not the primary source of ground transportation in Salt Lake City. The list below contains the language and location in the proposed revisions to ground transportation ordinances. In longer ordinance citations the pertinent language suggested by the City Council is in *italics*.

## **LIST OF ISSUES AND PROPOSED REVISIONS**

**ISSUE: COMPANY LIMIT** – Award up to four contracts. **Proposed revision** – Section 5.72.165. A.1 would allow awarding contracts “at least to two (2) and not more than four (4) taxicab businesses.”

**ISSUE: TAXICAB LIMIT** – Make the current authorization of 268 taxicabs the ceiling of a spectrum of a minimum of 200 taxicabs and a maximum of 268. **Proposed Revision** – 5.72.165. A.2: “The total number of taxicabs authorized to operate in the City under all such contracts shall be at least two hundred (200) and not more than two hundred sixty- eight (268).”

**ISSUE: VEHICLE AGE** – Extend current vehicle age ordinance for taxicabs to most ground transportation vehicles. Age limit would include a six model-year maximum and a mileage limit of 350,000 miles. If a six-year-old vehicle does not have 350,000 miles of service the vehicle could operate for a seventh year. **Proposed Revision** – 5.71.120 would allow all items listed in the previous three sentences.

**ISSUE: HOTEL VEHICLES** – Add a prearrangement requirement to the \$30 minimum limousine charge, and increase the number of allowed passengers for on-demand hotel vehicle service from three people to four people. **Proposed Revision** – 5.71.060 in part reads, “Only taxicabs, courtesy vehicles, and hotel vehicles may provide on-demand service within the City, except that: *Limousines may provide prearranged service only upon charging a minimum fare of thirty dollars (\$30.00) per trip*. It should be noted that the provision conflicts with an issue raised after the October 19 public hearing.

**ISSUE: ENFORCEMENT** – Include enforcement costs in the calculation of business license fees for all ground transportation companies. **Proposed Revision** – 5.71.050.B reads: “Business license fees for ground transportation companies shall be calculated to include the costs of enforcing applicable provisions of this title.”

**ISSUE: PROOF OF CONTRACT FOR HOTEL VEHICLES** – Require the proof of contract in each hotel vehicle. Proof must be in vehicle and subject to inspection. **Proposed Revision** – 5.71.060 reads: “Proof of the

existence of such contract shall be maintained in each hotel vehicle and shall be subject to inspection on demand.”

**ISSUE: PROXIMITY OF TAXI STANDS TO HOTELS AND PUBLIC FACILITIES INCLUDING THE UNIVERSITY OF UTAH:** Current Ordinance Section 5.72.455. E allows the mayor or his or her designee

with the recommendation of the City traffic engineer to establish stands as are deemed necessary. It should be noted that Council staff notes indicate the City Council chose to keep the current ordinance language, have the Administration conduct a study of potential future locations of open taxicab stands, and include advice from any transportation committee that the Administration organizes.

**ISSUE: U.S. DEPARTMENT OF TRANSPORTATION REGULATION** – Exempt buses and drivers from most City regulation. **Proposed Revision** – is addressed in the ordinance after prepared after the October 19 public hearing.

**ISSUE: TRANSPORTATION COMMITTEE** – Organize an informal group representing ground transportation users, ground transportation providers, all facets of ground transportation companies and other segments of the community to meet informally and quarterly for two years to provide advice about ways to improve ground transportation if the City transitions to a competitive-bid method for awarding taxicab companies the privilege of operating within Salt Lake City. **Proposed Revision** – 5.71.255 would establish the informal discussion group.

**ISSUE: REQUIREMENTS FOR AMERICANS WITH DISABILITIES ACT** – Will be met regardless of the form of regulation. Five percent of all taxicab fleets will be ADA accessible vehicles. ADA accessible vehicles will receive a one-year age exemption. **Proposed Revision** – Section 5.72.205 reads: “At least five (5) percent of the vehicle fleet of each taxicab concessionaire shall be available and equipped, consistent with requirements of the Americans with Disabilities Act (ADA), for the use and convenience of persons with disabilities.”

**ISSUE: VEHICLE INSPECTIONS FOR NEW CARS** – A ground transportation company that buys a new car for commercial service would certify to the City department administering the ordinances and contracts that the vehicle is new and meets the City’s list of safety requirements. The company also would provide proof of insurance. **Proposed Revision** – Section 5.71.150 Subsections B 1 and 2 would allow that.

**ISSUE: ANNUAL DRIVER APPLICATION RENEWAL** – Allow renewal every two years. **Proposed Revision** – Section 5.71.095: “A driver may not be required to renew a driver application more than once every two (2) years and shall not be required to provide fingerprints for a background investigation more than one time except as otherwise required by state or federal law, regulation, or directive.”

**ISSUE: FINGER PRINT REQUIREMENTS** – Drivers should have to provide a set of fingerprints once.

**Proposed Revision** – Please see language from 5.71.095 above.

**OTHER ISSUES**

**ISSUE: TAXICAB DEFINITION TO INCLUDE VANS WITH SIX TO TWELVE SEATS PLUS DRIVER.** **Proposed Revision** – Section 5.71.010 expands the definition of “taxicab” to include vans with a seating capacity of six to 12 passengers plus a driver.

**ISSUE: INSURANCE POLICIES SHOULD INCLUDE SALT LAKE CITY AIRPORT AS AN ADDITIONAL INSURED PARTY.** Proposed Revision – Section 5.71.140.D would require Salt Lake City Corporation to be named as an additional insured party in all insurance contracts.”

**ISSUE: THE SALT LAKE CITY COUNCIL SHOULD SET RATES FOR TAXICABS.** Proposed Revision – Section 5.72.405, titled *Rates*, retains City Council authority to set permanent rate increases or to make temporary rate increases permanent.

**ISSUE: THERE SHOULD BE PARAMETERS FOR A DEPARTMENT DIRECTOR TO USE TO SET RULES AND REGULATIONS.** Proposed Revision – Section 5.72.105, titled, *Authority to Establish Rules and Regulations*, requires the Mayor of Salt Lake City to “adopt procedures applicable to the establishment of department rules and regulations that provide for:

1. Public notice of any proposed rule that will affect operation of any ground transportation business;
2. An opportunity to comment on proposed rules before they take effect, and
3. The basis for any such proposed rule.

## **POTENTIAL OPTIONS**

As indicated in previous City Council staff memoranda pertaining to the proposed amendments, the City Council appears to have four options. They are:

- Adopting all the proposed amendments.
- Not adopting the proposed amendments.
- Adopting some proposed amendments but not adopting others.
- Adopting amendments proposed by individual City Council Members.

To that point, previous City Council staff memorandum noted that if the overarching organizing principle for municipal government to evaluate an issue is, “*What is best for the City?*” then there appear to be three main questions to consider. The questions are:

- I.** Do the proposed amendments, combined with previous changes to ground transportation ordinances, result in at least a rough equivalency of competition among all ground transportation companies?
- II.** Would the proposed amendments:
  1. Provide Salt Lake City residents and visitors to Salt Lake City with reliable, affordable, and consumer friendly taxi and ground transportation service?
  2. Provide the City with enforceable ground transportation regulations?
  3. Enhance the opportunity for ground transportation industry workers in Salt Lake City to earn a reasonable income at or near national levels?
- III.** Does the City Council still think awarding contracts is a better method of promoting good taxicab service in the City, or is granting terminable certificates of public convenience and necessity better than awarding contracts?

Two things should be noted. One, in previous memoranda question III has been first. Council staff changed the sequence because most of the City Council’s discussions with the Administration appear to have involved addressing questions I and II in the current memorandum. However, question III – the awarding of

contracts instead of certificates of public convenience and necessity to operate taxicab service in Salt Lake City – has been the focal point of City Council discussions since about 2005. Two, adopting the proposed amended ordinances would change the way the City awards the privilege of operating taxicab service within the city limits.

## **POTENTIAL MOTIONS**

This section includes a potential motion a brief explanation of each motion.

**A. *I move the City Council adopt the ordinances amending Salt Lake City Code Chapters 5.71, 5.72, 16.60, and 16.64.***

This motion would adopt all proposed amendments to the four chapters. The motion would include adopting section 5.72.165 titled *Contract-Based System for Provision of Taxi Services*. The section would enact a contract-based system for the provision of taxicab services instead of a system based on issuing certificates of public convenience and necessity.

**B. *I move the City Council adopt the ordinances amending Salt Lake City Code Chapters 5.71, 5.72, 16.60 and 16.64 – except the proposed amendment Section 5.72.165 titled Contract-Based System for Provision of Taxi Services.***

***I further move that the City Council direct the Administration or the Council's attorney to prepare an ordinance repealing Paragraph B of City Code Section 5.72.130 and any other sections of the City Code germane to enacting a contract-based system of regulating the taxicab industry.***

This motion would adopt all proposed amendments except the proposed amendment that would enact a contract-based system for the provision of taxicab services.

The motion would end City Council consideration of alternate methods of awarding the privilege of operating taxicab service in Salt Lake City in favor continuing to use certificates of convenience and necessity. The three companies currently holding certificates of convenience and necessity would continue to operate as the sole providers of on-demand, meter-based ground transportation in Salt Lake City.

The second part of the motion is necessary because under the current *City Code*, Paragraph B of Section 5.72.130 indicates that the City intends to adopt alternate means of regulating taxicab businesses in Salt Lake City. The paragraph goes on to say, “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.”

**C. *I move the City Council adopt the ordinances amending Salt Lake City Code Chapters 5.71, 5.72, 16.60, and 16.64 except to remove language in section 5.71.060 Subsection C-1 which reads: “involving 5,000 or more participants.” Subsection C-1 would then read: “To and from a convention center during a convention with the City.”***

**D. *I move the City Council adopt the ordinances amending Salt Lake City Code Chapters 5.71, 5.72, 16.60, and 16.64 except that language in section 5.71.060 Subsection C-1 be amended to read: “To and from a convention center during a convention within the City involving (a. 1,000; b. 2,500) or more participants.”***

**Motion C** would eliminate the numerical limit for vehicles of a company under contract with a hotel to provide on-demand service to customers attending conventions from the hotel to the place where the convention is being held.

**Motion D** would lessen the numerical limit for vehicles of a company under contract with a hotel to provide on-demand service to customers attending conventions from the hotel to the place where the convention is being held. It should be noted that the 5,000-person numerical limit is in the current ordinance.

E. *I move the City Council adopt the ordinances amending Salt Lake City Code Chapters 5.71, 5.72, 16.60, and 16.64 with the following amendment. The words “except limousines” be inserted in Section 5.71.060 paragraph C so the paragraph would read: “Subsection B of this section notwithstanding, hotel vehicles – except limousines – may transport motel or hotel patrons on-demand to and from locations other than a terminal of public transportations as follows: ...”*

**Motion E** would clarify that limousines, which are defined either as limousines or luxury vehicles, would be required only to pick up people who have arranged a ride at least 30 minutes in advance, and limousine drivers would be required to charge \$30 per trip – even if the company operating the limousines had signed a contract with a hotel or motel to serve that business’s customers.

## **DISCUSSION/BACKGROUND**

The proposed amendments are the result of work initiated in April 16, 2010, when the City Council Ground Transportation Working Group directed staff to review proposed amendments to ground transportation ordinances and explore whether all amendments to ordinances pertaining to ground transportation and taxicab regulation could be assembled into an omnibus ordinance for consideration after a public hearing.<sup>1</sup>

The direction from the Ground Transportation Working Group was itself the result of work initiated by the City Council on August 24, 2004, when the Council adopted proposed amendments to ground transportation ordinances that were at that time designed to clarify how each of the various kinds of ground transportation companies, including taxicabs, should operate to preserve each company’s niche in Salt Lake City’s ground transportation market.<sup>2</sup>

Since August 2004 different Administrations, City Councils and staffs have worked to revise ground transportation ordinances. Perhaps the most salient City Council effort has involved changing the way the City awards the privilege to operate taxicab businesses in Salt Lake City. That effort resulted in the City Council’s adoption on December 8, 2005, of *Resolution No. 66 of 2005* and *Ordinance No. 87 of 2005*. The ordinance began the transition of regulating the taxicab industry from a method of certificates of public convenience and necessity to a contract form of regulation. The proposed ordinances, if adopted, would finish the process started by adoption of *Ordinance No. 87*. If the City Council chooses to continue to award businesses certificates of public convenience and necessity, then at least portions of *Ordinance No. 87* probably should be repealed.

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<sup>1</sup> Please see attached chronology.

<sup>2</sup> Ibid.



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# M E M O R A N D U M

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**DATE:** November 4, 2010  
**TO:** City Council Members  
**FROM:** Russell Weeks  
**RE:** Chronology: Ground Transportation and Taxicab Regulation 1999 to Present  
**CC:** Cindy Gust-Jenson, David Everitt, Frank Gray, Gordon Hoskins, Maureen Riley, Ed Rutan, Randy Berg, Jennifer Bruno, Larry Bowers, John Buckner, Quin Card, Kay Christensen, Barbara Gann, Karen Hale, Lisa Harrison-Smith, Dave Korzep, Marco Kunz, Ray Mundy, Jason Mathis, Bianca Shreeve, Carla Weise

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This memorandum is a chronology of events involved in the City Council's consideration of regulating ground transportation and taxicab service in Salt Lake City. Some dates listed also involve the City Council's role in determining the maximum rates taxicab drivers can charge customers. To keep the chronology focused, it does not include items such as City Council initiatives pertaining to "green" taxicab service, issues such as interpretations of current ordinance requirements pertaining to the age of vehicles, and other items that have arisen pertaining to ground transportation and taxicab regulation.

**April 6, 1999** – City Council adopts amendments to Salt Lake City Municipal Code to define terms for ground transportation vehicles and taxicabs. Amendments include an increase in maximum rates a taxicab may charge customers.

**January 22, 2002** – City Council amends ordinance regulating taxicabs to allow companies that hold certificates of convenience and necessity to add taxicabs to fleets during 2002 Winter Olympic Games without requesting City hearing to increase size of fleets.

**July 13, 2004** – Administration briefs City Council on proposed amendments to City Code pertaining to ground transportation and taxicab service and the "advantage/disadvantage between transportation providers." Mayor Ross C. Anderson's Administration characterizes the proposed amendments as the result of a number of discussions involving taxicab and ground transportation companies over period of roughly two years. During briefing, City Council directs its staff to provide additional information about the effect on other cities where taxicab markets had been deregulated.

**August 10, 2004** – City Council holds public hearing on proposed amendments to City Code pertaining to ground transportation and taxicab service. Amendments include several designed to clarify how each of the various kinds of ground transportation companies, including taxicabs, should operate to preserve each company's niche in Salt Lake City's ground transportation market. Proposed amendments also make the definitions consistent in ordinances regulating ground transportation businesses in the City and at the Salt Lake City International Airport and give the Director of Airports authority to formulate rules and regulations governing ground transportation businesses. Amendments also include repealing a March 1 annual deadline in which taxicab companies holding certificates of public convenience and necessity must file a report with the City on whether an increase or decrease in maximum rates is warranted. In effect, the repeal allows taxicab companies to seek a rate increase at any time during a calendar year.

**August 24, 2004** – City Council adopts most proposed amendments. City Council Member David Buhler says, among other things, that the City needs to look at customer choice, service levels and safety and how the City addresses the Americans with Disabilities Act, particularly in relation to taxicab service.

**September-November 2004** – City Council establishes subcommittee to examine taxicab and ground transportation issues. The subcommittee is made up of City Council Members David L. Buhler, Carlton Christensen, and Nancy Saxton. In October, the Subcommittee speaks via telephone with Ray Mundy, PhD, about taxicab and ground transportation issues and then meets with him in Salt Lake City.

**December 15, 2004** – City Council enters into contract with the Tennessee Transportation & Logistics Foundation (TTLF) to research and evaluate ground transportation data. The foundation is headed by Ray Mundy. The contract asks the foundation to make recommendations for an ordinance that meets three objectives:

- Provide Salt Lake City residents and visitors to Salt Lake City with reliable, affordable and consumer-friendly taxi and ground transportation service.
- Provide the City with enforceable ground transportation regulations
- Enhance the opportunity for ground transportation industry workers in Salt Lake City to earn a reasonable income at or near national averages.

**January 18, 2005** – City Council adopts ordinance to increase maximum limits a taxicab companies may charge customers.

**March 8, 2005** – Dr. Mundy presents PowerPoint © description of City’s ground transportation industry to City Council during Council work session.

**April 19, 2005** – Dr. Mundy submits a draft study titled *Ground Transportation Study Salt Lake City, Utah*. The draft study contains a variety of recommendations for City Council consideration.

**June 7, 2005** – City Council holds extended discussion regarding the ground transportation industry, including presentations by Dr. Mundy, by representatives of three taxi cab companies in Salt Lake City and comments by Steve Lindburg, president of the Utah Hotel and Lodging Association during the City Council’s work session before the Council’s formal meeting.

**June 7, 2005** – City Council holds public hearing on draft study.

**July 31, 2005** – TTLF presents final version of *Ground Transportation Study Salt Lake City, Utah*, to City Council.

**August 9, 2005** – After discussion and public comment, City Council adopts amendments to City Code based on some recommendations in the *Ground Transportation Study Salt Lake City, Utah*. Amendments include requiring taxicab companies to provide at least one vehicle equipped to serve people with disabilities. Amendments also include requiring limousine companies to charge a \$30 minimum for on-demand service from Salt Lake City International Airport, and to require a 30-minute advance booking for limousines and other ground transportation businesses that are not free shuttles or taxicabs.

**September 6, 2005** – During City Council work session Council Ground Transportation/Taxicab Subcommittee discusses future steps to change way in which City regulates taxicab industry. Subcommittee supports ending issuing certificates of public convenience and necessity and moving to a contract form of regulation.

**November 1, 2005** – City Council adopts ordinance allowing taxicab companies to petition City for additional rate increases, if a rate increase already has been granted during calendar year.

**November 17, 2005** – During City Council work session Ground Transportation/Taxicab Subcommittee briefs full Council on proposed resolution and ordinance that formally would start the transition of regulating the taxicab industry from a method of certificates of public convenience and necessity to a contract form of regulation.

**December 8, 2005** – After public hearing, City Council adopts *Resolution No. 66 of 2005* and *Ordinance No. 87 2005*. The ordinance begins transition of regulating the taxicab industry from a method of certificates of public convenience and necessity to a contract form of regulation. The resolution outlines the City Council’s reasons for adopting the ordinance. The ordinance declares that certificates of public convenience and necessity are neither franchises nor irrevocable. The ordinance says, “... 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.”

**March 21, 2006** – City Council briefed on petition from taxicab companies to add a 50-cent surcharge to flag-drop rate (the initial charge for entering a taxicab) for six months.

**April 18, 2006** – City Council holds public hearing on proposed ordinance to add 50-cent surcharge to flag-drop rate for six months.

**May 2, 2006** – City Council adopts motion to increase flag-drop rate by 25 cents permanently.

**May-June 2006** – Administration hires ground transportation administrator and starts work on developing a request for proposals for operating taxicab service in Salt Lake City.

**January-March 2007** – Based on advice of City Attorney assigned to the Department of Airports, City Council and Administration work with Legislature to pass bill allowing the City to conduct more thorough background checks on drivers employed in ground transportation industries operating in Salt Lake City.

**January-May 2007** – Administration develops funding plan and looks for location for ground transportation office to use to inspect vehicles and handle driver background checks.

**July 10, 2007** – City Council receives briefings on a request to increase maximum rates taxicab drivers may charge customers and on the formal establishment of a City agency to conduct background checks on drivers employed in ground transportation industries operating in Salt Lake City.

**July 17, 2007** – After public hearings, City Council adopts motions to increase maximum rates taxicab drivers may charge customers and to require all ground transportation companies not regulated by federal law to obtain a Salt Lake City vehicle operators certificate and submit to a background check as part of applying for a vehicle operator’s certificate. Previously, only taxicab drivers had to obtain a taxicab operator’s certificate and undergo a background check. New background check is more thorough than previous background checks conducted by the City.

**October 24, 2007** – City Council Ground Transportation and Taxicab Subcommittee meets with consultant Dr. Ray Mundy to review steps toward adopting ordinances and issuing a request for proposals to change regulating taxicab industry to a contract form of regulation.

**March 5, 2008** – City Council requests City Attorney’s Office prepare ordinance to finish goal of changing taxicab industry regulation from certificates of public convenience and necessity to a contract form of regulation.

**March 20, 2008** – Ground transportation administrator sends draft request for proposals to City Council consultant for review.

**April 24, 2008** – City Council consultant Ray Mundy meets with Transportation and Mobility Subcommittee and members of Administration to review steps toward releasing request for proposals to operate taxicab service in Salt Lake City. Subcommittee recommends forwarding ordinance amending taxicab regulation to full City Council for consideration.

**April 30, 2008** – Taxicab companies file request to increase maximum rates taxicab drivers may charge customers.

**July 31, 2008** – In a meeting that includes City Council and Administration staff, the Transportation and Mobility Subcommittee recommends that the full City Council consider an ordinance that would change the way the City regulates the taxicab industry. The proposed ordinance is the first part of a three-part step to change regulation of ground transportation businesses in the City. The City Council would consider the ordinance for adoption. If the City Council adopted the ordinance, then the Administration would issue a request for proposals for companies to bid on providing taxicab service in the city. Then in the time period while the request for proposals is out and contracts are implemented, the Administration would address regulations of all ground transportation businesses.

**August 12, 2008** – After briefing in work session and public comments in formal meeting City Council adopts motion approving a request to increase maximum rates taxicab drivers may charge customers.

**September 15, 2008** – Administration sends City Council proposed ordinance to change taxicab industry regulation from certificates of public convenience and necessity to a contract form of regulation.

**September 25, 2008** – Transportation & Mobility Subcommittee affirms previous recommendations to forward ordinance to the full City Council for formal consideration.

**October 7, 2008** – City Council staff and Administration representatives meet with The Downtown Alliance Parking and Transportation Committee to outline proposed ordinance and potential of request for proposals. Alliance committee requests that it hear representatives of the taxicab industry at the committee’s November meeting and hear a presentation from City Council consultant Ray Mundy at the Alliance committee’s December meeting.

**November 4, 2008** – Downtown Alliance Parking and Transportation Committee hears presentations from taxicab industry and asks questions of City Council staff and Administration representatives.

**December 2, 2008** – City Council consultant Ray Mundy makes presentation to Downtown Alliance Parking and Transportation Committee. Later that day, Dr. Mundy also reviews taxicab and ground transportation industry issues with City Council.

**January 16, 2009** – City Council staff makes presentation to Salt Lake City Department of Airports Board about potential revisions to ground transportation and taxicab industry regulations.

**February 3, 2009** – City Council hears briefing on status of proposed amendments to *City Code* sections regulating ground transportation and taxicab industries. Council decides to schedule public hearing on proposed amendments to proposed amendments to taxicab ordinance.

**February 6 – March 15, 2009** – City Council and The Downtown Alliance conduct electronic opinion survey about taxicab and ground transportation service in Salt Lake City. Survey becomes part of City Council staff memorandum to City Council.

**February 9, 2009** – Downtown Alliance Board of Trustees adopts a motion to request that the City Council consider five items in its debate over revising taxicab regulations:

- Adopt the proposed revisions to ordinances to allow for phasing out certificates of public convenience and necessity and move towards a competitive request for proposal process.
- Convert current certificates of public convenience and necessity to contracts with the three companies that hold the certificates – to insure continuity of taxicab service as the City moves ahead with process to issue a request for proposals.
- Draft the request for proposals so that, within legal constraints, an advantage is given to the companies holding the certificates of public convenience and necessity when they respond to the request for proposals.
- Address the entire scope of ground transportation services, particularly a means of delineating between taxicab providers and other ground transportation providers ... to distinguish the two services in the mind and eye of the public.
- Take necessary steps to improve the availability and service of ground transportation in the City.

**March 24, 2009** – City Council adopts motion to close public hearing on amendments to ordinance that would change regulating taxicab industry to a contract form of regulation and refer the item to a future City Council meeting. During discussion before the public hearing City Council meeting Council directs staff to schedule time with the City Transportation Advisory Board to review proposed ordinances with that board.

**March 23, 2009** – Questions about ground transportation and taxicab service included in Salt Lake City telephone survey of residents.

**April 6, 2009** – At Transportation Advisory Board meeting City Council staff discusses proposed amendments to ordinance that would change regulating taxicab industry to a contract form of regulation. Board schedules broader presentation at its May 4 meeting.

**May 4, 2009** – After presentations by City Council and Administration staffs and a representative of a taxicab company, Transportation Advisory Board defers decision until June meeting.

**May 26, 2009** – Salt Lake City Accessibility Services Advisory Council adopts motion that says in part, “ASAC encourages Mayor Becker and all City Council Members to see upcoming ordinance changes and any administrative policy changes in the City treatment of taxicabs as opportunities to improve the degree to which Salt Lake City requires taxicab equipment and services to be accessible to people with disabilities.”

**June 8, 2009** – Transportation Advisory Board adopts four motions to recommend to the City Council:

- That the City Council repeal Ordinance No. 87 of 2005 in which the City Council stated its intent to change to a contract form of regulation for the taxicab industry.
- That the City Council address amending simultaneously all City Code chapters pertaining to the regulation of ground transportation and taxicabs.
- That the City Council end consideration of alternate forms of regulating the taxicab industry and remain with regulating the industry through certificates of public convenience and necessity.
- That if the City Council decides to move forward with a contract form of regulation, that the City not reduce the number of taxicabs in service (the 268 authorized by the certificates of public

convenience and necessity) until the authorized number has been evaluated for two six-month periods.

**July 14, 2009** – City Council holds first of two fact-finding hearings pertaining to options for taxicab regulation. Speakers include City Council and Administration staff, representatives of three taxicab companies holding certificates of public convenience and necessity, a representative of the hotel industry, representatives of the City’s community of people with disabilities, and City Council consultant Ray Mundy.

**July 22-23, 2009** – Ground transportation administrator conducts survey taxicab drivers. Survey is questionnaire prepared by administrator and City Council staff and reviewed by City Council Transportation and Mobility Subcommittee.

**August 11, 2009** – City Council holds second to two fact-finding hearings pertaining to options for taxicab regulations. Presenters include City Council and administrative staff, a representative of the ground transportation industry regulated by the City ground transportation ordinances, Scott Beck of the Salt Lake Convention & Visitors Bureau, and Department of Airports Director Maureen Riley.

Administration representatives indicate that proposed amendments to ground transportation ordinances are ready for internal review with all City departments, and request for proposals is ready to be issued if City Council adopts proposed revisions to ground transportation and taxicab ordinances. After departmental review, proposed amendments to ground transportation ordinances are scheduled to be sent to ground transportation businesses for comment.

**August 15, 2009-January 2010** – Discussions within City continue on revisions to proposed ordinance regulating ground transportation.

**January 25, 2010** – City Council and Administration mail proposed revisions to Salt Lake City Code chapters regulating ground transportation to 250 ground transportation businesses operating in Salt Lake City. Council and Administration ask for comment from the businesses on how the proposed changes might affect the way the businesses operate. Copies of the proposed revisions also are sent to Salt Lake City hotels and motels. City Council and Administration request responses by March 15, 2010.

**January 26, 2010** – At annual retreat, City Council agrees to make decision on proposed amendments to ground transportation and taxicab ordinances one of top priorities for 2010. Council forms Ground Transportation Working Group to move consideration of issues forward.

**March 9, 2010** – City Council staff meets with Transportation Advisory Board to review potential changes to ground transportation ordinance.

**March 15, 2010** – City Council staff compiles comments about proposed amendments to ground transportation ordinances.

**March 22, 2010** – City Council staff prepares summary of comments from businesses about proposed changes to ground transportation ordinances and sends copy to City Council Members, and Administration departments involved in proposed revisions.

**April 16, 2010** – City Council Ground Transportation Working Group directs staff to review proposed amendments to ground transportation ordinances and explore whether all amendments to ordinances pertaining to ground transportation and taxicab regulation could be assembled into an omnibus ordinance for consideration after a public hearing.

**April 27, 2010** – City Council staff and Administration brief full City Council on direction of Ground Transportation Working Group. Council indicates Working Group, staff and Administration should proceed as proposed.

**May 3, 2010** – City Council and Department of Airports staff update Transportation Advisory Board about status of revisions to ground transportation and taxicab ordinances.

**May 12, 2010** – City Council and Department of Airports staff discuss direction of proposed amendments to ground transportation and taxicab ordinances.

**May 12 – July 19, 2010** – Administration drafts proposed revisions to ground transportation and taxicab ordinances based on City Council direction and industry comments received in request for comments earlier in the year.

**September 1, 2010** – City Council Office and Administration send information about potential amendments to ordinances regulating ground transportation in Salt Lake City to about 250 ground transportation businesses and hotels and motels.

**September 7, 2010** – City Council receives briefing on proposed amendments.

**September 21, 2010** – City Council holds public hearing on proposed ordinances.

**September 23, 2010** – City Council and Administration staffs prepare revisions to proposed ordinances based on comments from public hearing.

**October 5, 2010** – City Council hears briefing and discusses revisions to proposed ordinances.

**October 12, 2010** – City Council sets October 19 date for second public hearing on proposed ordinances.

**October 19, 2010** – City Council holds public hearing on proposed ordinances.

**October 27, 2010** – City Council and Administration staffs prepare revisions to proposed ordinances based on comments from October 19 public hearing.

**November 9, 2010** – City Council hears briefing on proposed revisions and considers adopting proposed ordinances.

SALT LAKE CITY ORDINANCE  
No. \_\_\_\_\_ of 2010

(Ground transportation requirements)

An ordinance amending Chapter 5.71, *Salt Lake City Code*, pertaining to ground transportation requirements, to coordinate with taxicab regulations in Chapter 5.72, to provide for categorization of vehicle types by passenger seating fees through rules and regulations, on-demand service restrictions, elimination of manifests, vehicle inspection requirements, special transportation vehicle requirements, vehicle standards, replacement of criminal enforcement with civil penalties, and a ground transportation appeal committee.

WHEREAS, the City Council intends to amend Chapter 5.72, *Salt Lake City Code*, regarding taxicab regulation; and

WHEREAS, the City Council has determined this ordinance corresponds with and supports amendments to Chapter 5.72; and

WHEREAS, after a duly noticed public hearing before the City Council, the Council has determined this ordinance is in the best interest of the City.

NOW, THEREFORE, be it ordained by the City Council of Salt Lake City, Utah, as follows:

SECTION 1. That Chapter 5.71, *Salt Lake City Code*, pertaining to ground transportations requirements be, and the same hereby is, amended to read as follows:

**Chapter 5.71**

**GROUND TRANSPORTATION REQUIREMENTS**

Article I. Definitions and General Regulations

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**5.71.010: DEFINITIONS:**

The following words and phrases, when used in this chapter, shall have the meanings defined and set forth in this section:.

**AIRPORT SHARED RIDE SERVICE: Ground transportation provided by an authorized**



28 ground transportation business contracted through the Department of Airports to provide on-  
29 demand shared ride service to and from the Salt Lake City International Airport.

30 **AIRPORT SHARED RIDE VEHICLE:** Any authorized ground transportation vehicle  
31 operating under contract with the Department of Airports to provide airport shared ride service to  
32 and from the Salt Lake City International Airport.

33 **APPLICANT:** An individual ~~submitting~~who has submitted an application to the ~~city~~department  
34 to obtain a ground transportation vehicle operator's ~~certificate~~badge pursuant to ~~article VI~~Article  
35 VII of this chapter.

36 **AUTHORIZED GROUND TRANSPORTATION BUSINESS:** Any business operating any  
37 ground transportation vehicle, which has a current, valid business license as required by the ~~city~~  
38 ~~and, when applicable, a current certificate of convenience and necessity as required by the city.~~  
39 ~~This shall not include an "authorized airport ground transportation business" as defined by title~~  
40 ~~16 of this code and which shall be governed by that title.~~

41 ~~AUTOMOBILE: Any motor vehicle which is registered at a gross weight of less than six~~  
42 ~~thousand (6,000) pounds, or, if not registered commercially, that such vehicle would receive a~~  
43 ~~weight classification as gross weight of less than six thousand (6,000) pounds, if such vehicle~~  
44 ~~were to be registered commercially.~~

45 City and which:

46 A. Registers the business in accordance with the requirements established by the  
47 department, and

48 B. Is current with all fees or charges imposed by the department and City.

49 **AUTOMOBILE:** Any motor vehicle with passenger seating for five (5) persons or less, not  
50 including the driver.

51 **BUS:** Any licensed motor vehicle operated on the streets and highways for hire on a scheduled  
52 or nonscheduled basis ~~that is registered with the state at a gross weight of over thirty six~~  
53 ~~thousand (36,000) pounds. Such defined word, however, shall not include any buses operated by~~  
54 ~~the Utah transit authority with a seating capacity of twenty-five (25) or more passengers, not~~  
55 ~~including the driver.~~

56 **BUSINESS:** A voluntary association legally formed and organized to carry on a business in  
57 Utah in the legal name of the association, including without limitation a corporation, limited  
58 liability company, partnership, or sole proprietorship.

59 **BUSINESS LICENSING OFFICE:** The division of building services and licensing of Salt  
60 Lake City Corporation, or its successor.

61 **CERTIFICATE:** A certificate of public convenience and necessity issued by the City.

62 **CIVIL NOTICE:** ~~The~~A written notice of a ground transportation violation as provided under  
63 this chapter.

64 **COMMENT FORM OR FORM:** ~~Has the meaning set forth~~The form described in ~~article~~  
65 ~~Section 5.71.270~~ of this chapter, or its successor article.

66 **COURTESY VEHICLE:** Any motor vehicle ~~which is~~ regularly operated on Salt Lake City  
67 streets for transportation of customers and/or baggage without making a specific separate charge  
68 to the passenger for such transportation. ~~All contracts providing for operating a courtesy vehicle~~  
69 ~~at the airport on behalf of a hotel or motel shall be filed under the direction of the director of~~  
70 ~~airports and shall be subject to all applicable airport rules and regulations.~~

71 **DEPARTMENT:** The ~~ground transportation administration section of the~~ Salt Lake City  
72 ~~division of building services and licensing, Department of Airports~~ or such other ~~city~~City  
73 department or division as may be ~~delegated~~designated by the ~~mayor~~Mayor to have responsibility

74 for the enforcement of this chapter.

75 **DEPARTMENT AUTOMATED VEHICLE IDENTIFICATION (AVI) TAG:** An electronic  
76 transponder used to identify vehicles and provide the department with vehicle data and billing  
77 information.

78 **DEPARTMENT DIRECTOR:** The director of the department designated by the Mayor to  
79 have responsibility for the enforcement of this chapter or the authorized designee of such  
80 director.

81 **DEPARTMENT INSPECTION:** An inspection of a ground transportation vehicle by the  
82 department to verify that the vehicle meets the standards set by the department director,  
83 department rules and regulations, applicable contracts, and applicable City ordinances, including  
84 without limitation the exterior and interior of the vehicle and all associated vehicle licensing,  
85 safety, and insurance requirements.

86 **DEPARTMENT INSPECTION SEAL:** A sticker or seal issued by the department to signify  
87 that a ground transportation vehicle has passed the required department inspection. These  
88 department inspection seals are non-transferable and no ground transportation vehicle may be  
89 operated without such seal.

90 **DEPARTMENT RULES AND REGULATIONS:** Rules and regulations developed and  
91 adopted by the department director to govern commercial ground transportation operations  
92 within the City.

93 **FIXED SCHEDULE:** Ground transportation service operating on a regular time schedule  
94 previously announced as to time of departure and arrival between definitely established and  
95 previously announced points along definitely established and previously announced routes  
96 regardless of whether ~~there are~~ passengers or freight are to be carried.

97 **GROUND TRANSPORTATION APPEAL COMMITTEE:** A committee established by the  
98 department director to hear and rule on appeals, suspensions, and other matters related to ground  
99 transportation in and connected with the City.

100 **GROUND TRANSPORTATION BUSINESS:** Any business operating any ground  
101 transportation vehicle.

102 **GROUND TRANSPORTATION SERVICE:** The transportation of passengers by a ground  
103 transportation business.

104 **GROUND TRANSPORTATION VEHICLE:** Any motor vehicle ~~which is~~ used for the  
105 transportation of persons using Salt Lake City streets for commercial purposes ~~or as a courtesy in~~  
106 ~~connection with providing ground transportation to or from any terminal of public transportation,~~  
107 ~~including the Salt Lake City International Airport~~ regardless of whether a fee or fare is collected,  
108 which includes, but is not limited to, any airport shared ride vehicle, automobile, bus, courtesy  
109 vehicle, hotel vehicle, limousine, minibus, special transportation vehicle, taxicab, van, or trailer  
110 being towed by a ground transportation vehicle.

111 **HEARING OFFICER:** A hearing officer of the Salt Lake City Justice Court.

112 **HOLDER:** A person to whom a certificate of public convenience and ~~van~~  
113 necessity has been issued.

114 **HOTEL VEHICLE:** Any motor vehicle ~~which is~~ regularly operated ~~for~~ by a ground  
115 transportation business under contract to or directly by a motel, hotel, or other lodging business,  
116 to provide transportation of customers and/or baggage ~~to and from any railroad station, bus~~  
117 ~~station, airport, or similar terminal of public transportation and any motel or hotel and under~~  
118 ~~contract with such motel or hotel and~~ for the contracted establishment for which transportation  
119 the customer is charged a separate fee or fare. ~~All contracts, and which is subject to a contract~~

120 ~~filed with the department providing for operating a hotel vehicle at the airport shall be filed~~  
121 ~~under the direction of the director of airports and shall be subject to all applicable airport rules~~  
122 ~~and regulations.~~

123 ~~LICENSE: When referring to a driver's license, means a ground transportation vehicle operator's~~  
124 ~~certificate, the vehicle.~~

125 **LIMOUSINE:** Any ~~motor propelled~~ vehicle ~~which is a Rolls Royce or other automobile~~  
126 described by its manufacturer or aftermarket manufacturer as a limousine or a luxury vehicle  
127 ~~having a wheel base in excess of one hundred ten inches (110"), operated on the streets and~~  
128 ~~highways for hire such as, but not limited to, a Cadillac Escalade, Chevrolet Suburban, Lincoln~~  
129 ~~Town Car, or Mercedes Benz,~~ with a driver furnished, who is dressed in a "professional business  
130 attire or a chauffeur's uniform" (defined as a jacket and tie for a man or a pantsuit or dress for a  
131 woman) or tuxedo while on duty, and licensed as required by this code.

132 **MANIFEST:** ~~For purposes of this chapter, means a daily record of all prearranged service trips~~  
133 ~~provided by a driver of a ground transportation vehicle during such driver's hours of work which~~  
134 ~~record shall be made by such driver, showing time(s) and place(s) of origin and destination,~~  
135 ~~intermediate stop(s), the names of all passengers, and the amount of fare of each trip..~~

136 **MINIBUS:** Any motor vehicle ~~which is registered with the state at a gross weight of ten~~  
137 ~~thousand one (10,001) to thirty six thousand (36,000) pounds, operated on a scheduled or~~  
138 ~~nonscheduled basis, or is designed to transport sixteen (16) or more persons, including the driver,~~  
139 ~~and is licensed as required by this code. Such term, however, shall not include any minibus~~  
140 ~~operated by any local, state or federal agency.~~  
141 with a passenger seating capacity of thirteen (13) to twenty-four (24) persons, not including the  
142 driver.

143 **MODEL YEAR:** The age of a motor vehicle based upon the manufacturer's date of  
144 manufacture. The year shall be calculated as beginning January 1 of the model year, regardless  
145 of the month of manufacture, purchase, or licensing with the City.

146 **NAMED PARTY:** The driver, vehicle owner, or authorized ground transportation business  
147 named in a civil notice issued by the ~~city.~~  
148 City.

149 **ON-DEMAND AIRPORT SERVICE OR ON-DEMAND SERVICE:** Transportation  
150 provided by an authorized ground transportation business which is not "scheduled service" or  
151 "prearranged service" as defined in this section.

152 ~~OPERATOR'S CERTIFICATE: The operator's certificate that~~

153 **PERSONS WITH DISABILITIES:** Those persons who are not acutely ill, who do not require  
154 the city may issue pursuant to article VI services of this chapter to signify that an individual has  
155 met the requirements stated therein to lawfully operate a ground ambulance, and who need or  
156 desire special transportation vehicle upon the streets of the city.  
157 equipment or accommodation for physical or mental infirmities.

158 **PREARRANGED SERVICE:** Transportation provided by an authorized ground transportation  
159 business from points within the ~~city, other than from~~ City to destinations within the ~~airport,~~  
160 ~~in~~ City, or beyond, for which the authorized ground transportation business providing such  
161 transportation has recorded the name or description of ~~the~~ prospective passenger and ~~other~~  
162 ~~required information is listed on the vehicle driver's manifest~~ date and time of the request for  
163 transportation at least thirty (30) minutes prior to the transporting of the passenger by such  
164 vehicle. ~~Prearranged service from the airport is governed and for which records of such~~  
165 transportation may be required for inspection by ~~subsection 16.60.090L of this code or its~~

166 ~~successor subsection.~~

167 ~~the department.~~

168 **SCHEDULED SERVICE:** Transportation provided by an authorized ground transportation  
169 business on a fixed schedule posted with ~~the city business license office in advance of such~~  
170 ~~transportation.~~

171 ~~SPECIAL TRANSPORTATION VEHICLE: Any vehicle for hire on Salt Lake City streets,~~  
172 ~~which is used for the transportation of persons with disabilities as provided under chapter 5.76 of~~  
173 ~~this title, or its successor chapter and approved by the department in advance of such~~  
174 ~~transportation.~~

175 **SPECIAL TRANSPORTATION VEHICLE:** Any motor vehicle for hire, other than an airport  
176 shared ride vehicle, ambulance, or taxicab, which vehicle is designed, equipped, and used for the  
177 transportation of persons with disabilities.

178 **SPECIALTY VEHICLES:** Any vehicles that are unique in their design, or built for a specific  
179 purpose, including but are not limited to, special conversion vehicles and classic or collector  
180 automobiles, but excluding special transportation vehicles.

181 **STARTER:** A person appointed by and representing a ground transportation business ~~at a~~  
182 ~~terminal of public transportation and providing coordinated travel arrangements and information~~  
183 ~~about available services~~ who is responsible for managing the coordination of vehicles and fares.  
184 passenger transportation for that business.

185 **TAXICAB:** A motor vehicle ~~used in the transportation of~~ with a seating capacity of five (5)  
186 passengers ~~for hire over the~~ less, not including the driver, or a van with a passenger seating  
187 capacity of six (6) to twelve (12), not including the driver, used in the on-demand, for hire  
188 transportation of passengers or baggage over public streets and not operated over a fixed route or

189 upon a fixed schedule, but which is subject for contract hire by persons desiring special trips  
190 from one point to another, as provided under ~~chapter~~Chapter 5.72 of this title, or its successor  
191 chapter. ~~It does not include an automobile rental vehicle licensed under any other section of this~~  
192 ~~code.~~

193 ~~TEMPORARY VEHICLE: Any motor vehicle used in the transportation of passengers, and~~  
194 ~~their luggage, using the streets within the corporate limits of~~ authorized to operate in Salt Lake  
195 City, ~~for commercial purposes, or in connection by contract~~ with the ~~operation~~department.

196 TERMINAL OF TRANSPORTATION: A facility or location having the primary purpose of a  
197 ~~service providing transportation to or from any terminal of public~~ facilitating ground  
198 transportation, ~~including services, such as, but not limited to,~~ the Salt Lake City ~~International~~  
199 ~~Airport, for a period not to exceed fourteen (14) days. It does not include any vehicle operated as~~  
200 ~~a taxicab as provided under chapter 5.72 of this title, or its successor chapter.~~

201 Intermodal Hub.

202 TRAILER: A wheeled vehicle designed to be pulled by a motor vehicle for the transportation of  
203 freight, luggage, or other items.

204 **VAN:** Any licensed motor vehicle ~~which is registered~~ other than those designated as a limousine  
205 ~~with the state at a gross weight~~ a passenger seating capacity of four thousand (4,000) ~~six (6) to ten~~  
206 ~~thousand (10,000) pounds, or is designed to transport fifteen (15) passengers or fewer,~~ twelve  
207 (12), not including the driver, ~~and which is licensed as required.~~

208 VEHICLE OPERATOR'S BADGE or OPERATOR'S BADGE: An identification badge  
209 issued by this code ~~the department to an individual to signify that the individual has met the~~  
210 requirements to operate a ground transportation vehicle.

211 **5.71.020: PURPOSE OF ENACTMENT AND DEPARTMENT RESPONSIBILITIES:**



212 This chapter is enacted to provide for and protect the interests of Salt Lake City residents  
213 and visitors using ground transportation services which make use of ~~city~~City streets and other

214 City property, including:

215 A. To reflect standards of professionalism prevalent in and accepted by the Salt Lake  
216 community at large;

217 B. To enhance the comfort, ease, and safety of the traveling public on Salt Lake City  
218 streets;

219 C. To enhance ~~Salt Lake~~the City's competitiveness in attracting the traveling public to  
220 this ~~city~~City;

221 D. To increase safety for ~~the~~ drivers of ground transportation vehicles, their passengers,  
222 and the public ~~when such vehicles are operated on Salt Lake City streets~~;

223 E. To adequately identify ground transportation vehicles and their drivers to the public in  
224 ~~Salt Lake~~the City;

225 F. To meet the needs of the public using ground transportation vehicles in ~~Salt Lake~~the  
226 City; ~~and~~

227 G. To provide for uniform enforcement of standards throughout the ~~city~~City by  
228 coordinating the efforts of the departments responsible for enforcement, adjudication, and  
229 business licensing of all commercial ground transportation businesses and ~~vehicles~~.

230 ~~—— The mayor shall designate a city department to be responsible for the enforcement and~~  
231 ~~inspections of all~~ ground transportation vehicles ~~operating within the corporate limits of Salt~~  
232 ~~Lake City~~;

233 H. To provide that the Mayor designate a department or departments to be responsible for  
234 the administration and enforcement of regulations pertaining to all ground transportation

235 businesses, ground transportation vehicles, and ground transportation vehicle drivers in the City;  
236 and

237 I. To provide authority for administration and enforcement of business licensing in  
238 connection with ground transportation in the City.

239 **5.71.025: DESIGNATION OF DEPARTMENT:**

240 The Mayor shall designate a City department or departments to be responsible for the  
241 oversight and enforcement of all ground transportation businesses, ground transportation  
242 vehicles, and ground transportation vehicle drivers within the corporate limits of Salt Lake City.  
243 Such department or departments shall be responsible for the administration and enforcement of  
244 business licensing in connection with ground transportation in the City.

245 **5.71.030: AUTHORITY TO ESTABLISH RULES AND REGULATIONS:**

246 A. To the extent authorized by the provisions of this chapter and consistent with other  
247 applicable provisions of this code, the department director, under guidance and direction from  
248 the Mayor, may enter into contracts deemed necessary or desirable and may establish rules and  
249 regulations necessary to administer the provisions of this chapter.

250 B. The Mayor shall adopt procedures applicable to the establishment of department rules  
251 and regulations that provide for:

252 1. Public notice of any proposed rule that will affect operation of any ground  
253 transportation business;

254 2. An opportunity for public comment on proposed rules before they take effect, and

255 3. The basis for any proposed rule.

256 **5.71.040: EXEMPTIONS FROM REQUIREMENTS OF THIS CHAPTER:**

257 A. The provisions of this chapter shall not apply to vehicles licensed by a governmental  
258 agency or operated by a university or school district, the Utah Transit Authority, an ambulance  
259 service, and others as may be designated in department rules and regulations.

260 B. Sections 5.71.095, 5.71.150, 5.71.180, 5.71.190 and 5.71.240 shall not apply to busses  
261 and motor coaches, and bus and motor coach drivers, regulated by the U.S. Department of  
262 Transportation.

263 C. If any provision of this chapter is preempted by federal law, such provision shall not  
264 apply.

265 **5.71.050: BUSINESS LICENSE AND REGISTRATION REQUIRED:**

266 A. It is ~~unlawful~~ a violation for any person to operate a ground transportation business  
267 without ~~first obtaining~~, prior to commencement of the business, completing the following:

- 268 1. Obtaining a business license ~~to do so~~,  
269 2. Registering such business with the department, and  
270 3. Paying all applicable fees associated with the licensing or permitting of such  
271 business, its vehicles, and its employees.

272 B. Business license fees for ground transportation companies shall be calculated to  
273 include the cost of administering and enforcing the provisions of this title.

274 **5.71.028060: GROUND TRANSPORTATION DESTINATIONS: SERVICE:**

275 A. All ~~authorized~~ Authorized ground transportation businesses may provide scheduled  
276 service ~~and/or~~ prearranged service within the ~~city~~ City.

277 B. Only ~~taxicabs~~ airport shared ride vehicles, courtesy vehicles, hotel vehicles, and  
278 ~~limousines~~ taxicabs may provide on-demand service within the ~~city~~ City, except that:

279 ~~1) hotel. Limousines may provide prearranged service only upon charging a~~  
280 ~~minimum fare of thirty dollars (\$30.00) per trip; and~~

281 2. Hotel vehicles may provide on-demand service only to and from any railroad  
282 station, bus station, airport, or similar terminal of public transportation and any ~~motel or~~  
283 ~~hotel; and 2) limousines may provide on demand service only upon charging a minimum~~  
284 ~~fare of thirty dollars (\$30.00) per trip. Limousines may provide prearranged service~~  
285 ~~without charging a set minimum fare~~ hotel, motel, or other lodging business with whom  
286 they hold a current contract for transportation services. Proof of the existence of such  
287 contract shall be maintained in each hotel vehicle and shall be subject to inspection on  
288 demand.

289 3. The Department Director may waive these restrictions if it is determined that  
290 circumstances in the City exist that create congestion, security concerns, emergency  
291 conditions, or other operational problems, and that a temporary suspension of this  
292 limitation is in the best interests of the City to address such circumstances.

293 C. Subsection B of this section notwithstanding, hotel vehicles may transport motel or  
294 hotel patrons on demand to and from locations other than a terminal of public transportation as  
295 follows:

296 ~~1) to. To~~ and from a convention center during a convention within the ~~city~~ City  
297 involving five thousand (5,000) or more participants, or

298 ~~2) to. To~~ and from other locations providing such transport involves ~~three (3~~ four  
299 (4) or more persons riding together to and from the same destination and with the consent  
300 of the motel or hotel manager on duty.

301 D. All authorized ground transportation businesses may provide on-demand, scheduled  
302 service and prearranged service from points within the City to destinations outside of the  
303 corporate limits of Salt Lake City.

304 **5.71.065: EXISTING HOLDERS' CERTIFICATES:**

305 A. Holders of existing certificates at the effective date hereof shall retain such  
306 certificates, allowing them to operate the same number of vehicles as they are presently  
307 authorized to operate, without any hearing, the public convenience and necessity having  
308 heretofore been demonstrated, until such certificate expires as provided in this section.

309 B. Except as provided in Section 5.76.130 of this title, pertaining to special transportation  
310 vehicles, existing certificates issued by the City shall expire no sooner than one-hundred eighty  
311 (180) days from the effective date of this ordinance. The City may elect, in the City's sole  
312 discretion, to continue the expiration date up to an additional one-hundred eighty (180) days.  
313 Upon expiration, a pro rata refund of that portion of the certificate fee shall be given to those  
314 persons whose certificates have expired prior to the portion of the year remaining at the time of  
315 expiration.

316 C. No certificate shall continue in operation prior to the expiration as set forth in Section  
317 5.72.165 of this title unless the holder thereof has paid the annual business regulatory fees each  
318 year for each vehicle authorized under a certificate. Such fees shall be in addition to any other  
319 fees or charges established by proper authority and applicable to the holder of the vehicle or  
320 vehicles under the holder's operation and control.

321 D. No certificate issued in accordance with this chapter, or its successor, shall be  
322 construed to be either a franchise or irrevocable.

323 **Article III. Driver Standards**

324 **5.71.070: DRIVER AND STARTER APPEARANCE:**

325 The drivers of ground transportation vehicles and starters representing ground  
326 transportation businesses within the City shall adhere to the standards of appearance established  
327 by department rules and regulations while operating such vehicles, or while representing ground  
328 transportation businesses, in order to meet the interests of the City in such transportation.

329 **5.71.080: DRIVER CONDUCT:**

330 The drivers of ground transportation vehicles and starters representing ground  
331 transportation businesses within the City shall adhere to the standards of conduct established by  
332 department rules and regulations while operating such vehicles or while representing ground  
333 transportation businesses in order to meet the interests of the City in such transportation.

334 **5.71.090: UNAUTHORIZED SOLICITATION OF BUSINESS:**

335 No person may solicit for business at any terminal of transportation except in locations  
336 and in accordance with department rules and regulations.

337 **5.71.095: ANNUAL DRIVER APPLICATION RENEWAL:**

338 A driver may not be required to renew a driver application more than once every two (2)  
339 years and shall not be required to provide fingerprints for a background investigation more than  
340 one (1) time except:

341 A. In the case of an emergency,

342 B. As may be otherwise required by a state or federal law, regulation, or directive; or

343 C. As the department director may determine, to achieve consistency with a state or

344 federal law, regulation, or directive.

345 **Article III. Smoking**

346 **5.71.100: SMOKING RESTRICTIONS:**

347 Passengers and drivers in ground transportation vehicles may only smoke in such  
348 vehicles as set forth in the Utah Code.

349 **Article IV. Vehicle Standards**

350 **5.71.120: VEHICLE AGE AND CONDITION:**

351 A. No vehicle shall be authorized by the City to operate as a ground transportation  
352 vehicle that is more than six (6) model years in age, has a salvage title, or has accumulated three  
353 hundred fifty thousand (350,000) miles or more. The following exemptions to the foregoing  
354 limitations may be approved by the department on a case-by-case basis upon application to the  
355 department director.

356 1. A ground transportation vehicle that is more than six (6) model years in age,  
357 but has accumulated less than three hundred fifty thousand (350,000) miles may be  
358 operated for a total of seven (7) model years so long as the vehicle meets or exceeds  
359 inspection requirements set forth in Section 5.71.150 of this chapter and has not  
360 accumulated three hundred fifty thousand (350,000) miles or more.

361 2. Busses, mini-busses, special transportation vehicles, and limousines may be  
362 exempted from these age and mileage restrictions, but not from the salvage title  
363 restriction.

364 3. Specialty vehicles may be exempted from these age, mileage, and salvage  
365 restrictions.

366 4. Ground transportation vehicles that have been modified to meet ADA  
367 requirements may be operated for a total of seven (7) years.

368 B. Seventy five percent (75%) of a business's ground transportation vehicles shall meet  
369 this vehicle age restriction within twelve (12) months after the effective date of this ordinance.

370 C. One hundred percent (100%) of a business's ground transportation vehicles shall meet  
371 this age restriction within twenty-four (24) months after the effective date of this ordinance.

372 D. One hundred percent (100%) of a business's ground transportation vehicles shall meet  
373 these mileage and salvage title restrictions upon the effective date of this ordinance.

374 E. No new vehicle shall be approved as a ground transportation vehicle that does not  
375 meet these restrictions.

376 **5.71.130: CONFLICTING OR MISLEADING DESIGNS AND ADVERTISING**

377 **PROHIBITED:**

378 A. No vehicle shall be authorized to operate whose color scheme, identifying design,  
379 monogram, or insignia, in the opinion of the department director, conflicts with or imitates any  
380 color scheme, identifying design, monogram, or insignia used on a vehicle or vehicles already  
381 operating under this chapter, in such a manner as to be misleading or tending to deceive or  
382 defraud the public or which improperly conveys the nature or the type of the ground  
383 transportation service offered.

384 B. No ground transportation business shall advertise or hold itself out as being licensed  
385 by the City under this chapter when in fact no such license has been issued or has been revoked  
386 or terminated.

387 **Article V. Insurance and Inspections**

388 **5.71.140: INSURANCE REQUIRED:**

389 A. Every ground transportation business shall maintain continuous vehicle insurance,  
390 when the vehicle is operational, at the minimum levels of coverage set forth by the Federal  
391 Motor Carrier Association, Section 49 CFR 387.303, or by the Utah Department of  
392 Transportation, or by the United States Department of Transportation, whichever levels are



393 higher. Proof of insurance shall be required when a vehicle is initially inspected by the  
394 department, and may be verified upon the City's receipt of a complaint, negative comment form,  
395 or at the time of an on-street, unscheduled ground transportation vehicle inspection.

396 B. Taxicabs and other authorized ground transportation vehicles with a seating capacity  
397 of seven (7) passengers or less, including the driver, shall carry minimum coverage in the  
398 amounts required for vehicles with eight (8) passengers or more, including the driver, as set forth  
399 in Section 49 CFR 387.303.

400 C. Each ground transportation business shall send a copy of any notice of cancellation or  
401 reduction of insurance coverage to the department immediately upon such cancellation or  
402 reduction.

403 D. Salt Lake City Corporation shall be named as an additional insured in all insurance  
404 contracts.

405 **5.71.150: INSPECTIONS:**

406 A. All authorized ground transportation vehicles shall be registered with the department  
407 and at all times shall meet or exceed standards established by the department rules and  
408 regulations in order to meet the interests of Salt Lake City.

409 B. No vehicle may operate as a ground transportation vehicle within the City without first  
410 having been inspected by the department and found to be meeting all requirements of the  
411 department Inspection as established by department rules and regulations for the category of  
412 vehicle being inspected. Notwithstanding the foregoing, a ground transportation company that  
413 purchases a new ground transportation vehicle may, in lieu of an inspection of such vehicle:

414 1. Certify to the department that the vehicle is new and conforms to the standards  
415 and requirements established by this section and department rules and regulations, and

416 2. Provide proof of insurance as provided in Subsection 5.71.140A.

417 3. Installation of an AVI and taximeter shall be subject to inspection by the  
418 department.

419 C. Vehicles meeting the requirements of the department inspection shall have a unique  
420 department inspection seal affixed to the rear of the vehicle signifying that the vehicle has passed  
421 the department inspection and may be operated as a ground transportation vehicle. The  
422 department seal is non-transferable and no vehicle may be used as a ground transportation  
423 vehicle without the department inspection seal in place.

424 D. All ground transportation vehicles meeting the requirements of the department  
425 inspection shall be issued a department automated vehicle identification (AVI) tag, which the  
426 department shall install on the vehicle. These tags are non-transferable and may not be removed  
427 or modified without authorization from the department.

428 E. The department may perform vehicle inspections at any time any ground  
429 transportation vehicle is operating within the corporate limits of the City in order to administer  
430 and enforce applicable vehicle standards.

431 F. No ground transportation vehicle may be operated within the City unless it is  
432 maintained to the standards and requirements established by department rules and regulations,  
433 including without limitation department inspection requirements.

434 **5.71.160: TEMPORARY OPERATIONS:**

435 A ground transportation business that operates on a limited or temporary basis within the  
436 City may petition the department director for a waiver from some of the requirements of this  
437 chapter. However, no ground transportation business may operate without paying otherwise  
438 applicable fees. Consideration of such waiver may include the following:

439 A. The business is based outside of a thirty-five (35) mile radius of the City and the  
440 business provides limited services within the City;

441 B. The business does not pick up passengers within the City and provides transportation  
442 only into the City; and

443 C. Any specific ground transportation vehicle that will be used for operations within the  
444 City no more than five (5) calendar days per year.

445 **Article VI. Special Transportation Businesses**

446 **5.71.170: SPECIAL TRANSPORTATION VEHICLES AND OPERATORS:**

447 A. It is a violation for any person who owns or controls a special transportation business  
448 to allow a special transportation vehicle to be operated without, prior to commencement of the  
449 business, completing the following:

450 1. Obtaining a business license;

451 2. Registering such business with the department;

452 3. Paying all applicable fees associated with the licensing or permitting of such  
453 business, its vehicles and its employees; and

454 4. Providing the department with certification from the State of Utah that the  
455 vehicle meets all State requirements and was found to be in a safe condition for the  
456 transportation of persons with disabilities and had all such equipment as may be required  
457 by state law including, but not limited to, the following:

458 a. Doorways wide enough to accommodate a wheelchair;

459 b. Ramps or lifting devices for elevating persons with disabilities from the  
460 curb or sidewalk into the special transportation vehicle, which ramps and lifting  
461 devices shall be stored inside the special transportation vehicle while it is moving;

462 c. Adequate means of securing persons with disabilities safely to the inside  
463 of the special transportation vehicle and safety belts for all passengers;

464 d. A door, in addition to those provided in such vehicles for normal  
465 ingress and egress, located at the rear thereof, to be used as a method of escape in  
466 case of an emergency; and

467 e. A fire extinguisher, and first aid equipment and supplies, as prescribed  
468 and amended from time to time by state law.

469 B. In addition to meeting all other department rules and regulations applicable to ground  
470 transportation vehicles and businesses, owners and operators of special transportation vehicles  
471 shall comply with the following:

472 1. No special transportation vehicle shall be equipped with a siren or be permitted  
473 to operate as an emergency vehicle.

474 2. Special transportation vehicles shall be kept in a clean and sanitary condition,  
475 according to applicable rules and regulations promulgated by the State.

476 3. All special transportation vehicle operators shall obtain and maintain  
477 certification training in first aid, CPR, and AED as taught by an American Heart  
478 Association certified instructor.

479 **5.71.175: EXISTING HOLDERS' CERTIFICATES FOR SPECIAL TRANSPORTATION**  
480 **VEHICLES:**

481 A. Holders of existing certificates for special transportation vehicles shall retain such  
482 certificates, as set forth in Section 5.76.130 of this title, allowing them to operate the same  
483 number of vehicles as they are authorized to operate on the effective date of this ordinance,  
484 without any hearing, the public convenience and necessity have heretofore been demonstrated.

485 B. No certificate shall continue in operation unless the holder thereof has paid the annual  
486 business regulatory fees each year for each vehicle authorized under a certificate. Such fees shall  
487 be in addition to any other fees or charges established by proper authority and applicable to the  
488 holder of the vehicle or vehicles under the holder's operation and control.

489 **Article VII. Vehicle Operator's Badge**

490 **5.71.180: VEHICLE OPERATOR'S BADGE REQUIRED:**

491 It is a violation for any person to operate a ground transportation vehicle upon the streets  
492 of the City without having first obtained and having then in force a valid ground transportation  
493 vehicle operator's badge issued by the department under department rules and regulations.

494 **5.71.190: PERMITTING NON-BADGED OPERATOR TO DRIVE:**

495 It is a violation for any person who owns or controls a ground transportation vehicle to  
496 permit it to be driven, and no ground transportation vehicle authorized by the department shall be  
497 so driven at any time, unless the ground transportation vehicle is operated by a driver who has  
498 then in force a valid ground transportation vehicle operator's badge issued by the department.

499 **5.71.240: DISPLAY OF OPERATOR'S BADGE:**

500 Every person issued a vehicle operator's badge shall display the badge above the waist,  
501 on front side of the outermost garment so as to be in plain view and not covered while such  
502 person is operating a ground transportation vehicle. Every such person shall exhibit such badge  
503 upon demand by any police officer, any authorized agent of the department, or any other person  
504 authorized by the Mayor to enforce the provisions of this chapter.

505 **Article VIII. Payment For Furnishing Of Passengers**

506 **5.71.250: PAYMENT:**

507 It shall be a violation for any person operating a ground transportation vehicle, business,  
508 driver, independent contractor, employee, or other person to pay, or offer to pay, any  
509 remuneration to another person, specifically including persons employed at a lodging business  
510 and vehicle dispatchers, for the furnishing of passengers and/or baggage to be transported by a  
511 ground transportation vehicle. It shall be a violation for any person, specifically including  
512 persons employed at a lodging business and vehicle dispatchers, to receive or request any  
513 remuneration from any person for the furnishing of passengers and/or baggage to be transported  
514 by a ground transportation vehicle. Nothing herein shall prohibit hotels and motels from  
515 contracting or invoicing for, and being paid, or making payment for, the transportation of  
516 customers and/or baggage, which payment may include a portion thereof being distributed by the  
517 hotel or motel to a bell staff, door staff, or concierge as a gratuity.

518 **Article IX. Ground Transportation Discussion Group**

519 **5.71.255: PURPOSE:**

520 The Mayor shall convene a ground transportation discussion group, committee, or forum  
521 to meet informally on a quarterly basis for two (2) years after the effective date of this ordinance  
522 for the purpose of providing advice on the following:

523 A. Identifying ground transportation problems and potential solutions;

524 B. Identifying items within the ordinances or regulations that appear to be unclear or  
525 confusing;

526 C. Suggesting improvements to the program for consideration by the City;

527 D. Discussing issues of concern to those in attendance;

528 E. Identifying barriers to quality transportation service; and

529 F. Recommending whether a discussion group, committee, or forum of this nature would  
530 be advantageous to continue beyond the initial two (2) year transition period.

531 **5.71.258: PARTICIPANTS:**

532 A. Invitations to participate in the discussion group, committee, or forum should include,  
533 but not be limited to, representatives of the:

- 534 1. Hotel industry,
- 535 2. Hospitality industry,
- 536 3. Taxi cab industry,
- 537 4. Shuttle industry,
- 538 5. Hotel contract vehicle industry,
- 539 6. Utah Transit Authority,
- 540 7. Tourism and convention industries,
- 541 8. Specialty transportation industries,
- 542 9. Wasatch Front Regional Council mobility coordinator,
- 543 10. Salt Lake City Accessibility Services Advisory Council or the City ADA  
544 Coordinator, and
- 545 11. A mechanic familiar with vehicles in commercial ground transportation fleets.

546 B. Individuals or representative of key transportation user groups including, but not  
547 limited to low income, elderly, and persons with physical limitations shall also be invited to  
548 participate.

549 **Article X. Enforcement ~~And~~ Civil Penalties**

550 **5.71.030260: DEPARTMENT AUTHORITY:**

551 The department shall enforce the provisions of this chapter and govern the conduct of  
552 companies and drivers operating under this chapter.

553 **5.71.270: COMMENT FORM:**

554 Any person may complain of any violation of this chapter or ~~of~~comment on any ground  
555 transportation business or vehicle, or ~~of~~ any driver of a ground transportation vehicle operating  
556 within the corporate limits of Salt Lake City, by filing a comment form with the department  
557 ~~responsible for the enforcement of ground transportation violations in the manner set forth in this~~  
558 ~~article.~~

559 ~~5.71.040: FORM OF COMMENT FORM:~~

560 ~~A. The city shall cause to be printed a comment form substantially as follows:~~

561 ~~COMMENT FORM~~

562 ~~Please provide the following information if you have any comments about the~~  
563 ~~quality of the ground transportation services being provided to you:~~

564 ~~1. Company Providing Transportation:~~

565 ~~2. Driver's Name (and Number, if any):~~

566 ~~3. Date and Time:~~

567 ~~4. Location:~~

568 ~~5. Comments/Objections:~~

569 ~~6. Your Name:~~

570 ~~7. Your Home address:~~

571 ~~8. Your Business Phone Number:~~

572 ~~9. Your Signature:~~

573 ~~B. The comment form shall be a "self-mailer" type, providing the name and mailing~~



574 ~~address where the form is to be returned and telephone number of the city department~~  
575 ~~responsible for the enforcement of ground transportation violations.~~

576 ~~C. The comment form set forth in this section shall be printed in the form of a card, and~~  
577 ~~all ground transportation vehicles shall at all times carry such cards in an area directly visible and~~  
578 ~~accessible to the public. The commenton forms or cards may be available at other locations~~  
579 ~~selected by the city that the department may require ground transportation businesses to print and~~  
580 ~~provide in their vehicles and which may be found on the City's website and within department~~  
581 ~~rules and regulations.~~

582 **5.71.050~~280~~: ISSUANCE OF A CIVIL NOTICE OF GROUND TRANSPORTATION**  
583 **VIOLATION:**

584 A. Every notice issued under this chapter shall be issued in the form of a written civil  
585 notice ~~of a ground transportation violation~~ and shall contain a statement that the named party  
586 may appeal the imposition of the penalty and provide information regarding how to appeal.

587 B. Any driver, vehicle owner, or, ~~as set forth in this section, any~~ authorized ground  
588 transportation business ~~which~~that violates any provision of this chapter may be named in a civil  
589 notice issued by the ~~city and shall be subject to the civil penalty as provided in section 5.71.080~~  
590 ~~of this chapter or its successor~~City. A violation of any provision of this chapter by any driver or  
591 vehicle owner shall also constitute a violation of such provision by the ground transportation  
592 business under whose ~~certificate of convenience and necessity~~authority such driver or owner was  
593 operating at the time of the violation ~~if the same driver or owner has had three (3) or more~~  
594 ~~violations of this chapter, of chapter 5.72 of this title, or of title 16, chapter 16.60 of this code~~  
595 ~~within a three (3) consecutive year period.~~

596 **5.71.070~~290~~: RECORD KEEPING:**

597 The ~~city~~City shall create a file for each driver and for each authorized ground  
598 transportation business at the time any ~~item~~document is submitted for application or filing. The  
599 ~~city~~City shall maintain any ~~item~~document placed in such files for a period as required by law.

600 **5.71.080300: CIVIL PENALTIES AND ENFORCEMENT:**

601 A. The ~~following~~City may revoke, suspend, or deny renewal of a City business license to  
602 operate a ground transportation business for violation of any provision of this title, department  
603 rules and regulations, or other applicable law.

604 B. The department may revoke, suspend, or deny renewal of an operator's badge,  
605 department automated vehicle identification tag or department inspection seal for violations of  
606 any provision of this title, department rules and regulations, or other applicable law. The person  
607 or business affected may request, in writing filed with the department, an appeal hearing before  
608 the ground transportation appeal committee. Any such revocation, suspension, or denial of  
609 renewal shall ~~constitute~~remain in effect until the party against whom such action is taken  
610 requests reinstatement and the ground transportation appeal committee determines that  
611 reinstatement is appropriate.

612 C. If any named party fails to comply with civil penalties ~~which may be imposed by the~~  
613 city as set forth under this chapter, such party may be subject to suspension, revocation, or  
614 nonrenewal of a City license to operate a ground transportation business, operator's badge,  
615 department automated vehicle identification tag or department inspection seal.

616 AD. Civil penalties may be imposed ~~for violations of this chapter within the city~~as set  
617 forth below. The named party in the civil notice shall be liable for a civil penalty. Any penalty  
618 assessed in ~~subsection B of~~connection with this section may be in addition to any other penalty  
619 asthat may be imposed by law.

620 ~~B. Civil penalties shall be imposed as follows: the increased amounts for second and third~~  
 621 ~~and additional offenses shall be imposed only if the same violation occurs within a three (3)~~  
 622 ~~consecutive year period or department rules and regulations.~~

<del>Article II. Driver Standards</del> <u>CODE</u>		<u>AMOUNT OF PENALTY</u>	
<u>ARTICLE I GENERAL REGULATIONS</u>			
<del>Driver appearance:</del>			5.71.120-050
<del>-5.71.060 (B)</del>	<del>First offense</del>		\$-60-500.00
<del>-ARTICLE II</del>			<del>Second offense</del>
<u>DRIVERS STANDARDS</u>			
<del>-5.71.070</del>	<del>Third or additional offense</del>		\$100.00-
<u>5.71.080</u>			\$300.00
<del>-5.71.090</del>	<del>First offense</del>		
	<del>Second offense</del>		80.00
	<del>Third or additional offense</del>		100.00
<del>Article</del> <u>ARTICLE III</u> <del>-Smoking</del>			
<u>SMOKING</u>			
<u>5.71.100</u>			\$300.00
<u>ARTICLE IV</u>			
<u>VEHICLE STANDARDS</u>			

<u>-5.71.120</u>	<u>First offense</u>				\$ <del>60</del> <u>500.00</u>
<u>-5.71.130</u>	<u>Second offense</u>				<del>80</del> <u>\$1000.00</u>
<b><u>ARTICLE V</u></b>					
<b><u>INSURANCE AND INSPECTIONS</u></b>					
<u>-5.71.140</u>	<u>Third offense</u>				
<del>Article IV. Vehicle Standards</del>					
<del>Vehicle exterior:</del>	<u>5.71.150 -(A,B,C)</u>	<u>-\$1000.00</u>	<u>A,B,C,D,E, F,G,H Vehicle inspection and Seal required</u>		
<u>First offense</u>		<u>\$ <del>60</del></u>			
		<u>.00</u>			
<u>Second offense</u>		<u>80.00</u>			
<u>Third offense</u>		<u>100.00</u>			
<u>5.71.150 (D)</u>			<u>\$500.00</u>		<u>Automat Vehicle interior: Identific on Tag required</u>
<u>-5.71.150 (F)</u>	<u>First offense</u>			<u>\$ <del>60</del> <u>500.00</u></u>	<u>-Failure t</u>
<b><u>-ARTICLE VI</u></b>				<u>Second offense</u>	
<b><u>SPECIAL TRANSPORTATION BUSINESSES</u></b>					

<del>Third offense</del>			<del>100.00</del>	
<del>Vehicle signage:</del>		5.71.170 <del>-(A,B,C,D)</del>	<del>-\$1000.00</del>	<del>A,B-License and registra</del>
<del>-5.71.170 (E)</del>	<del>First offense</del>			<del>\$-60</del> <del>1000.0</del> <del>0</del> <del>-Emergency vehicle ec</del>
<del>Second offense</del>			<del>80.00</del>	
<del>Third offense</del>			<del>100.00</del>	
<del>Vehicle insurance:</del>		5.71.175-170 (F)	<del>\$1000.00</del>	<del>A,B-Clean and sanitary condition o</del>
<del>-5.71.170 (G)</del>	<del>\$1000.00</del>		<del>First offense-aid certification</del> <del>required</del>	
<del>-ARTICLE VII</del>  <del>VEHICLE</del> <del>OPERATORS</del> <del>BADGE</del>	<del>Second offense</del>			
<del>Third offense</del>			<del>100.00</del>	
<del>Article V. Inspections</del>				
<del>Removal of inspection sticker</del>		5.71.205-180	<del>-\$1000.00</del>	<del>\$125.00-Operator's badge requi</del>
<del>Failure to obtain vehicle</del>  <del>inspection</del>		5.71.180-190	<del>-\$1000.00</del>	<del>125.00-Permitting non-badged</del>
<del>Failure to obtain meter inspection</del>				<del>5.71.180C,</del> <del>5.72.405-24</del>
<del>ARTICLE VIII</del>				
<del>PAYMENT FOR FURNISHING OF PASSENGERS</del>				

<del>Failure to take best route</del>	<del>5.71.130H, 5.72.515-250</del>	<del>-\$300.00</del>
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~~C. The civil penalties specified in subsection B of this section shall be subject to the following:~~

~~1. For violation of articles II, III, or IV of this chapter:~~

~~a. Any penalty that is paid within ten (10) days from the date of receipt of civil notice shall be reduced by twenty dollars (\$20.00).~~

~~b. Any penalty that is paid within twenty (20) days from the date of receipt of civil notice shall be reduced by ten dollars (\$10.00).~~

~~c. Any penalty that is paid within thirty (30) days from the date of receipt of civil notice shall be reduced by five dollars (\$5.00).~~

~~2. For violations of article V of this chapter:~~

~~a. Any penalty that is paid within ten (10) days from the date of receipt of civil notice shall be reduced by fifty dollars (\$50.00).~~

~~b. Any penalty that is paid within twenty (20) days from the date of receipt of civil notice shall be reduced by thirty dollars (\$30.00).~~

~~c. Any penalty that is paid within thirty (30) days from the date of receipt of civil notice shall be reduced by fifteen dollars (\$15.00).~~

~~D. As used in this section, "receipt of civil notice" means for the driver or owner of the vehicle, the affixing of a civil notice of ground transportation violation to the vehicle alleged to have been employed in such ground transportation violation, or by delivery of such civil notice to the vehicle owner or driver, or for an authorized ground transportation business, by delivery of such civil notice to an owner or officer or process agent of the authorized ground transportation~~

645 ~~business.~~

646 ~~E. Revocation, suspension and nonrenewal of a city license to operate a taxicab or to~~  
647 ~~operate a ground transportation business may be imposed in accordance with chapter 5.02 of this~~  
648 ~~title, or its successor, for violations of this title. As provided in section 5.02.260 of this title, or its~~  
649 ~~successor, no revocation, suspension or denial of a license shall be imposed until a hearing is~~  
650 ~~first held as provided in chapter 5.02 of this title. Any such action shall remain in effect until the~~  
651 ~~party against whom such action is taken requests reinstatement, and the city determines that the~~  
652 ~~violations upon which such action was taken have been remedied and that reinstatement is~~  
653 ~~appropriate.~~

654 ~~F. The city department responsible for the enforcement of ground transportation~~  
655 ~~violations may require an inspection of any ground transportation vehicle whenever a completed~~  
656 ~~comment form received by the city relates to such vehicle in a negative manner or upon the~~  
657 ~~issuance of any civil notice that relates to the requirements set forth for standards of vehicles.~~

658 ~~—— G. If any named party fails to comply with civil penalties imposed under this chapter~~  
659 ~~such party may be subject to suspension, revocation or nonrenewal of a city license to operate a~~  
660 ~~taxicab or to operate a ground transportation business.~~

661 **5.71.090310: ENFORCEMENT PROCEDURES; CIVIL NOTICE OF GROUND**

662 **TRANSPORTATION VIOLATION:**

663 ~~A. "Hearing officers" means those hearing officers referred to in title 2, chapter 2.75 of~~  
664 ~~this code, or its successor.~~

665 ~~B. A. Civil notices under this chapter, other than those involving license revocations,~~  
666 ~~suspensions, denials or approvals, shall be handled of a business license, operators' badge,~~  
667 ~~department automated vehicle identification tags and department inspection seal shall be heard~~

668 by the Salt Lake City ~~justice court~~Justice Court. Any named party may appear before a hearing  
669 officer and present and contest an alleged violation as provided in ~~title~~Title 2, ~~chapter~~Chapter  
670 2.75 of this code, or its successor.

671 ~~EB~~. The burden to prove any defense shall be upon the person raising such defense.  
672 Nothing herein shall affect the ~~city's~~City's burden to prove each element of the underlying charge  
673 by a preponderance of evidence.

674 ~~DC~~. If the hearing officer finds that no violation of this chapter occurred, or that a  
675 violation occurred but one (1) or more of the defenses set forth in this section is applicable, the  
676 ~~departmental~~ hearing officer may dismiss the civil notice and release the named party from  
677 liability thereunder, or may reduce the penalty associated therewith as ~~he or she~~the officer shall  
678 determine. Such defenses are:

- 679 1. The civil notice does not contain the information required by this chapter;
- 680 2. Compliance with the subject ordinances would have presented an imminent and  
681 irreparable injury to persons or property; or
- 682 3. Such other mitigating circumstances as may be approved by the ~~city law~~

683 ~~department~~City Attorney's Office.

684 **~~5.71.100320~~: EXPEDITED APPEAL OF EXCLUSION:**

685 ~~A. "Mayoral hearing examiners" means persons appointed as provided by section~~  
686 ~~5.02.280 of this title to hear matters involving business license revocations, suspensions, and~~  
687 ~~denials or approvals.~~

688 ~~B.~~ Any named party who is excluded from pursuing commercial activities under this  
689 chapter, and has not had a hearing before ~~a mayoral hearing examiner~~the ground transportation  
690 appeal committee regarding such exclusion, ~~as provided for in this chapter,~~ may request an



691 expedited appeal of the action that resulted in such exclusion ~~within five (5) business days of the~~  
692 ~~date when such exclusion is effective.~~ Such appeal shall be requested in personwriting by the  
693 personparty so excluded to the department ~~responsible for enforcement.~~ The ~~city~~ department  
694 ~~responsible for enforcement~~ shall promptly investigate the facts relating to such exclusion. If the  
695 evidence indicates ~~that~~ such exclusion is improper under this chapter, the ~~department's manager~~  
696 ~~or other designated officer shall stay such exclusion until the issue can be heard and determined~~  
697 ~~by a mayoral hearing examiner. If the exclusion is not stayed by the department charged with~~  
698 ~~enforcement, a hearing regarding~~ director may reverse the action that resulted in such exclusion.  
699 If the department director does not reverse such action, the action resulting in such exclusion  
700 shall be ~~held before a mayoral hearing examiner within five (5) days of the manager's or~~  
701 ~~departmental officer's determination. If the~~ heard and determined by the ground transportation  
702 appeal committee in accordance with the provisions of this chapter. If a preponderance of the  
703 evidence indicates ~~that~~ such exclusion is proper under this chapter ~~such~~ the ground transportation  
704 hearing ~~officer~~ committee shall uphold such exclusion.

705 ~~5.71.110: POLICIES AND PROCEDURES:~~

706 ~~The city departments responsible for enforcement, adjudication and business licensing~~  
707 ~~shall create and implement such policies and procedures as are necessary or desirable to comply~~  
708 ~~with and operate under this chapter and the same shall be consistent with the purposes of this~~  
709 ~~chapter and applicable law, and shall meet due process requirements.~~

710 ~~Article II. Driver Standards~~

711 ~~5.71.120: DRIVER AND STARTER APPEARANCE:~~

712 ~~The drivers of ground transportation vehicles and starters representing commercial~~  
713 ~~ground transportation within the city shall adhere to the following standards of appearance while~~

714 ~~operating such vehicles, or while representing commercial ground transportation, in order to~~  
715 ~~meet the interests of Salt Lake City in such transportation:~~

716 ~~A. Wear enclosed shoes or boots or sandals with socks.~~

717 ~~B. Maintain their hair, and beards or mustaches, if any, in a clean and groomed condition.~~

718 ~~C. Maintain their clothes in a clean and repaired condition.~~

719 ~~D. Be free from offensive odor.~~

720 ~~E. Not at any time expose the following body regions: the stomach, back, shoulders,~~  
721 ~~chest, hips, buttocks, abdomen, genitals, or thighs higher than four inches (4") above the knee.~~

722 ~~F. Not wear as outer garments any clothing manufactured and commonly worn as~~  
723 ~~underwear.~~

724 ~~G. Not wear T-shirts as outer garments unless as a part of a company uniform.~~

725 ~~H. Wear shirttails and shirt hems tucked into pants, and shall use a belt or suspenders~~  
726 ~~when pants are designed for their use.~~

727 ~~I. Not wear sweatpants or sweatshirts designed for athletic use.~~

728 ~~J. At all times bear an identification of the company with which they are associated on~~  
729 ~~their shirts, whether as a shirt logo, nametag, photo identification badge, or otherwise, as shall be~~  
730 ~~approved by the city.~~

731 ~~K. Any driver or starter who desires that an exception be made to any requirement under~~  
732 ~~this section on any grounds may notify the city law department of the same in writing and~~  
733 ~~request a review of the same by such mayoral hearing examiners as the mayor deems appropriate~~  
734 ~~to consider such matters with the assistance of the city law department. Such exception shall be~~  
735 ~~granted if such driver, or starter, can demonstrate that the requirement from which an exception~~  
736 ~~is requested is unduly restrictive of any religious, political or personal right of the driver, or~~

737 ~~starter, as provided under the United States or Utah constitutions or laws, or Salt Lake City~~  
738 ~~ordinances.~~

739 ~~5.71.130: DRIVER CONDUCT:~~

740 ~~The drivers of ground transportation vehicles shall adhere to the following standards of~~  
741 ~~conduct while operating such vehicles in order to meet the interests of Salt Lake City in such~~  
742 ~~transportation:~~

743 ~~A. Drivers shall refrain from playing loud music, arguing with passengers or others, using~~  
744 ~~insulting language, or any other conduct which is intended to be offensive.~~

745 ~~B. When ground transportation vehicles are available for transport, drivers shall provide~~  
746 ~~transportation to paying passengers as requested and as set forth in this chapter and chapter 5.72~~  
747 ~~of this title, and shall provide reasonable assistance with the property of passengers as requested.~~

748 ~~C. Drivers shall obey all laws and ordinances, and shall maintain all appropriate licenses.~~

749 ~~D. Drivers shall not carry animals or nonpaying riders while transporting passengers in~~  
750 ~~their vehicles, except that at the request of a passenger, drivers may carry seeing eye dogs or~~  
751 ~~other service animals, or animals enclosed in a carrier or other enclosure, and drivers may carry~~  
752 ~~nonpaying passengers when so requested by driver's employer for training or other job-related~~  
753 ~~purposes.~~

754 ~~E. Drivers shall transport any paying passengers who present themselves for transport in~~  
755 ~~nonelectric wheelchairs and shall offer reasonable assistance to such passengers, except that if a~~  
756 ~~passenger must be lifted into the vehicle, the driver may request the passenger to contact a~~  
757 ~~special transportation vehicle.~~

758 ~~F. Drivers shall furnish a receipt for payment of a fare.~~

759 ~~G. Drivers shall not engage in fighting with any person at any time.~~

760 ~~H. Drivers shall follow any transportation routes predetermined by the driver's employer,~~  
761 ~~or if such routes are not predetermined, drivers shall either take the shortest reasonable route to a~~  
762 ~~destination, or shall follow a specific route requested by a passenger.~~

763 ~~I. The city will issue a driver's badge with the following minimum information: the name~~  
764 ~~and picture of the driver, the name of the ground transportation business he or she is associated~~  
765 ~~with, and the number assigned to the driver by the city. Drivers who are associated with multiple~~  
766 ~~ground transportation companies shall obtain a badge for each company that they drive for. Such~~  
767 ~~badges shall be displayed in the ground transportation vehicle in a manner that they are easily~~  
768 ~~readable by passengers at all times the driver is providing ground transportation services.~~

769 ~~Article III. Smoking~~

770 ~~5.71.140: SMOKING RESTRICTIONS:~~

771 ~~Passengers and drivers in ground transportation vehicles subject to Utah Code Annotated~~  
772 ~~title 76, chapter 10, part 15, as amended, or its successor, may only smoke in such vehicles as set~~  
773 ~~forth in that part. Passengers and drivers in all other ground transportation vehicles may only~~  
774 ~~smoke when the vehicle does not contain a minor child or a nonsmoker.~~

775 ~~Article IV. Vehicle Standards~~

776 ~~5.71.150: VEHICLE EXTERIOR:~~

777 ~~All ground transportation vehicles shall meet the following standards in order to meet the~~  
778 ~~interests of Salt Lake City in such transportation:~~

779 ~~A. All vehicles shall be maintained as required by any state or city ordinance or statute,~~  
780 ~~whether or not a part of this chapter.~~

781 ~~B. Vehicles' exteriors shall be clean except during the first twenty four (24) hours~~  
782 ~~following a snow, rain or dust storm in Salt Lake or surrounding counties.~~

783 ~~C. Vehicles, including bumpers and body molding, shall be free of all exterior damage~~  
784 ~~except for dents no larger than six inches (6") in diameter and rust spots no larger than one inch~~  
785 ~~(1") in diameter. Bumpers shall be straight and aligned, as designed by the vehicle manufacturer.~~

786 ~~D. All windshields shall be free of cracks and chips larger than six inches (6") in diameter~~  
787 ~~or length. All other glass and mirrors shall be free of cracks and chips larger than one inch (1") in~~  
788 ~~diameter or length.~~

789 ~~E. All vehicle exterior paint shall be maintained in good condition and repair, with no~~  
790 ~~faded, oxidized, or nonmatching paint. Signs, graphics, door handles, antennas, and other~~  
791 ~~equipment used for the ease and convenience of drivers and passengers shall be maintained in a~~  
792 ~~good and operable condition.~~

793 ~~F. All vehicle exterior tires, brakes, exhaust pipes, lights, wipers, turn signals, horns and~~  
794 ~~other safety equipment shall be maintained in a good and operable condition.~~

795 ~~G. Vehicles' wheels shall have wheel covers, or be equipped with custom wheels.~~

796 ~~H. All fluid leaks shall be repaired immediately.~~

797 ~~5.71.160: VEHICLE INTERIOR:~~

798 ~~The interior of all ground transportation vehicles shall be maintained as follows in order~~  
799 ~~to meet the interests of Salt Lake City in such transportation:~~

800 ~~A. All vehicle interiors shall be clean and sanitary, and free of dirt, oil, litter, or other~~  
801 ~~similar material, or offensive odors.~~

802 ~~B. All seats and other interior surfaces shall be in good repair and free of tears and sharp~~  
803 ~~objects. Dashboard covers may be used, but shall be professionally manufactured.~~

804 ~~C. All vehicles' trunks or luggage storage compartments shall at all times be maintained~~  
805 ~~free of oil, dirt, debris and personal property except for property used by the driver in connection~~

806 ~~with operating a ground transportation vehicle.~~

807 ~~D. All equipment present in the interior of the vehicle that is used for the ease and~~  
808 ~~convenience of drivers and passengers, including, but not limited to, doors, windows, carpets,~~  
809 ~~door and window handles, ashtrays, heaters, air conditioners, and radios, shall be maintained in a~~  
810 ~~good and operable condition.~~

811 ~~E. Any ashtrays shall be emptied after use and washed each day.~~

812 ~~F. All vehicles with a gross weight rating of ten thousand (10,000) pounds or less, or~~  
813 ~~which are designed to transport fifteen (15) passengers or less, including the driver, shall have~~  
814 ~~operational seat belts for the driver and for each passenger as required by law for such vehicle.~~  
815 ~~All other safety equipment inside the vehicle, including child safety restraint devices or seats,~~  
816 ~~shall be maintained in a good and operable condition as may be required by Utah and federal~~  
817 ~~law.~~

818 ~~5.71.170: VEHICLE SIGNAGE:~~

819 ~~All ground transportation vehicles with exterior signs or color schemes used for~~  
820 ~~identifying purposes, whether such identifying information is placed on such vehicle voluntarily~~  
821 ~~or in accordance with applicable ordinances or statutes, shall meet the following requirements~~  
822 ~~with regards to such identifying information:~~

823 ~~A. Signs and other identifying information shall comply with all applicable ordinances or~~  
824 ~~statutes. Signs shall be professionally produced and permanently affixed on both sides of the~~  
825 ~~vehicle, and shall identify the name of the authorized ground transportation business with which~~  
826 ~~the vehicle is associated and other information as required by law. No sign may be handwritten.~~  
827 ~~In cases of companies that operate vehicles for separate business locations with the same name,~~  
828 ~~the vehicle signage shall include the location of the business being served by each particular~~

829 ~~vehicle.~~

830 ~~B. Lettering size shall be no smaller than one and one half inches (1 1/2") in height for capital~~  
831 ~~letters and no less than one inch (1") in height for other lettering. The color of the lettering shall~~  
832 ~~contrast with the color of the vehicle or window that it is placed on.~~

833 ~~5.71.175: INSURANCE REQUIRED:~~

834 ~~A. Every transportation business, whether or not a certificate of convenience and~~  
835 ~~necessity is required by these ordinances, shall be required to maintain continuous vehicle~~  
836 ~~insurance, when the vehicle is operational, at the minimum levels of coverage required by~~  
837 ~~section 5.05.120 of this title or its successor or by the Utah department of transportation or by the~~  
838 ~~United States department of transportation, whichever levels are higher. Proof of insurance shall~~  
839 ~~be required at the time of inspection, and may be verified upon the city's receipt of a negative~~  
840 ~~comment form, or at the time of an on street unscheduled ground transportation vehicle~~  
841 ~~inspection.~~

842 ~~B. Ground transportation businesses shall send a copy of any notice of cancellation or~~  
843 ~~reduction of insurance coverage to the department responsible for the enforcement of ground~~  
844 ~~loading transportation violations immediately upon such cancellation or reduction.~~

845 Article V. Inspections

846 ~~5.71.180: PERIODIC INSPECTIONS:~~

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

852 ~~A. Vehicle Exterior: Vehicle exteriors shall meet the requirements set forth in sections~~  
853 ~~5.71.150 and 5.71.160 of this chapter and shall meet the following requirements:~~

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

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

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

865 ~~4. Mufflers: Mufflers shall conform to the requirements of section 12.28.100 of~~  
866 ~~this code, or its successor.~~

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

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

872 ~~B. Vehicle Interior: The interior of all vehicles shall be maintained as set forth in sections~~  
873 ~~5.71.150 and 5.71.160 of this chapter and shall be maintained as follows:~~

874 ~~1. Lights: All interior lights shall be operable, and must otherwise conform to~~



875 ~~applicable ordinances and statutes.~~

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

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

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

890 ~~C. Meter Inspections: Any meter used in a ground transportation vehicle to calculate the~~  
891 ~~fare for transportation shall be inspected as set forth in chapter 5.72 of this title, or its successor.~~

892 ~~5.71.185: ADDITIONAL VEHICLE INSPECTIONS:~~

893 ~~In addition to the regularly scheduled inspections as set forth in this title, the city may~~  
894 ~~perform other inspections of any ground transportation vehicle operating within the corporate~~  
895 ~~limits of Salt Lake City, in order to administer and enforce the vehicle standards herein, provided~~  
896 ~~the authorized employees or agents of the department charged with enforcing this title schedule~~  
897 ~~an appointment with the ground transportation business for such inspection at least twenty four~~

898 ~~(24) hours in advance of such inspection. Said inspection shall be conducted during the city's~~  
899 ~~regular business hours at a location to be set by the city. Nothing herein shall prevent the city~~  
900 ~~from issuing civil notices or taking other action authorized under this chapter for vehicle~~  
901 ~~violations which are in the plain view of the employees or agents of the department charged with~~  
902 ~~enforcing this title.~~

903 ~~5.71.190: INSPECTION STICKER:~~

904 ~~When the city finds that a vehicle has met the standards established by this chapter,~~  
905 ~~including that the vehicle is operated by a company duly licensed by the city, an officer of the~~  
906 ~~city shall issue a sticker signifying the same. No ground transportation vehicle shall operate~~  
907 ~~without such sticker. Such sticker shall be affixed to the lower left portion of the rear window of~~  
908 ~~the vehicle, extending no more than three inches (3") to the right of the left edge or more than~~  
909 ~~four inches (4") above the bottom edge of the window.~~

910 ~~5.71.200: FAILURE OF INSPECTION:~~

911 ~~Each time a ground transportation vehicle fails to meet the inspection requirements set~~  
912 ~~forth in this chapter, the vehicle shall have affixed to its windshield a "rejected" sticker, stating~~  
913 ~~that it is not in compliance with minimum operating standards. Any vehicle which fails to meet~~  
914 ~~such requirements shall be reinspected and shall not be used as a ground transportation vehicle~~  
915 ~~until all required repairs have been made and it has passed inspection. Upon meeting such~~  
916 ~~requirements, the city shall issue a sticker signifying the same.~~

917 ~~5.71.205: REMOVAL OF INSPECTION STICKER PROHIBITED:~~

918 ~~It is a violation of this chapter for anyone other than the city to remove or alter in any~~  
919 ~~way any inspection or rejected sticker issued by the city, without prior written approval from the~~  
920 ~~city to do so.~~

921 ~~5.71.210: INSPECTION AFTER CERTAIN PENALTIES:~~

922 ~~A. Regardless of whether or not an appeal is requested, any vehicle which is named in a~~  
923 ~~civil notice alleging a violation of section 5.71.150, 5.71.160 or 5.71.170 of this chapter, or any~~  
924 ~~successor thereto, shall pass a new inspection as required by the city; but no meter inspection~~  
925 ~~shall be required unless the alleged violation relates to a meter.~~

926 ~~B. If any vehicle is excluded from the pursuit of commercial activities in the city due to~~  
927 ~~any violation relating to such ground transportation vehicle, such vehicle shall pass the~~  
928 ~~inspection set forth in this chapter before such vehicle may again be used to pursue commercial~~  
929 ~~activities in the city.~~

930 ~~5.71.220: OTHER INSPECTIONS; FEES:~~

931 ~~The inspections provided for in this chapter shall be in addition to any other inspections~~  
932 ~~required by law. The fee for a vehicle inspection is ninety dollars (\$90.00). There is no additional~~  
933 ~~fee for a vehicle reinspection. There is no fee for a missed vehicle inspection appointment. None~~  
934 ~~of the fees provided in this section may be changed without the approval of the city council.~~

935 ~~5.71.230: CIVIL PENALTIES:~~

936 ~~Any failure to obtain any inspection required under this chapter at the time it is required~~  
937 ~~shall constitute a violation under this chapter, and a civil notice shall be issued to the authorized~~  
938 ~~ground transportation business with which such vehicle is associated.~~

939 ~~5.71.240: RECORDS AND OPERATING PROCEDURES:~~

940 ~~The city shall maintain records regarding such inspections as it shall determine, and shall~~  
941 ~~create procedures by which it shall administer and operate such inspection and the issuing of~~  
942 ~~stickers.~~

944 ~~5.71.250: OPERATOR'S CERTIFICATE REQUIRED:~~

945 ~~It is unlawful for any person to operate a ground transportation vehicle upon the streets of~~  
946 ~~the city without having first obtained and having then in force a valid ground transportation~~  
947 ~~vehicle operator's certificate issued annually by the department under the provisions of this~~  
948 ~~chapter. The foregoing notwithstanding, a ground transportation vehicle operator who has~~  
949 ~~operated upon the streets of the city prior to the effective date hereof, and while in the employ of~~  
950 ~~a ground transportation business duly licensed by the city, shall have until one hundred eighty~~  
951 ~~(180) calendar days from the effective date hereof to file an application for a valid ground~~  
952 ~~transportation vehicle operator's certificate issued by the city. The department may set various~~  
953 ~~times for compliance within such one hundred eighty (180) calendar days to provide for the~~  
954 ~~orderly implementation of this section.~~

955 ~~5.71.260: PERMITTING UNCERTIFIED OPERATOR UNLAWFUL:~~

956 ~~Except as provided in section 5.71.250 of this chapter, or its successor section, it is~~  
957 ~~unlawful for any person who owns or controls a ground transportation vehicle to permit it to be~~  
958 ~~driven, and no ground transportation vehicle authorized by the city shall be so driven at any time,~~  
959 ~~unless the ground transportation vehicle is operated by a driver who has then in force a valid~~  
960 ~~ground transportation vehicle operator's certificate issued under the provisions of this chapter.~~

961 ~~5.71.270: OPERATOR'S CERTIFICATE APPLICATION:~~

962 ~~Any person applying for a ground transportation vehicle operator's certificate shall file an~~  
963 ~~application with the department on forms provided by the city.~~

964 ~~5.71.280: APPLICATION VERIFICATION:~~

965 ~~An application for a ground transportation vehicle operator's certificate shall be verified~~  
966 ~~by the applicant under oath, and he/she shall be required to swear to the truthfulness of the~~

967 ~~matters contained upon the application.~~

968

969 ~~5.71.290: APPLICATION FEE REQUIRED:~~

970 ~~A. At the time an application for a vehicle operator certificate badge is filed, the applicant~~  
971 ~~shall pay to the city a total fee of one hundred twenty-one dollars (\$121.00), which covers the~~  
972 ~~following costs to the City:~~

973 ~~Application processing \$66.75~~

974 ~~BCI/FBI Background check \$39.25~~

975 ~~BCI Fingerprint fee \$15.00~~

976 ~~B. If a ground transportation vehicle operator is working for more than one company, he~~  
977 ~~or she must submit an application to obtain a vehicle operator certificate badge for each~~  
978 ~~company. There is no additional fee for such applications. There is no fee for replacement of a~~  
979 ~~lost or stolen vehicle operator's certificate badge. None of the fees provided in this section may~~  
980 ~~be changed without the approval of the city council.~~

981 ~~5.71.300: TRAINING REQUIRED TO OBTAIN OPERATOR'S CERTIFICATE:~~

982 ~~Before the city issues any operator's certificate, the applicant shall be required to provide~~  
983 ~~a written statement demonstrating that the applicant has completed a training program that is~~  
984 ~~satisfactory to the city as to: a) the applicant's knowledge of the city and map reading~~  
985 ~~capabilities; b) the applicant's ability to understand, read, write and speak basic English; c) the~~  
986 ~~applicant's understanding of principles of common courtesy; and d) the applicant's understanding~~  
987 ~~of how to address the needs of disabled passengers. The city may review any such program from~~  
988 ~~time to time to determine whether it is satisfactory to address the needs of the traveling public.~~  
989 ~~This section shall be effective for any application submitted as of January 2, 2008, or thereafter.~~

990 ~~5.71.310: DRIVER QUALIFICATIONS REQUIRED TO OBTAIN OPERATOR'S~~

991 ~~CERTIFICATE:~~

992 ~~An applicant for a ground transportation vehicle operator's certificate shall be required to~~  
993 ~~demonstrate the information set forth in this section, and no operator's certificate shall be issued~~  
994 ~~or renewed if all such information cannot be demonstrated to the city's satisfaction.~~

995 ~~A. The applicant must be twenty one (21) years old or older.~~

996 ~~B. The applicant must not be an individual required to register pursuant to the Utah penal~~  
997 ~~code, section 77-27-21.5, Utah Code Annotated, sex offender registration, or its successor~~  
998 ~~section.~~

999 ~~C. The applicant must have a current motor vehicle license issued by the state with all~~  
1000 ~~required endorsements.~~

1001 ~~D. The applicant must submit written evidence that a ground transportation business~~  
1002 ~~operating in compliance with the requirements of this code will employ or retain the applicant~~  
1003 ~~upon the issuance of an operator's certificate.~~

1004 ~~E. The applicant must submit a certificate from a reputable, board-certified physician~~  
1005 ~~practicing in the state of Utah certifying that, in such physician's opinion, the applicant is able to~~  
1006 ~~operate a ground transportation vehicle in a safe manner.~~

1007 ~~F. The applicant must submit written evidence of complying with section 5.71.300 of this~~  
1008 ~~chapter, or its successor section, regarding driver training requirements.~~

1009 ~~G. The applicant must submit two (2) forms of identification, at least one of which must~~  
1010 ~~have been issued by a government authority and includes a photo.~~

1011 ~~H. The applicant must successfully comply with the criminal history background check~~  
1012 ~~requirements set forth in this chapter.~~

1013 ~~I. The applicant must submit the following information demonstrating that the applicant~~  
1014 ~~is of suitable character and integrity to interact with the traveling public:~~

1015 ~~1. The names and addresses of four (4) persons in the state of Utah who have known the~~  
1016 ~~prospective applicant for a period of thirty (30) days and who will vouch for the sobriety,~~  
1017 ~~honesty and general good character of the applicant;~~

1018 ~~2. A statement explaining the applicant's experience and ability to safely transport~~  
1019 ~~passengers;~~

1020 ~~3. A concise history of the applicant's employment;~~

1021 ~~4. A letter of introduction from the ground transportation business that will employ or~~  
1022 ~~retain the applicant.~~

1023 ~~J. An applicant seeking an operator's certificate in connection with a special~~  
1024 ~~transportation vehicle shall file with the application a certificate from the valley health~~  
1025 ~~department certifying that such applicant has received a proper course of instruction in the~~  
1026 ~~transporting of "persons with disabilities", as such term is defined in section 5.76.040 of this~~  
1027 ~~title.~~

1028 ~~5.71.320: CRIMINAL HISTORY BACKGROUND CHECK REQUIREMENT:~~

1029 ~~The Salt Lake City council finds that any driver operating a "ground transportation~~  
1030 ~~vehicle" as defined in section 5.71.010 of this chapter has the ability to provide ground~~  
1031 ~~transportation service to the Salt Lake City International Airport, whether by working for a~~  
1032 ~~ground transportation business that picks up passengers at such airport, or due to occasional~~  
1033 ~~requests by passengers to be dropped off at such airport. Therefore, pursuant to Utah code~~  
1034 ~~section 72-10-602 or its successor section, an applicant for a ground transportation vehicle~~  
1035 ~~operator's certificate shall be required to obtain a criminal history background check~~

1036 ~~demonstrating that the applicant meets the requirements set forth in this chapter before any~~  
1037 ~~certificate will be issued.~~

1038 ~~A. The applicant must obtain a fingerprint based federal bureau of investigation (triple~~  
1039 ~~III) criminal history background check in the manner directed by the city through the appropriate~~  
1040 ~~governmental agency empowered to provide the results of such background check directly to the~~  
1041 ~~city.~~

1042 ~~B. The city may investigate any information relevant to such background check,~~  
1043 ~~determine the accuracy of any information, require an applicant to provide additional~~  
1044 ~~information, and take any other action necessary to determine the results of such background~~  
1045 ~~check and make a determination under this chapter. Submission of an application under this~~  
1046 ~~chapter constitutes the applicant's consent to such background check and any associated~~  
1047 ~~investigative efforts by the city.~~

1048 ~~C. No applicant shall be issued an operator's certificate if such background check for the~~  
1049 ~~applicant demonstrates that the applicant has a disqualifying criminal offense as described in~~  
1050 ~~section 5.71.330 of this chapter.~~

1051 ~~5.71.330: DISQUALIFYING CRIMINAL OFFENSES:~~

1052 ~~An applicant has a disqualifying criminal offense if the applicant has been convicted, or~~  
1053 ~~found not guilty by reason of insanity, of any of the disqualifying crimes listed in this section, or~~  
1054 ~~of a conspiracy or attempt to commit any such crime, in any jurisdiction during the five (5) years~~  
1055 ~~before the date of the applicant's application for an operator's certificate. The disqualifying~~  
1056 ~~criminal offenses are as follows:~~

1057 ~~A. Murder.~~

1058 ~~B. Assault or aggravated assault.~~



1059 ~~C. Kidnapping or hostage taking.~~

1060 ~~D. Rape, aggravated sexual abuse or other sex crimes, including, but not limited to,~~  
1061 ~~unlawful sexual activity with or sexual abuse of a minor, enticing a minor over the internet,~~  
1062 ~~unlawful sexual intercourse or conduct, object rape or sodomy, forcible sexual abuse, aggravated~~  
1063 ~~sexual assault, sexual exploitation of a minor, incest, lewdness or obscene acts, sex acts for hire,~~  
1064 ~~or soliciting.~~

1065 ~~E. Stalking.~~

1066 ~~F. Urinating in public or other disorderly conduct at a time when the applicant was~~  
1067 ~~engaged in operating a ground transportation business.~~

1068 ~~G. Unlawful possession, use, sale, distribution, or manufacture of an explosive or~~  
1069 ~~weapon.~~

1070 ~~H. Extortion.~~

1071 ~~I. Robbery, burglary, theft or bribery.~~

1072 ~~J. Distribution of, or intent to distribute, a controlled substance.~~

1073 ~~K. Felony arson.~~

1074 ~~L. Felony involving a threat.~~

1075 ~~M. Felony involving wilful destruction of property.~~

1076 ~~N. Felony involving dishonesty, fraud, or misrepresentation.~~

1077 ~~O. Possession or distribution of stolen property.~~

1078 ~~P. Felony involving importation or manufacture of a controlled substance.~~

1079 ~~Q. Illegal possession of a controlled substance punishable by a maximum term of~~  
1080 ~~imprisonment of more than one year.~~

1081 ~~R. Reckless driving, driving while under the influence of alcohol or a controlled~~

1082 ~~substance, or being in or about a vehicle while under the influence of alcohol or a controlled~~  
1083 ~~substance with the intent of driving.~~

1084 ~~S. Felony involving a driving offense.~~

1085 ~~T. The following aviation related offenses:~~

1086 ~~1. Aircraft registration violations under 49 USC section 46306.~~

1087 ~~2. Interference with air navigation under 49 USC section 46308.~~

1088 ~~3. Improper transportation of hazardous material under 49 USC section 46312.~~

1089 ~~4. Aircraft piracy under 49 USC section 46502.~~

1090 ~~5. Interference with flight crew members under 49 USC section 46504.~~

1091 ~~6. Crimes aboard aircraft under 49 USC section 46506.~~

1092 ~~7. Carrying a weapon or explosive aboard an aircraft under 49 USC section~~

1093 ~~46505.~~

1094 ~~8. Conveying false information and threats under 49 USC section 46507.~~

1095 ~~9. Aircraft piracy outside the United States under 49 USC section 46502(b).~~

1096 ~~10. Lighting violations involving transporting controlled substances under 49~~

1097 ~~USC section 46315.~~

1098 ~~11. Unlawful entry into an aircraft or airport area contrary to security regulations~~

1099 ~~under 49 USC section 46314.~~

1100 ~~12. Destruction of an aircraft or aircraft facility under 18 USC section 32.~~

1101 ~~13. Violence at airports under 18 USC section 37.~~

1102 ~~U. Espionage, sedition or treason.~~

1103 ~~5.71.340: BACKGROUND CHECK PROCEDURES:~~

1104 ~~The department shall maintain the following procedures in connection with criminal~~

1105 ~~history background checks under this chapter:~~

1106 ~~A. The department shall advise an applicant that he or she may receive a copy of his or~~  
1107 ~~her criminal record received from the FBI upon submitting a written request to the department,~~  
1108 ~~and that the applicant may direct questions regarding such record to the department~~  
1109 ~~administrator.~~

1110 ~~B. If an applicant's criminal record discloses an arrest for any disqualifying criminal~~  
1111 ~~offense without indicating a disposition, the department must determine, after investigation, that~~  
1112 ~~the arrest did not result in a disqualifying offense as provided under section 5.71.330 of this~~  
1113 ~~chapter before issuing an operator's certificate.~~

1114 ~~C. Before making a final decision to deny an operator's certificate, the department must~~  
1115 ~~advise the applicant that the FBI criminal record discloses information that would disqualify him~~  
1116 ~~or her from receiving such operator's certificate and provide the applicant with a copy of the FBI~~  
1117 ~~record if he or she requests it in writing.~~

1118 ~~D. An applicant whose criminal record discloses disqualifying information may seek to~~  
1119 ~~complete or correct information contained in his or her criminal record by contacting the local~~  
1120 ~~jurisdiction responsible for the information and the FBI. Within thirty (30) days after being~~  
1121 ~~advised that the criminal record received from the FBI discloses a disqualifying criminal offense,~~  
1122 ~~the applicant must notify the department in writing of his or her intent to correct any information~~  
1123 ~~that he or she believes to be inaccurate. The department must then receive a copy of the revised~~  
1124 ~~FBI record or a certified true copy of the information from the appropriate court prior to granting~~  
1125 ~~the operator's certificate. If the department receives no such notification within thirty (30) days~~  
1126 ~~that the applicant intends to seek a correction, the department may make a final determination~~  
1127 ~~based on the information available to the department.~~

1128 ~~E. Criminal record information provided by the FBI pursuant to this chapter may be used~~  
1129 ~~only to carry out the background check requirements in this chapter. The department shall~~  
1130 ~~maintain criminal history background check records and other information of a personal nature~~  
1131 ~~in a confidential manner. The FBI criminal record shall be maintained until one hundred eighty~~  
1132 ~~(180) days after the termination of an operator's certificate, including any subsequent renewals,~~  
1133 ~~and the FBI criminal record shall then be destroyed.~~

1134 ~~5.71.350: CONTINUING OBLIGATION TO DISCLOSE NONCOMPLIANCE WITH~~  
1135 ~~BACKGROUND CHECK:~~

1136 ~~Any person who complies with the background check requirements stated in this chapter~~  
1137 ~~has a continuing obligation to disclose to the department within twenty four (24) hours if he or~~  
1138 ~~she is convicted of any disqualifying criminal offense, or otherwise fails to comply with section~~  
1139 ~~5.71.330 of this chapter, at any time while he or she has a ground transportation vehicle~~  
1140 ~~operator's certificate.~~

1141 ~~5.71.360: ISSUANCE OF OPERATOR'S CERTIFICATE:~~

1142 ~~The department shall issue an operator's certificate to any applicant who complies with~~  
1143 ~~the requirements of this chapter. Such certificate shall be in the form of an identification card~~  
1144 ~~showing the applicant's name, business address, date of birth, signature, current photograph, and~~  
1145 ~~the ground transportation business employing or retaining the applicant, and showing any~~  
1146 ~~permission given under section 5.71.380 of this chapter pertaining to conducting business at the~~  
1147 ~~airport. If the department determines to deny the application of any applicant, the department~~  
1148 ~~shall issue a letter within ten (10) calendar days of making such a determination to the applicant~~  
1149 ~~stating the reason(s) why the applicant was not found to be in compliance with the requirements~~  
1150 ~~of this chapter, including any disqualifying offenses in the applicant's criminal record.~~

1151 ~~5.71.370: APPEAL OF DENIAL OF OPERATOR'S CERTIFICATE:~~

1152 ~~If the city determines not to issue an operator's certificate, the applicant denied such~~  
1153 ~~operator's certificate may appeal the city's determination in the following manner:~~

1154 ~~A. The denied applicant shall submit a request for appeal to the city's ground~~  
1155 ~~transportation administrator within fourteen (14) calendar days from the time when the city~~  
1156 ~~issues a letter denying the application for the operator's certificate. Such request shall state the~~  
1157 ~~reasons why the applicant believes the applicant has complied with this chapter and the denial is~~  
1158 ~~in error.~~

1159 ~~B. The ground transportation administrator shall convene a review board composed of the~~  
1160 ~~following members to review the appeal:~~

1161 ~~1. Two (2) city employees who are knowledgeable in security background check~~  
1162 ~~requirements from either the department of airports or the police department.~~

1163 ~~2. One management level employee from the ground transportation business~~  
1164 ~~proposed to employ or retain the denied applicant.~~

1165 ~~C. The review board shall provide the ground transportation administrator and the denied~~  
1166 ~~applicant the opportunity to submit written information regarding the denial for the board's~~  
1167 ~~consideration. The review board shall also convene a meeting to provide the ground~~  
1168 ~~transportation administrator and the denied applicant an opportunity to be heard within thirty~~  
1169 ~~(30) calendar days after the date when the ground transportation administrator received the~~  
1170 ~~request for appeal.~~

1171 ~~D. After considering all written and oral information submitted, the review board shall~~  
1172 ~~issue in writing findings of fact and a decision determining whether the denied applicant has~~  
1173 ~~demonstrated compliance with the requirements of this chapter within forty five (45) calendar~~

1174 ~~days after the date when the ground transportation administrator received the denied applicant's~~  
1175 ~~request for appeal.~~

1176 ~~E. The members of the review board shall be persons who do not have a personal conflict~~  
1177 ~~of interest with the denied applicant, and the board shall keep a record of its actions and a~~  
1178 ~~recording of any hearing.~~

1179 ~~F. The time periods required under this section may be modified with the consent of the~~  
1180 ~~ground transportation administrator and the denied applicant, or may be modified by the city~~  
1181 ~~when compliance with such time periods would be unduly burdensome to the city and the~~  
1182 ~~modification would not impose an unreasonable hardship on the denied applicant.~~

1183 ~~5.71.380: PERMISSION TO CONDUCT BUSINESS AT THE SALT LAKE CITY~~  
1184 ~~INTERNATIONAL AIRPORT:~~

1185 ~~An applicant for a ground transportation vehicle operator's certificate under this chapter~~  
1186 ~~must request permission to pick up or drop off passengers at the Salt Lake City International~~  
1187 ~~Airport on the application form provided by the department. If the applicant complies with the~~  
1188 ~~requirements of this chapter, and is in compliance with the requirements of title 16 of this code~~  
1189 ~~and airport rules and regulations, the department shall designate on the operator's certificate that~~  
1190 ~~such driver has permission to conduct business at such airport. Permission to conduct business at~~  
1191 ~~such airport is subject to the provisions of this code, including title 16 of this code, and to airport~~  
1192 ~~rules and regulations, and such permission may be withdrawn for a violation of any such~~  
1193 ~~requirement.~~

1194 ~~5.71.390: PENALTY FOR IMPROPERLY ACCESSING AIRPORT:~~

1195 ~~A. It is unlawful for any person who has been issued a ground transportation vehicle~~  
1196 ~~operator's certificate to access property at the Salt Lake City International Airport for the purpose~~

1197 ~~of conducting any ground transportation related business activity when:~~

1198 ~~1. Such person has not been given permission to conduct business at the airport~~

1199 ~~pursuant to section 5.71.380 of this chapter; or~~

1200 ~~2. The Salt Lake City department of airports has withdrawn permission to conduct~~

1201 ~~business at the airport from such person.~~

1202 ~~B. Any person who violates the provisions of subsection A of this section shall be guilty~~

1203 ~~of a class B misdemeanor.~~

1204 ~~5.71.400: DISPLAY OF OPERATOR'S CERTIFICATE:~~

1205 ~~Every person issued an operator's certificate under this chapter shall post his or her~~

1206 ~~ground transportation vehicle operator's certificate in such a place as to be in full view of all~~

1207 ~~passengers while such person is operating a ground transportation vehicle, and every such person~~

1208 ~~shall exhibit such certification upon demand by any police officer, or any authorized agent of the~~

1209 ~~department, or any authorized agent of the Salt Lake City department of airports, or any other~~

1210 ~~person authorized by the mayor to enforce the provisions of this chapter.~~

1211 ~~5.71.410: OPERATOR'S CERTIFICATE DURATION AND RENEWAL:~~

1212 ~~The ground transportation vehicle operator's certificate shall be effective beginning on~~

1213 ~~the day indicated thereon by the city, and shall expire on the same day of the next calendar year.~~

1214 ~~Any person holding such a certificate may renew such certificate annually by submitting a new~~

1215 ~~application as provided in this chapter up to thirty (30) days prior to the expiration of the~~

1216 ~~operator's certificate, and paying a renewal fee of one hundred dollars (\$100.00). The city may~~

1217 ~~adjust such fee on an annual basis in order to recover the costs of administering the city's ground~~

1218 ~~transportation programs, but no increase shall exceed five percent (5%) in a single year. The~~

1219 ~~foregoing notwithstanding, the department may set various expiration dates for operator's~~

1220 ~~certificates issued during the first year of this program in order to provide for an orderly renewal~~  
1221 ~~process, but no expiration date shall exceed a period of two (2) years from the date of issuance.~~

1222 ~~5.71.420: SUSPENSION OR REVOCATION OF OPERATOR'S CERTIFICATE:~~

1223 ~~The department may suspend or revoke any ground transportation vehicle operator's~~  
1224 ~~certificate issued under this chapter as follows:~~

1225 ~~A. A ground transportation vehicle operator's certificate shall be revoked if the~~  
1226 ~~department determines that the person to whom it was issued ceases to comply with the~~  
1227 ~~application requirements set forth in this chapter. Any person whose operator's certificate is so~~  
1228 ~~revoked may appeal a determination made under this subsection as provided in section 5.71.370~~  
1229 ~~of this chapter. If such appeal is not successful, such person may reapply to obtain an operator's~~  
1230 ~~certificate when such person is in full compliance with the requirements of this chapter. Any~~  
1231 ~~person who corrects the noncompliance under this chapter within thirty (30) days after a~~  
1232 ~~revocation issued under this subsection shall be allowed to reinstate his or her operator's~~  
1233 ~~certificate without fee.~~

1234 ~~B. If any person having a ground transportation vehicle operator's certificate fails to~~  
1235 ~~comply with any provision of this code other than the application requirements included within~~  
1236 ~~this chapter, or if the city otherwise determines that such person is a threat to the public or is~~  
1237 ~~disruptive to providing effective services to the public, the department may temporarily suspend~~  
1238 ~~such operator's certificate as provided herein, and may revoke such operator's certificate for~~  
1239 ~~cause shown. An operator's certificate may be temporarily suspended if the city determines based~~  
1240 ~~on reasonable evidence that a temporary suspension is necessary to protect important public~~  
1241 ~~interests, and if the temporary suspension is effective only until a hearing officer can make a~~  
1242 ~~determination under this subsection. An operator's certificate may be revoked under this~~



1243 ~~subsection only when the person possessing such certificate has first been given notice and has~~  
1244 ~~had an opportunity to present evidence on his or her behalf at a hearing before a mayoral hearing~~  
1245 ~~examiner as provided in section 5.02.280 of this title, or any successor section. Notice of such~~  
1246 ~~hearing shall be deemed to be sufficient if it is mailed to the address designated on the ground~~  
1247 ~~transportation vehicle operator's certificate application at least ten (10) days prior to the hearing.~~  
1248 ~~Unless reinstated by a hearing officer, any person whose ground transportation vehicle operator's~~  
1249 ~~certificate has been revoked under this subsection shall not be eligible to reapply for such~~  
1250 ~~certificate for a period of one year.~~

1251 ~~5.71.430: COMPLIANCE WITH CITY, STATE AND FEDERAL LAWS:~~

1252 ~~Every person issued an operator's certificate under this chapter shall comply with all city,~~  
1253 ~~state and federal laws. Failure to do so may justify the suspension or revocation of an operator's~~  
1254 ~~certificate.~~

1255 ~~5.71.440: FALSE INFORMATION:~~

1256 ~~Any applicant who shall knowingly provide false information on an application~~  
1257 ~~submitted pursuant to this chapter shall be denied an operator's certificate, and shall not be~~  
1258 ~~permitted to resubmit an application for a period of five (5) years.~~

1259 ~~5.71.450: AUTHORITY TO MAKE RULES:~~

1260 ~~The department shall have authority to create rules and regulations to administer the~~  
1261 ~~requirements of this chapter that are consistent with the requirements of this chapter and with~~  
1262 ~~any security or operating requirements applicable to the Salt Lake City International Airport.~~

1263 ~~Article VII. Manifests For Prearranged Service~~

1264 ~~5.71.460: DRIVERS TO KEEP MANIFESTS:~~

1265 ~~Except for drivers of taxicabs, every ground transportation vehicle driver providing~~

1266 ~~prearranged service shall maintain a daily manifest upon which is reported all prearranged~~  
1267 ~~service trips made during such driver's hours of work, showing time(s) and place(s) or origin and~~  
1268 ~~destination of trip, intermediate stop(s), the names of all passengers and amount of fare of each~~  
1269 ~~trip, and all such complete manifests shall be returned by the driver at the conclusion of his or~~  
1270 ~~her working day to the licensee of the ground transportation business for whom the driver is~~  
1271 ~~operating the vehicle. Taxicab drivers shall be governed by the manifest requirements of chapter~~  
1272 ~~5.72, article VIII, of this title, or its successor article.~~

1273 ~~5.71.470: MANIFEST FORMS TO BE APPROVED:~~

1274 ~~The forms for each manifest shall be furnished to the driver by the licensee of the ground~~  
1275 ~~transportation business for whom the driver is operating the vehicle, and shall be of a character~~  
1276 ~~approved by the mayor.~~

1277 ~~5.71.480: MANIFESTS; HOLDING PERIOD; AVAILABILITY:~~

1278 ~~Every licensee of a ground transportation business providing prearranged service shall~~  
1279 ~~retain and preserve all drivers' manifests in a safe place for at least the calendar year next~~  
1280 ~~preceding the current calendar year, and such manifests shall be available at a place readily~~  
1281 ~~accessible for examination by the department and the licensing office.~~

1282 ~~Article VIII. Payment For Furnishing Of Passengers~~

1283 ~~5.71.490: PAYMENT:~~

1284 ~~It shall be unlawful for any person operating a ground transportation vehicle, business,~~  
1285 ~~driver, independent contractor or employee to pay any remuneration to another person,~~  
1286 ~~specifically including bellman, doorman and vehicle dispatcher, for the furnishing of passengers~~  
1287 ~~and/or baggage to be transported by a ground transportation vehicle. It shall be unlawful for any~~  
1288 ~~person, specifically including bellmen, doormen and vehicle dispatchers, to receive any~~

1289 ~~remuneration from any person operating a ground transportation vehicle, business, driver,~~  
1290 ~~independent contractor or employee for the furnishing of passengers and/or baggage to be~~  
1291 ~~transported by a ground transportation vehicle. Nothing herein shall prohibit hotels and motels~~  
1292 ~~from contracting or invoicing for, and being paid or making payment for, the transportation of~~  
1293 ~~customers and/or baggage, which payment may include a portion thereof being distributed by the~~  
1294 ~~hotel or motel to a bellman or doorman as a gratuity.~~

1295 SECTION 2. Effective Date. This ordinance shall become effective on the date of its first  
1296 publication.

1297 Passed by the City Council of Salt Lake City, Utah this \_\_\_\_\_ day of \_\_\_\_\_,  
1298 2010.

1299 \_\_\_\_\_  
1300 CHAIRPERSON

1301  
1302  
1303  
1304 \_\_\_\_\_  
1305 CITY RECORDER

1306  
1307  
1308 Transmitted to Mayor on \_\_\_\_\_.

1309  
1310 Mayor's Action: \_\_\_\_\_ Approved. \_\_\_\_\_ Vetoed.

1311  
1312 \_\_\_\_\_  
1313 MAYOR

1314  
1315 \_\_\_\_\_  
1316 CITY RECORDER

1317

DRAFT - NOVEMBER 4, 2010

1318 (SEAL)

1319 Bill No. \_\_\_\_\_ of 2010

1320 Published: \_\_\_\_\_

SALT LAKE CITY ORDINANCE  
No. \_\_\_\_\_ of 2010

(Ground transportation requirements)

An ordinance amending Chapter 5.71, *Salt Lake City Code*, pertaining to ground transportation requirements, to coordinate with taxicab regulations in Chapter 5.72, to provide for categorization of vehicle types by passenger seating fees through rules and regulations, on-demand service restrictions, elimination of manifests, vehicle inspection requirements, special transportation vehicle requirements, vehicle standards, replacement of criminal enforcement with civil penalties, and a ground transportation appeal committee.

WHEREAS, the City Council intends to amend Chapter 5.72, *Salt Lake City Code*, regarding taxicab regulation; and

WHEREAS, the City Council has determined this ordinance corresponds with and supports amendments to Chapter 5.72; and

WHEREAS, after a duly noticed public hearing before the City Council, the Council has determined this ordinance is in the best interest of the City.

NOW, THEREFORE, be it ordained by the City Council of Salt Lake City, Utah, as follows:

SECTION 1. That Chapter 5.71, *Salt Lake City Code*, pertaining to ground transportations requirements be, and the same hereby is, amended to read as follows:

**Chapter 5.71**

**GROUND TRANSPORTATION REQUIREMENTS**

**Article I. Definitions and General Regulations**

**5.71.010: DEFINITIONS:**

The following words and phrases, when used in this chapter, shall have the meanings defined and set forth in this section.

**AIRPORT SHARED RIDE SERVICE:** Ground transportation provided by an authorized

28 ground transportation business contracted through the Department of Airports to provide on-  
29 demand shared ride service to and from the Salt Lake City International Airport.

30 **AIRPORT SHARED RIDE VEHICLE:** Any authorized ground transportation vehicle  
31 operating under contract with the Department of Airports to provide airport shared ride service to  
32 and from the Salt Lake City International Airport.

33 **APPLICANT:** An individual who has submitted an application to the department to obtain a  
34 ground transportation vehicle operator's badge pursuant to Article VII of this chapter.

35 **AUTHORIZED GROUND TRANSPORTATION BUSINESS:** Any business operating any  
36 ground transportation vehicle, which has a current, valid business license as required by the City  
37 and which:

38       A. Registers the business in accordance with the requirements established by the  
39 department, and

40       B. Is current with all fees or charges imposed by the department and City.

41 **AUTOMOBILE:** Any motor vehicle with passenger seating for five (5) persons or less, not  
42 including the driver.

43 **BUS:** Any licensed motor vehicle operated on the streets and highways for hire on a scheduled  
44 or nonscheduled basis with a seating capacity of twenty-five (25) or more passengers, not  
45 including the driver.

46 **BUSINESS:** A voluntary association legally formed and organized to carry on a business in  
47 Utah in the legal name of the association, including without limitation a corporation, limited  
48 liability company, partnership, or sole proprietorship.

49 **BUSINESS LICENSING OFFICE:** The division of building services and licensing of Salt  
50 Lake City Corporation, or its successor.

51 **CERTIFICATE:** A certificate of public convenience and necessity issued by the City.

52 **CIVIL NOTICE:** A written notice of a ground transportation violation as provided under this  
53 chapter.

54 **COMMENT FORM OR FORM:** The form described in Section 5.71.270 of this chapter, or its  
55 successor.

56 **COURTESY VEHICLE:** Any motor vehicle regularly operated on Salt Lake City streets for  
57 transportation of customers and/or baggage without making a specific separate charge to the  
58 passenger for such transportation.

59 **DEPARTMENT:** The Salt Lake City Department of Airports or such other City department or  
60 division as may be designated by the Mayor to have responsibility for the enforcement of this  
61 chapter.

62 **DEPARTMENT AUTOMATED VEHICLE IDENTIFICATION (AVI) TAG:** An electronic  
63 transponder used to identify vehicles and provide the department with vehicle data and billing  
64 information.

65 **DEPARTMENT DIRECTOR:** The director of the department designated by the Mayor to  
66 have responsibility for the enforcement of this chapter or the authorized designee of such  
67 director.

68 **DEPARTMENT INSPECTION:** An inspection of a ground transportation vehicle by the  
69 department to verify that the vehicle meets the standards set by the department director,  
70 department rules and regulations, applicable contracts, and applicable City ordinances, including  
71 without limitation the exterior and interior of the vehicle and all associated vehicle licensing,  
72 safety, and insurance requirements.

73 **DEPARTMENT INSPECTION SEAL:** A sticker or seal issued by the department to signify  
74 that a ground transportation vehicle has passed the required department inspection. These  
75 department inspection seals are non-transferable and no ground transportation vehicle may be  
76 operated without such seal.

77 **DEPARTMENT RULES AND REGULATIONS:** Rules and regulations developed and  
78 adopted by the department director to govern commercial ground transportation operations  
79 within the City.

80 **FIXED SCHEDULE:** Ground transportation service operating on a regular time schedule  
81 previously announced as to time of departure and arrival between definitely established and  
82 previously announced points along definitely established and previously announced routes  
83 regardless of whether passengers or freight are to be carried.

84 **GROUND TRANSPORTATION APPEAL COMMITTEE:** A committee established by the  
85 department director to hear and rule on appeals, suspensions, and other matters related to ground  
86 transportation in and connected with the City.

87 **GROUND TRANSPORTATION BUSINESS:** Any business operating any ground  
88 transportation vehicle.

89 **GROUND TRANSPORTATION SERVICE:** The transportation of passengers by a ground  
90 transportation business.

91 **GROUND TRANSPORTATION VEHICLE:** Any motor vehicle used for the transportation of  
92 persons using Salt Lake City streets for commercial purposes regardless of whether a fee or fare  
93 is collected, which includes, but is not limited to, any airport shared ride vehicle, automobile,  
94 bus, courtesy vehicle, hotel vehicle, limousine, minibus, special transportation vehicle, taxicab,  
95 van, or trailer being towed by a ground transportation vehicle.



96 **HEARING OFFICER:** A hearing officer of the Salt Lake City Justice Court.

97 **HOLDER:** A person to whom a certificate of public convenience and necessity has been issued.

98 **HOTEL VEHICLE:** Any motor vehicle regularly operated by a ground transportation business

99 under contract to or directly by a motel, hotel, or other lodging business, to provide

100 transportation of customers and/or baggage for the contracted establishment for which

101 transportation the customer is charged a separate fee or fare, and which is subject to a contract

102 filed with the department providing for operating the vehicle.

103 **LIMOUSINE:** Any vehicle described by its manufacturer or aftermarket manufacturer as a

104 limousine or a luxury vehicle such as, but not limited to, a Cadillac Escalade, Chevrolet

105 Suburban, Lincoln Town Car, or Mercedes Benz, with a driver furnished, who is dressed in

106 professional business attire or a chauffeur's uniform.

107 **MINIBUS:** Any motor vehicle with a passenger seating capacity of thirteen (13) to twenty-four

108 (24) persons, not including the driver.

109 **MODEL YEAR:** The age of a motor vehicle based upon the manufacturer's date of

110 manufacture. The year shall be calculated as beginning January 1 of the model year, regardless

111 of the month of manufacture, purchase, or licensing with the City.

112 **NAMED PARTY:** The driver, vehicle owner, or authorized ground transportation business

113 named in a civil notice issued by the City.

114 **ON-DEMAND AIRPORT SERVICE OR ON-DEMAND SERVICE:** Transportation

115 provided by an authorized ground transportation business which is not scheduled service or

116 prearranged service as defined in this section.

117 **PERSONS WITH DISABILITIES:** Those persons who are not acutely ill, who do not require  
118 the services of an ambulance, and who need or desire special transportation equipment or  
119 accommodation for physical or mental infirmities.

120 **PREARRANGED SERVICE:** Transportation provided by an authorized ground transportation  
121 business from points within the City to destinations within the City, or beyond, for which the  
122 authorized ground transportation business providing such transportation has recorded the name  
123 or description of prospective passenger and the date and time of the request for transportation at  
124 least thirty (30) minutes prior to the transporting of the passenger by such vehicle and for which  
125 records of such transportation may be required for inspection by the department.

126 **SCHEDULED SERVICE:** Transportation provided by an authorized ground transportation  
127 business on a fixed schedule posted with and approved by the department in advance of such  
128 transportation.

129 **SPECIAL TRANSPORTATION VEHICLE:** Any motor vehicle for hire, other than an airport  
130 shared ride vehicle, ambulance, or taxicab, which vehicle is designed, equipped, and used for the  
131 transportation of persons with disabilities.

132 **SPECIALTY VEHICLES:** Any vehicles that are unique in their design, or built for a specific  
133 purpose, including but are not limited to, special conversion vehicles and classic or collector  
134 automobiles, but excluding special transportation vehicles.

135 **STARTER:** A person appointed by and representing a ground transportation business who is  
136 responsible for managing the coordination of vehicles and passenger transportation for that  
137 business.

138 **TAXICAB:** A motor vehicle with a seating capacity of five (5) passengers or less, not including  
139 the driver, or a van with a passenger seating capacity of six (6) to twelve (12), not including the

140 driver, used in the on-demand, for hire transportation of passengers or baggage over public  
141 streets and not operated over a fixed route or upon a fixed schedule, but which is subject for  
142 contract hire by persons desiring special trips from one point to another, as provided under  
143 Chapter 5.72 of this title, or its successor chapter, and authorized to operate in Salt Lake City by  
144 contract with the department.

145 **TERMINAL OF TRANSPORTATION:** A facility or location having the primary purpose of  
146 facilitating ground transportation services, such as, but not limited to, the Salt Lake City  
147 Intermodal Hub.

148 **TRAILER:** A wheeled vehicle designed to be pulled by a motor vehicle for the transportation of  
149 freight, luggage, or other items.

150 **VAN:** Any licensed motor vehicle other than those designated as a limousine with a passenger  
151 seating capacity of six (6) to twelve (12), not including the driver.

152 **VEHICLE OPERATOR'S BADGE or OPERATOR'S BADGE:** An identification badge  
153 issued by the department to an individual to signify that the individual has met the requirements  
154 to operate a ground transportation vehicle.

155 **5.71.020: PURPOSE:**

156 This chapter is enacted to provide for and protect the interests of Salt Lake City residents  
157 and visitors using ground transportation services which make use of City streets and other City  
158 property, including:

159 A. To reflect standards of professionalism prevalent in and accepted by the Salt Lake  
160 community at large;

161 B. To enhance the comfort, ease, and safety of the traveling public on Salt Lake City  
162 streets;

163 C. To enhance the City's competitiveness in attracting the traveling public to this City;

164 D. To increase safety for drivers of ground transportation vehicles, their passengers, and  
165 the public;

166 E. To adequately identify ground transportation vehicles and their drivers to the public in  
167 the City;

168 F. To meet the needs of the public using ground transportation vehicles in the City;

169 G. To provide for uniform enforcement of standards throughout the City by coordinating  
170 the efforts of the departments responsible for enforcement, adjudication, and business licensing  
171 of all commercial ground transportation businesses and ground transportation vehicles;

172 H. To provide that the Mayor designate a department or departments to be responsible for  
173 the administration and enforcement of regulations pertaining to all ground transportation  
174 businesses, ground transportation vehicles, and ground transportation vehicle drivers in the City;  
175 and

176 I. To provide authority for administration and enforcement of business licensing in  
177 connection with ground transportation in the City.

178 **5.71.025: DESIGNATION OF DEPARTMENT:**

179 The Mayor shall designate a City department or departments to be responsible for the  
180 oversight and enforcement of all ground transportation businesses, ground transportation  
181 vehicles, and ground transportation vehicle drivers within the corporate limits of Salt Lake City.

182 Such department or departments shall be responsible for the administration and enforcement of  
183 business licensing in connection with ground transportation in the City.

184 **5.71.030: AUTHORITY TO ESTABLISH RULES AND REGULATIONS:**

185           A. To the extent authorized by the provisions of this chapter and consistent with other  
186 applicable provisions of this code, the department director, under guidance and direction from  
187 the Mayor, may enter into contracts deemed necessary or desirable and may establish rules and  
188 regulations necessary to administer the provisions of this chapter.

189           B. The Mayor shall adopt procedures applicable to the establishment of department rules  
190 and regulations that provide for:

191                   1. Public notice of any proposed rule that will affect operation of any ground  
192 transportation business;

193                   2. An opportunity for public comment on proposed rules before they take effect,  
194 and

195                   3. The basis for any proposed rule.

196 **5.71.040: EXEMPTIONS FROM REQUIREMENTS OF THIS CHAPTER:**

197           A. The provisions of this chapter shall not apply to vehicles licensed by a governmental  
198 agency or operated by a university or school district, the Utah Transit Authority, an ambulance  
199 service, and others as may be designated in department rules and regulations.

200           B. Sections 5.71.095, 5.71.150, 5.71.180, 5.71.190 and 5.71.240 shall not apply to busses  
201 and motor coaches, and bus and motor coach drivers, regulated by the U.S. Department of  
202 Transportation.

203           C. If any provision of this chapter is preempted by federal law, such provision shall not  
204 apply.

205 **5.71.050: BUSINESS LICENSE AND REGISTRATION REQUIRED:**

206           A. It is a violation for any person to operate a ground transportation business without,  
207 prior to commencement of the business, completing the following:

- 208                   1. Obtaining a business license,  
209                   2. Registering such business with the department, and  
210                   3. Paying all applicable fees associated with the licensing or permitting of such  
211 business, its vehicles, and its employees.

212                   B. Business license fees for ground transportation companies shall be calculated to  
213 include the cost of administering and enforcing the provisions of this title.

214 **5.71.060: GROUND TRANSPORTATION SERVICE:**

215                   A. All Authorized ground transportation businesses may provide scheduled service or  
216 prearranged service within the City.

217                   B. Only airport shared ride vehicles, courtesy vehicles, hotel vehicles, and taxicabs may  
218 provide on-demand service within the City, except that:

219                   1. Limousines may provide prearranged service only upon charging a minimum  
220 fare of thirty dollars (\$30.00) per trip; and

221                   2. Hotel vehicles may provide on-demand service only to and from any railroad  
222 station, bus station, airport, or similar terminal of public transportation and any hotel,  
223 motel, or other lodging business with whom they hold a current contract for  
224 transportation services. Proof of the existence of such contract shall be maintained in  
225 each hotel vehicle and shall be subject to inspection on demand.

226                   3. The Department Director may waive these restrictions if it is determined that  
227 circumstances in the City exist that create congestion, security concerns, emergency  
228 conditions, or other operational problems, and that a temporary suspension of this  
229 limitation is in the best interests of the City to address such circumstances.

230 C. Subsection B of this section notwithstanding, hotel vehicles may transport motel or  
231 hotel patrons on demand to and from locations other than a terminal of public transportation as  
232 follows:

233 1. To and from a convention center during a convention within the City involving  
234 five thousand (5,000) or more participants, or

235 2. To and from other locations providing such transport involves four (4) or more  
236 persons riding together to and from the same destination and with the consent of the  
237 motel or hotel manager on duty.

238 D. All authorized ground transportation businesses may provide on-demand, scheduled  
239 service and prearranged service from points within the City to destinations outside of the  
240 corporate limits of Salt Lake City.

241 **5.71.065: EXISTING HOLDERS' CERTIFICATES:**

242 A. Holders of existing certificates at the effective date hereof shall retain such  
243 certificates, allowing them to operate the same number of vehicles as they are presently  
244 authorized to operate, without any hearing, the public convenience and necessity having  
245 heretofore been demonstrated, until such certificate expires as provided in this section.

246 B. Except as provided in Section 5.76.130 of this title, pertaining to special transportation  
247 vehicles, existing certificates issued by the City shall expire no sooner than one-hundred eighty  
248 (180) days from the effective date of this ordinance. The City may elect, in the City's sole  
249 discretion, to continue the expiration date up to an additional one-hundred eighty (180) days.  
250 Upon expiration, a pro rata refund of that portion of the certificate fee shall be given to those  
251 persons whose certificates have expired prior to the portion of the year remaining at the time of  
252 expiration.

253 C. No certificate shall continue in operation prior to the expiration as set forth in Section  
254 5.72.165 of this title unless the holder thereof has paid the annual business regulatory fees each  
255 year for each vehicle authorized under a certificate. Such fees shall be in addition to any other  
256 fees or charges established by proper authority and applicable to the holder of the vehicle or  
257 vehicles under the holder's operation and control.

258 D. No certificate issued in accordance with this chapter, or its successor, shall be  
259 construed to be either a franchise or irrevocable.

## 260 **Article II. Driver Standards**

### 261 **5.71.070: DRIVER AND STARTER APPEARANCE:**

262 The drivers of ground transportation vehicles and starters representing ground  
263 transportation businesses within the City shall adhere to the standards of appearance established  
264 by department rules and regulations while operating such vehicles, or while representing ground  
265 transportation businesses, in order to meet the interests of the City in such transportation.

### 266 **5.71.080: DRIVER CONDUCT:**

267 The drivers of ground transportation vehicles and starters representing ground  
268 transportation businesses within the City shall adhere to the standards of conduct established by  
269 department rules and regulations while operating such vehicles or while representing ground  
270 transportation businesses in order to meet the interests of the City in such transportation.

### 271 **5.71.090: UNAUTHORIZED SOLICITATION OF BUSINESS:**

272 No person may solicit for business at any terminal of transportation except in locations  
273 and in accordance with department rules and regulations.

### 274 **5.71.095: ANNUAL DRIVER APPLICATION RENEWAL:**



275 A driver may not be required to renew a driver application more than once every two (2)  
276 years and shall not be required to provide fingerprints for a background investigation more than  
277 one (1) time except:

278 A. In the case of an emergency,

279 B. As may be otherwise required by a state or federal law, regulation, or directive; or

280 C. As the department director may determine, to achieve consistency with a state or  
281 federal law, regulation, or directive.

282 **Article III. Smoking**

283 **5.71.100: SMOKING RESTRICTIONS:**

284 Passengers and drivers in ground transportation vehicles may only smoke in such  
285 vehicles as set forth in the Utah Code.

286 **Article IV. Vehicle Standards**

287 **5.71.120: VEHICLE AGE AND CONDITION:**

288 A. No vehicle shall be authorized by the City to operate as a ground transportation  
289 vehicle that is more than six (6) model years in age, has a salvage title, or has accumulated three  
290 hundred fifty thousand (350,000) miles or more. The following exemptions to the foregoing  
291 limitations may be approved by the department on a case-by-case basis upon application to the  
292 department director.

293 1. A ground transportation vehicle that is more than six (6) model years in age,  
294 but has accumulated less than three hundred fifty thousand (350,000) miles may be  
295 operated for a total of seven (7) model years so long as the vehicle meets or exceeds  
296 inspection requirements set forth in Section 5.71.150 of this chapter and has not  
297 accumulated three hundred fifty thousand (350,000) miles or more.

298                   2. Busses, mini-busses, special transportation vehicles, and limousines may be  
299                   exempted from these age and mileage restrictions, but not from the salvage title  
300                   restriction.

301                   3. Specialty vehicles may be exempted from these age, mileage, and salvage  
302                   restrictions.

303                   4. Ground transportation vehicles that have been modified to meet ADA  
304                   requirements may be operated for a total of seven (7) years.

305                   B. Seventy five percent (75%) of a business's ground transportation vehicles shall meet  
306                   this vehicle age restriction within twelve (12) months after the effective date of this ordinance.

307                   C. One hundred percent (100%) of a business's ground transportation vehicles shall meet  
308                   this age restriction within twenty-four (24) months after the effective date of this ordinance.

309                   D. One hundred percent (100%) of a business's ground transportation vehicles shall meet  
310                   these mileage and salvage title restrictions upon the effective date of this ordinance.

311                   E. No new vehicle shall be approved as a ground transportation vehicle that does not  
312                   meet these restrictions.

313                   **5.71.130: CONFLICTING OR MISLEADING DESIGNS AND ADVERTISING**

314                   **PROHIBITED:**

315                   A. No vehicle shall be authorized to operate whose color scheme, identifying design,  
316                   monogram, or insignia, in the opinion of the department director, conflicts with or imitates any  
317                   color scheme, identifying design, monogram, or insignia used on a vehicle or vehicles already  
318                   operating under this chapter, in such a manner as to be misleading or tending to deceive or  
319                   defraud the public or which improperly conveys the nature or the type of the ground  
320                   transportation service offered.

321 B. No ground transportation business shall advertise or hold itself out as being licensed  
322 by the City under this chapter when in fact no such license has been issued or has been revoked  
323 or terminated.

324 **Article V. Insurance and Inspections**

325 **5.71.140: INSURANCE REQUIRED:**

326 A. Every ground transportation business shall maintain continuous vehicle insurance,  
327 when the vehicle is operational, at the minimum levels of coverage set forth by the Federal  
328 Motor Carrier Association, Section 49 CFR 387.303, or by the Utah Department of  
329 Transportation, or by the United States Department of Transportation, whichever levels are  
330 higher. Proof of insurance shall be required when a vehicle is initially inspected by the  
331 department, and may be verified upon the City's receipt of a complaint, negative comment form,  
332 or at the time of an on-street, unscheduled ground transportation vehicle inspection.

333 B. Taxicabs and other authorized ground transportation vehicles with a seating capacity  
334 of seven (7) passengers or less, including the driver, shall carry minimum coverage in the  
335 amounts required for vehicles with eight (8) passengers or more, including the driver, as set forth  
336 in Section 49 CFR 387.303.

337 C. Each ground transportation business shall send a copy of any notice of cancellation or  
338 reduction of insurance coverage to the department immediately upon such cancellation or  
339 reduction.

340 D. Salt Lake City Corporation shall be named as an additional insured in all insurance  
341 contracts.

342 **5.71.150: INSPECTIONS:**

343           A. All authorized ground transportation vehicles shall be registered with the department  
344 and at all times shall meet or exceed standards established by the department rules and  
345 regulations in order to meet the interests of Salt Lake City.

346           B. No vehicle may operate as a ground transportation vehicle within the City without first  
347 having been inspected by the department and found to be meeting all requirements of the  
348 department Inspection as established by department rules and regulations for the category of  
349 vehicle being inspected. Notwithstanding the foregoing, a ground transportation company that  
350 purchases a new ground transportation vehicle may, in lieu of an inspection of such vehicle:

351                   1. Certify to the department that the vehicle is new and conforms to the standards  
352 and requirements established by this section and department rules and regulations, and

353                   2. Provide proof of insurance as provided in Subsection 5.71.140A.

354                   3. Installation of an AVI and taximeter shall be subject to inspection by the  
355 department.

356           C. Vehicles meeting the requirements of the department inspection shall have a unique  
357 department inspection seal affixed to the rear of the vehicle signifying that the vehicle has passed  
358 the department inspection and may be operated as a ground transportation vehicle. The  
359 department seal is non-transferable and no vehicle may be used as a ground transportation  
360 vehicle without the department inspection seal in place.

361           D. All ground transportation vehicles meeting the requirements of the department  
362 inspection shall be issued a department automated vehicle identification (AVI) tag, which the  
363 department shall install on the vehicle. These tags are non-transferable and may not be removed  
364 or modified without authorization from the department.

365 E. The department may perform vehicle inspections at any time any ground  
366 transportation vehicle is operating within the corporate limits of the City in order to administer  
367 and enforce applicable vehicle standards.

368 F. No ground transportation vehicle may be operated within the City unless it is  
369 maintained to the standards and requirements established by department rules and regulations,  
370 including without limitation department inspection requirements.

371 **5.71.160: TEMPORARY OPERATIONS:**

372 A ground transportation business that operates on a limited or temporary basis within the  
373 City may petition the department director for a waiver from some of the requirements of this  
374 chapter. However, no ground transportation business may operate without paying otherwise  
375 applicable fees. Consideration of such waiver may include the following:

376 A. The business is based outside of a thirty-five (35) mile radius of the City and the  
377 business provides limited services within the City;

378 B. The business does not pick up passengers within the City and provides transportation  
379 only into the City; and

380 C. Any specific ground transportation vehicle that will be used for operations within the  
381 City no more than five (5) calendar days per year.

382 **Article VI. Special Transportation Businesses**

383 **5.71.170: SPECIAL TRANSPORTATION VEHICLES AND OPERATORS:**

384 A. It is a violation for any person who owns or controls a special transportation business  
385 to allow a special transportation vehicle to be operated without, prior to commencement of the  
386 business, completing the following:

387 1. Obtaining a business license;

- 388                   2. Registering such business with the department;
- 389                   3. Paying all applicable fees associated with the licensing or permitting of such
- 390 business, its vehicles and its employees; and
- 391                   4. Providing the department with certification from the State of Utah that the
- 392 vehicle meets all State requirements and was found to be in a safe condition for the
- 393 transportation of persons with disabilities and had all such equipment as may be required
- 394 by state law including, but not limited to, the following:
- 395                   a. Doorways wide enough to accommodate a wheelchair;
- 396                   b. Ramps or lifting devices for elevating persons with disabilities from the
- 397 curb or sidewalk into the special transportation vehicle, which ramps and lifting
- 398 devices shall be stored inside the special transportation vehicle while it is moving;
- 399                   c. Adequate means of securing persons with disabilities safely to the inside
- 400 of the special transportation vehicle and safety belts for all passengers;
- 401                   d. A door, in addition to those provided in such vehicles for normal
- 402 ingress and egress, located at the rear thereof, to be used as a method of escape in
- 403 case of an emergency; and
- 404                   e. A fire extinguisher, and first aid equipment and supplies, as prescribed
- 405 and amended from time to time by state law.
- 406           B. In addition to meeting all other department rules and regulations applicable to ground
- 407 transportation vehicles and businesses, owners and operators of special transportation vehicles
- 408 shall comply with the following:
- 409                   1. No special transportation vehicle shall be equipped with a siren or be permitted
- 410 to operate as an emergency vehicle.

411                   2. Special transportation vehicles shall be kept in a clean and sanitary condition,  
412                   according to applicable rules and regulations promulgated by the State.

413                   3. All special transportation vehicle operators shall obtain and maintain  
414                   certification training in first aid, CPR, and AED as taught by an American Heart  
415                   Association certified instructor.

416 **5.71.175: EXISTING HOLDERS' CERTIFICATES FOR SPECIAL TRANSPORTATION**  
417 **VEHICLES:**

418                   A. Holders of existing certificates for special transportation vehicles shall retain such  
419                   certificates, as set forth in Section 5.76.130 of this title, allowing them to operate the same  
420                   number of vehicles as they are authorized to operate on the effective date of this ordinance,  
421                   without any hearing, the public convenience and necessity have heretofore been demonstrated.

422                   B. No certificate shall continue in operation unless the holder thereof has paid the annual  
423                   business regulatory fees each year for each vehicle authorized under a certificate. Such fees shall  
424                   be in addition to any other fees or charges established by proper authority and applicable to the  
425                   holder of the vehicle or vehicles under the holder's operation and control.

426   **Article VII. Vehicle Operator's Badge**

427 **5.71.180: VEHICLE OPERATOR'S BADGE REQUIRED:**

428                   It is a violation for any person to operate a ground transportation vehicle upon the streets  
429                   of the City without having first obtained and having then in force a valid ground transportation  
430                   vehicle operator's badge issued by the department under department rules and regulations.

431 **5.71.190: PERMITTING NON-BADGED OPERATOR TO DRIVE:**

432                   It is a violation for any person who owns or controls a ground transportation vehicle to  
433                   permit it to be driven, and no ground transportation vehicle authorized by the department shall be

434 so driven at any time, unless the ground transportation vehicle is operated by a driver who has  
435 then in force a valid ground transportation vehicle operator's badge issued by the department.

436 **5.71.240: DISPLAY OF OPERATOR'S BADGE:**

437 Every person issued a vehicle operator's badge shall display the badge above the waist,  
438 on front side of the outermost garment so as to be in plain view and not covered while such  
439 person is operating a ground transportation vehicle. Every such person shall exhibit such badge  
440 upon demand by any police officer, any authorized agent of the department, or any other person  
441 authorized by the Mayor to enforce the provisions of this chapter.

442 **Article VIII. Payment For Furnishing Of Passengers**

443 **5.71.250: PAYMENT:**

444 It shall be a violation for any person operating a ground transportation vehicle, business,  
445 driver, independent contractor, employee, or other person to pay, or offer to pay, any  
446 remuneration to another person, specifically including persons employed at a lodging business  
447 and vehicle dispatchers, for the furnishing of passengers and/or baggage to be transported by a  
448 ground transportation vehicle. It shall be a violation for any person, specifically including  
449 persons employed at a lodging business and vehicle dispatchers, to receive or request any  
450 remuneration from any person for the furnishing of passengers and/or baggage to be transported  
451 by a ground transportation vehicle. Nothing herein shall prohibit hotels and motels from  
452 contracting or invoicing for, and being paid, or making payment for, the transportation of  
453 customers and/or baggage, which payment may include a portion thereof being distributed by the  
454 hotel or motel to a bell staff, door staff, or concierge as a gratuity.

455 **Article IX. Ground Transportation Discussion Group**

456 **5.71.255: PURPOSE:**



457           The Mayor shall convene a ground transportation discussion group, committee, or forum  
458 to meet informally on a quarterly basis for two (2) years after the effective date of this ordinance  
459 for the purpose of providing advice on the following:

460           A. Identifying ground transportation problems and potential solutions;

461           B. Identifying items within the ordinances or regulations that appear to be unclear or  
462 confusing;

463           C. Suggesting improvements to the program for consideration by the City;

464           D. Discussing issues of concern to those in attendance;

465           E. Identifying barriers to quality transportation service; and

466           F. Recommending whether a discussion group, committee, or forum of this nature would  
467 be advantageous to continue beyond the initial two (2) year transition period.

468 **5.71.258: PARTICIPANTS:**

469           A. Invitations to participate in the discussion group, committee, or forum should include,  
470 but not be limited to, representatives of the:

471                   1. Hotel industry,

472                   2. Hospitality industry,

473                   3. Taxi cab industry,

474                   4. Shuttle industry,

475                   5. Hotel contract vehicle industry,

476                   6. Utah Transit Authority,

477                   7. Tourism and convention industries,

478                   8. Specialty transportation industries,

479                   9. Wasatch Front Regional Council mobility coordinator,

480                   10. Salt Lake City Accessibility Services Advisory Council or City ADA  
481                   Coordinator, and

482                   11. A mechanic familiar with vehicles in commercial ground transportation fleets.

483                   B. Individuals or representative of key transportation user groups including, but not  
484                   limited to low income, elderly, and persons with physical limitations shall also be invited to  
485                   participate.

486                   **Article X. Enforcement and Civil Penalties**

487                   **5.71.260: DEPARTMENT AUTHORITY:**

488                   The department shall enforce the provisions of this chapter and govern the conduct of  
489                   companies and drivers operating under this chapter.

490                   **5.71.270: COMMENT FORM:**

491                   Any person may complain of any violation of this chapter or comment on any ground  
492                   transportation business or vehicle, or any driver of a ground transportation vehicle operating  
493                   within the corporate limits of Salt Lake City, by filing a comment form with the department on  
494                   forms that the department may require ground transportation businesses to print and provide in  
495                   their vehicles and which may be found on the City's website and within department rules and  
496                   regulations.

497                   **5.71.280: ISSUANCE OF A CIVIL NOTICE OF GROUND TRANSPORTATION**  
498                   **VIOLATION:**

499                   A. Every notice issued under this chapter shall be issued in the form of a written civil  
500                   notice and shall contain a statement that the named party may appeal the imposition of the  
501                   penalty and provide information regarding how to appeal.

502 B. Any driver, vehicle owner, or authorized ground transportation business that violates  
503 any provision of this chapter may be named in a civil notice issued by the City. A violation of  
504 any provision of this chapter by any driver or vehicle owner shall also constitute a violation of  
505 such provision by the ground transportation business under whose authority such driver or owner  
506 was operating at the time of the violation.

507 **5.71.290: RECORD KEEPING:**

508 The City shall create a file for each driver and for each authorized ground transportation  
509 business at the time any document is submitted for application or filing. The City shall maintain  
510 any document placed in such files for a period as required by law.

511 **5.71.300: CIVIL PENALTIES AND ENFORCEMENT:**

512 A. The City may revoke, suspend, or deny renewal of a City business license to operate a  
513 ground transportation business for violation of any provision of this title, department rules and  
514 regulations, or other applicable law.

515 B. The department may revoke, suspend, or deny renewal of an operator's badge,  
516 department automated vehicle identification tag or department inspection seal for violations of  
517 any provision of this title, department rules and regulations, or other applicable law. The person  
518 or business affected may request, in writing filed with the department, an appeal hearing before  
519 the ground transportation appeal committee. Any such revocation, suspension, or denial of  
520 renewal shall remain in effect until the party against whom such action is taken requests  
521 reinstatement and the ground transportation appeal committee determines that reinstatement is  
522 appropriate.

523 C. If any named party fails to comply with civil penalties imposed under this chapter,  
524 such party may be subject to suspension, revocation, or nonrenewal of a City license to operate a

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525 ground transportation business, operator's badge, department automated vehicle identification  
 526 tag or department inspection seal.

527 D. Civil penalties may be imposed as set forth below. The named party in the civil notice  
 528 shall be liable for a civil penalty. Any penalty assessed in connection with this section may be in  
 529 addition to any other penalty that may be imposed by law or department rules and regulations.

<b>CODE</b>	<b>AMOUNT OF PENALTY</b>	<b>VIOLATION</b>	
<b>ARTICLE I GENERAL REGULATIONS</b>			
5.71.050		\$1000.00	Business license required
5.71.060 (B)	\$500.00	Violation of passenger transport	
<b>ARTICLE II DRIVERS STANDARDS</b>			
5.71.070	\$100.00	Driver's appearance	
5.71.080	\$300.00	Driver's conduct	
5.71.090		\$300.00	Unauthorized solicitation of business
<b>ARTICLE III SMOKING</b>			
5.71.100	\$300.00	Smoking in vehicles	
<b>ARTICLE IV VEHICLE STANDARDS</b>			
5.71.120	\$500.00	Vehicle age	

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5.71.130	\$1000.00	Misleading design prohibited
<b>ARTICLE V</b>		
<b>INSURANCE AND INSPECTIONS</b>		
5.71.140		\$1000.00 Insurance required
5.71.150 (A,B,C)	\$1000.00	Vehicle inspection and Seal required
5.71.150 (D)	\$500.00	Automated Vehicle Identification Tag required
5.71.150 (F)	\$500.00	Failure to maintain vehicle inspection standards
<b>ARTICLE VI</b>		
<b>SPECIAL TRANSPORTATI ON BUSINESSES</b>		
5.71.170 (A,B,C,D)	\$1000.00	License and registration requirements
5.71.170 (E)	\$1000.00	Emergency vehicle equipment prohibited
5.71.170 (F)		\$1000.00 Clean and sanitary condition of vehicle
5.71.170 (G)	\$1000.00	First aid certification required
<b>ARTICLE VII</b>		
<b>VEHICLE OPERATORS BADGE</b>		
5.71.180	\$1000.00	Operator's badge required
5.71.190	\$1000.00	Permitting non-badged operator
5.71.240		\$100.00 Display of badge
<b>ARTICLE VIII</b>		
<b>PAYMENT FOR FURNISHING</b>		

<b>OF PASSENGERS</b>		
5.71.250	\$300.00	Payment for passenger

530

531 **5.71.310: ENFORCEMENT PROCEDURES; CIVIL NOTICE OF GROUND**

532 **TRANSPORTATION VIOLATION:**

533 A. Civil notices under this chapter, other than those involving revocations, suspensions,  
534 denials or approvals of a business license, operators' badge, department automated vehicle  
535 identification tags and department inspection seal shall be heard by the Salt Lake City Justice  
536 Court. Any named party may appear before a hearing officer and present and contest an alleged  
537 violation as provided in Title 2, Chapter 2.75 of this code, or its successor.

538 B. The burden to prove any defense shall be upon the person raising such defense.  
539 Nothing herein shall affect the City's burden to prove each element of the underlying charge by a  
540 preponderance of evidence.

541 C. If the hearing officer finds that no violation of this chapter occurred, or that a violation  
542 occurred but one (1) or more of the defenses set forth in this section is applicable, the hearing  
543 officer may dismiss the civil notice and release the named party from liability thereunder, or may  
544 reduce the penalty associated therewith as the officer shall determine. Such defenses are:

- 545 1. The civil notice does not contain the information required by this chapter;
- 546 2. Compliance with the subject ordinances would have presented an imminent and  
547 irreparable injury to persons or property; or
- 548 3. Such other mitigating circumstances as may be approved by the City Attorney's  
549 Office.

550 **5.71.320: EXPEDITED APPEAL OF EXCLUSION:**

551 Any named party who is excluded from pursuing commercial activities under this  
552 chapter, and has not had a hearing before the ground transportation appeal committee regarding  
553 such exclusion as provided for in this chapter, may request an expedited appeal of the action that  
554 resulted in such exclusion. Such appeal shall be requested in writing by the party so excluded to  
555 the department. The department shall promptly investigate the facts relating to such exclusion. If  
556 the evidence indicates such exclusion is improper under this chapter, the department director  
557 may reverse the action that resulted in such exclusion. If the department director does not reverse  
558 such action, the action resulting in such exclusion shall be heard and determined by the ground  
559 transportation appeal committee in accordance with the provisions of this chapter. If a  
560 preponderance of the evidence indicates such exclusion is proper under this chapter the ground  
561 transportation hearing committee shall uphold such exclusion.

562 SECTION 2. Effective Date. This ordinance shall become effective on the date of its first  
563 publication.

564 Passed by the City Council of Salt Lake City, Utah this \_\_\_\_\_ day of \_\_\_\_\_,  
565 2010.

566 \_\_\_\_\_  
567 CHAIRPERSON

568  
569  
570  
571 \_\_\_\_\_  
572 CITY RECORDER

573  
574  
575 Transmitted to Mayor on \_\_\_\_\_.

576  
577 Mayor's Action: \_\_\_\_\_ Approved. \_\_\_\_\_ Vetoed.

578

DRAFT - NOVEMBER 4, 2010

579

580

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MAYOR

581

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CITY RECORDER

584

585 (SEAL)

586 Bill No. \_\_\_\_\_ of 2010

587 Published: \_\_\_\_\_



SALT LAKE CITY ORDINANCE

No. \_\_\_\_\_ of 2010

(Taxicab requirements)

An ordinance amending Chapter 5.72, *Salt Lake City Code*, pertaining to taxicab regulation, providing for contract-based taxicab services, eliminating certificates of convenience and necessity, eliminating operational requirements that will become contract-based, providing for contracts between taxicab companies and the City, providing for rules and regulations, replacing fixed fares with a flexible fare structure, and replacing criminal enforcement with civil penalties.

WHEREAS, City Council adopted Resolution No. 66 of 2005 on December 8, 2005, declaring the City Council's intent to "change the taxicab (regulatory) system from a certificate of convenience and necessity system" to a system where taxicab companies contract with Salt Lake City to operate taxicabs; and

WHEREAS, simultaneously, the City Council adopted Ordinance No. 87 of 2005, which, in part, declared that a certificate of convenience and necessity is not a franchise and is not irrevocable; and

WHEREAS, prior to adopting regulatory changes required for transition to a contract-based system, the City agreed to provide certificate holders with 180-days notice and, accordingly, all such certificates of convenience will terminate 180 days from the date of when such notice is issued; and

WHEREAS, after a duly noticed public hearing before the City Council, the Council has determined (i) this ordinance facilitates and enables transition to a contract-based taxicab system; (ii) notice of termination of certificates of convenience and necessity will issue on the effective date of this ordinance; (iii) all such certificates issued in connection with taxicabs will terminate 180 days from such notice date; and (iv) this ordinance is in the best interest of the City.

27 NOW, THEREFORE, be it ordained by the City Council of Salt Lake City, Utah as  
28 follows:

29 SECTION 1. That Chapter 5.72, *Salt Lake City Code*, pertaining to taxicabs, be, and the  
30 same hereby is, amended to read as follows:

31 **Chapter 5.72**

32 **TAXICABS**

33 **Article I. Definitions and General Regulations**

34 **5.72.005: DEFINITIONS ~~AND INTERPRETATION OF LANGUAGE:~~**

35 The following words and phrases, when used in this chapter, shall have the  
36 meanings defined and set forth in this ~~article~~.section.

37 ~~5.72.010: CAB DAY:~~

38 ~~"Cab day" means eight (8) or more hours during any calendar day.~~

39 ~~5.72.015: CALENDAR DAY:~~

40 ~~"Calendar day" means a twenty four (24) hour period from twelve o'clock (12:00)  
41 midnight to twelve o'clock (12:00) midnight.~~

42 ~~5.72.020: CALENDAR QUARTER:~~

43 ~~"Calendar quarter" means January 1 through March 31, April 1 through June 30, July 1  
44 through September 30, or October 1 through December 31 of each year.~~

45 ~~5.72.025: CALENDAR SIX MONTHS:~~

46 ~~"Calendar six (6) months" means January 1 through June 30 and July 1 through  
47 December 31 of each year.~~

48 ~~5.72.030: CAR POOL:~~

49 ~~"Car pool" means the use of a taxicab for the transportation of two (2) or more persons~~

50 ~~from designated locations to other designated locations in accordance with a prearranged~~  
51 ~~agreement between the taxicab company and the persons being transported.~~

52 ~~5.72.035: **BUSINESS:** A voluntary association legally formed and organized to carry on a~~  
53 ~~Business in Utah in the legal name of the association, including without limitation a corporation,~~  
54 ~~limited liability company, partnership, or sole proprietorship.~~

55 **CERTIFICATE:**

56 ~~"Certificate" means a A certificate of public convenience and necessity issued by the city~~  
57 ~~authorizing the holder thereof to conduct a taxicab business in the city.City.~~

58 ~~5.72.040: **CITY:** The governmental institution and landmass contained within the boundaries of~~  
59 ~~Salt Lake City, Utah.~~

60 ~~**CIVIL NOTICE:** A written notice of a ground transportation violation as provided under this~~  
61 ~~chapter.~~

62 **CLEARED:**

63 ~~"Cleared" means that That condition of a taximeter when it is inoperative with respect to~~  
64 ~~all fare registration, when no figures indicating fare or extras are exposed to view, and when all~~  
65 ~~parts are in that position for which they are designed to be when the taxicab to which the~~  
66 ~~taximeter is attached is not engaged by a passenger, and all cumulative fare and extras charges~~  
67 ~~have been set to zero dollars (\$0).~~

68 ~~5.72.047: **CONCESSIONAIRE:** A person or entity with whom the Department of Airports has~~  
69 ~~contracted to provide taxicab services.~~

70 **DEPARTMENT:**

71 ~~" The Salt Lake City Department"~~ means the city of Airports or such other City  
72 department ~~delegated~~ or division as may be designated by the ~~mayor~~ Mayor to have responsibility  
73 for the enforcement of this chapter.

74 ~~5.72.050:~~ **DEPARTMENT DIRECTOR:** The director of the department designated by the  
75 Mayor to have responsibility for the enforcement of this chapter or the authorized designee of  
76 such director.

77 **DEPARTMENT CONTRACT:** A valid, existing, and current contract negotiated and  
78 approved by the department for providing taxicab or other services within the corporate  
79 boundaries of Salt Lake City, including the airport.

80 **DEPARTMENT RULES AND REGULATIONS:** Rules and regulations developed and  
81 adopted by the department director to govern ground transportation service and businesses within  
82 the City.

83 **EXTRAS:**

84 ~~"Extras" means the charges-~~ Charges to be paid by ~~the~~ a customer or passenger in  
85 addition to the fare, ~~including any charge for the transportation of baggage or parcels.~~

86 ~~5.72.055:~~ **FACE:**

87 ~~"Face" means that~~ That side of a taximeter upon which passenger or customer charges  
88 for hire of a taxicab are indicated.

89 ~~5.72.060:~~ **FARE:**

90 ~~"Fare" means that~~ That portion of the charge for hire of a taxicab which is automatically  
91 calculated by the taximeter through the operation of the mileage and time mechanism.

92 ~~5.72.065: **GROUND TRANSPORTATION APPEAL COMMITTEE:** A committee~~  
93 ~~established by the department director to hear and rule on appeals, suspensions, and other matters~~  
94 ~~related to ground transportation in and connected with the City.~~

95 ~~**HAIL A TAXICAB:** The act of a person to call out for, or to signal for, an in-service taxicab~~  
96 ~~that is not already engaged in transport of passengers to respond to the person's location for~~  
97 ~~hiring and transport of persons or property.~~

98 **HIRED:**

99 ~~"Hired" means activating the~~ The button on the face of ~~the~~a taximeter, which when  
100 activated places the taximeter in operation, signifying the start of a billing process for the  
101 person(s) engaging the use of the taxicab.

102 ~~5.72.070: **HOLDER:**~~

103 ~~"Holder" means a~~ A person to whom a certificate of public convenience and necessity  
104 has been issued.

105 ~~5.72.075: **IN-SERVICE:**~~

106 ~~"In service" means that a~~ A taxicab ~~that~~ is ~~actually~~ in use on the streets of the ~~city~~City,  
107 with a driver, and available for the transportation of passengers for hire.

108 ~~5.72.080: **MANIFEST:**~~

109 ~~"Manifest" means a daily record prepared by a taxicab driver of all trips made by such~~  
110 ~~driver, showing time(s) and place(s) of origin and destination, number of passengers, and the~~  
111 ~~amount of fare of each trip.~~

112 ~~5.72.085: **OPEN STAND:**~~

113 ~~"Open stand" means a~~ A public place alongside the curb of a street, or elsewhere in the  
114 cityCity, which has been designated by the ~~mayor~~Mayor or the Mayor's designee as reserved

115 ~~exclusively~~ for the use of taxicabs, ~~and may include~~ available for hire by passengers, including  
116 places otherwise marked as freight zones or other parking restricted zones if designated for use  
117 of taxicabs during specified times.

118 ~~5.72.090: PERSON:~~

119 ~~"Person" means and includes an~~ An individual, a corporation or other legal entity, a  
120 partnership, and any incorporated association.

121 ~~5.72.095: SMALL PARCEL DELIVERY SYSTEM:~~

122 ~~"Small parcel delivery system" means~~ TAXICAB: A motor vehicle with a system seating  
123 capacity of delivering items which will be picked up by a taxicab five (5) passengers or less, not  
124 including the driver and delivered to, or a van with a destination within one and one-half (1 1/2)  
125 hours. The pick up and delivery of such items shall be accomplished while the taxicab is idle;  
126 i.e., not en route to picking up or dropping off any passenger, and seating capacity of six (6) to  
127 twelve (12), not while any passenger is en route in including the taxicab.

128 ~~5.72.100: TAXICAB:~~

129 ~~"Taxicab" means a motor vehicle driver,~~ used in the on demand, for hire transportation of  
130 passengers for hire or baggage over the public streets ~~of the city,~~ and not operated over a fixed  
131 route or upon a fixed schedule, but which is subject ~~to~~ for contract ~~for~~ hire by persons desiring  
132 special trips from one point to another. ~~"Taxicab" does not include an automobile rental licensed~~  
133 ~~under any other section of this code and authorized to operate in Salt Lake City by contract with~~  
134 the department.

135 ~~5.72.105: TAXICAB DRIVER'S LICENSE:~~

136 ~~"Taxicab driver's license" means the operator's certificate required pursuant to section~~  
137 ~~5.71.250 of this title.~~

138 ~~5.72.110:~~ **TAXIMETER:**

139 ~~"Taximeter" means a~~ A meter instrument or electronic device attached to a taxicab which  
140 measures mileage by the distance driven and the waiting time upon which the fare is based, and  
141 which automatically calculates, at a predetermined rate or rates, and registers, the charge for hire  
142 of a taxicab. ~~Each taxicab shall have credit card capability for its customers.~~

143 ~~5.72.115:~~ **WAITING TIME:**

144 ~~"Waiting time" means the~~ The time when a taxicab is not in motion, from the time of  
145 ~~acceptance of hiring by~~ a passenger ~~or passengers~~ to the time of discharge ~~of passenger(s).~~

146 **5.72.105: AUTHORITY TO ESTABLISH RULES AND REGULATIONS:**

147 A. To the extent authorized by the provisions of this chapter and consistent with other  
148 applicable provisions of this code, the department director, under guidance and direction from  
149 the Mayor, may enter into contracts deemed necessary or desirable and may establish rules and  
150 regulations necessary to administer the provisions of this chapter.

151 B. The Mayor shall adopt procedures applicable to the establishment of department rules  
152 and regulations that provide for:

153 1. Public notice of any proposed rule that will affect operation of any ground  
154 transportation business;

155 2. An opportunity for public comment on proposed rules before they take effect,  
156 and

157 3. The basis for any such proposed rule.

158 **Article II. Certificate Of Public Convenience And Necessity** Authority To Operate

159 ~~5.72.130:~~ **125: COMPLIANCE RESPONSIBILITY:**

160 A. All persons shall comply with and operate under requirements of applicable law,  
161 including without limitation Federal, State, County and City laws and ordinances, including but  
162 not limited to, Chapters 5.72, 5.71, and 16.60 of the Salt Lake City Code, and department rules  
163 and regulations.

164 B. A concessionaire shall not be relieved of any responsibility for compliance with the  
165 provisions of this chapter, whether the concessionaire leases or rents taxicabs to drivers, or  
166 whether the concessionaire pays salary, wages, or any other form of compensation.

167 **5.72.155: DEPARTMENT CONTRACT REQUIRED FOR OPERATION:**

168 A. No person shall operate or permit a taxicab owned or controlled by such person to be  
169 operated as a vehicle for hire upon the streets of Salt Lake City ~~without first having obtained a~~  
170 ~~certificate of public convenience and necessity from the city in accordance with chapter 5.05 of~~  
171 ~~this title, or its successor unless such person is authorized to do so under a department contract.~~

172 ~~B. The city is considering alternate methods of regulation, and intends to adopt alternate~~  
173 ~~methods at a future date. Certificates of convenience and necessity issued by the city are~~  
174 ~~terminable by the city, and in order to prepare for changes in regulation, all such certificates~~  
175 ~~issued under this chapter shall expire at the same time that the certificate holder's current~~  
176 ~~business license expires, which shall be no later than January 31, 2006. Future certificates of~~  
177 ~~convenience and necessity under this chapter will be issued only on a renewal basis to existing~~  
178 ~~certificate holders upon submission of an acceptable renewal application, and shall remain~~  
179 ~~subject to termination. Prior to adopting regulatory changes, the city will provide notice to these~~  
180 ~~certificate holders, and all such certificates will terminate one hundred eighty (180) days from~~  
181 ~~the date when such notice is issued. Upon any final termination, a pro rata refund of that portion~~  
182 ~~of the annual business license fee and certificate of convenience and necessity fee shall be given~~



183 ~~to those persons whose licenses and certificates have been terminated according to the portion of~~  
184 ~~the year remaining at the time of said termination. In the event no termination occurs as provided~~  
185 ~~herein within twelve (12) months of the issuance of any renewal certificate of convenience and~~  
186 ~~necessity and business license, a renewal certificate and business license shall be reissued to such~~  
187 ~~persons or entities applying therefor under the same conditions as provided hereinabove unless~~  
188 ~~or until there is a termination as provided above in this subsection, or unless such certificate or~~  
189 ~~license is terminated for other causes as set forth in chapter 5.05 of this title or other sections of~~  
190 ~~this code. All certificate holders as of the date hereof that remain in good standing shall have an~~  
191 ~~opportunity to compete for any future certificates, contracts or other similar authorizations from~~  
192 ~~the city.~~

193 ~~C. B. No person may operate a taxicab business in the City unless the person is~~  
194 ~~authorized to do so under a department contract. Nothing in the department contract shall relieve~~  
195 ~~a concessionaire of the requirements of applicable laws, including but not limited to Titles 5.71,~~  
196 ~~5.72, and 16.60 of the Salt Lake City Code, and department rules and regulations.~~

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

206 ~~passenger or passengers within the corporate limits of the city, whether the destination is within~~  
207 ~~or outside of the corporate limits of the city.~~

208 ~~D. Taxicabs may operate as provided in section 5.71.028 of this title and section~~  
209 ~~16.60.097 of this code, or their successor sections.~~

210 ~~5.72.135: FEES~~ **5.72.165: CONTRACT-BASED SYSTEM FOR PROVISION OF TAXI**

211 **SERVICES:**

212 A. The City hereby adopts a contract-based system for provision of taxicab services.  
213 Only taxicab providers selected pursuant to a competitive request for proposals (RFP) process  
214 and who have entered into a department contract, as defined in Section 5.72.005, may operate  
215 taxicab services upon Salt Lake City streets.

216 1. Following the RFP procedure, at least two (2) and not more than four (4)  
217 taxicab businesses shall be awarded a department contract.

218 2. The total number of taxicabs authorized to operate in the City under all such  
219 contracts shall be at least two hundred (200) and not more than two hundred sixty- eight  
220 (268).

221 B. Existing certificates of public convenience and necessity issued by the City for taxicab  
222 services shall expire no sooner than one-hundred eighty (180) days from the effective date of this  
223 ordinance. The City may elect, in the City's sole discretion, to continue the expiration date up to  
224 an additional one-hundred eighty (180) days. Upon expiration, a pro rata refund of that portion  
225 of the certificate fee shall be given to those persons whose certificates have expired prior to the  
226 portion of the year remaining at the time of expiration.

227 **5.72.170 FEES:**

228 No certificate shall ~~be issued or continued~~continue in operation prior to the expiration as  
229 set forth in Section 5.72.165 unless the holder thereof has paid ~~an~~the annual ~~disproportionate~~  
230 business regulatory fee as set forth in ~~section~~Section 5.04.070 of this title, or its successor  
231 section, each year for each vehicle authorized under a certificate ~~of public convenience and~~  
232 ~~necessity~~. Such fees shall be in addition to any other fees or charges established by proper  
233 authority and applicable to the holder of the vehicle or vehicles under the holder's operation and  
234 control.

235 ~~5.72.140: EXISTING HOLDERS' CERTIFICATES~~175 EXISTING HOLDERS'

236 **CERTIFICATES:**

237 All holders of existing taxicab certificates ~~at~~on the effective date ~~hereof~~of this ordinance  
238 shall ~~have a certificate of public convenience and necessity awarded to them~~retain such  
239 certificates, allowing them to operate the same number of vehicles as they are presently  
240 authorized to operate, without the hearing provided in this article, the public convenience and  
241 necessity having heretofore been demonstrated, until such certificate expires as provided in  
242 Section 5.72.165B of this chapter.

243 ~~5.72.142: MANDATORY ACCESSIBLE VEHICLE:~~

244 ~~Every taxicab company holding a certificate of convenience and necessity from the city~~  
245 ~~shall, as a condition of retaining such certificate, obtain no later than sixty (60) days from the~~  
246 ~~effective date hereof and use continuously thereafter as part of its fleet of taxicabs in the~~  
247 ~~operation of its business, or through the service of a third party provider, at least one vehicle that~~  
248 ~~is fully accessible for the transport of persons with disabilities, including persons using~~  
249 ~~electrically powered wheelchairs. Said vehicles shall meet the equipment standards and technical~~  
250 ~~specifications set forth for such transport in the federal Americans with disabilities act, or its~~

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

253 ~~5.72.145: LICENSING FOR ALL CERTIFIED VEHICLES:~~

254 ~~A. A holder is required to have the total number of vehicles authorized under such~~  
255 ~~holder's certificate of convenience and necessity and to obtain the license required by section~~  
256 ~~5.05.155 of this title, or its successor section, for each and every vehicle.~~

257 ~~B. In the event the holder does not license the total number of vehicles authorized by the~~  
258 ~~certificate before February 15 of any year, such holder shall forfeit the right to any vehicle not so~~  
259 ~~licensed; that authority shall automatically revert to the city, and the certificate shall be modified~~  
260 ~~to reflect the total number of vehicles actually licensed before February 15 of any year. Such~~  
261 ~~forfeited right to operate any vehicle may be reissued to any person; provided, however, it shall~~  
262 ~~not be reissued except upon application required by section 5.05.105 of this title, or its successor~~  
263 ~~section, and by a showing of public convenience and necessity as required by section 5.05.140 of~~  
264 ~~this title, or its successor section.~~

265 ~~C. Nothing contained herein shall prohibit a holder from having vehicles in excess of the~~  
266 ~~number authorized under such holder's certificate for the purpose of replacement or substitution~~  
267 ~~of an authorized vehicle under repair, maintenance or breakdown; provided, however, any such~~  
268 ~~vehicle shall not be used as a taxicab other than as a replacement or substitution as herein~~  
269 ~~provided. Each holder shall be authorized to license additional vehicles, over and above the~~  
270 ~~number authorized in the certificate, as replacement or substitution vehicles according to the~~  
271 ~~number of vehicles so authorized in the certificate. Any holder having authorization for one to~~  
272 ~~five (5) vehicles shall be allowed to license one additional vehicle as a replacement or~~  
273 ~~substitution vehicle. Any holder having authorization for six (6) or more vehicles shall be~~

274 ~~allowed to license one additional vehicle as a replacement or substitution vehicle for each five~~  
275 ~~(5) vehicles authorized in the certificate.~~

276 ~~5.72.150~~**185: CERTIFICATE NOT A FRANCHISE AND NOT IRREVOCABLE:**

277 ~~A.~~ No certificate issued in accordance with ~~section 5.72.130 of~~ this chapter, or its  
278 successor section, shall be construed to be either a franchise or irrevocable.

279 ~~5.72.155: COMPLIANCE RESPONSIBILITY:~~

280 ~~The holder shall not be relieved of any responsibility for compliance with the provisions~~  
281 ~~of this chapter, whether the holder leases or rents taxicabs to drivers, or whether the holder pays~~  
282 ~~salary, wages or any other form of compensation.~~

283 ~~Article III. Driver Operator's Certificate~~

284 ~~5.72.220: OPERATOR'S CERTIFICATE REQUIRED:~~

285 ~~It shall be unlawful for any person to operate a taxicab for hire upon the streets of the city~~  
286 ~~unless the taxicab driver first obtains and has in effect a valid operator's certificate issued~~  
287 ~~pursuant to chapter 5.71, article VI of this title, and it shall be unlawful for any person or~~  
288 ~~business to permit a taxicab to be so operated unless its driver has such an operator's certificate.~~

289 ~~Article IV. Vehicle Equipment And Maintenance~~

290 ~~5.72.315:~~**205: MANDATORY ADA ACCESSIBLE VEHICLE INSPECTION PRIOR TO**  
291 **LICENSING::**

292 ~~Prior to the use and operation of any vehicle under the provisions of this chapter, the~~  
293 ~~vehicle shall be thoroughly examined and inspected as set forth in chapter 5.71, article V, of this~~  
294 ~~title, or its successor, and found to comply with the requirements thereof. In addition, the vehicle~~  
295 ~~shall at all times in which it is in operation as a taxicab within the city be maintained in~~  
296 ~~conformity with the safety inspection requirements of Utah and federal law.~~

297 ~~5.72.320: VEHICLE AGE:~~

298 ~~Vehicle age will be based on the calendar year starting January 1 and ending December~~  
299 ~~31 of each year. No matter when a vehicle is purchased in the calendar year, the model year of~~  
300 ~~the vehicle will count as an allowable full year of model years.~~

301 ~~A. No vehicle shall be licensed by the city as a taxicab that:~~

302 ~~1. Was not licensed prior to July 31, 2005; or~~

303 ~~2. Was manufactured more than six (6) model years prior to application for a~~  
304 ~~license unless the vehicle meets the criteria in subsection B of this section.~~

305 ~~B. A vehicle up to eight (8) model years in age shall be licensed if:~~

306 ~~1. The vehicle runs on "alternative fuel", as defined in subsection 12.56.205A of~~  
307 ~~this code;~~

308 ~~2. The vehicle is a "fuel efficient vehicle", as defined in subsection 12.56.205A of~~  
309 ~~this code; or~~

310 ~~3. The vehicle is a "low polluting vehicle", as defined in subsection 12.56.205A~~  
311 ~~of this code.~~

312 ~~C. Compliance with age restrictions will be confirmed by inspection, as provided in~~  
313 ~~chapter 5.71, article V of this title. Compliance with subsection B1 of this section may be proven~~  
314 ~~by providing the department with a copy of a current clean special fuel tax certificate obtained~~  
315 ~~pursuant to Utah Code Annotated (2008) section 59-13-304. All vehicle modifications made to~~  
316 ~~allow the use of alternative fuel must meet EPA safety standards.~~

317 ~~5.72.335: IDENTIFYING DESIGN:~~

318 ~~Each taxicab shall bear on the outside of each rear or front door, in painted letters not less~~  
319 ~~than two inches (2") in height, the name of the holder and the company number, which number~~

320 ~~shall also be painted on the rear of the taxicab, and, in addition, may bear an identifying design~~  
321 ~~approved by the mayor. All signs, markings, advertisement and graphics shall comply with~~  
322 ~~subsection 5.71.170A of this title, or its successor.~~

323 ~~5.72.340: CONFLICTING OR MISLEADING DESIGNS PROHIBITED:~~

324 ~~No vehicle covered by the terms of this chapter shall be licensed whose color scheme,~~  
325 ~~identifying design, monogram or insignia to be used thereon shall, in the opinion of the mayor,~~  
326 ~~conflict with or imitate any color scheme, identifying design, monogram or insignia used on a~~  
327 ~~vehicle or vehicles already operating under this chapter, in such a manner as to be misleading or~~  
328 ~~tend to deceive or defraud the public; and provided further that if, after a license has been issued~~  
329 ~~for a taxicab hereunder, the color scheme, identifying design, monogram or insignia thereof is~~  
330 ~~changed so as to be, in the opinion of the mayor, in conflict with or in imitation of any color~~  
331 ~~scheme, identifying design, monogram or insignia used by any other person, owner or operator,~~  
332 ~~in such a manner as to be misleading or tend to deceive the public, the certificate covering such~~  
333 ~~taxicab or taxicabs shall be suspended or revoked.~~

334 ~~At least five (5) percent of the vehicle fleet of each taxicab concessionaire shall be~~  
335 ~~available and equipped, consistent with requirements of the Americans with Disabilities Act~~  
336 ~~(ADA), for the use and convenience of persons with disabilities.~~

337 **Article ~~VIII~~. Taximeters**

338 ~~5.72.345:305: TAXIMETER REQUIRED FOR OPERATION; EXCEPTION:~~

339 ~~A. All taxicabs operated under the authority of this chapter, except as specified below,~~  
340 ~~shall be equipped with taximeters which shall conform to the specifications set forth in this~~  
341 ~~chapter and such others as may be adopted from time to time approved by the mayor department.~~

342 B. It is ~~unlawful~~ violation for any person to operate or to allow to be operated any  
343 taxicab without ~~such taximeter, with the exception that any taxicab performing car pool services~~  
344 ~~under section 5.72.520 of this chapter, or its successor, need not have such taximeter an~~  
345 ~~operative during such trip, and any taxicab used exclusively as a car pool vehicle~~ taximeter.

346 ~~5.72.347: TAXIMETER; METHOD OF PROGRAMMING RATES, FARES:~~

347 ~~No meter~~ C. All taximeters shall be mounted in locations approved or adopted by the  
348 ~~city which has rates, fares, or calibrations which are not properly sealed to prevent~~  
349 ~~tampering~~ department.

350 ~~5.72.350: FARES; METHOD OF CALCULATION:~~

351 ~~Taximeters shall calculate the fares upon the basis of a combination of mileage traveled~~  
352 ~~and time elapsed. When the taximeter is operative with respect to fare registration, the fare~~  
353 ~~registration mechanism shall be actuated by the mileage mechanism and the fare registering~~  
354 ~~mechanism shall be actuated by the time mechanism whenever the taxicab is not in motion.~~  
355 ~~Means shall be provided for the driver of the taxicab to maintain the clock mechanism either~~  
356 ~~operative or inoperative with respect to the fare registering mechanism.~~

357 ~~5.72.355: OPERATION TO BE INDICATED:~~

358 ~~It shall be shown on the taximeter's face whether the mechanism is set to be operative or~~  
359 ~~inoperative, and, if operative, the character of fare registration for which it is set. While the~~  
360 ~~taximeter is cleared, the indication "not registering" or an equivalent expression shall appear. If a~~  
361 ~~taximeter is set to be operative, the indication "registering" or equivalent expression shall appear.~~

362 ~~5.72.360: ACCUMULATED FARE TO BE SHOWN:~~

363 ~~The fare indication shall be identified by the word "fare" or by an equivalent expression.~~  
364 ~~Values shall be defined by suitable words or monetary signs.~~



365 ~~5.72.365: VISIBILITY OF INDICATIONS:~~

366 ~~Indications of fare and extras shall never be obscured or covered except when a taximeter~~  
367 ~~is cleared. No decals, stickers or other material may be placed on the face of the taximeter.~~

368 ~~5.72.370: PROTECTION OF INDICATIONS:~~

369 ~~Indications shall be displayed through an entirely protected glass or plastic face securely~~  
370 ~~attached to the metal housing of the taximeter.~~

371 ~~5.72.378: TOP LIGHT REQUIREMENT:~~

372 ~~D. All taximeters shall be tested and sealed by the department every six (6) months and~~  
373 ~~no taximeter may be used without such seal being in place.~~

374 ~~E. Nothing that could shield or conceal the indications and metered fare of the taximeter~~  
375 ~~from passengers may be placed so as to block the face of the taximeter.~~

376 ~~F. Taximeters shall have illuminated faces so as to provide visible indications of the~~  
377 ~~meters status and fare to the passenger in low light or after sundown.~~

378 ~~G. Upon the completion of the service by the taxicab, it shall be the duty of the driver to~~  
379 ~~call the attention of the passenger to the amount registered and to clear the taximeter of all fare~~  
380 ~~indications so as to start at zero dollars (\$0) upon the next fare.~~

381 ~~H. Except as otherwise provided herein, it is a violation for any driver of a taxicab or~~  
382 ~~taxicab business to charge a fare other than as calculated by the taximeter.~~

383 ~~I. It is a violation for any driver of a taxicab or taxicab business to charge any extra that is~~  
384 ~~not approved by the department, calculated by the taximeter, and which is not applicable to the~~  
385 ~~current fare.~~

386 J. A top light shall be installed on every licensed taxicab. The top light shall be  
387 illuminated when ~~saida~~ taxicab is available for hire and shall not be illuminated when the  
388 taximeter is placed into hire.

389 ~~5.72.380: COMPLETION OF SERVICE:~~

390 ~~Upon the completion of the service by the taxicab, it shall be the duty for the driver to~~  
391 ~~call the attention of the passenger to the amount registered, and to clear the taximeter to the~~  
392 ~~nonregistering position and its dials cleared. Upon completion of each fare, the driver shall give~~  
393 ~~the passenger a printed receipt as required by section 5.72.475 of this chapter, or its successor.~~

394 ~~5.72.385: PLACEMENT OF METER IN CAB:~~

395 ~~When mounted upon a taxicab, a taximeter shall be so placed that its face is in plain view~~  
396 ~~of any passenger seated on the rear seat of the cab.~~

397 ~~5.72.390: ILLUMINATION:~~

398 ~~The face of the taximeter shall be artificially illuminated after sundown so that it is~~  
399 ~~clearly visible to rear seat passengers.~~

400 ~~5.72.395: SEALING OF METERS REQUIRED:~~

401 ~~A. Every taximeter shall have adequate provisions for the affixing of a lead and wire seal~~  
402 ~~so that no adjustments, alterations or replacements affecting in any way the indications, rates or~~  
403 ~~accuracy of the taximeter can be made without mutilating such seal. The seal shall be affixed by~~  
404 ~~the department or the city license office, as hereinafter provided.~~

405 ~~B. It is unlawful for any person to operate any taxicab at any time with the license office's~~  
406 ~~seal of the taximeter broken, mutilated or removed, and any taxicab having a broken, mutilated~~  
407 ~~or removed seal must be inspected by the department or the license office, and a new seal affixed~~  
408 ~~by the office.~~

409 ~~5.72.400: INSPECTIONS; AUTHORIZED WHEN:~~

410 ~~All taximeters shall be subject to inspection from time to time by the department and/or~~  
411 ~~the license office of the city.~~

412 ~~5.72.405: SIX MONTH INSPECTIONS:~~

413 ~~A. It shall be the duty of the department or the license office to inspect, test and seal with~~  
414 ~~a city seal every taximeter at least once every six (6) months. This inspection shall coincide with~~  
415 ~~the airport and/or the license office inspection required under section 5.71.180 of this title, or its~~  
416 ~~successor.~~

417 ~~B. It is further required that the semiannual meter checks shall be required for every~~  
418 ~~taxicab in which a meter is installed, irrespective of whether or not that particular taxicab is in~~  
419 ~~operation at the time of such inspections. When any department or license office seal has been~~  
420 ~~broken, mutilated or removed, the holder shall contact the department or the license office and~~  
421 ~~make arrangements for the replacement of such seal. It is unlawful for any driver of a taxicab or~~  
422 ~~any other person to operate a taximeter in a taxicab unless said meter has been inspected and~~  
423 ~~certified to be operating accurately by the department or the license department for that specific~~  
424 ~~taxicab.~~

425 ~~5.72.415: SEALING AFTER INSPECTION:~~

426 ~~Such taximeters shall be sealed at all points and connections which, if manipulated,~~  
427 ~~would affect their correct reading and recording.~~

428 ~~5.72.420:~~**355: TAXIMETER INSPECTIONS; RECORD KEEPING:**

429 A. The department ~~and/or the license office~~ shall keep a record of the identification of  
430 every taxicab meter number and date of inspection thereof in its office.

431 ~~5.72.425: INSPECTION UPON COMPLAINT:~~

432 ~~It shall be the duty of the department or the license office to make an immediate~~  
433 ~~inspection of any taximeter when complaint is received that the taximeter is registering~~  
434 ~~incorrectly or not in accordance with the rate posted in the taxicab and set forth in this chapter.~~

435 ~~5.72.430: CHANGE IN RATES; IMMEDIATE INSPECTION:~~

436 B. The department shall inspect, test, and seal every operational taximeter at least every  
437 six (6) months. Additionally, the department may inspect and test any taximeter upon receipt of a  
438 complaint regarding the operations or accuracy of a taximeter.

439 C. In the event a change in rates is made, the taximeter shall be adjusted to the new rates,  
440 and the taximeter of every taxicab in which a meter has been installed shall be immediately  
441 inspected, tested, and sealed by the department ~~or the license office.~~ A fee to recover costs of  
442 ~~five dollars (\$5.00) will~~ the meter inspection shall be charged by the department ~~or the license~~  
443 ~~office~~ for each meter reprogrammed and sealed.

444 ~~5.72.435: ERROR IN REGISTRATION; REMOVAL FROM SERVICE:~~

445 D. No taximeter which is inaccurate in registration in excess of one and one-half percent  
446 (1½%) shall be allowed to operate in any taxicab, and when an inaccuracy is discovered, such  
447 taxicab involved shall immediately cease operation and be kept ~~off the highways~~ out of operation  
448 until the meter is repaired and in proper working condition.

449 ~~5.72.438: ALTERING TAXICAB TO AFFECT TAXIMETER:~~

450 E. No owner, driver or ~~company~~ business shall perform or permit or allow any alterations  
451 to a taxicab that will affect the taximeter pulse setting without said taximeter being inspected and  
452 recertified by the department ~~and/or the license office.~~ Said alterations shall include, but are not  
453 be limited to, transmission replacement or remanufacturing, differential replacement or

454 remanufacturing, speedometer cable replacement, speed sensor replacement, repair or  
455 replacement of the taxicab's onboard computer, or change of tire size on the drive axle.

456 ~~5.72.440: USING HIRED BUTTON AS SIGNAL FOR DIFFERENT RATE PROHIBITED:~~

457 ~~Except as otherwise provided herein, it is unlawful for any driver of a taxicab to charge a~~  
458 ~~fare other than as calculated by the taximeter.~~

459 **Article ~~VII~~IV. Rates**

460 ~~5.72.455: MAXIMUM~~**405: RATES:**

461 A. ~~Except as otherwise provided herein, an owner or driver of a taxicab may establish~~  
462 ~~and charge mileage rates lower than, but shall not establish and charge any mileage rate for the~~  
463 ~~use of a taxicab greater than, two dollars twenty five cents (\$2.25) for flag drop and twenty~~  
464 ~~cents (\$0.20) for each one eleventh (1/11) mile or fraction thereof. An owner or driver of a~~  
465 ~~taxicab may establish and charge a rate for waiting time lower than, but shall not establish any~~  
466 ~~rate for waiting time greater than, twenty two dollars (\$22.00) per hour. With respect to the flag~~  
467 ~~drop rate identified herein, the city council may elect to reevaluate that amount on its own~~  
468 ~~initiative before December 31, 2008. If followed, this reevaluation process shall be separate~~  
469 ~~from and not require that a separate petition be filed and fee paid by any certificate holder under~~  
470 ~~section 5.72.457 of this chapter, and in no way shall this process obligate the city council to~~  
471 ~~amend the flag drop rate unless it otherwise chooses to do so~~ The rates charged by a ground  
472 transportation company for taxicab service shall be set by the City Council. The department  
473 shall review submittals by taxicab companies for taxicab rates and the department director shall  
474 recommend to the City Council the rate structure and extras allowed to be charged for taxicab  
475 service.

476 B. ~~The foregoing notwithstanding, an owner or driver of a taxicab who is charged a fee~~

477 ~~by the city to deliver a passenger or to pick up a passenger at the Salt Lake City International~~  
478 ~~Airport may, in addition to the rates allowed by subsection A of this section, or its successor,~~  
479 ~~charge an additional sum in the exact amount of such fee to be used to pay such fee. Further, an~~  
480 ~~owner or driver of a taxicab may charge a minimum airport rate of twelve dollars (\$12.00) for~~  
481 ~~service from the Salt Lake City international airport.~~

482 ~~5.72.457: ANNUAL REVIEW OF MAXIMUM RATES:~~

483 ~~A. Each person holding a certificate of public convenience and necessity to operate~~  
484 ~~taxicabs within the city shall~~ 1. Unless otherwise provided for in a department contract, each  
485 taxicab business may file with the ~~city business license supervisor once during the calendar year~~  
486 ~~a petition~~ department periodically, but no more often than every six (6) months, a statement  
487 regarding the adequacy of the existing maximum rates ~~as set forth in section 5.72.455 of this~~  
488 ~~chapter, or its successor section.~~ Said petition statement shall state whether, in the opinion of the  
489 ~~certificate holder~~ person submitting the statement, the existing maximum rates are at an  
490 appropriate level, or whether such rates should be increased or decreased. If the petition statement  
491 indicates ~~that the said existing~~ rates should be increased, the person submitting ~~such petition~~ the  
492 statement shall supplement the petition statement with documentation in support of such increase,  
493 such as evidence of ~~increase of~~ increased operating costs, insurance costs, costs of living, ~~and~~  
494 fares charged for competing ground transportation services, and any other relevant information.  
495 ~~Each person filing said statement shall at the time of filing, pay a filing fee to the city business~~  
496 ~~license supervisor of one hundred dollars (\$100.00) to cover the city's costs of processing the~~  
497 ~~statement and of conducting the subsequent hearing thereon.~~

498 ~~B. As soon as is practicable after filing said petition the city business license supervisor~~  
499 ~~shall schedule a public hearing before a hearing officer appointed by the mayor to consider the~~

500 ~~question of whether or not the existing taxicab rates should be increased. Notice of said hearing~~  
501 ~~shall be posted in the office of the city recorder and shall be published in a newspaper of general~~  
502 ~~circulation in the city.~~

503 ~~C. The city hearing officer appointed by the mayor shall have power and authority to~~  
504 ~~preside at and power to examine witnesses and receive evidence, compel the attendance of~~  
505 ~~witnesses, and compel the production of documents.~~

506 ~~D. The decision of the hearing officer, following the conclusion of said hearing, shall act~~  
507 ~~as a recommendation to the city council. In the event said decision recommends an increase in~~  
508 ~~taxicab rates, the city business license supervisor shall, as soon as practicable, present to the city~~  
509 ~~council the recommendation of the hearing officer for the council's consideration. The city~~  
510 ~~council may accept, modify, or reject the hearing officer's recommendations.~~

511 ~~E. If in the determination of the mayor or the city council it is decided that certain special~~  
512 ~~circumstances warrant an additional hearing during a calendar year, then either the mayor or the~~  
513 ~~city council may direct that a hearing be scheduled. A holder of a certificate of public~~  
514 ~~convenience and necessity to operate a taxicab within the city who has already received a~~  
515 ~~hearing under subsection A of this section may petition the mayor or city council at any time~~  
516 ~~under this provision. Neither the mayor nor the city council is required to grant the petition for a~~  
517 ~~hearing. All other provisions governing fees and hearing procedures shall be the same as set forth~~  
518 ~~above.~~

519 ~~5.72.460: RATES AND RATE CHANGES; NOTIFICATION TO CITY:~~

520 ~~Each holder of a certificate shall file a schedule of its maximum rate with the license~~  
521 ~~supervisor of the city, and shall notify the license supervisor in writing of any change in the~~  
522 ~~maximum rate at least fifteen (15) days prior to such new rate being placed into effect.~~

523 ~~5.72.465: DISPLAY OF FARE RATES:~~

524 2. Upon receipt of a statement regarding the adequacy of existing rates, the  
525 department director may authorize a temporary increase in rates, not to exceed six (6)  
526 months, to account for increased operating costs, insurance costs, costs of living, fares  
527 charged for competing ground transportation services, or other factors documented in a  
528 rate statement.

529 3. If the department director authorizes a temporary rate increase, the statement  
530 and other information justifying the increase shall be submitted to the City Council for  
531 review and consideration of a permanent rate increase.

532 B. Every taxicab ~~operated under this chapter~~ shall have printed on the outside of the cab,  
533 in a conspicuous place ~~on the cab~~ and of sufficient size, legibility, and in such manner as to be  
534 plainly visible to all prospective passengers, all rates and ~~charges~~ extras in effect for ~~the taxicab~~  
535 ~~company operating~~ such taxicab. All such rates and ~~charges~~ extras shall also be posted on the  
536 inside of the taxicab in such a manner as to be plainly visible to all passengers. ~~All displays of~~  
537 ~~rate information on taxicabs shall meet the requirements of section 5.71.170 of this title, or its~~  
538 ~~successor section, regarding vehicle signage, and all other applicable ordinances.~~

539 ~~5.72.472: ALL CHARGES TO BE APPROVED BY CITY:~~

540 C. No taxicab or taxicab ~~company~~ business shall charge any fee or payment for the use of  
541 a taxicab within the ~~city~~ City without the prior approval of the ~~city council~~ City Council or  
542 department director, as provided in this chapter.

543 ~~5.72.475: RECEIPTS FOR PAYMENT OF FARE:~~

544 D. The driver of any taxicab shall render to every passenger a receipt for the amount  
545 charged, ~~either by a mechanically or electronically printed receipt from the taximeter,~~ on which



546 shall be the name of the taxicab ~~company~~business, taxicab number, the date and time the fare  
547 was initiated and completed, the miles charged, extras added to the fare, and the total amount of  
548 meter reading or charges.

549 ~~5.72.480: HIRING VEHICLE WITH INTENT TO DEFRAUD:~~

550 ~~It is unlawful for any person to hire any vehicle defined in this chapter with intent to~~  
551 ~~defraud the person from whom it is hired of the value of such service.~~

552 ~~5.72.485: REFUSING TO PAY LEGAL FARE:~~

553 ~~It is unlawful for any person to refuse to pay immediately the legal fare of any of the~~  
554 ~~vehicles mentioned in this chapter after having hired the same.~~

555 **Article ~~VHV~~. Service Regulations**

556 ~~5.72.490~~**455: GENERAL SERVICE REQUIREMENTS:**

557 ~~The holder of a certificate shall maintain, at all hours during the day or night, sufficient~~  
558 ~~taxicabs with drivers to reasonably answer all calls received. The telephone number of the~~  
559 ~~central place of business shall be listed under the company name in the white pages, and in the~~  
560 ~~yellow pages under the heading "taxicabs", of the city telephone directory. Any not so listed at~~  
561 ~~the time this chapter was adopted, or any company receiving a new certificate of convenience~~  
562 ~~and necessity, shall be so listed in the next issue of the telephone book~~A. Taxicab companies  
563 shall maintain all service requirements set forth in a department contract and other requirements  
564 as provided by applicable law and department rules and regulations.

565 ~~5.72.495: TWENTY FOUR HOUR SERVICE REQUIRED:~~

566 ~~Holders of a certificate of public convenience and necessity shall maintain a central place~~  
567 ~~of business and keep the same open with a person on duty~~ B. Taxicab services shall be

568 ~~available~~ twenty-four (24) hours ~~aper~~ day, seven (7) days per week, ~~for the purpose of receiving~~  
569 ~~calls and dispatching cabs.~~

570 ~~5.72.505: REFUSING CALLS OR SERVICE PROHIBITED:~~

571 ~~¶C. Unless otherwise provided in a department contract, it is un~~lawful~~a violation~~ for any  
572 ~~holder of a certificate~~taxicab business to refuse to accept a call for service to or from any point  
573 within the corporate limits of the ~~city~~City at any time when such ~~holder~~business has available  
574 taxicabs, and it is ~~un~~lawful~~a violation~~ for any ~~holder~~business to fail or refuse to provide all or  
575 any service required by this title.

576 ~~5.72.515: BEST ROUTE REQUIRED:~~

577 ~~¶D. Any driver employed to carry a passenger to a definite point shall take the most direct~~  
578 ~~or expeditious route possible that will carry the passenger safely and expeditiously to his or her~~  
579 ~~destination, unless otherwise directed by the passenger, except that a driver may deviate to pick~~  
580 ~~up or drop off passengers at their homes when he is operating a taxicab as a car pool vehicle. A~~  
581 ~~driver who, in order to increase the fare, knowingly takes a route which is not the most direct or~~  
582 ~~expeditious as possible under the circumstances shall be subject to a civil penalty under section~~  
583 ~~5.71.080 of this title.~~

584 ~~5.72.520: CAR POOL SERVICES:~~

585 ~~Notwithstanding all other provisions of this chapter, it shall be lawful for any person~~  
586 ~~owning~~

587 ~~¶E. The Mayor or operating a taxicab where both such taxicab and operator are properly~~  
588 ~~licensed under the provisions of this chapter to provide the additional car pool provided in this~~  
589 ~~section. Car pool service may provide transportation for two (2) or more persons between drop~~  
590 ~~off and pick up points within the city as designated by the taxicab company, subject to the~~

591 ~~approval of the mayor. A fixed price may be charged for such one-way car pool service.~~

592 ~~5.72.525: SMALL-PARCEL DELAY DELIVERY SYSTEM:~~

593 ~~Taxicabs which are properly licensed under the provisions of this chapter are Mayor's~~  
594 ~~designee is authorized to provide a small parcel delay delivery system for the transporting of~~  
595 ~~small parcels at a fixed rate, as provided in section 5.72.455 of this chapter, or its successor. It is~~  
596 ~~unlawful for the driver of any taxicab to pick up or deliver any small parcel while en route to~~  
597 ~~pick up or drop off any passenger.~~

598 ~~5.72.530: ADVERTISING MATERIAL ON CABS PERMITTED:~~

599 ~~It shall be lawful for any person owning or operating a taxicab or motor vehicle for hire~~  
600 ~~to permit advertising matter to be affixed to or installed in or on such taxicabs or motor vehicles~~  
601 ~~for hire. All advertising material shall be professionally produced.~~

602 ~~5.72.535: OPEN STANDS; ESTABLISHMENT:~~

603 ~~The mayor is authorized and empowered to~~ establish open stands in such place or places  
604 upon the streets of the ~~city~~City as the ~~mayor~~Mayor deems necessary for the use of taxicabs  
605 operated in the ~~city~~City. The ~~mayor~~Mayor shall not create an open stand without taking into  
606 consideration the need for such stands by the ~~companies~~taxicab industry, the convenience to the  
607 general public, and the recommendation of the City traffic engineer. The ~~mayor~~Mayor shall not  
608 create an open stand where such stand would tend to create a traffic hazard.

609 ~~5.72.540: OPEN STANDS; USE RESTRICTIONS:~~

610 F. Open stands shall be used only by ~~the different~~taxicab drivers and their boarding  
611 passengers, who shall use them on a first come, first served basis. The driver shall ~~pull onto~~enter  
612 the open stand from the rear and shall advance forward as the ~~eabs ahead pull off~~taxicabs exit.  
613 Drivers shall stay within ten feet (10') of their ~~eab~~taxicabs. Nothing in this chapter shall be

614 construed to prevent a passenger from boarding the cab of his or her choice that is parked at any  
615 position in an open standsstand. The ~~mayor~~Mayor or the Mayor's designee shall prescribe the  
616 maximum number of cabs that shall occupy such open stands.

617 ~~5.72.550: OPEN STANDS; USE BY OTHER VEHICLES PROHIBITED:~~

618 G. Private or other vehicles for hire, and persons not waiting for or boarding taxicabs  
619 shall not occupy ~~the~~any space upon the streets that has been established as an open stand during  
620 any times specified by the ~~mayor~~Mayor or the Mayor's designee for use by taxicabs.

621 ~~5.72.555: DRIVER TO REMAIN WITH CAB; EXCEPTION:~~

622 H. The driver of any taxicab shall remain in the driver's compartment or immediately  
623 adjacent to his or her vehicle at all times when such vehicle is upon the public street, except that,  
624 when necessary, a driver may be absent from his or her taxicab for not more than twenty (20)  
625 consecutive minutes; and provided further, that nothing herein contained shall be held to prohibit  
626 any driver from alighting to the street or sidewalk for the purpose of assisting passengers into or  
627 out of such vehicle. ~~Drivers shall comply with the requirements of chapter 16.60 of this code, or~~  
628 ~~its successor, as well as all other applicable laws and ordinances, when operating at the airport.~~  
629 or to load their baggage into the taxicab.

630 ~~5.72.560: NUMBER OF PASSENGERS; RESTRICTIONS:~~

631 I. No driver shall permit more persons to be carried in a taxicab as passengers than the  
632 rated seating capacity rated by the vehicle manufacturer of his or her taxicab, ~~as stated in the~~  
633 ~~license for the vehicle issued by the department and/or the licensing office.~~ Child seating shall be  
634 in accordance with Utah and federal law.

635 ~~5.72.565: ADDITIONAL PASSENGERS; PASSENGER CONSENT REQUIRED:~~

636 J. After ~~the employment of the~~ taxicab has been hired by a passenger or group of  
637 passengers, no driver shall permit any other person to occupy or ride in the taxicab without the  
638 consent of the original passenger or group.

639 ~~5.72.570: SOLICITATION; BY DRIVER; LIMITATIONS:~~

640 K. No driver shall solicit passengers for a taxicab except when sitting in the driver's  
641 compartment of such taxicab, while standing within ten feet (10') of such taxicab, or at any  
642 authorized ~~ground transportation~~open stand.

643 ~~5.72.585: SOLICITATION OF HOTEL BUSINESS PROHIBITED:~~

644 ~~It is a violation of this chapter for any driver of a taxicab to solicit business for any hotel,~~  
645 ~~or to attempt to divert patronage from one hotel to another.~~

646 ~~5.72.595: REFUSAL TO CARRY PASSENGERS PROHIBITED WHEN:~~

647 L. No driver shall refuse or neglect to convey any orderly and sober person or persons, or  
648 their luggage upon request, unless previously engaged or unable or forbidden by the provisions  
649 of this chapter to do so. No driver shall refuse to transport a service animal accompanying a  
650 person or persons in the passenger compartment of the taxicab.

651 ~~5.72.600: ENGAGING IN LIQUOR OR PROSTITUTION TRAFFIC PROHIBITED:~~

652 ~~It is unlawful for any taxicab driver to sell intoxicating liquor or to knowingly transport~~  
653 ~~persons for the purpose of buying liquor unlawfully, or to solicit business for any house of ill~~  
654 ~~repute or prostitute. It is also unlawful for any taxicab driver to permit any person to occupy or~~  
655 ~~use his or her vehicle for the purpose of prostitution, lewdness or assignation, with knowledge or~~  
656 ~~reasonable cause to know that the same is or is to be used for such purposes, or to direct, take or~~  
657 ~~transport, or offer or agree to direct, take or transport any person to any building or place, or to~~  
658 ~~any other person, with knowledge or reasonable cause to know that the purpose of such~~

659 ~~directing, taking or transporting is prostitution, lewdness or assignation.~~

660 ~~5.72.601: LIMITATIONS ON TAXICAB OPERATIONS AT THE AIRPORT:~~

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

669 ~~M. Any person may hail a taxicab for service within the City, except that in locations of~~  
670 ~~an open stand for taxicabs the person should proceed to the taxicab that is "headset" at the stand~~  
671 ~~for service. However, nothing shall prohibit the person from hiring the taxicab of the person's~~  
672 ~~choice.~~

673 ~~**5.72.505: REQUIREMENT** ~~Article VIII. Manifests And Other Records~~~~

674 ~~5.72.605: DRIVERS TO KEEP MANIFESTS:~~

675 ~~Every driver shall maintain a daily manifest upon which is reported all trips made during~~  
676 ~~such driver's hours of work, showing time(s) and place(s) or origin and destination of trip,~~  
677 ~~intermediate stop(s), the number of passengers and amount of fare, and all such complete~~  
678 ~~manifests shall be returned to the holder by the driver at the conclusion of his or her working~~  
679 ~~day.~~

680 ~~5.72.610: MANIFEST FORMS TO BE APPROVED:~~

681 ~~The forms for each manifest shall be furnished to the driver by the holder, and shall be of~~

682 ~~a character approved by the mayor.~~

683 ~~5.72.615: MANIFESTS; HOLDING PERIOD; AVAILABILITY:~~

684 ~~Every holder of a certificate of public convenience and necessity shall retain and preserve~~  
685 ~~all drivers' manifests in a safe place for at least the calendar year next preceding the current~~  
686 ~~calendar year, and such manifests shall be available to the department and the licensing office.~~

687 ~~5.72.620: RECORD KEEPING REQUIREMENTS FOR HOLDERS:~~

688 ~~Every holder shall keep accurate records of receipts from operations, operating and other~~  
689 ~~expenses, capital expenditures, and such other operating information as may be required by the~~  
690 ~~mayor.~~

691 ~~5.72.625: RECORDS ACCESSIBLE FOR EXAMINATION:~~

692 ~~Every holder shall maintain the records containing such information and other data~~  
693 ~~required by this chapter at a place readily accessible for examination by the mayor.~~

694 ~~Article IX. TO PROVIDE SERVICE TO HAILING PUBLIC:~~

695 ~~It is a violation for any taxicab driver to pass by or refuse service to a person hailing a~~  
696 ~~taxicab for service unless the taxicab being hailed is already in route to a dispatched fare, is~~  
697 ~~already hired or is not in service.~~

698 ~~5.72.530: ADVERTISING MATERIAL ON CABS PERMITTED:~~

699 ~~In accordance with an applicable department contract, it shall be permitted for any person~~  
700 ~~owning or operating a taxicab to allow advertising matter to be affixed to or installed in or on~~  
701 ~~such taxicabs.~~

702 ~~Article VIII. Enforcement and Penalties~~

703 ~~5.72.630~~705: DEPARTMENT AND LICENSE OFFICE AUTHORITY:

704 The department ~~and shall enforce~~ the ~~license office provisions~~ of ~~the city are hereby given~~  
705 ~~the authority and are instructed to watch and observe~~ this chapter and govern the conduct of  
706 ~~holders~~ companies and drivers operating under this chapter.

707 **5.72.635:805: ISSUANCE OF A CIVIL NOTICE OF GROUND TRANSPORTATION**

708 **VIOLATION; CRIMINAL PROCEEDINGS; REPORT TO MAYOR.:**

709 ~~Upon discovering a violation of the provisions of this chapter, in addition to regular~~  
710 ~~criminal proceedings, the department or the license office shall report the same to the mayor,~~  
711 ~~which will order or take appropriate action respecting the licenses or certificates of the persons~~  
712 ~~involved.~~

713 **5.72.640: VIOLATION; PENALTY:**

714 ~~Any violation of any of the provisions of this chapter shall constitute a misdemeanor.~~

715 A. Every notice issued under this chapter shall be issued in the form of a written civil  
716 notice and shall contain a statement that the named party may appeal the imposition of the  
717 penalty and provide information regarding how to appeal.

718 B. Any concessionaire, driver, vehicle owner, or authorized ground transportation  
719 business that violates any provision of this chapter may be named in a civil notice issued by the  
720 City. A violation of any provision of this chapter by any driver or vehicle owner shall also  
721 constitute a violation of such provision by the ground transportation business or concessionaire  
722 under whose authority such driver or owner was operating at the time of the violation.

723 **5.72.855: CIVIL PENALTIES AND ENFORCEMENT:**

724 A. The City may revoke, suspend, or deny renewal of a City business license to operate a  
725 ground transportation business for violations of any provision of this title, department rules and  
726 regulations, or other applicable law.



727 B. The department may revoke, suspend, or deny renewal of an operator’s badge,  
 728 department automated vehicle identification tag or department inspection seal for violations of  
 729 any provision of this title, department rules and regulations, or other applicable law. The person  
 730 or business affected may request, in writing filed with the department, an appeal hearing before  
 731 the ground transportation appeal committee. Any such revocation, suspension, or denial of  
 732 renewal shall remain in effect until the party against whom such action is taken requests  
 733 reinstatement and the ground transportation appeal committee determines that reinstatement is  
 734 appropriate.

735 C. If any named party fails to comply with civil penalties imposed under this chapter,  
 736 such party may be subject to suspension, revocation or nonrenewal of a City license to operate a  
 737 ground transportation business, operator’s badge, department automated vehicle identification  
 738 tag and department inspection seal.

739 D. Civil penalties may be imposed as set forth below. The named party in the civil notice  
 740 shall be liable for a civil penalty. Any penalty assessed in connection with this section may be in  
 741 addition to any other penalty that may be imposed by law or department rules and regulations.

<b><u>ARTICLE II.</u></b>		
<b><u>AUTHORITY TO OPERATE</u></b>		
<u>5.72.155 (A,B)</u>	<u>\$1000.00</u>	<u>Authority to operate Taxicabs</u>
<u>5.72.205</u>	<u>\$1000.00</u>	<u>ADA vehicle service required</u>
<b><u>ARTICLE III.</u></b>		

<b><u>TAXIMETERS</u></b>		
<u>5.72.305 (A,B,D)</u>	<u>\$1000.00</u>	<u>Certified meter required</u>
<u>5.72.305 (G)</u>	<u>\$300.00</u>	<u>Clearing of metered Fare</u>
<u>5.72.305 (C,E,F,J)</u>	<u>\$100.00</u>	<u>Location, visibility &amp; top light requirement</u>
<u>5.72.305 (H,I)</u>	<u>\$500.00</u>	<u>Passenger Fares</u>
<u>5.72.355 (D,E)</u>	<u>\$1000.00</u>	<u>Accuracy in calculation of Fares</u>
<b><u>ARTICLE IV</u></b>		
<b><u>RATES</u></b>		
<u>5.72.405 (C,E)</u>	<u>\$100.00</u>	<u>Posting of rates and receipt required</u>
<u>5.72.405 (D)</u>	<u>\$1000.00</u>	<u>Charge of approved Fares only</u>
<b><u>ARTICLE V</u></b>		
<b><u>SERVICE</u></b>		
<b><u>REGULATIONS</u></b>		
<u>5.72.455 (A,B,H,K)</u>	<u>\$500.00</u>	<u>Violation of service requirements</u>
<u>5.72.455 (C,I)</u>	<u>\$300.00</u>	<u>Violation of service requirements</u>
<u>5.72.455 (E,F,G,J)</u>	<u>\$100.00</u>	<u>Violation of service requirements</u>

<u>5.72.505</u>	<u>\$500.00</u>	<u>Service to Hailing Person</u>
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**5.72.890: ENFORCEMENT PROCEDURES; CIVIL NOTICE OF GROUND**

744

**TRANSPORTATION VIOLATION:**

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A. Civil notices under this chapter, other than those involving revocations, suspensions,

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denials, or approvals of a business license, operators' badge, department automated vehicle

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identification tags and department inspection seal shall be heard by the Salt Lake City Justice

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Court. Any named party may appear before a hearing officer and present and contest an alleged

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violation as provided in Title 2, Chapter 2.75 of this code, or its successor.

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B. The burden to prove any defense shall be upon the person raising such defense.

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Nothing herein shall affect the City's burden to prove each element of the underlying charge by a

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preponderance of evidence.

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C. If the hearing officer finds that no violation of this chapter occurred, or that a violation

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occurred but one (1) or more of the defenses set forth in this section is applicable, the hearing

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officer may dismiss the civil notice and release the named party from liability thereunder, or may

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reduce the penalty associated therewith as he or she shall determine. Such defenses are:

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1. The civil notice does not contain the information required by this chapter;

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2. Compliance with the subject ordinances would have presented an imminent and

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irreparable injury to persons or property; or

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3. Such other mitigating circumstances as may be approved by the City

761

Attorney's Office.

762

**5.72.900: EXPEDITED APPEAL OF EXCLUSION:**

763 Any named party who is excluded from pursuing commercial activities under this  
764 chapter, and has not had a hearing before the ground transportation appeal committee regarding  
765 such exclusion as provided for in this chapter, such party may request an expedited appeal of the  
766 action that resulted in such exclusion. Such appeal shall be requested in writing by the party so  
767 excluded to the department. The department shall promptly investigate the facts relating to such  
768 exclusion. If the evidence indicates such exclusion is improper under this chapter, the department  
769 director may reverse the action that resulted in such exclusion. If the department director does  
770 not reverse such action, the action resulting in such exclusion shall be heard and determined by  
771 the ground transportation appeal committee in accordance with the provisions of this chapter. If a  
772 preponderance of the evidence indicates such exclusion is proper under this chapter the ground  
773 transportation hearing committee shall uphold such exclusion.

774 SECTION 2. Effective Date. This ordinance shall become effective on the date of its first  
775 publication.

776 Passed by the City Council of Salt Lake City, Utah this \_\_\_\_\_ day of \_\_\_\_\_,  
777 2010.

778 \_\_\_\_\_  
779 CHAIRPERSON

780  
781  
782  
783 \_\_\_\_\_  
784 CITY RECORDER

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786  
787 Transmitted to Mayor on \_\_\_\_\_.

788  
789 Mayor's Action: \_\_\_\_\_ Approved. \_\_\_\_\_ Vetoed.

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MAYOR

793

794

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CITY RECORDER

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797

798 (SEAL)

799 Bill No. \_\_\_\_\_ of 2010

800 Published: \_\_\_\_\_

SALT LAKE CITY ORDINANCE

No. \_\_\_\_\_ of 2010

(Taxicab requirements)

An ordinance amending Chapter 5.72, *Salt Lake City Code*, pertaining to taxicab regulation, providing for contract-based taxicab services, eliminating certificates of convenience and necessity, eliminating operational requirements that will become contract-based, providing for contracts between taxicab companies and the City, providing for rules and regulations, replacing fixed fares with a flexible fare structure, and replacing criminal enforcement with civil penalties.

WHEREAS, City Council adopted Resolution No. 66 of 2005 on December 8, 2005, declaring the City Council's intent to "change the taxicab (regulatory) system from a certificate of convenience and necessity system" to a system where taxicab companies contract with Salt Lake City to operate taxicabs; and

WHEREAS, simultaneously, the City Council adopted Ordinance No. 87 of 2005, which, in part, declared that a certificate of convenience and necessity is not a franchise and is not irrevocable; and

WHEREAS, prior to adopting regulatory changes required for transition to a contract-based system, the City agreed to provide certificate holders with 180-days notice and, accordingly, all such certificates of convenience will terminate 180 days from the date of when such notice is issued; and

WHEREAS, after a duly noticed public hearing before the City Council, the Council has determined (i) this ordinance facilitates and enables transition to a contract-based taxicab system; (ii) notice of termination of certificates of convenience and necessity will issue on the effective date of this ordinance; (iii) all such certificates issued in connection with taxicabs will terminate 180 days from such notice date; and (iv) this ordinance is in the best interest of the City.

27 NOW, THEREFORE, be it ordained by the City Council of Salt Lake City, Utah as  
28 follows:

29 SECTION 1. That Chapter 5.72, *Salt Lake City Code*, pertaining to taxicabs, be, and the  
30 same hereby is, amended to read as follows:

31 **Chapter 5.72**

32 **TAXICABS**

33 **Article I. Definitions and General Regulations**

34 **5.72.005: DEFINITIONS:**

35 The following words and phrases, when used in this chapter, shall have the meanings  
36 defined and set forth in this section.

37 **BUSINESS:** A voluntary association legally formed and organized to carry on a Business in  
38 Utah in the legal name of the association, including without limitation a corporation, limited  
39 liability company, partnership, or sole proprietorship.

40 **CERTIFICATE:** A certificate of public convenience and necessity issued by the City.

41 **CITY:** The governmental institution and landmass contained within the boundaries of Salt Lake  
42 City, Utah.

43 **CIVIL NOTICE:** A written notice of a ground transportation violation as provided under this  
44 chapter.

45 **CLEARED:** That condition of a taximeter when it is inoperative with respect to all fare  
46 registration and all cumulative fare and extras charges have been set to zero dollars (\$0).

47 **CONCESSIONAIRE:** A person or entity with whom the Department of Airports has  
48 contracted to provide taxicab services.

49 **DEPARTMENT:** The Salt Lake City Department of Airports or such other City department or  
50 division as may be designated by the Mayor to have responsibility for the enforcement of this  
51 chapter.

52 **DEPARTMENT DIRECTOR:** The director of the department designated by the Mayor to  
53 have responsibility for the enforcement of this chapter or the authorized designee of such  
54 director.

55 **DEPARTMENT CONTRACT:** A valid, existing, and current contract negotiated and  
56 approved by the department for providing taxicab or other services within the corporate  
57 boundaries of Salt Lake City, including the airport.

58 **DEPARTMENT RULES AND REGULATIONS:** Rules and regulations developed and  
59 adopted by the department director to govern ground transportation service and businesses within  
60 the City.

61 **EXTRAS:** Charges to be paid by a customer or passenger in addition to the fare.

62 **FACE:** That side of a taximeter upon which passenger or customer charges for hire of a taxicab  
63 are indicated.

64 **FARE:** That portion of the charge for hire of a taxicab which is automatically calculated by the  
65 taximeter through the operation of the mileage and time mechanism.

66 **GROUND TRANSPORTATION APPEAL COMMITTEE:** A committee established by the  
67 department director to hear and rule on appeals, suspensions, and other matters related to ground  
68 transportation in and connected with the City.

69 **HAIL A TAXICAB:** The act of a person to call out for, or to signal for, an in-service taxicab  
70 that is not already engaged in transport of passengers to respond to the person's location for  
71 hiring and transport of persons or property.



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72 **HIRED:** The button on the face of a taximeter, which when activated places the taximeter in  
73 operation, signifying the start of a billing process for the person(s) engaging the use of the  
74 taxicab.

75 **HOLDER:** A person to whom a certificate of public convenience and necessity has been issued.

76 **IN-SERVICE:** A taxicab that is in use on the streets of the City, with a driver, and available for  
77 the transportation of passengers for hire.

78 **OPEN STAND:** A public place alongside the curb of a street, or elsewhere in the City, which  
79 has been designated by the Mayor or the Mayor's designee as reserved for the use of taxicabs  
80 available for hire by passengers, including places otherwise marked as freight zones or other  
81 parking restricted zones if designated for use of taxicabs during specified times.

82 **PERSON:** An individual, a corporation or other legal entity, a partnership, and any incorporated  
83 association.

84 **TAXICAB:** A motor vehicle with a seating capacity of five (5) passengers or less, not including  
85 the driver, or a van with a passenger seating capacity of six (6) to twelve (12), not including the  
86 driver, used in the on demand, for hire transportation of passengers or baggage over the public  
87 streets and not operated over a fixed route or upon a fixed schedule, but which is subject for  
88 contract hire by persons desiring special trips from one point to another and authorized to operate  
89 in Salt Lake City by contract with the department.

90 **TAXIMETER:** A meter instrument or electronic device attached to a taxicab which measures  
91 mileage by the distance driven and the waiting time upon which the fare is based, and which  
92 automatically calculates, at a predetermined rate or rates, and registers, the charge for hire of a  
93 taxicab.

94 **WAITING TIME:** The time when a taxicab is not in motion, from the time of hiring by a  
95 passenger to the time of discharge of passenger(s).

96 **5.72.105: AUTHORITY TO ESTABLISH RULES AND REGULATIONS:**

97 A. To the extent authorized by the provisions of this chapter and consistent with other  
98 applicable provisions of this code, the department director, under guidance and direction from  
99 the Mayor, may enter into contracts deemed necessary or desirable and may establish rules and  
100 regulations necessary to administer the provisions of this chapter.

101 B. The Mayor shall adopt procedures applicable to the establishment of department rules  
102 and regulations that provide for:

103 1. Public notice of any proposed rule that will affect operation of any ground  
104 transportation business;

105 2. An opportunity for public comment on proposed rules before they take effect,  
106 and

107 3. The basis for any such proposed rule.

108 **Article II. Authority To Operate**

109 **5.72.125: COMPLIANCE RESPONSIBILITY:**

110 A. All persons shall comply with and operate under requirements of applicable law,  
111 including without limitation Federal, State, County and City laws and ordinances, including but  
112 not limited to, Chapters 5.72, 5.71, and 16.60 of the Salt Lake City Code, and department rules  
113 and regulations.

114 B. A concessionaire shall not be relieved of any responsibility for compliance with the  
115 provisions of this chapter, whether the concessionaire leases or rents taxicabs to drivers, or  
116 whether the concessionaire pays salary, wages, or any other form of compensation.

117 **5.72.155: DEPARTMENT CONTRACT REQUIRED FOR OPERATION:**

118 A. No person shall operate or permit a taxicab owned or controlled by such person to be  
119 operated as a vehicle for hire upon the streets of Salt Lake City unless such person is authorized  
120 to do so under a department contract.

121 B. No person may operate a taxicab business in the City unless the person is authorized to  
122 do so under a department contract. Nothing in the department contract shall relieve a  
123 concessionaire of the requirements of applicable laws, including but not limited to Titles 5.71,  
124 5.72, and 16.60 of the Salt Lake City Code, and department rules and regulations.

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

133 **5.72.165: CONTRACT-BASED SYSTEM FOR PROVISION OF TAXI SERVICES:**

134 A. The City hereby adopts a contract-based system for provision of taxicab services.  
135 Only taxicab providers selected pursuant to a competitive request for proposals (RFP) process  
136 and who have entered into a department contract, as defined in Section 5.72.005, may operate  
137 taxicab services upon Salt Lake City streets.

138 1. Following the RFP procedure, at least two (2) and not more than four (4)  
139 taxicab businesses shall be awarded a department contract.

140                   2. The total number of taxicabs authorized to operate in the City under all such  
141                   contracts shall be at least two hundred (200) and not more than two hundred sixty- eight  
142                   (268).

143                   B. Existing certificates of public convenience and necessity issued by the City for taxicab  
144                   services shall expire no sooner than one-hundred eighty (180) days from the effective date of this  
145                   ordinance. The City may elect, in the City's sole discretion, to continue the expiration date up to  
146                   an additional one-hundred eighty (180) days. Upon expiration, a pro rata refund of that portion  
147                   of the certificate fee shall be given to those persons whose certificates have expired prior to the  
148                   portion of the year remaining at the time of expiration.

149                   **5.72.170 FEES:**

150                   No certificate shall continue in operation prior to the expiration as set forth in Section  
151                   5.72.165 unless the holder thereof has paid the annual business regulatory fee as set forth in  
152                   Section 5.04.070 of this title, or its successor section, each year for each vehicle authorized under  
153                   a certificate. Such fees shall be in addition to any other fees or charges established by proper  
154                   authority and applicable to the holder of the vehicle or vehicles under the holder's operation and  
155                   control.

156                   **5.72.175 EXISTING HOLDERS' CERTIFICATES:**

157                   All holders of existing taxicab certificates on the effective date of this ordinance shall  
158                   retain such certificates, allowing them to operate the same number of vehicles as they are  
159                   presently authorized to operate, without the hearing provided in this article, the public  
160                   convenience and necessity having heretofore been demonstrated, until such certificate expires as  
161                   provided in Section 5.72.165B of this chapter.

162                   **5.72.185: CERTIFICATE NOT A FRANCHISE AND NOT IRREVOCABLE:**

163 No certificate issued in accordance with this chapter, or its successor section, shall be  
164 construed to be either a franchise or irrevocable.

165 **5.72.205: MANDATORY ADA ACCESSIBLE VEHICLE:**

166 At least five (5) percent of the vehicle fleet of each taxicab concessionaire shall be  
167 available and equipped, consistent with requirements of the Americans with Disabilities Act  
168 (ADA), for the use and convenience of persons with disabilities.

169 **Article III. Taximeters**

170 **5.72.305: TAXIMETER REQUIRED**

171 A. All taxicabs shall be equipped with taximeters approved by the department.

172 B. It is a violation for any person to operate or to allow to be operated any taxicab  
173 without an operative taximeter.

174 C. All taximeters shall be mounted in locations approved by the department.

175 D. All taximeters shall be tested and sealed by the department every six (6) months and  
176 no taximeter may be used without such seal being in place.

177 E. Nothing that could shield or conceal the indications and metered fare of the taximeter  
178 from passengers may be placed so as to block the face of the taximeter.

179 F. Taximeters shall have illuminated faces so as to provide visible indications of the  
180 meters status and fare to the passenger in low light or after sundown.

181 G. Upon the completion of the service by the taxicab, it shall be the duty of the driver to  
182 call the attention of the passenger to the amount registered and to clear the taximeter of all fare  
183 indications so as to start at zero dollars (\$0) upon the next fare.

184 H. Except as otherwise provided herein, it is a violation for any driver of a taxicab or  
185 taxicab business to charge a fare other than as calculated by the taximeter.

186 I. It is a violation for any driver of a taxicab or taxicab business to charge any extra that is  
187 not approved by the department, calculated by the taximeter, and which is not applicable to the  
188 current fare.

189 J. A top light shall be installed on every licensed taxicab. The top light shall be  
190 illuminated when a taxicab is available for hire and shall not be illuminated when the taximeter is  
191 placed into hire.

192 **5.72.355: TAXIMETER INSPECTIONS; RECORD KEEPING:**

193 A. The department shall keep a record of the identification of every taxicab meter number  
194 and date of inspection thereof in its office.

195 B. The department shall inspect, test, and seal every operational taximeter at least every  
196 six (6) months. Additionally, the department may inspect and test any taximeter upon receipt of a  
197 complaint regarding the operations or accuracy of a taximeter.

198 C. In the event a change in rates is made, the taximeter shall be adjusted to the new rates,  
199 and the taximeter of every taxicab in which a meter has been installed shall be immediately  
200 inspected, tested, and sealed by the department. A fee to recover costs of the meter inspection  
201 shall be charged by the department for each meter reprogrammed and sealed.

202 D. No taximeter which is inaccurate in registration in excess of one and one-half percent  
203 ( $1\frac{1}{2}\%$ ) shall be allowed to operate in any taxicab, and when an inaccuracy is discovered, such  
204 taxicab involved shall immediately cease operation and be kept out of operation until the meter is  
205 repaired and in proper working condition.

206 E. No owner, driver or business shall perform or permit or allow any alterations to a  
207 taxicab that will affect the taximeter pulse setting without said taximeter being inspected and  
208 recertified by the department. Said alterations shall include, but are not limited to, transmission

209 replacement or remanufacturing, differential replacement or remanufacturing, speedometer cable  
210 replacement, speed sensor replacement, repair or replacement of the taxicab's onboard computer,  
211 or change of tire size on the drive axle.

212 **Article IV. Rates**

213 **5.72.405: RATES:**

214 A. The rates charged by a ground transportation company for taxicab service shall be set  
215 by the City Council. The department shall review submittals by taxicab companies for taxicab  
216 rates and the department director shall recommend to the City Council the rate structure and  
217 extras allowed to be charged for taxicab service.

218 1. Unless otherwise provided for in a department contract, each taxicab business  
219 may file with the department periodically, but no more often than every six (6) months, a  
220 statement regarding the adequacy of the existing maximum rates. Said statement shall  
221 state whether, in the opinion of the person submitting the statement, the existing  
222 maximum rates are at an appropriate level, or whether such rates should be increased or  
223 decreased. If the statement indicates existing rates should be increased, the person  
224 submitting the statement shall supplement the statement with documentation in support of  
225 such increase, such as evidence of increased operating costs, insurance costs, costs of  
226 living, fares charged for competing ground transportation services, and any other relevant  
227 information.

228 2. Upon receipt of a statement regarding the adequacy of existing rates, the  
229 department director may authorize a temporary increase in rates, not to exceed six (6)  
230 months, to account for increased operating costs, insurance costs, costs of living, fares

231 charged for competing ground transportation services, or other factors documented in a  
232 rate statement.

233 3. If the department director authorizes a temporary rate increase, the statement  
234 and other information justifying the increase shall be submitted to the City Council for  
235 review and consideration of a permanent rate increase.

236 B. Every taxicab shall have printed on the outside of the cab, in a conspicuous place and  
237 of sufficient size, legibility, and in such manner as to be plainly visible to all prospective  
238 passengers, all rates and extras in effect for such taxicab. All such rates and extras shall also be  
239 posted on the inside of the taxicab in such a manner as to be plainly visible to all passengers.

240 C. No taxicab or taxicab business shall charge any fee or payment for the use of a taxicab  
241 within the City without the prior approval of the City Council or department director, as provided  
242 in this chapter.

243 D. The driver of any taxicab shall render to every passenger a receipt for the amount  
244 charged, on which shall be the name of the taxicab business, taxicab number, the date and time  
245 the fare was initiated and completed, the miles charged, extras added to the fare, and the total  
246 amount of meter reading or charges.

247 **Article V. Service Regulations**

248 **5.72.455: GENERAL SERVICE REQUIREMENTS:**

249 A. Taxicab companies shall maintain all service requirements set forth in a department  
250 contract and other requirements as provided by applicable law and department rules and  
251 regulations.

252 B. Taxicab services shall be available twenty-four (24) hours per day, seven (7) days per  
253 week.



254 C. Unless otherwise provided in a department contract, it is a violation for any taxicab  
255 business to refuse to accept a call for service to or from any point within the corporate limits of  
256 the City at any time when such business has available taxicabs, and it is a violation for any  
257 business to fail or refuse to provide all or any service required by this title.

258 D. Any driver employed to carry a passenger to a definite point shall take the most direct  
259 or expeditious route possible that will carry the passenger safely and expeditiously to his or her  
260 destination, unless otherwise directed by the passenger.

261 E. The Mayor or the Mayor's designee is authorized to establish open stands in such  
262 place or places upon the streets of the City as the Mayor deems necessary for the use of taxicabs  
263 operated in the City. The Mayor shall not create an open stand without taking into consideration  
264 the need for such stands by the taxicab industry, the convenience to the general public, and the  
265 recommendation of the City traffic engineer. The Mayor shall not create an open stand where  
266 such stand would tend to create a traffic hazard.

267 F. Open stands shall be used only by taxicab drivers and their boarding passengers, who  
268 shall use them on a first come, first served basis. The driver shall enter the open stand from the  
269 rear and shall advance forward as the taxicabs exit. Drivers shall stay within ten feet (10') of their  
270 taxicabs. Nothing in this chapter shall be construed to prevent a passenger from boarding the cab  
271 of his or her choice that is parked at any position in an open stand. The Mayor or the Mayor's  
272 designee shall prescribe the maximum number of cabs that shall occupy such open stands.

273 G. Private or other vehicles for hire, and persons not waiting for or boarding taxicabs  
274 shall not occupy any space upon the streets that has been established as an open stand during any  
275 times specified by the Mayor or the Mayor's designee for use by taxicabs.

276 H. The driver of any taxicab shall remain in the driver's compartment or immediately  
277 adjacent to his or her vehicle at all times when such vehicle is upon the public street, except that,  
278 when necessary, a driver may be absent from his or her taxicab for not more than twenty (20)  
279 consecutive minutes; and provided further, that nothing herein contained shall be held to prohibit  
280 any driver from alighting to the street or sidewalk for the purpose of assisting passengers into or  
281 out of such vehicle or to load their baggage into the taxicab.

282 I. No driver shall permit more persons to be carried in a taxicab as passengers than the  
283 rated seating capacity rated by the vehicle manufacturer of his or her taxicab, Child seating shall  
284 be in accordance with Utah and federal law.

285 J. After a taxicab has been hired by a passenger or group of passengers, no driver shall  
286 permit any other person to occupy or ride in the taxicab without the consent of the original  
287 passenger or group.

288 K. No driver shall solicit passengers for a taxicab except when sitting in the driver's  
289 compartment of such taxicab, while standing within ten feet (10') of such taxicab, or at any  
290 authorized open stand.

291 L. No driver shall refuse or neglect to convey any orderly and sober person or persons, or  
292 their luggage upon request, unless previously engaged or unable or forbidden by the provisions  
293 of this chapter to do so. No driver shall refuse to transport a service animal accompanying a  
294 person or persons in the passenger compartment of the taxicab.

295 M. Any person may hail a taxicab for service within the City, except that in locations of  
296 an open stand for taxicabs the person should proceed to the taxicab that is "headset" at the stand  
297 for service. However, nothing shall prohibit the person from hiring the taxicab of the person's  
298 choice.

299 **5.72.505: REQUIREMENT TO PROVIDE SERVICE TO HAILING PUBLIC:**

300 It is a violation for any taxicab driver to pass by or refuse service to a person hailing a  
301 taxicab for service unless the taxicab being hailed is already in route to a dispatched fare, is  
302 already hired or is not in service.

303 **5.72.530: ADVERTISING MATERIAL ON CABS PERMITTED:**

304 In accordance with an applicable department contract, it shall be permitted for any person  
305 owning or operating a taxicab to allow advertising matter to be affixed to or installed in or on  
306 such taxicabs.

307 **Article VIII. Enforcement and Penalties**

308 **5.72.705: DEPARTMENT AUTHORITY:**

309 The department shall enforce the provisions of this chapter and govern the conduct of  
310 companies and drivers operating under this chapter.

311 **5.72.805: ISSUANCE OF A CIVIL NOTICE OF GROUND TRANSPORTATION**

312 **VIOLATION:**

313 A. Every notice issued under this chapter shall be issued in the form of a written civil  
314 notice and shall contain a statement that the named party may appeal the imposition of the  
315 penalty and provide information regarding how to appeal.

316 B. Any concessionaire, driver, vehicle owner, or authorized ground transportation  
317 business that violates any provision of this chapter may be named in a civil notice issued by the  
318 City. A violation of any provision of this chapter by any driver or vehicle owner shall also  
319 constitute a violation of such provision by the ground transportation business or concessionaire  
320 under whose authority such driver or owner was operating at the time of the violation.

321 **5.72.855: CIVIL PENALTIES AND ENFORCEMENT:**

322 A. The City may revoke, suspend, or deny renewal of a City business license to operate a  
323 ground transportation business for violations of any provision of this title, department rules and  
324 regulations, or other applicable law.

325 B. The department may revoke, suspend, or deny renewal of an operator’s badge,  
326 department automated vehicle identification tag or department inspection seal for violations of  
327 any provision of this title, department rules and regulations, or other applicable law. The person  
328 or business affected may request, in writing filed with the department, an appeal hearing before  
329 the ground transportation appeal committee. Any such revocation, suspension, or denial of  
330 renewal shall remain in effect until the party against whom such action is taken requests  
331 reinstatement and the ground transportation appeal committee determines that reinstatement is  
332 appropriate.

333 C. If any named party fails to comply with civil penalties imposed under this chapter,  
334 such party may be subject to suspension, revocation or nonrenewal of a City license to operate a  
335 ground transportation business, operator’s badge, department automated vehicle identification  
336 tag and department inspection seal.

337 D. Civil penalties may be imposed as set forth below. The named party in the civil notice  
338 shall be liable for a civil penalty. Any penalty assessed in connection with this section may be in  
339 addition to any other penalty that may be imposed by law or department rules and regulations.

<b>ARTICLE II.</b>		
<b>AUTHORITY TO OPERATE</b>		
5.72.155 (A,B)	\$1000.00	Authority to operate Taxicabs
5.72.205	\$1000.00	ADA vehicle service required
<b>ARTICLE III.</b>		

<b>TAXIMETERS</b>		
5.72.305 (A,B,D)	\$1000.00	Certified meter required
5.72.305 (G)	\$300.00	Clearing of metered Fare
5.72.305 (C,E,F,J)	\$100.00	Location, visibility & top light requirement
5.72.305 (H,I)	\$500.00	Passenger Fares
5.72.355 (D,E)	\$1000.00	Accuracy in calculation of Fares
<b>ARTICLE IV</b>		
<b>RATES</b>		
5.72.405 (C,E)	\$100.00	Posting of rates and receipt required
5.72.405 (D)	\$1000.00	Charge of approved Fares only
<b>ARTICLE V</b>		
<b>SERVICE REGULATIONS</b>		
5.72.455 (A,B,H,K)	\$500.00	Violation of service requirements
5.72.455 (C,I)	\$300.00	Violation of service requirements
5.72.455 (E,F,G,J)	\$100.00	Violation of service requirements
5.72.505	\$500.00	Service to Hailing Person

340

341 **5.72.890: ENFORCEMENT PROCEDURES; CIVIL NOTICE OF GROUND**

342 **TRANSPORTATION VIOLATION:**

343 A. Civil notices under this chapter, other than those involving revocations, suspensions,  
 344 denials, or approvals of a business license, operators' badge, department automated vehicle  
 345 identification tags and department inspection seal shall be heard by the Salt Lake City Justice

346 Court. Any named party may appear before a hearing officer and present and contest an alleged  
347 violation as provided in Title 2, Chapter 2.75 of this code, or its successor.

348 B. The burden to prove any defense shall be upon the person raising such defense.

349 Nothing herein shall affect the City's burden to prove each element of the underlying charge by a  
350 preponderance of evidence.

351 C. If the hearing officer finds that no violation of this chapter occurred, or that a violation  
352 occurred but one (1) or more of the defenses set forth in this section is applicable, the hearing  
353 officer may dismiss the civil notice and release the named party from liability thereunder, or may  
354 reduce the penalty associated therewith as he or she shall determine. Such defenses are:

355 1. The civil notice does not contain the information required by this chapter;

356 2. Compliance with the subject ordinances would have presented an imminent and  
357 irreparable injury to persons or property; or

358 3. Such other mitigating circumstances as may be approved by the City Attorney's  
359 Office.

360 **5.72.900: EXPEDITED APPEAL OF EXCLUSION:**

361 Any named party who is excluded from pursuing commercial activities under this  
362 chapter, and has not had a hearing before the ground transportation appeal committee regarding  
363 such exclusion as provided for in this chapter, such party may request an expedited appeal of the  
364 action that resulted in such exclusion. Such appeal shall be requested in writing by the party so  
365 excluded to the department. The department shall promptly investigate the facts relating to such  
366 exclusion. If the evidence indicates such exclusion is improper under this chapter, the department  
367 director may reverse the action that resulted in such exclusion. If the department director does  
368 not reverse such action, the action resulting in such exclusion shall be heard and determined by

369 the ground transportation appeal committee in accordance with the provisions of this chapter. If a  
370 preponderance of the evidence indicates such exclusion is proper under this chapter the ground  
371 transportation hearing committee shall uphold such exclusion.

372 SECTION 2. Effective Date. This ordinance shall become effective on the date of its first  
373 publication.

374 Passed by the City Council of Salt Lake City, Utah this \_\_\_\_\_ day of \_\_\_\_\_,  
375 2010.

376 \_\_\_\_\_  
377 CHAIRPERSON

378  
379  
380  
381 \_\_\_\_\_  
382 CITY RECORDER

383  
384 Transmitted to Mayor on \_\_\_\_\_.

386  
387 Mayor's Action: \_\_\_\_\_ Approved. \_\_\_\_\_ Vetoed.

388  
389 \_\_\_\_\_  
390 MAYOR

391  
392 \_\_\_\_\_  
393 CITY RECORDER

394  
395  
396 (SEAL)  
397 Bill No. \_\_\_\_\_ of 2010  
398 Published: \_\_\_\_\_

SALT LAKE CITY ORDINANCE

No. \_\_\_\_\_ of 2010

(Motor vehicle operation at the Salt Lake City International Airport)

An ordinance amending Chapters 16.60 and 16.64, *Salt Lake City Code*, pertaining to motor vehicle operation at the Salt Lake City International Airport, to correspond with changes made in Chapters 5.71 and 5.72, *Salt Lake City Code*; providing for rules and regulations; replacing criminal enforcement with civil penalties; and establishing processes and procedures related thereto.

WHEREAS, the City Council has amended Chapters 5.71 and 5.72, *Salt Lake City Code*, pertaining to ground transportation and taxicabs; and

WHEREAS, the City Council has determined this ordinance corresponds with and supports amendments to Chapters 5.71 and 5.72, *Salt Lake City Code*; and

WHEREAS, after a duly noticed public hearing before the City Council, the Council has determined this ordinance is in the best interest of the City.

NOW, THEREFORE, be it ordained by the City Council of Salt Lake City, Utah as follows:

SECTION 1. That Chapter 16.60, *Salt Lake City Code*, pertaining to motor vehicle operation at the Salt Lake City International Airport, be, and the same hereby is, amended to read as follows:

**Chapter 16.60**

**MOTOR VEHICLE OPERATION**

**Article I. General Regulations**

**16.60.001: AUTHORITY TO ESTABLISH RULES AND REGULATIONS:**

To the extent authorized by the provisions of this chapter and consistent with other applicable provisions of this code, the department director, under guidance and direction from the Mayor, may enter into contracts deemed necessary or desirable and may establish rules and



28 regulations necessary to administer the provisions of this chapter and any security or operating  
29 requirements applicable to the Salt Lake City International Airport.

30 **16.60.005: EXEMPTIONS FROM REQUIREMENTS OF THIS CHAPTER:**

31 Vehicles licensed and operated by a government agency, a university or school district,  
32 the Utah Transit Authority, an ambulance service, and others, as may be designated in  
33 department rules and regulations, and others, as may be designated by the director, are exempt  
34 from the requirements of this chapter.

35 **16.60.010: COMPLIANCE WITH STATE AND OTHER REGULATIONS:**

36 A. No person shall operate a motor vehicle on the airport except in strict compliance with  
37 ~~the motor vehicle~~applicable laws of the state ~~and the, City~~ ordinances ~~of the city, and department~~  
38 rules and, ~~in addition thereto, such persons shall conform to the~~ regulations ~~set forth in this~~  
39 ~~chapter.~~

40 B. No person or owner shall drive, or permit to be driven, stopped or parked on any  
41 street, parking lot, alleyway or driveway within the airport, any vehicle which is required under  
42 the laws of the state to be inspected and registered unless such vehicle has been inspected and  
43 registered, and has attached thereto in proper position a valid and unexpired certificate of  
44 inspection as required by the laws of the state.

45 C. All vehicles operated on airport property, including ramp areas, shall be maintained in  
46 a safe operating condition.

47 **16.60.020: DRIVING ON LOADING AREAS; RESTRICTIONS:**

48 A. Any motorized vehicle being used on the ramp as a service vehicle ~~must~~shall display  
49 the ~~airport department~~-issued identification sticker. Each such vehicle ~~must~~shall also bear  
50 company identification visible from fifty feet (50') on both sides of the vehicle.

51 B. No person or vehicle is permitted in, on, or around any secured area, such as, but not  
52 limited to, any hangar, landing field, runway, apron or taxi strip, without prior permission from  
53 the department director.

54 C. Automobiles, trucks and other equipment (including airport maintenance and  
55 emergency vehicles) being driven on any landing area, runway, taxi strip, or apron ~~must~~shall  
56 display a standard checkered flag or flashing amber or red light, as appropriate, if operated  
57 during the nighttime, or, when applicable, be marked in accordance with FAA Federal Aviation  
58 Administration regulations or as directed by the department director, and ~~must~~shall not be  
59 operated without prior permission of the control tower ~~or the director.~~

60 **16.60.030: VEHICLE RAMP OPERATIONS:**

61 A. Speed Limits: Motor vehicles shall be operated on established streets and roadways  
62 within the airport in strict compliance with speed limits posted on traffic signs. They shall also  
63 be maintained and operated in conformity with all motor vehicle regulations and laws of the state  
64 and ~~city~~City. Motor vehicles being operated on any passenger loading ramp, aircraft parking  
65 ramp, or in any area immediately adjacent to the terminals or hangars, shall be driven cautiously  
66 and at a safe and reasonable speed, but not to exceed twenty (20) miles per hour.

67 B. Use ~~Of~~of Ramp Roadways: Vehicles shall only be operated within the limits of the  
68 designated painted roadways on the air operations areas, except as required to perform aircraft  
69 servicing and airfield inspections.

70 C. Traffic Markings ~~On~~on Paved Surfaces: Vehicle operators shall observe all traffic  
71 markings painted on pavement surfaces of the aircraft operations area.

72 D. Yield Right ~~Of~~of ~~of~~of Way To Aircraft: All vehicles shall yield right ~~of~~of way to any  
73 aircraft when the aircraft is under tow or has its engines operating. No vehicle shall proceed past

74 such aircraft until the vehicle's progress will not impede the aircraft's movement. This section  
75 does not preclude the establishment of agreements to the contrary between the ~~city~~City and the  
76 ~~federal aviation administration.~~Federal Aviation Administration.

77 **16.60.040: COMMON CARRIERS:**

78 No common carrier, vehicle for hire, or "ground transportation vehicle"~~as defined at~~  
79 ~~section 16.60.090 of this chapter~~ shall load or unload passengers at the airport at any place or in  
80 any manner other than that designated by the department director.

81 **16.60.050: ACCIDENTS TO BE REPORTED:**

82 Any person involved in an accident resulting in personal injury or damage to property on  
83 the airport shall report such accident promptly to the office of the department director.

84 **16.60.060: PROHIBITED VEHICLES AND ANIMALS:**

85 No go-cart, motorbike, bicycle, house trailer, or similar vehicle, or horse, shall be  
86 permitted on any landing area, ramp, taxiway, or hangar area without ~~the~~ approval of the  
87 department director, except for bicycles that are secured and delivered to an aircraft for transport,  
88 or motorcycles used for surface transportation in a hangar area.

89 **16.60.065: PARKING AREAS:**

90 A. Parking areas for motor vehicles shall be set aside for airport employees and the  
91 general public. No person shall park a motor vehicle or a trailer in any place on the airport other  
92 than those areas designated by the department director~~of airports~~ or as expressly set forth in this  
93 title. No person shall park a vehicle in an area designated as an employee parking lot unless ~~the~~  
94 ~~vehicle displays a currently effective employee parking sticker authorized by the airport. Such~~  
95 ~~permits shall not be valid if the information thereon is not clearly visible and readable~~such

96 person has complied with all rules and regulations, and other requirements for employee parking  
97 as established by the department.

98 B. Tenants of T-hangars and shade hangars may park their motor vehicles in their own  
99 hangars when the aircraft is being flown, or in front of their hangar if they are present. Service or  
100 delivery vehicles may park next to a tenant's hangar long enough for delivery. All others shall  
101 park in public lots.

102 C. No person shall park a motor vehicle on the airport in excess of seventy-two (72)  
103 consecutive hours unless it is parked in the public parking area or with the authorization of the  
104 airport.

105 D. No person shall park a motor vehicle in an area designated as a public parking lot  
106 unless such person pays the authorized rate for such parking lots. A schedule of parking rates  
107 shall be available in the airport ~~office~~Office of ~~finance~~Finance and ~~administration~~Administration.

108 **16.60.067: PARKING VEHICLES:**

109 No person shall park a vehicle on the airport other than in the manner and at locations  
110 indicated by posted traffic signs and markings. Each hour a vehicle remains parked in violation  
111 of this section shall be a separate offense.

112 **16.60.070: IMPOUNDMENT AUTHORIZED WHEN:**

113 Any vehicle parked in violation of ~~airport~~department rules and regulations may be impounded or  
114 relocated by a certified peace officer. The owner thereof shall pay for the tow charge, regular  
115 parking fees, and other penalties and related charges.

116 **16.60.075: PASSENGER COURTESY CARTS:**

117 A. No person may operate any vehicle inside a ~~city~~City-owned building at the airport  
118 without proper authority ~~or in excess of five (5) miles per hour~~. The owner of any such

119 authorized vehicle shall install and maintain a speed governor on each such vehicle which will  
120 prevent ~~the vehicle from~~ exceeding ~~said speed and~~ five (5) miles per hour. Vehicles at all times  
121 shall be maintained in a safe operating condition. Any person operating such vehicle shall yield  
122 to pedestrians, not pass pedestrians unless there is enough space to leave an eighteen inch (18")  
123 clearance between vehicle and pedestrian, and otherwise operate the vehicle in a safe manner.

124 B. The department director may prohibit the operation of such vehicles at the Airport or  
125 limit their use at any time.

## 126 Article II. Ground Transportation Businesses

### 127 16.60.080: PURPOSE OF ARTICLE II PROVISIONS:

128 The provisions set out in this article are enacted for the purpose of:

129 A. Requiring ~~those~~ persons who conduct business at the airport by providing ground  
130 transportation ~~as their sole business or as a part of their business such as, but not limited to,~~  
131 ~~providing courtesy vehicle or hotel vehicle~~ service; to assist the ~~city~~ City in defraying the expense  
132 of providing certain facilities and services ~~including, but not limited to, the airport roads, curbs,~~  
133 ~~special parking facilities, traffic control, snow removal, lights, and other related airport facilities~~  
134 ~~and services~~ provided for ground transportation vehicles and services using the airport, and to  
135 create an equitable assessment of fees for its use; and

136 B. Requiring such persons to adhere to ~~certain~~ department rules and regulations regarding  
137 the ~~operations~~ operation of ground transportation vehicles to ensure that such are conducted in a  
138 safe ~~and~~, efficient, and cost effective manner for the public benefit.

### 139 16.60.090: DEFINITIONS ~~FOR ARTICLE II:~~

140 The following words and phrases, ~~whenever~~ when used in this ~~article~~ chapter, shall behave  
141 the meanings defined ~~as provided and set forth~~ in this section, ~~unless a different meaning is~~

142 ~~specifically or more particularly described:~~

143 ~~AUTHORIZED AIRPORT GROUND TRANSPORTATION BUSINESS:~~ Businesses  
144 ~~providing ground~~ SHARED RIDE SERVICE: Ground transportation services for hire or  
145 ~~courtesy at the airport which: a) have a current, valid business license as required by the city, b)~~  
146 ~~have, when applicable, a current certificate of convenience and necessity as required by the city,~~  
147 ~~and c) have registered with the airport. Such registrations shall be made on forms provided by~~  
148 ~~the airport and shall include the name of the business, the type(s) of vehicles to be operated, the~~  
149 ~~type(s) of services to be provided, all fee and tariff schedules, the business address and telephone~~  
150 ~~number, and the name, address and telephone number of a representative of the business who~~  
151 ~~will be responsible for ground transportation activities of the business at the airport. A copy of~~  
152 ~~the current business license issued by the city and the appropriate certificate shall be provided to~~  
153 ~~the airport with such registration~~ provided by an authorized ground transportation business  
154 contracted through the Department of Airports to provide on -demand shared ride service to and  
155 from the Salt Lake City International Airport.

156 ~~AUTOMOBILE: Any motor vehicle which is registered at a gross weight of less than six~~  
157 ~~thousand (6,000) pounds, or, if not registered commercially, that such vehicle would receive a~~  
158 ~~weight classification as gross weight of less than six thousand (6,000) pounds, if such vehicle~~  
159 ~~were to be registered commercially.~~

160 AIRPORT SHARED RIDE VEHICLE: Any authorized ground transportation vehicle  
161 operating under contract with the Department of Airports to provide airport shared ride service.

162 AUTHORIZED GROUND TRANSPORTATION BUSINESS: Any business operating any  
163 ground transportation vehicle, which has a current, valid business license as required by the City  
164 and which:

165 A. Registers the business in accordance with the requirements established by the  
166 department, and

167 B. Is current with all fees or charges imposed by the Department or City.

168 **AUTOMOBILE:** Any motor vehicle with passenger seating for five (5) persons or less not  
169 including the driver.

170 **BUS:** Any motor vehicle, ~~operated~~ with a seating capacity of twenty-five (25) passengers or  
171 more, not including the driver.

172 **BUSINESS:** A voluntary association legally formed and organized to carry on the streets and  
173 highways for hire on a scheduled or nonscheduled basis, that is registered with the state at a  
174 gross weight of over thirty six thousand (36,000) pounds. Such defined word, however, shall not  
175 include any buses operated by the a business in Utah transit authority in the legal name of the  
176 association, including without limitation a corporation, limited liability company, partnership, or  
177 sole proprietorship.

178 **CIVIL NOTICE:** The written notice of a ground transportation violation.

179 **COURTESY VEHICLE:** Any motor vehicle ~~which is~~ regularly operated on Salt Lake City  
180 streets for transportation of customers and/or baggage, without making a specific separate charge  
181 to the passenger for such transportation. ~~All contracts providing for operating a courtesy vehicle~~  
182 ~~at the airport on behalf of a hotel or motel shall be filed under the direction of the~~

183 **DEPARTMENT:** The Salt Lake City Department of Airports.

184 **DEPARTMENT DIRECTOR:** The director of airports and shall be subject to all applicable  
185 airport rules and regulations the Salt Lake City Department of Airports.

186 **DEPARTMENT RULES AND REGULATIONS:** Rules and regulations developed and  
187 adopted by the department director to govern ground transportation service and businesses at the  
188 airport.

189 **FIXED SCHEDULE:** Ground transportation service operating on a regular time schedule  
190 previously announced as to time of departure and arrival between the airport and definitely  
191 established and previously announced points along definitely established and previously  
192 announced routes regardless of whether there are passengers or freight to be carried.

193 **GROUND TRANSPORTATION ~~VEHICLE:~~ Any motor vehicle which is used in connection**  
194 ~~with persons conducting~~ **BUSINESS:** Any business ~~of providing~~ operating any ground  
195 transportation ~~at~~ vehicle.

196 **GROUND TRANSPORTATION SERVICE:** The transportation of passengers by a ground  
197 transportation business.

198 **GROUND TRANSPORTATION APPEAL COMMITTEE:** A committee established by the  
199 airport, department director to hear and rule on appeals, suspensions, and other matters related to  
200 ground transportation in and connected with the City.

201 **GROUND TRANSPORTATION VEHICLE:** Any motor vehicle used for the transportation of  
202 persons using Salt Lake City streets for commercial purposes regardless of whether a fee or fare  
203 is collected, which includes, but is not limited to, ~~an~~ any airport shared ride vehicle, automobile,  
204 bus, courtesy vehicle, hotel vehicle, limousine, minibus, special transportation vehicle, taxicab  
205 ~~and van, van, or trailer being towed by a ground transportation vehicle.~~

206 **HOTEL VEHICLE:** Any motor vehicle ~~which is~~ regularly operated ~~for~~ by a ground  
207 transportation business under contract to or directly by a motel, hotel, or other lodging business  
208 to provide transportation of customers and/or baggage ~~to or from any railroad station, bus station,~~



209 ~~airport, or similar terminal of public transportation and any motel or hotel and under contract~~  
210 ~~with such motel or hotel and~~ for the contracted establishment, for which transportation the  
211 customer is charged a separate fee or fare. ~~All contracts, and which is subject to a contract filed~~  
212 ~~with the department~~ providing for operating ~~a hotel~~ the vehicle ~~at the airport shall be filed under~~  
213 ~~the direction of the director of airports and shall be subject to all applicable airport rules and~~  
214 ~~regulations.~~

215 **LIMOUSINE:** Any ~~motor propelled~~ vehicle ~~which is a Rolls Royce or other automobile~~  
216 described by its manufacturer or aftermarket manufacturer as a limousine or a luxury vehicle  
217 ~~having a wheel base in excess of one hundred ten inches (110"), operated on the streets and~~  
218 ~~highways for hire~~ such as, but not limited to, a Cadillac Escalade, Chevrolet Suburban, Lincoln  
219 Town Car, or Mercedes Benz, with a driver furnished, who is dressed in a "professional business  
220 attire or a chauffeur's uniform" ~~(defined as a jacket and tie for a man or a pants suit or dress for a~~  
221 ~~woman) or tuxedo while on duty, operated on a scheduled or prearranged basis, and licensed as~~  
222 ~~required by this code.~~

223 **MANIFEST:** ~~For purposes of this chapter, means a daily record of all prearranged service~~  
224 ~~provided by a driver of a ground transportation vehicle during such driver's hours of work which~~  
225 ~~record shall be made by such driver, showing time(s) and place(s) of origin and destination,~~  
226 ~~intermediate stop(s), the names of all passengers, and the amount of fare of each trip.~~

227 **MINIBUS:** Any motor vehicle ~~which is registered with the state at a gross weight of ten~~  
228 ~~thousand one (10,001) to thirty six thousand (36,000) pounds, operated on a scheduled or~~  
229 ~~nonscheduled basis, or is designed to transport sixteen (16) or more persons, including the driver,~~  
230 ~~and is licensed as required by this code. Such term, however, shall not include any minibus~~

231 ~~operated by any local, state or federal agency with a seating capacity of thirteen (13) to twenty-~~  
232 ~~four (24) passengers, not including the driver.~~

233 **ON DEMAND AIRPORT SERVICE OR ON DEMAND SERVICE:** Transportation  
234 provided by an authorized airport ground transportation business which is not "scheduled  
235 service" nor "prearranged service" from the airport as defined in this section.

236 **PREARRANGED SERVICE FROM THE AIRPORT:** Transportation from the airport to  
237 points within ~~or without~~ the corporate limits of Salt Lake City provided by an authorized ~~airport~~  
238 ground transportation business which is contracted for between ~~the~~such business and the person  
239 to be transported, or by an agent of the person, prior to the arrival of the person at the Salt Lake  
240 City International Airport. "Prearranged service from the airport" shall include airport ground  
241 transportation contracted for by an airline company on behalf of its own passengers whose  
242 regular air travel may have been disrupted in some manner. An agent may include a travel agent,  
243 family member, employee, business ~~entity~~ or meeting planner, but excludes an authorized  
244 ground transportation business. Prearranged service to the airport shall be provided on the same  
245 basis as permitted under ~~title 5, chapter 5.71 of this code~~Title 5, Chapter 5.71 of this code.

246 **SCHEDULED SERVICE:** Transportation provided by an authorized ground transportation  
247 business on a fixed schedule posted with the department in advance of such transportation.

248 ~~SCHEDULED SERVICE: Transportation provided by an authorized airport ground~~  
249 ~~transportation business on a fixed schedule posted with the city as required by law and a current~~  
250 ~~copy of the schedule filed with the airport.~~

251 ~~SPECIAL TRANSPORTATION VEHICLE: Any vehicle for hire on Salt Lake City streets,~~  
252 ~~which is used for the transportation of persons with disabilities and is licensed under title 5,~~  
253 ~~chapter 5.76 of this code, or its successor.~~

254 ~~STARTER: A person appointed by and representing a ground transportation business and~~  
255 ~~providing coordinated travel arrangements and information about available travel services and~~  
256 ~~fares.~~

257 ~~TAXICAB: A motor vehicle used in the transportation of passengers for hire~~ TAXICAB: A  
258 motor vehicle with a seating capacity of five (5) passengers or less, not including the driver, or a  
259 van with a passenger seating capacity of six (6) to twelve (12), not including the driver, used in  
260 the on demand for hire transportation of passengers or baggage over the public streets and not  
261 operated over a fixed route or upon a fixed schedule, but which is subject for contract hire by  
262 persons desiring special trips from one point to another ~~and which is licensed, as provided~~ under  
263 ~~title 5, chapter~~ Chapter 5.72 of this ~~code~~ title, or its successor. ~~It does not include an automobile~~  
264 ~~rental vehicle licensed under any other section of this code.~~ chapter, and authorized to operate in  
265 Salt Lake City by contract with the department.

266 **VAN:** Any licensed motor vehicle ~~which is registered~~ other than those designated as a limousine  
267 with the state at a gross weight a passenger seating capacity of ~~four thousand (4,000)~~ six (6) to ten  
268 ~~thousand (10,000) pounds, or is designed to transport fifteen (15) passengers or fewer,~~ twelve  
269 (12), not including the driver, ~~and which is licensed as required by this code.~~

270 **16.60.095: BUSINESSES AUTHORIZED TO PROVIDE GROUND**

271 **TRANSPORTATION:**

272 It shall be ~~unlawful for any person who conducts business at the airport by providing a~~  
273 violation to operate a ground transportation ~~to operate a motor vehicle connected with said~~  
274 ~~business~~ at the airport, unless such vehicle is part of is an "authorized ~~airport~~ ground  
275 transportation business" ~~as defined in this article.~~

276 **16.60.097: GROUND TRANSPORTATION DESTINATIONS:**

277 A. All authorized ~~airport~~ ground transportation businesses may provide scheduled service  
278 or prearranged service ~~or "scheduled service" to or from the airport as defined in section~~  
279 ~~16.60.090 of this chapter.~~

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

282 C. ~~For transportation back and forth between the airport and points within the corporate~~  
283 ~~limits of Salt Lake City, only~~ shared ride service vehicles, taxicabs, courtesy vehicles, and hotel  
284 vehicles ~~and limousines~~ may provide on-demand service at the airport, except that courtesy  
285 vehicles and hotel vehicles may provide on-demand service, ~~unless the only to and from the~~  
286 hotel, motel, or other lodging business with whom they hold a current contract for transportation  
287 services. The department director ~~or his or her designee~~ may waive these restrictions if the  
288 director determines that circumstances at the airport exist that create congestion, security  
289 concerns, emergency conditions, or other operational problems, and that a temporary suspension  
290 of this limitation is in the best interests of the ~~city to address such circumstances. The foregoing~~  
291 ~~notwithstanding, limousines may provide on-demand service only upon charging a minimum fare~~  
292 ~~of thirty dollars (\$30.00) per trip. Limousines may provide prearranged service without charging~~  
293 ~~a set minimum fare~~ City to address such circumstances.

294 C. All authorized ground transportation businesses may provide on-demand, scheduled  
295 service and prearranged service from the airport to destinations outside of the corporate limits of  
296 Salt Lake City.

297 **16.60.100: PASSENGER PICK UP ZONES:**

298 All persons operating a ground transportation vehicle on the premises of the airport shall  
299 pick up passengers only in areas as designated by the department director. Ground transportation  
300 vehicles may occupy such area only for the period of time established by the department director.

301 **16.60.110: COMMERCIAL CHARGES:**

302 ~~The airport enterprise fund imposes commercial~~Commercial charges may be imposed by  
303 the City for the use of airport facilities and services,~~and all such charges imposed on ground~~  
304 ~~transportation providers.~~ Any business located at, or doing business on, the airport shall be  
305 limited to the recovery of costs incurred by the fund for providing facilities and services to  
306 ground transportation providers pay all established fees applicable to such business.

307 **16.60.120: CHARGESGROUND TRANSPORTATION FEES REQUIRED:**

308 No ground transportation vehicle or business shall use the ~~commercial ground~~  
309 ~~transportation lanes~~ airport's roadways or facilities without paying ~~the fee~~ required by  
310 ~~section~~ fees established under Section 16.60.110 of this chapter,~~or its successor.~~

311 **16.60.130: PAYMENT OF ~~FEE BY GROUND TRANSPORTATION VEHICLES:~~FEES:**

312 ~~A.~~ Payment of ~~the~~ required ~~fee~~fees shall be made in the manner prescribed by the  
313 department director ~~of airports.~~

314 ~~B.~~ All taxicabs which are licensed under title 5, chapter 5.72 of this code, or its successor,  
315 ~~shall possess a taximeter in accordance~~ consistent with ~~the requirements of title 5, chapter~~  
316 ~~5.72~~ department rules and regulations and applicable provisions of this code.

317 **16.60.140: TAXICAB REGULATIONSCITY ORDINANCES APPLICABLE TO**  
318 **AIRPORT:**

319 All applicable ordinances ~~contained in title 5, chapter 5.72 of this code or its successor~~  
320 ~~shall apply to~~ set forth in the Salt Lake City International Airport. ~~In addition, the provisions set~~  
321 ~~out in sections 16.60.150 through 16.60.170 of this chapter or successor sections shall~~  
322 ~~specifically apply at said airport.~~

323 ~~16.60.150: STAGING AREA FOR TAXIS:~~

324 ~~A.~~ There is established a taxicab staging area at the airport which is designated

325 ~~exclusively for taxicabs entering the airport for the purpose of obtaining a fare.~~

326 ~~B. All taxicabs entering the airport for the purpose of obtaining a fare shall follow airport~~  
327 ~~rules and regulations.~~

328 ~~C. No driver of a taxicab seeking to obtain a fare shall go directly to the taxicab~~  
329 ~~standCode, including without first going to the designated staging area.~~

330 ~~16.60.170: TAXICAB STAND RESTRICTIONS:~~

331 ~~There are established taxicab stands at the airport which are designated exclusively for~~  
332 ~~taxicabs entering the airport for the purpose of obtaining a fare. Such stands shall be marked by~~  
333 ~~appropriate signs placed at the direction of the~~limitation Chapters 5.71 and 5.72 of Title 5 or  
334 ~~their successors, shall apply to the airport. Pursuant to applicable provisions of this code, the~~  
335 ~~department director, may enter into contracts and the use of such stands shall be subject to~~  
336 ~~airportestablish~~ rules and regulations for taxicab operations specific to the airport.

337 **16.60.180: GROUND TRANSPORTATION BOOTHS:**

338 There ~~are~~may be established within the terminal buildings at the airport one (1) or more  
339 ground transportation booths for the exclusive use of authorized ground transportation businesses  
340 ~~in coordinating travel arrangements with to assist the traveling public, to arrange for~~  
341 transportation, including travel reservations and ticket sales. These booths ~~shall~~may be made  
342 available to businesses ~~through airport~~in accordance with applicable contracts and/or department  
343 rules and regulations.

344 A. ~~Solicitation of passengers by~~No authorized ground transportation business may solicit  
345 passengers at the airport ~~shall be unlawful~~ except at a bona fide ground transportation booth  
346 established by the ~~airport~~department director and operated by the authorized ground  
347 transportation business.

348 B. ~~Any~~No person or business including any ground transportation business may contract  
349 for passenger meet and greet services on behalf of any ground transportation business without  
350 written permission of the department director.

351 C. In addition to civil penalties, any violation of ~~this~~these solicitation ~~restriction~~restrictions by  
352 any driver or representative of any authorized ground transportation ~~company~~business may  
353 result, ~~at the director's sole option after a hearing,~~ in such driver or business being barred from  
354 any further entry to an airport terminal as a driver or authorized ground transportation business  
355 employee.

356 ED. No representative of any authorized ground transportation business shall transport  
357 baggage or cargo in behalf of a customer to or from the airport without documentation such as  
358 baggage claim tickets or transfer documents clearly indicating the authority of such  
359 representative to transport such baggage. Said representative shall produce such documentation  
360 for inspection upon request by an authorized official of the ~~airport~~department.

361 **16.60.190: STAGING AND PARKING OF GROUND TRANSPORTATION VEHICLES:**

362 ~~In addition to the~~ Any use of a staging area, parking facilities ~~and, taxi~~ stands ~~established~~  
363 ~~solely for taxicabs as set forth in this article, there are established,~~ parking areas ~~and a~~  
364 ~~commercial,~~ traffic ~~lane for use~~lanes or other areas and facilities used by authorized ground  
365 transportation vehicles. ~~The use of such facilities shall be~~ are subject to ~~airport~~department rules  
366 and regulations.

367 **16.60.200: SIGNS:**

368 Signs may be posted at the airport ~~which meet the graphic standard of the airport and by~~  
369 authorized ground transportation businesses if such signs are in accordance with

370 | ~~airport~~applicable City ordinances, department contracts, department rules and regulations, and  
371 | have been approved by the department director.



SALT LAKE CITY ORDINANCE

No. \_\_\_\_\_ of 2010

(Motor vehicle operation at the Salt Lake City International Airport)

An ordinance amending Chapters 16.60 and 16.64, *Salt Lake City Code*, pertaining to motor vehicle operation at the Salt Lake City International Airport, to correspond with changes made in Chapters 5.71 and 5.72, *Salt Lake City Code*; providing for rules and regulations; replacing criminal enforcement with civil penalties; and establishing processes and procedures related thereto.

WHEREAS, the City Council has amended Chapters 5.71 and 5.72, *Salt Lake City Code*, pertaining to ground transportation and taxicabs; and

WHEREAS, the City Council has determined this ordinance corresponds with and supports amendments to Chapters 5.71 and 5.72, *Salt Lake City Code*; and

WHEREAS, after a duly noticed public hearing before the City Council, the Council has determined this ordinance is in the best interest of the City.

NOW, THEREFORE, be it ordained by the City Council of Salt Lake City, Utah as follows:

SECTION 1. That Chapter 16.60, *Salt Lake City Code*, pertaining to motor vehicle operation at the Salt Lake City International Airport, be, and the same hereby is, amended to read as follows:

**Chapter 16.60**

**MOTOR VEHICLE OPERATION**

**Article I. General Regulations**

**16.60.001: AUTHORITY TO ESTABLISH RULES AND REGULATIONS:**

To the extent authorized by the provisions of this chapter and consistent with other applicable provisions of this code, the department director, under guidance and direction from the Mayor, may enter into contracts deemed necessary or desirable and may establish rules and

28 regulations necessary to administer the provisions of this chapter and any security or operating  
29 requirements applicable to the Salt Lake City International Airport.

30 **16.60.005: EXEMPTIONS FROM REQUIREMENTS OF THIS CHAPTER:**

31 Vehicles licensed and operated by a government agency, a university or school district,  
32 the Utah Transit Authority, an ambulance service, and others, as may be designated in  
33 department rules and regulations, and others, as may be designated by the director, are exempt  
34 from the requirements of this chapter.

35 **16.60.010: COMPLIANCE WITH STATE AND OTHER REGULATIONS:**

36 A. No person shall operate a motor vehicle on the airport except in strict compliance with  
37 applicable laws of the state, City ordinances, and department rules and regulations.

38 B. No person or owner shall drive, or permit to be driven, stopped or parked on any  
39 street, parking lot, alleyway or driveway within the airport, any vehicle which is required under  
40 the laws of the state to be inspected and registered unless such vehicle has been inspected and  
41 registered, and has attached thereto in proper position a valid and unexpired certificate of  
42 inspection as required by the laws of the state.

43 C. All vehicles operated on airport property, including ramp areas, shall be maintained in  
44 a safe operating condition.

45 **16.60.020: DRIVING ON LOADING AREAS; RESTRICTIONS:**

46 A. Any motorized vehicle being used on the ramp as a service vehicle shall display the  
47 department-issued identification sticker. Each such vehicle shall also bear company  
48 identification visible from fifty feet (50') on both sides of the vehicle.

49           B. No person or vehicle is permitted in, on, or around any secured area, such as, but not  
50 limited to, any hangar, landing field, runway, apron or taxi strip, without prior permission from  
51 the department director.

52           C. Automobiles, trucks and other equipment (including airport maintenance and  
53 emergency vehicles) being driven on any landing area, runway, taxi strip, or apron shall display a  
54 standard checkered flag or flashing amber or red light, as appropriate, if operated during the  
55 nighttime, or, when applicable, be marked in accordance with Federal Aviation Administration  
56 regulations or as directed by the department director, and shall not be operated without prior  
57 permission of the control tower.

58 **16.60.030: VEHICLE RAMP OPERATIONS:**

59           A. Speed Limits: Motor vehicles shall be operated on established streets and roadways  
60 within the airport in strict compliance with speed limits posted on traffic signs. They shall also  
61 be maintained and operated in conformity with all motor vehicle regulations and laws of the state  
62 and City. Motor vehicles being operated on any passenger loading ramp, aircraft parking ramp,  
63 or in any area immediately adjacent to the terminals or hangars, shall be driven cautiously and at  
64 a safe and reasonable speed, but not to exceed twenty (20) miles per hour.

65           B. Use of Ramp Roadways: Vehicles shall only be operated within the limits of the  
66 designated painted roadways on the air operations areas, except as required to perform aircraft  
67 servicing and airfield inspections.

68           C. Traffic Markings on Paved Surfaces: Vehicle operators shall observe all traffic  
69 markings painted on pavement surfaces of the aircraft operations area.

70           D. Yield Right-of-Way To Aircraft: All vehicles shall yield right-of-way to any aircraft  
71 when the aircraft is under tow or has its engines operating. No vehicle shall proceed past such

72 aircraft until the vehicle's progress will not impede the aircraft's movement. This section does not  
73 preclude the establishment of agreements to the contrary between the City and the Federal  
74 Aviation Administration.

75 **16.60.040: COMMON CARRIERS:**

76 No common carrier, vehicle for hire, or ground transportation vehicle shall load or unload  
77 passengers at the airport at any place or in any manner other than that designated by the  
78 department director.

79 **16.60.050: ACCIDENTS TO BE REPORTED:**

80 Any person involved in an accident resulting in personal injury or damage to property on  
81 the airport shall report such accident promptly to the office of the department director.

82 **16.60.060: PROHIBITED VEHICLES AND ANIMALS:**

83 No go-cart, motorbike, bicycle, house trailer, or similar vehicle, or horse, shall be  
84 permitted on any landing area, ramp, taxiway, or hangar area without approval of the department  
85 director, except for bicycles that are secured and delivered to an aircraft for transport, or  
86 motorcycles used for surface transportation in a hangar area.

87 **16.60.065: PARKING AREAS:**

88 A. Parking areas for motor vehicles shall be set aside for airport employees and the  
89 general public. No person shall park a motor vehicle or a trailer in any place on the airport other  
90 than those areas designated by the department director or as expressly set forth in this title. No  
91 person shall park a vehicle in an area designated as an employee parking lot unless such person  
92 has complied with all rules and regulations, and other requirements for employee parking as  
93 established by the department.

94 B. Tenants of T-hangars and shade hangars may park their motor vehicles in their own  
95 hangars when the aircraft is being flown or in front of their hangar if they are present. Service or  
96 delivery vehicles may park next to a tenant's hangar long enough for delivery. All others shall  
97 park in public lots.

98 C. No person shall park a motor vehicle on the airport in excess of seventy-two (72)  
99 consecutive hours unless it is parked in the public parking area or with the authorization of the  
100 airport.

101 D. No person shall park a motor vehicle in an area designated as a public parking lot  
102 unless such person pays the authorized rate for such parking lots. A schedule of parking rates  
103 shall be available in the airport Office of Finance and Administration.

104 **16.60.067: PARKING VEHICLES:**

105 No person shall park a vehicle on the airport other than in the manner and at locations  
106 indicated by posted traffic signs and markings. Each hour a vehicle remains parked in violation  
107 of this section shall be a separate offense.

108 **16.60.070: IMPOUNDMENT AUTHORIZED WHEN:**

109 Any vehicle parked in violation of department rules and regulations may be impounded  
110 or relocated by a certified peace officer. The owner thereof shall pay for the tow charge, regular  
111 parking fees, and other penalties and related charges.

112 **16.60.075: PASSENGER COURTESY CARTS:**

113 A. No person may operate any vehicle inside a City-owned building at the airport without  
114 proper authority. The owner of any such authorized vehicle shall install and maintain a speed  
115 governor on each such vehicle which will prevent the vehicle from exceeding five (5) miles per  
116 hour. Vehicles at all times shall be maintained in a safe operating condition. Any person

117 operating such vehicle shall yield to pedestrians, not pass pedestrians unless there is enough  
118 space to leave an eighteen inch (18") clearance between vehicle and pedestrian, and otherwise  
119 operate the vehicle in a safe manner.

120 B. The department director may prohibit the operation of such vehicles at the Airport or  
121 limit their use at any time.

122 **Article II. Ground Transportation Businesses**

123 **16.60.080: PURPOSE OF ARTICLE II PROVISIONS:**

124 The provisions set out in this article are enacted for the purpose of:

125 A. Requiring persons who conduct business at the airport by providing ground  
126 transportation service to assist the City in defraying the expense of providing certain facilities  
127 and services provided for ground transportation vehicles and services using the airport, and to  
128 create an equitable assessment of fees for its use; and

129 B. Requiring such persons to adhere to department rules and regulations regarding the  
130 operation of ground transportation vehicles to ensure that such are conducted in a safe, efficient,  
131 and cost effective manner for the public benefit.

132 **16.60.090: DEFINITIONS:**

133 The following words and phrases, when used in this chapter, shall have the meanings  
134 defined and set forth in this section.

135 **AIRPORT SHARED RIDE SERVICE:** Ground transportation provided by an authorized  
136 ground transportation business contracted through the Department of Airports to provide on -  
137 demand shared ride service to and from the Salt Lake City International Airport.

138 **AIRPORT SHARED RIDE VEHICLE:** Any authorized ground transportation vehicle  
139 operating under contract with the Department of Airports to provide airport shared ride service.

140 **AUTHORIZED GROUND TRANSPORTATION BUSINESS:** Any business operating any  
141 ground transportation vehicle, which has a current, valid business license as required by the City  
142 and which:

143       A. Registers the business in accordance with the requirements established by the  
144 department, and

145       B. Is current with all fees or charges imposed by the Department or City.

146 **AUTOMOBILE:** Any motor vehicle with passenger seating for five (5) persons or less not  
147 including the driver.

148 **BUS:** Any motor vehicle with a seating capacity of twenty-five (25) passengers or more, not  
149 including the driver.

150 **BUSINESS:** A voluntary association legally formed and organized to carry on a business in  
151 Utah in the legal name of the association, including without limitation a corporation, limited  
152 liability company, partnership, or sole proprietorship.

153 **CIVIL NOTICE:** The written notice of a ground transportation violation.

154 **COURTESY VEHICLE:** Any motor vehicle regularly operated on Salt Lake City streets for  
155 transportation of customers and/or baggage without making a specific separate charge to the  
156 passenger for such transportation.

157 **DEPARTMENT:** The Salt Lake City Department of Airports.

158 **DEPARTMENT DIRECTOR:** The director of the Salt Lake City Department of Airports.

159 **DEPARTMENT RULES AND REGULATIONS:** Rules and regulations developed and  
160 adopted by the department director to govern ground transportation service and businesses at the  
161 airport.

162 **FIXED SCHEDULE:** Ground transportation service operating on a regular time schedule  
163 previously announced as to time of departure and arrival between the airport and definitely  
164 established and previously announced points along definitely established and previously  
165 announced routes regardless of whether there are passengers or freight to be carried.

166 **GROUND TRANSPORTATION BUSINESS:** Any business operating any ground  
167 transportation vehicle.

168 **GROUND TRANSPORTATION SERVICE:** The transportation of passengers by a ground  
169 transportation business.

170 **GROUND TRANSPORTATION APPEAL COMMITTEE:** A committee established by the  
171 department director to hear and rule on appeals, suspensions, and other matters related to ground  
172 transportation in and connected with the City.

173 **GROUND TRANSPORTATION VEHICLE:** Any motor vehicle used for the transportation of  
174 persons using Salt Lake City streets for commercial purposes regardless of whether a fee or fare  
175 is collected, which includes, but is not limited to, any airport shared ride vehicle, automobile,  
176 bus, courtesy vehicle, hotel vehicle, limousine, minibus, special transportation vehicle, taxicab,  
177 van, or trailer being towed by a ground transportation vehicle.

178 **HOTEL VEHICLE:** Any motor vehicle regularly operated by a ground transportation business  
179 under contract to or directly by a motel, hotel, or other lodging business to provide transportation  
180 of customers and/or baggage for the contracted establishment, for which transportation the  
181 customer is charged a separate fee or fare, and which is subject to a contract filed with the  
182 department providing for operating the vehicle.

183 **LIMOUSINE:** Any vehicle described by its manufacturer or aftermarket manufacturer as a  
184 limousine or a luxury vehicle such as, but not limited to, a Cadillac Escalade, Chevrolet



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185 Suburban, Lincoln Town Car, or Mercedes Benz, with a driver furnished, who is dressed in  
186 professional business attire or a chauffeur's uniform.

187 **MINIBUS:** Any motor vehicle with a seating capacity of thirteen (13) to twenty-four (24)  
188 passengers, not including the driver.

189 **ON DEMAND AIRPORT SERVICE OR ON DEMAND SERVICE:** Transportation  
190 provided by an authorized airport ground transportation business which is not scheduled service  
191 nor prearranged service from the airport as defined in this section.

192 **PREARRANGED SERVICE FROM THE AIRPORT:** Transportation from the airport to  
193 points within the corporate limits of Salt Lake City provided by an authorized ground  
194 transportation business which is contracted for between such business and the person to be  
195 transported, or by an agent of the person, prior to the arrival of the person at the Salt Lake City  
196 International Airport. Prearranged service from the airport shall include airport ground  
197 transportation contracted for by an airline company on behalf of its own passengers whose  
198 regular air travel may have been disrupted in some manner. An agent may include a travel agent,  
199 family member, employee, business or meeting planner, but excludes an authorized ground  
200 transportation business. Prearranged service to the airport shall be provided on the same basis as  
201 permitted under Title 5, Chapter 5.71 of this code.

202 **SCHEDULED SERVICE:** Transportation provided by an authorized ground transportation  
203 business on a fixed schedule posted with the department in advance of such transportation.

204 **TAXICAB:** A motor vehicle with a seating capacity of five (5) passengers or less, not including  
205 the driver, or a van with a passenger seating capacity of six (6) to twelve (12), not including the  
206 driver, used in the on demand for hire transportation of passengers or baggage over the public  
207 streets and not operated over a fixed route or upon a fixed schedule, but which is subject for

208 contract hire by persons desiring special trips from one point to another, as provided under  
209 Chapter 5.72 of this title, or its successor chapter, and authorized to operate in Salt Lake City by  
210 contract with the department.

211 **VAN:** Any licensed motor vehicle other than those designated as a limousine with a passenger  
212 seating capacity of six (6) to twelve (12), not including the driver

213 **16.60.095: BUSINESSES AUTHORIZED TO PROVIDE GROUND**

214 **TRANSPORTATION:**

215 It shall be a violation to operate a ground transportation vehicle at the airport, unless such  
216 vehicle is part of is an authorized ground transportation business.

217 **16.60.097: GROUND TRANSPORTATION DESTINATIONS:**

218 A. All authorized ground transportation businesses may provide scheduled service or  
219 prearranged service from the airport.

220 B. Only authorized airport shared ride service vehicles, taxicabs, courtesy vehicles, and  
221 hotel vehicles may provide on-demand service at the airport, except that courtesy vehicles and  
222 hotel vehicles may provide on-demand service only to and from the hotel, motel, or other  
223 lodging business with whom they hold a current contract for transportation services. The  
224 department director may waive these restrictions if the director determines that circumstances at  
225 the airport exist that create congestion, security concerns, emergency conditions, or other  
226 operational problems, and that a temporary suspension of this limitation is in the best interests of  
227 the City to address such circumstances.

228 C. All authorized ground transportation businesses may provide on-demand, scheduled  
229 service and prearranged service from the airport to destinations outside of the corporate limits of  
230 Salt Lake City.

231 **16.60.100: PASSENGER PICK-UP ZONES:**

232 All persons operating a ground transportation vehicle on the premises of the airport shall pick up  
233 passengers only in areas as designated by the department director. Ground transportation  
234 vehicles may occupy such area only for the period of time established by the department director.

235 **16.60.110: COMMERCIAL CHARGES:**

236 Commercial charges may be imposed by the City for the use of airport facilities and  
237 services. Any business located at, or doing business on, the airport shall pay all established fees  
238 applicable to such business.

239 **16.60.120: GROUND TRANSPORTATION FEES REQUIRED:**

240 No ground transportation vehicle or business shall use the airport's roadways or facilities  
241 without paying required fees established under Section 16.60.110 of this chapter.

242 **16.60.130: PAYMENT OF FEES:**

243 Payment of required fees shall be made in the manner prescribed by the department  
244 director consistent with department rules and regulations and applicable provisions of this code.

245 **16.60.140: CITY ORDINANCES APPLICABLE TO AIRPORT:**

246 All applicable ordinances set forth in the Salt Lake City Code, including without  
247 limitation Chapters 5.71 and 5.72 of Title 5 or their successors, shall apply to the airport.  
248 Pursuant to applicable provisions of this code, the department director may enter into contracts  
249 and establish rules and regulations for taxicab operations specific to the airport.

250 **16.60.180: GROUND TRANSPORTATION BOOTHS:**

251 There may be established within the terminal buildings at the airport one (1) or more  
252 ground transportation booths for the exclusive use of authorized ground transportation businesses  
253 to assist the public to arrange for transportation, including travel reservations and ticket sales.

254 These booths may be made available to businesses in accordance with applicable contracts  
255 and/or department rules and regulations.

256 A. No authorized ground transportation business may solicit passengers at the airport  
257 except at a bona fide ground transportation booth established by the department director and  
258 operated by the authorized ground transportation business.

259 B. No person or business including any ground transportation business may contract for  
260 passenger meet and greet services on behalf of any ground transportation business without  
261 written permission of the department director.

262 C. In addition to civil penalties, any violation of these solicitation restrictions by any  
263 driver or representative of any authorized ground transportation business may result in such  
264 driver or business being barred from any further entry to an airport terminal as a driver or  
265 authorized ground transportation business employee.D. No representative of any authorized  
266 ground transportation business shall transport baggage or cargo in behalf of a customer to or  
267 from the airport without documentation such as baggage claim tickets or transfer documents  
268 clearly indicating the authority of such representative to transport such baggage. Said  
269 representative shall produce such documentation for inspection upon request by an authorized  
270 official of the department.

271 **16.60.190: STAGING AND PARKING OF GROUND TRANSPORTATION VEHICLES:**

272 Any use of a staging area, parking facilities, taxi stands, parking areas, traffic lanes or  
273 other areas and facilities used by authorized ground transportation vehicles are subject to  
274 department rules and regulations.

275 **16.60.200: SIGNS:**

276            Signs may be posted at the airport by authorized ground transportation businesses if such  
277 signs are in accordance with applicable City ordinances, department contracts, department rules  
278 and regulations, and have been approved by the department director.

1 SECTION 2. That Chapter 16.64, *Salt Lake City Code*, pertaining to violations, penalties,  
2 and enforcement at the Salt Lake City International Airport be, and the same hereby is, amended  
3 to read as follows:

4 **Chapter 16.64**

5 **VIOLATION, PENALTY AND ENFORCEMENT**

6 **16.64.010: PROHIBITIVE NATURE OF ~~TITLE~~ REGULATIONS:**

7 It is ~~unlawful~~ a violation for any person to do any act prohibited by ~~this title~~ law, to fail or  
8 refuse to do any act required by ~~this title~~ law, to operate any vehicle or aircraft in violation of any  
9 provisions of this title or department rules and regulations, or to operate any vehicle or aircraft  
10 unless such vehicle or aircraft is equipped and maintained as provided in this title or other  
11 applicable law.

12 **16.64.020: REMOVAL AUTHORIZED WHEN:**

13 Any person using airport property, operating any vehicle or handling any aircraft in  
14 violation of this title or other applicable law, or by refusing to comply ~~herewith~~ therewith, may be  
15 removed or ejected from the airport, and may be deprived of the further use of the airport and its  
16 facilities for such length of time as may be deemed necessary by the department director to  
17 ensure the safeguarding of the same and the public and its interest therein.

18 **16.64.030~~025~~: VIOLATION; PENALTY:**

19 Any person guilty of violating any ~~of the provisions~~ provision of this title shall be deemed  
20 guilty of a class B misdemeanor-, except the violation of certain sections of this Title 16 as set  
21 forth in Section 16.64.030 below, which shall constitute civil violations.

22 **16.64.030: CIVIL PENALTIES AND ENFORCEMENT:**

23 A. Any person in violation of this title, department rules and regulations, or other  
24 applicable law are subject to civil penalties and any other lawful action as may be taken by the  
25 department director to ensure the safe and effective operations of the airport.

26 B. The City may revoke, suspend, or deny renewal of a City business license to operate a  
27 ground transportation business for violation of any provision of this title, department rules and  
28 regulations, or other applicable law as provided under Chapter 5.02 of this code.

29 C. The department may revoke, suspend or deny renewal of an operator's badge,  
30 department automated vehicle identification tag, or department inspection seal for violation of  
31 any provision of this title, department rules and regulations, or other applicable law. The person  
32 or business affected may request, in writing filed with the department, an appeal hearing before  
33 the ground transportation appeal committee. Any such revocation, suspension or denial of  
34 renewal shall remain in effect until the party against whom such action is taken requests  
35 reinstatement, and the ground transportation appeal committee determines that reinstatement is  
36 appropriate.

37 D. If any named party fails to comply with civil penalties imposed under this chapter,  
38 such party may be subject to suspension, revocation, or nonrenewal of a City license to operate a  
39 ground transportation business, operator's badge, department automated vehicle identification  
40 tag and department inspection seal.

41 E. Civil penalties may be imposed as set forth below. The named party in the civil notice  
42 shall be liable for a civil penalty. Any penalty assessed in connection with this section may be in  
43 addition to any other penalty that may be imposed by law or department rules and regulations.

44 F. Violations of the following ordinances shall constitute civil violations and be subject to  
45 the following penalties:

<u>CODE</u>	<u>AMOUNT OF PENALTY</u>	<u>VIOLATION</u>
<b><u>ARTICLE I</u></b>		
<b><u>GENERAL REGULATIONS</u></b>		
<u>16.60.010</u>	<u>\$500.00</u>	<u>Vehicle operations on Airport</u>
<u>16.60.020</u>	<u>\$1000.00</u>	<u>Secured area vehicle operations</u>
<u>16.60.030</u>	<u>\$1000.00</u>	<u>Ramp area vehicle operations</u>
<u>16.60.040</u>	<u>\$200.00</u>	<u>Unauthorized passenger load /unload</u>
<u>16.60.050</u>	<u>\$1000.00</u>	<u>Failure to report accident</u>
<u>16.60.060</u>	<u>\$1000.00</u>	<u>Prohibited vehicle in secure area</u>
<u>16.60.065</u>	<u>\$200.00</u>	<u>Parking area restrictions / failure to pay fees</u>
<u>16.60.067</u>	<u>\$100.00</u>	<u>Parking violation posted signs</u>
<u>16.60.075</u>	<u>\$500.00</u>	<u>Courtesy cart operations</u>
<b><u>ARTICLE II</u></b>		
<b><u>GROUND TRANSPORTATION BUSINESSES</u></b>		
<u>16.60.095</u>	<u>\$1000.00</u>	<u>Unauthorized ground transportation vehicle</u>
<u>16.60.097</u>	<u>\$500.00</u>	<u>Unauthorized prearranged/on-demand transport</u>
<u>16.60.100</u>	<u>\$200.00</u>	<u>Unauthorized passenger pick up</u>
<u>16.60.120</u>	<u>\$500.00</u>	<u>Failure to pay fees</u>
<u>16.60.180 (A,B,D)</u>	<u>\$500.00</u>	<u>Unauthorized solicitation or baggage transport</u>
<u>16.60.190</u>	<u>\$100.00</u>	<u>Unauthorized staging / use of grounds and facilities</u>
<u>16.60.200</u>	<u>\$500.00</u>	<u>Unauthorized posting of signs</u>



47 **16.64.050: ENFORCEMENT PROCEDURES; CIVIL NOTICE OF GROUND**

48 **TRANSPORTATION VIOLATION:**

49 A. Civil notices under this chapter, other than those involving revocations, suspensions,  
50 denials or approvals of a business license, operators' badge, department automated vehicle  
51 identification tags and department inspection seals shall be heard by the Salt Lake City Justice  
52 Court. Any named party may appear before a hearing officer and present and contest an alleged  
53 violation as provided in Title 2, Chapter 2.75 of this code, or its successor.

54 B. The burden to prove any defense shall be upon the person raising such defense.  
55 Nothing herein shall affect the City's burden to prove each element of the underlying charge by a  
56 preponderance of evidence.

57 C. If the hearing officer finds that no violation of this chapter occurred, or that a  
58 violation occurred but one or more of the defenses set forth in this section is applicable, the  
59 hearing officer may dismiss the civil notice and release the named party from liability  
60 thereunder, or may reduce the penalty associated therewith as he or she shall determine. Such  
61 defenses are:

- 62 1. The civil notice does not contain the information required by this chapter;
- 63 2. Compliance with the subject ordinances would have presented an imminent  
64 and irreparable injury to persons or property; or
- 65 3. Such other mitigating circumstances as may be approved by the City

66 Attorney's Office.

67 **16.64.060: EXPEDITED APPEAL OF EXCLUSION:**

68 Any named party who is excluded from pursuing commercial activities under this  
69 chapter, and has not had a hearing before the ground transportation appeal committee regarding

70 such exclusion as provided for in this chapter, may request an expedited appeal of the action that  
 71 resulted in such exclusion. Such appeal shall be requested in writing by the party so excluded to  
 72 the department. The department shall promptly investigate the facts relating to such exclusion. If  
 73 the evidence indicates such exclusion is improper under this chapter, the department director  
 74 may reverse the action that resulted in such exclusion. If the department director does not reverse  
 75 such action, the action resulting in such exclusion shall be heard and determined by the ground  
 76 transportation appeal committee in accordance with the provisions of this chapter. If a  
 77 preponderance of the evidence indicates such exclusion is proper under this chapter the ground  
 78 transportation hearing committee shall uphold such exclusion.

79 SECTION 3. Effective Date. This ordinance shall become effective on the date of its first  
 80 publication.

81 Passed by the City Council of Salt Lake City, Utah this \_\_\_\_\_ day of \_\_\_\_\_,  
 82 2010.

83 \_\_\_\_\_  
 84 CHAIRPERSON

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 88 \_\_\_\_\_  
 89 CITY RECORDER

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 92 Transmitted to Mayor on \_\_\_\_\_.

93 Mayor's Action: \_\_\_\_\_ Approved. \_\_\_\_\_ Vetoed.

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 95 \_\_\_\_\_  
 96 MAYOR

97

DRAFT - NOVEMBER 4, 2010

98 \_\_\_\_\_  
99 CITY RECORDER

100

101 (SEAL)

102

103 Bill No. \_\_\_\_\_ of 2010

104 Published: \_\_\_\_\_

1 SECTION 2. That Chapter 16.64, *Salt Lake City Code*, pertaining to violations, penalties,  
2 and enforcement at the Salt Lake City International Airport be, and the same hereby is, amended  
3 to read as follows:

4 **Chapter 16.64**

5 **VIOLATION, PENALTY AND ENFORCEMENT**

6 **16.64.010: PROHIBITIVE NATURE OF REGULATIONS:**

7 It is a violation for any person to do any act prohibited by law, to fail or refuse to do any  
8 act required by law, to operate any vehicle or aircraft in violation of any provisions of this title or  
9 department rules and regulations, or to operate any vehicle or aircraft unless such vehicle or  
10 aircraft is equipped and maintained as provided in this title or other applicable law.

11 **16.64.020: REMOVAL AUTHORIZED WHEN:**

12 Any person using airport property, operating any vehicle or handling any aircraft in  
13 violation of this title or other applicable law, or by refusing to comply therewith, may be  
14 removed or ejected from the airport, and may be deprived of the further use of the airport and its  
15 facilities for such length of time as may be deemed necessary by the department director to  
16 ensure the safeguarding of the same and the public and its interest therein.

17 **16.64.025: VIOLATION; PENALTY:**

18 Any person guilty of violating any provision of this title shall be deemed guilty of a class  
19 B misdemeanor, except the violation of certain sections of this Title 16 as set forth in Section  
20 16.64.030 below, which shall constitute civil violations.

21 **16.64.030: CIVIL PENALTIES AND ENFORCEMENT:**

22           A. Any person in violation of this title, department rules and regulations, or other  
23 applicable law are subject to civil penalties and any other lawful action as may be taken by the  
24 department director to ensure the safe and effective operations of the airport.

25           B. The City may revoke, suspend, or deny renewal of a City business license to operate a  
26 ground transportation business for violation of any provision of this title, department rules and  
27 regulations, or other applicable law as provided under Chapter 5.02 of this code.

28           C. The department may revoke, suspend or deny renewal of an operator's badge,  
29 department automated vehicle identification tag, or department inspection seal for violation of  
30 any provision of this title, department rules and regulations, or other applicable law. The person  
31 or business affected may request, in writing filed with the department, an appeal hearing before  
32 the ground transportation appeal committee. Any such revocation, suspension or denial of  
33 renewal shall remain in effect until the party against whom such action is taken requests  
34 reinstatement, and the ground transportation appeal committee determines that reinstatement is  
35 appropriate.

36           D. If any named party fails to comply with civil penalties imposed under this chapter,  
37 such party may be subject to suspension, revocation, or nonrenewal of a City license to operate a  
38 ground transportation business, operator's badge, department automated vehicle identification  
39 tag and department inspection seal.

40           E. Civil penalties may be imposed as set forth below. The named party in the civil notice  
41 shall be liable for a civil penalty. Any penalty assessed in connection with this section may be in  
42 addition to any other penalty that may be imposed by law or department rules and regulations.

43           F. Violations of the following ordinances shall constitute civil violations and be subject to  
44 the following penalties:

<b>CODE</b>	<b>AMOUNT OF PENALTY</b>	<b>VIOLATION</b>
<b>ARTICLE I</b>		
<b>GENERAL REGULATIONS</b>		
16.60.010	\$500.00	Vehicle operations on Airport
16.60.020	\$1000.00	Secured area vehicle operations
16.60.030	\$1000.00	Ramp area vehicle operations
16.60.040	\$200.00	Unauthorized passenger load /unload
16.60.050	\$1000.00	Failure to report accident
16.60.060	\$1000.00	Prohibited vehicle in secure area
16.60.065	\$200.00	Parking area restrictions / failure to pay fees
16.60.067	\$100.00	Parking violation posted signs
16.60.075	\$500.00	Courtesy cart operations
<b>ARTICLE II</b>		
<b>GROUND TRANSPORTATION BUSINESSES</b>		
16.60.095	\$1000.00	Unauthorized ground transportation vehicle
16.60.097	\$500.00	Unauthorized prearranged/on-demand transport
16.60.100	\$200.00	Unauthorized passenger pick up
16.60.120	\$500.00	Failure to pay fees
16.60.180 (A,B,D)	\$500.00	Unauthorized solicitation or baggage transport
16.60.190	\$100.00	Unauthorized staging / use of grounds and facilities
16.60.200	\$500.00	Unauthorized posting of signs

46 **16.64.050: ENFORCEMENT PROCEDURES; CIVIL NOTICE OF GROUND**

47 **TRANSPORTATION VIOLATION:**

48 A. Civil notices under this chapter, other than those involving revocations, suspensions,  
49 denials or approvals of a business license, operators' badge, department automated vehicle  
50 identification tags and department inspection seals shall be heard by the Salt Lake City Justice  
51 Court. Any named party may appear before a hearing officer and present and contest an alleged  
52 violation as provided in Title 2, Chapter 2.75 of this code, or its successor.

53 B. The burden to prove any defense shall be upon the person raising such defense.  
54 Nothing herein shall affect the City's burden to prove each element of the underlying charge by a  
55 preponderance of evidence.

56 C. If the hearing officer finds that no violation of this chapter occurred, or that a  
57 violation occurred but one or more of the defenses set forth in this section is applicable, the  
58 hearing officer may dismiss the civil notice and release the named party from liability  
59 thereunder, or may reduce the penalty associated therewith as he or she shall determine. Such  
60 defenses are:

- 61 1. The civil notice does not contain the information required by this chapter;
- 62 2. Compliance with the subject ordinances would have presented an imminent  
63 and irreparable injury to persons or property; or
- 64 3. Such other mitigating circumstances as may be approved by the City  
65 Attorney's Office.

66 **16.64.060: EXPEDITED APPEAL OF EXCLUSION:**

67 Any named party who is excluded from pursuing commercial activities under this  
68 chapter, and has not had a hearing before the ground transportation appeal committee regarding

69 such exclusion as provided for in this chapter, may request an expedited appeal of the action that  
70 resulted in such exclusion. Such appeal shall be requested in writing by the party so excluded to  
71 the department. The department shall promptly investigate the facts relating to such exclusion. If  
72 the evidence indicates such exclusion is improper under this chapter, the department director  
73 may reverse the action that resulted in such exclusion. If the department director does not reverse  
74 such action, the action resulting in such exclusion shall be heard and determined by the ground  
75 transportation appeal committee in accordance with the provisions of this chapter. If a  
76 preponderance of the evidence indicates such exclusion is proper under this chapter the ground  
77 transportation hearing committee shall uphold such exclusion.

78 SECTION 3. Effective Date. This ordinance shall become effective on the date of its first  
79 publication.

80 Passed by the City Council of Salt Lake City, Utah this \_\_\_\_\_ day of \_\_\_\_\_,  
81 2010.

82 \_\_\_\_\_  
83 CHAIRPERSON

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88 CITY RECORDER

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91 Transmitted to Mayor on \_\_\_\_\_.

92 Mayor's Action: \_\_\_\_\_ Approved. \_\_\_\_\_ Vetoed.

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95 \_\_\_\_\_  
96 MAYOR



DRAFT - NOVEMBER 4, 2010

97 \_\_\_\_\_  
98 CITY RECORDER

99

100 (SEAL)

101

102 Bill No. \_\_\_\_\_ of 2010

103 Published: \_\_\_\_\_

DATE: 8/26/2010  
SCANNED BY: [Signature]  
SCANNED TO:

Salt Lake City  
Department of Airports

RECEIVED  
AUG 26 2010  
By \_\_\_\_\_

**CITY COUNCIL TRANSMITTAL**

[Signature]  
David Everitt, Chief of Staff

Date Received: 8/27/2010  
Date sent to Council: 8/27/2010

**TO:** Salt Lake City Council  
JT Martin, Chair

**DATE:** August 26, 2010

**FROM:** Maureen Riley, Director, Department of Airports [Signature]  
(801) 575-2408

**SUBJECT:** Proposed Revisions to City Code Chapter 5.71 – Ground Transportation Requirements;  
Chapter 5.72 – Taxicabs; and Chapter 16.60 and 16.64 – Motor Vehicle Operation  
(Airport)

**STAFF CONTACT:** Larry Bowers, (801) 575-2788

**DOCUMENT TYPE:** Ordinances

**RECOMMENDATION:**

The Administration recommends that City Council approve changes to City Code Chapters 5.71, 5.72, and 16.60/16.64 to provide for the further transition from taxi cab services governed by certificates of convenience to taxi cab services regulated by concession contracts.

**BUDGET IMPACT:**

If the proposed revisions to taxi cab and ground transportation ordinances are approved, revenues and expenses related to the management of the operations will be allocated between the Airport's Enterprise Fund and the City's General Fund based on destination and origination of trips as determined by data collected from taxi service providers or based on another suitable methodology. Since the transition is scheduled for May 1, 2011, only the remaining 2 months of FY 2011 may be affected, and at this time, financial impacts are forecast to be cost-neutral.

## **BACKGROUND/DISCUSSION:**

City Council adopted Resolution No. 66 of 2005 on December 8, 2005, declaring the City Council's intent to "change the taxicab (regulatory) system from a certificate of convenience and necessity system" to a system where taxicab companies contract with Salt Lake City to operate cabs. Simultaneously, the City Council adopted Ordinance No. 87 of 2005, which, in part, declared that a certificate of convenience and necessity is not a franchise and is not irrevocable. Prior to adopting regulatory changes required for the transition, the City agreed to provide certificate holders with 180-day notice, and accordingly, all such certificates of convenience will terminate 180 days from the date of when such notice is issued. To further enable the transition of taxi cab services, certain revisions are required to City ordinances, which are attached hereto and summarized below:

### Chapter 5.71 – Ground Transportation Requirements

- Revises definitions to accommodate contract-based regulations
- Revises definitions, categorizing vehicle types by passenger seating rather than by registered weight.
- Provides definitions and language establishing Airport Shared Ride Service. (Note: This contract will not be bid until such time as the Airport Director decides that the industry has stabilized from the changes of ordinance and taxicab contract.
- Streamlines ordinance by eliminating many hard coded requirements and fees and replaces the language by allowing the Department Director to establish rules and regulations. This will allow the City to respond to any needed changes quickly and effectively.
- Removes the ability for limousines to provide on-demand service.
- Eliminates the requirement to keep and maintain manifests.
- Changes vehicle inspection requirements by eliminating recurrent inspections
- Establishes a maximum age limit of five years or 300,000 miles for vehicles, with exception given to busses, mini-busses, special transportation vehicles and stretched limousines. This requirement is phased so that 75% of a fleet must be compliant within 12 months and 100% within 24 months.
- Replaces criminal enforcement with civil penalties and establishes processes and procedures related thereto
- Revises the bail schedule by enhancing fines and eliminating multitier penalties for recurring infractions
- Establishes a Ground Transportation Hearing Officer to hear and rule on appeals, suspensions, etc.

### Chapter 5.72 – Taxicabs

- Eliminates references to certificates of convenience
- Eliminates references to operational requirements that will become contract-based
- Provides for a contract with the City through the Department of Airports
- Allows for rules and regulations adopted by the Department Director
- Replaces fixed fares with a flexible fare structure based on justification and need
- Replaces criminal enforcement with civil penalties and establishes processes and procedures related thereto
- Defines as a violation the failure to respond to a person hailing a cab

- Chapter 16.60/16.64 – Motor Vehicle Operation and Civil Penalties for Violations
  - Revises Chapter 16 of the City Code to reflect corresponding changes made in Chapters 5.71 and 5.72
  - Replaces criminal enforcement with civil penalties and establishes processes and procedures related thereto

**PUBLIC PROCESS:**

In order to meet the schedule requirements and provide for a transition to contract-based taxi cab services as of May 1, 2011, City Council is requested to hold a public hearing in September 2010 and approve the proposed changes to City Code Chapters 5.71, 5.72, and 16.60/16.64, at which time, the 3 incumbent taxi cab operators will be provided with the 180-day notification of the termination of certificates of convenience.

SALT LAKE CITY ORDINANCE  
No. \_\_\_\_\_ of 2010

(Amending section 5.71, *Salt Lake City Code*, regarding ground transportation)

Ordinance amending section 5.71, *Salt Lake City Code*, pertaining to ground transportation requirements, to coordinate with taxicab ordinance and to provide for categorization of vehicle types by passenger seating fees through rules and regulations; on-demand service restrictions; elimination of manifests; vehicle inspection requirements; vehicle standards; replacement of criminal enforcement with civil penalties; Ground Transportation Hearing Officer.

WHEREAS, City Council has amended section 5.72, *Salt Lake City Code*, pertaining to taxicabs; and

WHEREAS, the City Council has determined that the following ordinance corresponds with and supports the amendments to section 5.72; and

WHEREAS, after a hearing before the City Council, the City Council has determined that the following ordinance is in the best interest of the City.

NOW, THEREFORE, be it ordained by the City Council of Salt Lake City, Utah as follows:

SECTION 1. That section 5.71, *Salt Lake City Code*, pertaining to ground transportations requirements be and the same hereby is, amended to read as follows:

**Article I. Definitions and General Regulations**

**5.71.010: DEFINITIONS:**

The words and phrases, when used in this chapter, shall have the meanings defined and set forth in this section:

**AIRPORT SHARED RIDE SERVICE:** Ground transportation provided by an Authorized Ground Transportation Business contracted through the Department of Airports to

provide On Demand Shared Ride Service to and from the Salt Lake City International Airport.

**AIRPORT SHARED RIDE VEHICLE:** Any authorized Ground Transportation Vehicle operating under contract with the Salt Lake City Department of Airports to provide Airport Shared Ride Service.

**APPLICANT:** An individual who has submitted an application to the Department to obtain a Ground Transportation Vehicle Operator's Badge pursuant to article VI of this chapter.

**AUTHORIZED GROUND TRANSPORTATION BUSINESS:** Any Business operating any Ground Transportation Vehicle, which has a current, valid business license as required by the City and which A) registers the Business in accordance with the requirements established by the Department and B) is current with all fees or charges imposed by the Department and City.

**AUTOMOBILE:** Any motor vehicle with passenger seating for five persons or less, not including the driver.

**BUS:** Any licensed motor vehicle operated on the streets and highways for hire on a scheduled or nonscheduled basis with a seating capacity of twenty five or more passengers, not including the driver.

**BUSINESS:** A voluntary association legally formed and organized to carry on a Business in Utah in the legal name of the association, including without limitation a corporation, limited liability company, partnership, or sole-proprietorship.

**BUSINESS LICENSING OFFICE:** The division of building services and licensing of Salt Lake City Corporation or its successor.

**CERTIFICATE:** A Certificate of public convenience and necessity issued by the City. No Certificate issued by the City shall be construed to be either a franchise or irrevocable and will terminate upon notification by the City.

**CIVIL NOTICE:** The written notice of Ground Transportation Violation.

**COMMENT FORM OR FORM:** Has the meaning set forth in 5.71.270 of this chapter, or its successor article.

**COURTESY VEHICLE:** 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 to the passenger for such transportation. All contracts providing for operating a Courtesy Vehicle shall be filed with the Department.

**DEPARTMENT:** The Salt Lake City Department of Airports or such other City department or division as may be designated by the mayor to have responsibility for the enforcement of this chapter.

**DEPARTMENT AUTOMATED VEHICLE IDENTIFICATION (AVI) TAG:** An electronic transponder used to identify vehicles and provide the Department with vehicle data and billing information.

**DEPARTMENT DIRECTOR:** The Director of the Department designated by the mayor to have responsibility for the enforcement of this chapter or the authorized designee of such Director.

**DEPARTMENT INSPECTION:** An inspection of a Ground Transportation Vehicle by the Department to verify that the vehicle meets the standards set by the Department Director, Department Rules and Regulations, applicable contracts, and all applicable City ordinances, policies and procedures, including without limitation the exterior and

interior of the vehicle and all associated vehicle licensing, safety and insurance requirements.

**DEPARTMENT INSPECTION SEAL:** A sticker or seal issued by the Department to signify that the Ground Transportation Vehicle has passed the required Department Inspection. These Department Inspection Seals are non-transferable and no Ground Transportation Vehicle may be operated without such seal.

**DEPARTMENT RULES AND REGULATIONS:** Rules and regulations developed and adopted by the Department Director to govern commercial ground transportation operations within the City.

**FIXED SCHEDULE:** 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 passengers or freight are to be carried.

**GROUND TRANSPORTATION BUSINESS:** Any Business operating any Ground Transportation Vehicle.

**GROUND TRANSPORTATION HEARING OFFICER:** A Ground Transportation Hearing Officer appointed by the Department Director to hear and rule on appeals, suspensions and other matters related to ground transportation in and connected with the City.

**GROUND TRANSPORTATION SERVICE:** The transportation of passengers by a Ground Transportation Business.

**GROUND TRANSPORTATION VEHICLE:** Any motor vehicle used for the transportation of persons using Salt Lake City streets for commercial purposes



regardless of whether a fee or fare is collected, which includes, but is not limited to, any Airport Shared Ride Vehicle, Automobile, Bus, Courtesy Vehicle, Hotel Vehicle, Limousine, Minibus, Taxicab, Van, or Trailer being towed by a Ground Transportation Vehicle.

**HEARING OFFICERS:** Means those hearing officers of the Salt Lake City Justice Courts.

**HOLDER:** A person to whom a certificate of public convenience and necessity has been issued.

**HOTEL VEHICLE:** Any motor vehicle which is regularly operated by a Ground Transportation Business under contract to or directly by a motel / hotel or other lodging Business, to provide transportation of customers and/or baggage for the contracted establishment and for which transportation the customer is charged a separate fee or fare. All contracts providing for operating a Hotel Vehicle shall be filed with the Department.

**LIMOUSINE:** Any vehicle described by its manufacturer or aftermarket manufacturer as a Limousine or luxury vehicle, with a driver furnished, who is dressed in professional business attire or a chauffeur's uniform.

**MINIBUS:** Any motor vehicle with a passenger seating capacity of thirteen to twenty four persons, not including the driver.

**MODEL YEAR:** The age of a motor vehicle based upon the manufacturer's date of manufacture. The year shall be calculated as beginning January 1 of the Model Year, regardless of the month of manufacture, purchase or licensing with the City.

**NAMED PARTY:** The driver, vehicle owner or Authorized Ground Transportation Business named in a Civil Notice issued by the City.

**ON DEMAND AIRPORT SERVICE OR ON DEMAND SERVICE:** Transportation provided by an Authorized Ground Transportation Business which is not Scheduled Service or Prearranged Service as defined in this section.

**PERSONS WITH DISABILITIES:** Means persons who are not acutely ill, who do not require the services of an ambulance, and who need or desire special transportation equipment or accommodation for physical or mental infirmities.

**PREARRANGED SERVICE:** Transportation provided by an Authorized Ground Transportation Business from points within the City to destinations within the City, for which the Authorized Ground Transportation Business providing such transportation has recorded the name or description of prospective passenger and the date and time of the request for transportation at least thirty (30) minutes prior to the transporting of the passenger by such vehicle. Records of such transportation may be required for inspection by the Department.

**SCHEDULED SERVICE:** Transportation provided by an Authorized Ground Transportation Business on a Fixed Schedule posted with and approved by the Department in advance of such transportation.

**SPECIAL TRANSPORTATION VEHICLE:** Special transportation vehicle means any motor vehicle for hire, other than an Airport Shared Ride Vehicle, ambulance or Taxicab, which vehicle is designed, equipped and used for the transportation of Persons With Disabilities.

**SPECIALTY VEHICLES:** Means vehicles that are unique in their design, or built for a specific purpose. These may include but are not limited to special conversion vehicles and classic or collector Automobiles. Such vehicles do not include Special Transportation Vehicles.

**STARTER:** A person appointed by and representing a Ground Transportation Business who is responsible for managing the coordination of vehicles and passenger transportation for that Business.

**TAXICAB:** A motor vehicle with a seating capacity of five passengers or less, not including the driver, used in the on demand, for hire transportation of passengers or baggage 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, as provided under [chapter 5.72](#) of this title, or its successor chapter and authorized to operate in Salt Lake City by contract with the Department.

**TERMINAL OF TRANSPORTATION:** Means a facility or location in which the primary purpose is to facilitate Ground Transportation Services, such as but not limited to the Salt Lake City Intermodal Hub.

**TRAILER:** Means a wheeled vehicle designed to be pulled by a motor vehicle for the transportation of freight, luggage or other items.

**VAN:** Any licensed motor vehicle other than those designated as a Limousine with a passenger seating capacity of six to twelve, not including the driver. City (Ord. 48-07 § 1, 2007: Ord. 20-06 § 1, 2006: Ord. 87-05 § 1, 2005: Ord. 45-05 § 3, 2005: Ord. 24-99 § 4, 1999)

**VEHICLE OPERATOR'S BADGE or OPERATOR'S BADGE:** An identification badge issued by the Department to an individual to signify that the individual has met the requirements to operate a Ground Transportation Vehicle established by the Department Director.

**5.71.020: PURPOSE OF ENACTMENT:**

This chapter is enacted to provide for and protect the interests of Salt Lake City residents and visitors using Ground Transportation Services, which make use of City streets and other City property, including:

- A. To reflect standards of professionalism prevalent in and accepted by the Salt Lake community at large;
- B. To enhance the comfort, ease and safety of the traveling public on Salt Lake City streets;
- C. To enhance Salt Lake City's competitiveness in attracting the traveling public to this City;
- D. To increase safety for the drivers of Ground Transportation Vehicles, their passengers, and the public when such vehicles are operated on Salt Lake City streets;
- E. To adequately identify Ground Transportation Vehicles and their drivers to the public in Salt Lake City;
- F. To meet the needs of the public using Ground Transportation Vehicles in Salt Lake City;
- G. To provide for uniform enforcement of standards throughout the City by coordinating the efforts of the departments responsible for enforcement,

adjudication, and business licensing of all commercial Ground Transportation Businesses and Ground Transportation Vehicles.

H. To provide that the mayor shall designate a City department to be responsible for the oversight and enforcement of all Ground Transportation Businesses, Ground Transportation Vehicles and Ground Transportation Vehicle drivers within the corporate limits of Salt Lake City. (Ord. 24-99 § 4, 1999)

I. To provide that the City departments responsible for enforcement, adjudication and business licensing in connection with ground transportation in the City may create and implement such contracts, rules and regulations as are necessary or desirable to comply with and operate under this chapter, and the same shall be consistent with the purposes of this chapter and applicable law, and to meet due process requirements. (Ord. 24-99 § 4, 1999)

**5.71.030: EXEMPTIONS FROM REQUIREMENTS OF THIS CHAPTER:**

Vehicles licensed and operated by governmental agencies, universities and school districts, the Utah Transit Authority, ambulances and others that may be designated by the Department Director, are exempt from the requirements of this chapter.

**5.71.040: AUTHORITY TO ESTABLISH RULES / REGULATIONS AND PROCEDURES:**

The Department Director, under guidance or direction from the mayor and in accordance with applicable law, shall have authority to establish fees, enter into contracts deemed as necessary or desirable and to create standards, rules / regulations and procedures, as necessary to administer the requirements of this chapter and any

security or operating requirements applicable to the Salt Lake City International Airport and the City or that are deemed to be in the best interest of the City and the public.

**5.71.050: BUSINESS LICENSE AND REGISTRATION REQUIRED:**

It is a violation for any person to operate a Ground Transportation Business without, prior to commencement of the Business, completing the following:

- A. Obtaining a business license,
- B. Registering such Business with the Department, and
- C. Paying all applicable fees associated with the licensing or permitting of such Business, its vehicles and its employees. (Ord. 69-04 § 1, 2004)

**5.71.060: GROUND TRANSPORTATION DESTINATIONS:**

- A. All Authorized Ground Transportation Businesses may provide Scheduled Service or Prearranged Service within the City.
- B. Only authorized Airport Shared Ride Service Vehicles, Taxicabs, Courtesy Vehicles, and Hotel Vehicles may provide On Demand Service within the City, except that: Courtesy Vehicles and Hotel Vehicles may provide On Demand Service only to and from the hotel / motel or other Business with whom they hold a current contract for transportation services. The Department Director may waive these restrictions if it is determined that circumstances in the City 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.

C. All Authorized Ground Transportation Businesses may provide On Demand, Scheduled Service and Prearranged Service from points within the City to destinations outside of the corporate limits of Salt Lake City.

## **Article II. Driver Standards**

### **5.71.070: DRIVER AND STARTER APPEARANCE:**

The drivers of Ground Transportation Vehicles and Starters representing Ground Transportation Businesses within the City shall adhere to the standards of appearance established by the Department Director while operating such vehicles, or while representing Ground Transportation Businesses, in order to meet the interests of Salt Lake City in such transportation.

### **5.71.080: DRIVER CONDUCT:**

The drivers of Ground Transportation Vehicles and Starters representing Ground Transportation Businesses within the City shall adhere to the standards of conduct established by the Department Director while operating such vehicles or while representing Ground Transportation Businesses in order to meet the interests of Salt Lake City in such transportation.

### **5.71.090: UNAUTHORIZED SOLICITATION OF BUSINESS**

No Person may solicit for business at any Terminal of Transportation except in locations and in accordance with rules as established by the Department Director.

## **Article III. Smoking**

### **5.71.100: SMOKING RESTRICTIONS:**

Passengers and drivers in Ground Transportation Vehicles may only smoke in such vehicles as set forth in Utah Code.

## **Article IV. Vehicle Standards**

### **5.71.120: VEHICLE AGE AND CONDITION**

No vehicle shall be authorized by the City to operate as a Ground Transportation Vehicle that is more than five Model Years in age, has a salvage title, or has accumulated 300,000 miles or more.

A. The following exemptions may be granted by the Department on a case by case basis upon application to the Department Director.

1. Busses, Mini-busses, Special Transportation Vehicles and Limousines may be exempted from these age and mileage restrictions, but not from the salvage title restriction.
2. Specialty Vehicles may be exempted from these age, mileage and salvage restrictions.

B. Seventy five percent (75%) of a Business's Ground Transportation Vehicles must meet this vehicle age restriction within 12 months of this ordinance being adopted into law.

C. One hundred percent (100%) of a Business's Ground Transportation Vehicles must meet this age restriction within 24 months of this ordinance being adopted into law.

D. One hundred percent (100%) of a Business's Ground Transportation Vehicles must meet these mileage and salvage title restrictions upon the effective date.

E. No new vehicle will be approved as a Ground Transportation Vehicle that does not meet these restrictions.

### **5.71.130: CONFLICTING OR MISLEADING DESIGNS PROHIBITED:**



No vehicle will be authorized to operate whose color scheme, identifying design, monogram or insignia, in the opinion of the Department Director, conflicts with or imitates any color scheme, identifying design, monogram or insignia used on a vehicle or vehicles already operating under this chapter, in such a manner as to be misleading or tending to deceive or defraud the public or which improperly conveys the nature or the type of the ground transportation service offered.

### **Article V. Insurance and Inspections**

#### **5.71.140: INSURANCE REQUIRED:**

- A. Every Ground Transportation Business, shall be required to maintain continuous vehicle insurance, when the vehicle is operational, at the minimum levels of coverage set forth by the Federal Motor Carrier Association section 49 CFR 387.303 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 at the time a vehicle is initially inspected by the Department, and may be verified upon the City's receipt of a complaint, negative Comment Form, or at the time of an on-street, unscheduled Ground Transportation Vehicle inspection.
- B. Taxicabs and other Authorized Ground Transportation Vehicles with a seating capacity of seven passengers or less, including the driver, shall carry minimum coverage in the amounts required for vehicles with 8 passengers or more, including driver, as set forth in section 49 CFR 387.303.
- C. Ground Transportation Businesses shall send a copy of any notice of cancellation or reduction of insurance coverage to the Department immediately upon such cancellation or reduction. (Ord. 24-99 § 4, 1999)

### **5.71.150: INSPECTIONS:**

- A. All Authorized Ground Transportation Vehicles must be registered with the Department and at all times shall meet or exceed standards established by the Department Director in order to meet the interests of Salt Lake City.
- B. No vehicle may operate as a Ground Transportation Vehicle within the City without first having been inspected by the Department and found to be meeting all requirements of the Department Inspection as established by the Department Director for the category of vehicle being inspected.
- C. Vehicles meeting the requirements of the Department Inspection shall have a unique Department Inspection Seal affixed to the rear of the vehicle signifying that the vehicle has passed the Department Inspection and may be operated as a Ground Transportation Vehicle. The department Seal is non-transferable and no vehicle may be used as a Ground Transportation Vehicle without the Department Inspection Seal in place.
- D. All Ground Transportation Vehicles meeting the requirements of the Department inspection will be issued a Department Automated Vehicle Identification (AVI) Tag, which the Department will install on the vehicle. These tags are non-transferable and may not be removed or modified without authorization from the Department.
- E. The Department may perform vehicle inspections at any time any Ground Transportation Vehicle is operating within the corporate limits of Salt Lake City, in order to administer and enforce the applicable vehicle standards.

F. No Ground Transportation Vehicle may be operated within the City unless it is maintained to the standards and requirements established by the Department, including without limitation Department Inspection requirements.

#### **5.71.160: TEMPORARY OPERATIONS**

Ground Transportation Businesses that operate on a limited or temporary basis within the City may petition the Department Director for a waiver from some of the requirements of this chapter. However, no Ground Transportation Business may operate without paying fees as may be required by ordinance, Rules and Regulations or the Department Director. Consideration of such waiver may include the following.

- A. The Business is based outside of a thirty-five mile radius of the City and the Business provides limited services within the City.
- B. The Business does not pick up passengers within the City and provides transportation only into the City.
- C. Any specific Ground Transportation Vehicle that will be used for operations within the City no more than five calendar days per year.

### **Article VI. Vehicle Operator's Badge**

#### **5.71.180: VEHICLE OPERATOR'S BADGE REQUIRED:**

It is a violation for any person to operate a Ground Transportation Vehicle upon the streets of the City without having first obtained and having then in force a valid Ground Transportation Vehicle Operator's Badge issued by the Department under Rules and Regulations established by the Department Director. (Ord. 48-07 § 2, 2007; Ord. 69-04 § 2, 2004)

#### **5.71.190: PERMITTING NON-BADGED OPERATOR TO DRIVE:**

It is a violation for any Person who owns or controls a Ground Transportation Vehicle to permit it to be driven, and no Ground Transportation Vehicle authorized by the Department shall be so driven at any time, unless the Ground Transportation Vehicle is operated by a driver who has then in force a valid Ground Transportation Vehicle Operator's Badge issued by the Department.

**5.71.240: DISPLAY OF OPERATOR'S BADGE:**

Every Person issued a Vehicle Operator's Badge shall display the badge above the waist, on front side of the outermost garment so as to be in plain view and not covered while such Person is operating a Ground Transportation Vehicle. Every such Person shall exhibit such badge upon demand by any police officer, any authorized agent of the Department or any other Person authorized by the mayor to enforce the provisions of this chapter. (Ord. 48-07 § 2, 2007; Ord. 69-04 § 2, 2004)

**Article VII. Payment For Furnishing Of Passengers**

**5.71.250: PAYMENT:**

It shall be a violation for any Person operating a Ground Transportation Vehicle, Business, driver, independent contractor, employee, or other Person to pay or offer to pay any remuneration to another Person, specifically including Persons employed at a lodging Business and vehicle dispatchers, for the furnishing of passengers and/or baggage to be transported by a Ground Transportation Vehicle. It shall be a violation for any Person, specifically including persons employed at a lodging Business and vehicle dispatchers, to receive or request any remuneration from any Person 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 bell staff or door staff or concierge as a gratuity. (Ord. 48-07 § 4, 2007)

### **Article VIII. Enforcement and Civil Penalties**

#### **5.71.260: DEPARTMENT AUTHORITY:**

The Department is hereby given the authority and is instructed to enforce the provisions of this chapter and to govern the conduct of companies and drivers operating under this chapter.

#### **5.71.270: COMMENT FORM:**

Any Person may complain of any violation of this chapter or comment on any Ground Transportation Business or Vehicle, or any driver of a Ground Transportation Vehicle operating within the corporate limits of Salt Lake City by filing a Comment Form with the Department on forms that the Department may require Ground Transportation Businesses to print and provide in their vehicles and which may be found on the City's website and within the Department Rules and Regulations.

#### **5.71.280: ISSUANCE OF A CIVIL NOTICE OF GROUND TRANSPORTATION VIOLATION:**

- A. Every notice issued under this chapter shall be issued in the form of a written Civil Notice and shall contain a statement that the Named Party may appeal the imposition of the penalty and provide information regarding how to appeal.
- B. Any driver, vehicle owner, or Authorized Ground Transportation Business that violates any provision of this chapter may be named in a Civil Notice issued by the City. A violation of any provision of this chapter by any driver or vehicle owner shall

also constitute a violation of such provision by the Ground Transportation Business under whose authority such driver or owner was operating at the time of the violation. (Ord. 24-99 § 4, 1999)

**5.71.290: RECORD KEEPING:**

The City shall create a file for each driver and for each Authorized Ground Transportation Business at the time any document is submitted for application or filing. The City shall maintain any document placed in such files for a period as required by law. (Ord. 24-99 § 4, 1999)

**5.71.300: CIVIL PENALTIES AND ENFORCEMENT:**

- A. The City may impose revocation, suspension and nonrenewal of a City business license to operate a Ground Transportation Business for violations of applicable laws, policies, procedures, rules, or regulations as provided under chapter 5.02 of this title.
- B. The Department may revoke, suspend or deny renewal of an Operator's Badge, Department Automated Vehicle Identification tag or Department Inspection Seal for violations of applicable laws, policies, procedures, rules, or regulations. The person or business affected may request, in writing filed with the Department, an appeal hearing before the Ground Transportation Hearing Officer. Any such revocation, suspension or denial of renewal shall remain in effect until the party against whom such action is taken requests reinstatement and the Ground Transportation Hearing Officer determines that reinstatement is appropriate.
- C. If any Named Party fails to comply with civil penalties imposed under this chapter, such party may be subject to suspension, revocation or nonrenewal of a City license

to operate a Ground Transportation Business, Operator's Badge. Department Automated Vehicle Identification Tag and Department Inspection Seal. (Ord. 24-99 § 4, 1999)

D. Civil penalties may be imposed as set forth below. The Named Party in the Civil Notice shall be liable for a civil penalty. Any penalty assessed in connection with this section may be in addition to any other penalty that may be imposed by law, rule, regulation, suspension, revocation or other restrictions as may be imposed by the Department Director.

<b>CODE</b>	<b>AMOUNT OF PENALTY</b>	<b>VIOLATION</b>	
<b>ARTICLE I GENERAL REGULATIONS</b>			
5.71.050		\$1000.00	Business license required
5.71.060 (B)	\$500.00	Violation of passenger transport	
<b>ARTICLE II DRIVERS STANDARDS</b>			
5.71.070	\$100.00	Driver's appearance	
5.71.080	\$300.00	Driver's conduct	
5.71.090		\$300.00	Unauthorized solicitation of business
<b>ARTICLE III SMOKING</b>			
5.71.100	\$300.00	Smoking in vehicles	
<b>ARTICLE IV VEHICLE</b>			

<b>STANDARDS</b>		
5.71.120	\$500.00	Vehicle age
5.71.130	\$1000.00	Misleading design prohibited
<b>ARTICLE V</b>		
<b>INSURANCE AND INSPECTIONS</b>		
5.71.140	\$1000.00	Insurance required
5.71.150 (A,B,C)	\$1000.00	Vehicle inspection and Seal required
5.71.150 (D)	\$500.00	Automated Vehicle Identification Tag required
5.71.150 (F)	\$500.00	Failure to maintain vehicle inspection standards
<b>ARTICLE VI</b>		
<b>VEHICLE OPERATORS BADGE</b>		
5.71.180	\$1000.00	Operator's badge required
5.71.190	\$1000.00	Permitting non-badged operator
5.71.240	\$100.00	Display of badge
<b>ARTICLE VII</b>		
<b>PAYMENT FOR FURNISHING OF PASSENGERS</b>		
5.71.250	\$300.00	Payment for passenger

### **5.71.310: ENFORCEMENT PROCEDURES; CIVIL NOTICE OF GROUND**

#### **TRANSPORTATION VIOLATION:**

A. Civil Notices under this chapter, other than those involving revocations, suspensions, denials or approvals of a business license, Operators' Badge, Department Automated



Vehicle Identification Tags and Department Inspection Seal shall be heard by the Salt Lake City Justice Court. Any Named Party may appear before a Hearing Officer and present and contest an alleged violation as provided in title 2, chapter 2.75 of this code, or its successor.

B. The burden to prove any defense shall be upon the Person raising such defense. Nothing herein shall affect the City's burden to prove each element of the underlying charge by a preponderance of evidence.

C. If the Hearing Officer finds that no violation of this chapter occurred, or that a violation occurred but one or more of the defenses set forth in this section is applicable, the Hearing Officer may dismiss the Civil Notice and release the Named Party from liability thereunder, or may reduce the penalty associated therewith as he or she shall determine. Such defenses are:

1. The Civil Notice does not contain the information required by this chapter;
2. Compliance with the subject ordinances would have presented an imminent and irreparable injury to persons or property; or
3. Such other mitigating circumstances as may be approved by the City Attorney's Office. (Ord. 29-02 § 6, 20022: Ord. 24-99 § 4, 1999)

**5.71.320: EXPEDITED APPEAL OF EXCLUSION:**

Any Named Party who is excluded from pursuing commercial activities under this chapter, and has not had a hearing before the Ground Transportation Hearing Officer regarding such exclusion as provided for in this chapter, such party may request an expedited appeal of the action that resulted in such exclusion. Such appeal shall be requested in writing by the party so excluded to the Department. The Department shall

promptly investigate the facts relating to such exclusion. If the evidence indicates such exclusion is improper under this chapter, the Department Director may reverse the action that resulted in such exclusion. If the Department Director does not reverse such action, the action resulting in such exclusion shall be heard and determined by the Ground Transportation Hearing Officer in accordance with the provisions of this chapter. If a preponderance of the evidence indicates such exclusion is proper under this chapter the Ground Transportation Hearing Officer shall uphold such exclusion. (Ord. 29-02 § 7, 20023: Ord. 24-99, § 4, 1999)

SECTION 2. Effective Date. This ordinance shall become effective on the date of its first publication.

Passed by the City Council of Salt Lake City, Utah this \_\_\_\_\_ day of \_\_\_\_\_, 2010.

\_\_\_\_\_  
CHAIRPERSON

\_\_\_\_\_  
CITY RECORDER

Transmitted to Mayor on \_\_\_\_\_.

Mayor's Action: \_\_\_\_\_ Approved. \_\_\_\_\_ Vetoed.

\_\_\_\_\_  
MAYOR

**APPROVED AS TO FORM**  
Salt Lake City Attorney's Office

Date 8/27/2010

By MKG

\_\_\_\_\_  
CITY RECORDER

(SEAL)

Bill No. \_\_\_\_\_ of 2010

Published: \_\_\_\_\_

**Chapter 5.71**  
**GROUND TRANSPORTATION REQUIREMENTS**

**General Regulations**

**5.71.010: DEFINITIONS:**

The words and phrases, when used in this chapter, shall have the meanings defined and set forth in this section:

**APPLICANT:** An individual submitting an application to the city to obtain a ground transportation vehicle operator's certificate pursuant to article VI of this chapter.

**AUTHORIZED GROUND TRANSPORTATION BUSINESS:** 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](#) of this code and which shall be governed by that title.

**AUTOMOBILE:** 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.

**BUS:** Any licensed 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.

**BUSINESS LICENSING OFFICE:** The division of building services and licensing of Salt Lake City Corporation or its successor.

**CIVIL NOTICE:** The written notice of ground transportation violation as provided under this chapter.

**COMMENT FORM OR FORM:** Has the meaning set forth in article I of this chapter, or its successor article.

**COURTESY VEHICLE:** 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.

**DEPARTMENT:** The ground transportation administration section of the Salt Lake City

division of building services and licensing, or such other city department or division as may be delegated by the mayor to have responsibility for the enforcement of this chapter.

**FIXED SCHEDULE:** 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.

**GROUND TRANSPORTATION BUSINESS:** Any business operating any ground transportation vehicle.

**GROUND TRANSPORTATION VEHICLE:** 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 providing ground transportation to or from any terminal of public transportation, including the Salt Lake City International Airport, which includes, but is not limited to, any automobile, bus, courtesy vehicle, hotel vehicle, limousine, minibus, special transportation vehicle, taxicab and van.

**HOTEL VEHICLE:** 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.

**LICENSE:** When referring to a driver's license, means a ground transportation vehicle operator's certificate.

**LIMOUSINE:** 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 pantsuit or dress for a woman) or tuxedo while on duty, and licensed as required by this code.

**MANIFEST:** For purposes of this chapter, means a daily record of all prearranged service trips 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.

**MINIBUS:** 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 this code. Such term, however, shall not include any minibus operated by any local, state or federal agency.

**NAMED PARTY:** The driver, vehicle owner or authorized ground transportation business named in a civil notice issued by the city.

**ON DEMAND AIRPORT SERVICE OR ON DEMAND SERVICE:** Transportation provided by an authorized ground transportation business which is not "scheduled service" or "prearranged service" as defined in this section.

**OPERATOR'S CERTIFICATE:** The operator's certificate that the city may issue pursuant to article VI of this chapter to signify that an individual has met the requirements stated therein to lawfully operate a ground transportation vehicle upon the streets of the city.

**PREARRANGED SERVICE:** 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 is 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 subsection [16.60.090L](#) of this code or its successor subsection.

**SCHEDULED SERVICE:** Transportation provided by an authorized ground transportation business on a fixed schedule posted with the city business license office in advance of such transportation.

**SPECIAL TRANSPORTATION VEHICLE:** Any vehicle for hire on Salt Lake City streets, which is used for the transportation of persons with disabilities as provided under [chapter 5.76](#) of this title, or its successor chapter.

**STARTER:** 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.

**TAXICAB:** 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, as provided under [chapter 5.72](#) of this title, or its successor chapter. It does not include an automobile rental vehicle licensed under any other section of this code.

**TEMPORARY VEHICLE:** 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 service providing transportation to or from any terminal of public transportation, including the Salt Lake City International Airport, for a period not to exceed fourteen (14) days. It does not include any vehicle operated as a taxicab as provided under [chapter 5.72](#) of this title, or

its successor chapter.

VAN: Any licensed 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 this code. (Ord. 48-07 § 1, 2007: Ord. 20-06 § 1, 2006: Ord. 87-05 § 1, 2005: Ord. 45-05 § 3, 2005: Ord. 24-99 § 4, 1999)

#### **5.71.020: PURPOSE OF ENACTMENT AND DEPARTMENT RESPONSIBILITIES:**

This chapter is enacted to provide for and protect the interests of Salt Lake City residents and visitors using ground transportation services which make use of city streets, including:

- A. To reflect standards of professionalism prevalent in and accepted by the Salt Lake community at large;
- B. To enhance the comfort, ease and safety of the traveling public on Salt Lake City streets;
- C. To enhance Salt Lake City's competitiveness in attracting the traveling public to this city;
- D. To increase safety for the drivers of ground transportation vehicles, their passengers, and the public when such vehicles are operated on Salt Lake City streets;
- E. To adequately identify ground transportation vehicles and their drivers to the public in Salt Lake City;
- F. To meet the needs of the public using ground transportation vehicles in Salt Lake City; and
- G. To provide for uniform enforcement of standards throughout the city by coordinating the efforts of the departments responsible for enforcement, adjudication, and business licensing of all commercial ground transportation businesses and vehicles.

The mayor shall designate a city department to be responsible for the enforcement and inspections of all ground transportation vehicles operating within the corporate limits of Salt Lake City. (Ord. 24-99 § 4, 1999)

#### **5.71.025: LICENSE REQUIRED:**

It is unlawful for any person to operate a ground transportation business without first obtaining a business license to do so. (Ord. 69-04 § 1, 2004)

#### **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 thirty dollars (\$30.00) per trip. Limousines may provide prearranged service without charging a set minimum fare.
- C. Subsection B of this section 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 five thousand (5,000) or more participants, or 2) to and from other locations providing such transport involves three (3) or more persons riding together to and from the same destination and with the consent of the motel or hotel manager on duty. (Ord. 45-05 § 4, 2005)

### **Article I. Enforcement And Civil Penalties**

#### **5.71.030: COMMENT FORM:**

Any person may complain of any violation of this chapter or of any ground transportation vehicle, or of any driver of a ground transportation vehicle operating within the corporate limits of Salt Lake City by filing a comment form with the department responsible for the enforcement of ground transportation violations in the manner set forth in this article. (Ord. 24-99 § 4, 1999)

#### **5.71.040: FORM OF COMMENT FORM:**

- A. The city shall cause to be printed a comment form substantially as follows:

#### *COMMENT FORM*

*Please provide the following information if you have any comments about the quality of the ground transportation services being provided to you:*

- 1. Company Providing Transportation:*
- 2. Driver's Name (and Number, if any):*
- 3. Date and Time:*
- 4. Location:*
- 5. Comments/Objections:*
- 6. Your Name:*
- 7. Your Home address:*



8. *Your Business Phone Number:*

9. *Your Signature:*

- B. The comment form shall be a "self-mailer" type, providing the name and mailing address where the form is to be returned and telephone number of the city department responsible for the enforcement of ground transportation violations.
- C. The comment form set forth in this section shall be printed in the form of a card, and all ground transportation vehicles shall at all times carry such cards in an area directly visible and accessible to the public. The comment forms or cards may be available at other locations selected by the city. (Ord. 24-99 § 4, 1999)

**5.71.050: ISSUANCE OF A CIVIL NOTICE OF GROUND TRANSPORTATION VIOLATION:**

- A. Every notice issued under this chapter shall be issued in the form of a written civil notice of a ground transportation violation and shall contain a statement that the named party may appeal the imposition of the penalty and information regarding how to appeal.
- B. Any driver, vehicle owner or, as set forth in this section, any authorized ground transportation business which violates any provision of this chapter may be named in a civil notice issued by the city and shall be subject to the civil penalty as provided in section [5.71.080](#) of this chapter or its successor. A violation of any provision of this chapter by any driver or vehicle owner shall also constitute a violation of such provision by the ground transportation business under whose certificate of convenience and necessity such driver or owner was operating at the time of the violation if the same driver or owner has had three (3) or more violations of this chapter, of [chapter 5.72](#) of this title, or of [title 16, chapter 16.60](#) of this code within a three (3) consecutive year period. (Ord. 24-99 § 4, 1999)

**5.71.060: INFORMATION TO ACCOMPANY ISSUANCE OF SERVICE COMMENT FORM:**

(Rep. by Ord. 24-99 § 3, 1999)

**5.71.070: RECORD KEEPING:**

The city shall create a file for each driver and for each authorized ground transportation business at the time any item is submitted for filing. The city shall maintain any item placed in such files for a period as required by law. (Ord. 24-99 § 4, 1999)

**5.71.080: CIVIL PENALTIES:**

The following shall constitute civil penalties which may be imposed by the city as set forth under this chapter:

- A. Civil penalties may be imposed for violations of this chapter within the city. The named party in the civil notice shall be liable for a civil penalty. Any penalty assessed in subsection B of this section may be in addition to any other penalty as may be imposed by law.
- B. Civil penalties shall be imposed as follows: the increased amounts for second and third and additional offenses shall be imposed only if the same violation occurs within a three (3) consecutive year period.

<u>Article II. Driver Standards</u>			
Driver appearance:	<a href="#">5.71.120</a>	A,B,C,D,E,F,G,H,I,J	
First offense		\$ 60 .00	
Second offense		80 .00	
Third or additional offense		100 .00	
Driver conduct:	<a href="#">5.71.130</a>	A,B,C,D,E,F,G,I	
First offense		\$ 60 .00	
Second offense		80 .00	
Third or additional offense		100 .00	
<u>Article III. Smoking</u>			
Smoking:	<a href="#">5.71.140</a>		
First offense		\$ 60 .00	
Second offense		80 .00	
Third offense		100 .00	
<u>Article IV. Vehicle Standards</u>			
Vehicle exterior:	<a href="#">5.71.150</a>	A,B,C,D,E,F,G,H	
First offense		\$ 60 .00	
Second offense		80 .00	
Third offense		100 .00	

Vehicle interior:	<a href="#">5.71.160</a>	A,B,C,D,E,F	
First offense		\$ 60 .00	
Second offense		80 .00	
Third offense		100 .00	
Vehicle signage:	<a href="#">5.71.170</a>	A,B	
First offense		\$ 60 .00	
Second offense		80 .00	
Third offense		100 .00	
Vehicle insurance:	<a href="#">5.71.175</a>	A,B	
First offense		\$ 60 .00	
Second offense		80 .00	
Third offense		100 .00	
<u>Article V. Inspections</u>			
Removal of inspection sticker	<a href="#">5.71.205</a>	\$125 .00	
Failure to obtain vehicle inspection	<a href="#">5.71.180</a>	125 .00	
Failure to obtain meter inspection	<a href="#">5.71.180C</a> , <a href="#">5.72.405</a>	350 .00	
Failure to take best route	<a href="#">5.71.130H</a> , <a href="#">5.72.515</a>	150 .00	

C. The civil penalties specified in subsection B of this section shall be subject to the following:

1. For violation of articles II, III, or IV of this chapter:

a. Any penalty that is paid within ten (10) days from the date of receipt of civil notice shall be reduced by twenty dollars (\$20.00).

b. Any penalty that is paid within twenty (20) days from the date of receipt of civil notice shall be reduced by ten dollars (\$10.00).

c. Any penalty that is paid within thirty (30) days from the date of receipt of civil notice shall be reduced by five dollars (\$5.00).

2. For violations of article V of this chapter:

a. Any penalty that is paid within ten (10) days from the date of receipt of civil notice shall be reduced by fifty dollars (\$50.00).

b. Any penalty that is paid within twenty (20) days from the date of receipt of civil notice shall be reduced by thirty dollars (\$30.00).

c. Any penalty that is paid within thirty (30) days from the date of receipt of civil notice shall be reduced by fifteen dollars (\$15.00).

D. As used in this section, "receipt of civil notice" means for the driver or owner of the vehicle, the affixing of a civil notice of ground transportation violation to the vehicle alleged to have been employed in such ground transportation violation, or by delivery of such civil notice to the vehicle owner or driver, or for an authorized ground transportation business, by delivery of such civil notice to an owner or officer or process agent of the authorized ground transportation business.

E. Revocation, suspension and nonrenewal of a city license to operate a taxicab or to operate a ground transportation business may be imposed in accordance with [chapter 5.02](#) of this title, or its successor, for violations of this title. As provided in [section 5.02.260](#) of this title, or its successor, no revocation, suspension or denial of a license shall be imposed until a hearing is first held as provided in [chapter 5.02](#) of this title. Any such action shall remain in effect until the party against whom such action is taken requests reinstatement, and the city determines that the violations upon which such action was taken have been remedied and that reinstatement is appropriate.

F. The city department responsible for the enforcement of ground transportation violations may require an inspection of any ground transportation vehicle whenever a completed comment form received by the city relates to such vehicle in a negative manner or upon the issuance of any civil notice that relates to the requirements set forth for standards of vehicles.

G. If any named party fails to comply with civil penalties imposed under this chapter such party may be subject to suspension, revocation or nonrenewal of a city license to operate a taxicab or to operate a ground transportation business. (Ord. 24-99 § 4, 1999)

**5.71.090: ENFORCEMENT PROCEDURES; CIVIL NOTICE OF GROUND TRANSPORTATION VIOLATION:**

- A. "Hearing officers" means those hearing officers referred to in [title 2, chapter 2.75](#) of this code, or its successor.
- B. Civil notices under this chapter, other than those involving license revocations, suspensions, denials or approvals, shall be handled by the Salt Lake City justice court. Any named party may appear before a hearing officer and present and contest an alleged violation as provided in [title 2, chapter 2.75](#) of this code, or its successor.
- C. The burden to prove any defense shall be upon the person raising such defense. Nothing herein shall affect the city's burden to prove each element of the underlying charge by a preponderance of evidence.
- D. If the hearing officer finds that no violation of this chapter occurred, or that a violation occurred but one or more of the defenses set forth in this section is applicable, the departmental hearing officer may dismiss the civil notice and release the named party from liability thereunder, or may reduce the penalty associated therewith as he or she shall determine. Such defenses are:
  - 1. The civil notice does not contain the information required by this chapter;
  - 2. Compliance with the subject ordinances would have presented an imminent and irreparable injury to persons or property; or
  - 3. Such other mitigating circumstances as may be approved by the city law department. (Ord. 29-02 § 6, 2002<sup>2</sup>; Ord. 24-99 § 4, 1999)

**5.71.100: EXPEDITED APPEAL OF EXCLUSION:**

- A. "Mayoral hearing examiners" means persons appointed as provided by section [5.02.280](#) of this title to hear matters involving business license revocations, suspensions, and denials or approvals.
- B. Any named party who is excluded from pursuing commercial activities under this chapter, and has not had a hearing before a mayoral hearing examiner regarding such exclusion, may request an expedited appeal of such exclusion within five (5) business days of the date when such exclusion is effective. Such appeal shall be requested in person by the person so excluded to the department responsible for enforcement. The city department responsible for enforcement shall promptly investigate the facts relating to such exclusion. If the evidence indicates that such exclusion is improper under this chapter, the department's manager or other designated officer shall stay such exclusion until the issue can be heard and determined by a mayoral hearing examiner. If the exclusion is not stayed by the department charged with enforcement, a hearing regarding such exclusion shall be

held before a mayoral hearing examiner within five (5) days of the manager's or departmental officer's determination. If the evidence indicates that such exclusion is proper under this chapter such hearing officer shall uphold such exclusion. (Ord. 29-02 § 7, 2002<sup>3</sup>; Ord. 24-99, § 4, 1999)

#### **5.71.110: POLICIES AND PROCEDURES:**

The city departments responsible for enforcement, adjudication and business licensing shall create and implement such policies and procedures as are necessary or desirable to comply with and operate under this chapter and the same shall be consistent with the purposes of this chapter and applicable law, and shall meet due process requirements. (Ord. 24-99 § 4, 1999)

### **Article II. Driver Standards**

#### **5.71.120: DRIVER AND STARTER APPEARANCE:**

The drivers of ground transportation vehicles and starters representing commercial ground transportation within the city shall adhere to the following standards of appearance while operating such vehicles, or while representing commercial ground transportation, in order to meet the interests of Salt Lake City in such transportation:

- A. Wear enclosed shoes or boots or sandals with socks.
- B. Maintain their hair, and beards or mustaches, if any, in a clean and groomed condition.
- C. Maintain their clothes in a clean and repaired condition.
- D. Be free from offensive odor.
- E. Not at any time expose the following body regions: the stomach, back, shoulders, chest, hips, buttocks, abdomen, genitals, or thighs higher than four inches (4") above the knee.
- F. Not wear as outer garments any clothing manufactured and commonly worn as underwear.
- G. Not wear T-shirts as outer garments unless as a part of a company uniform.
- H. Wear shirttails and shirt hems tucked into pants, and shall use a belt or suspenders when pants are designed for their use.
- I. Not wear sweatpants or sweatshirts designed for athletic use.

- J. At all times bear an identification of the company with which they are associated on their shirts, whether as a shirt logo, nametag, photo identification badge, or otherwise, as shall be approved by the city.
- K. Any driver or starter who desires that an exception be made to any requirement under this section on any grounds may notify the city law department of the same in writing and request a review of the same by such mayoral hearing examiners as the mayor deems appropriate to consider such matters with the assistance of the city law department. Such exception shall be granted if such driver, or starter, can demonstrate that the requirement from which an exception is requested is unduly restrictive of any religious, political or personal right of the driver, or starter, as provided under the United States or Utah constitutions or laws, or Salt Lake City ordinances. (Ord. 24-99 § 4, 1999)

#### **5.71.130: DRIVER CONDUCT:**

The drivers of ground transportation vehicles shall adhere to the following standards of conduct while operating such vehicles in order to meet the interests of Salt Lake City in such transportation:

- A. Drivers shall refrain from playing loud music, arguing with passengers or others, using insulting language, or any other conduct which is intended to be offensive.
- B. When ground transportation vehicles are available for transport, drivers shall provide transportation to paying passengers as requested and as set forth in this chapter and [chapter 5.72](#) of this title, and shall provide reasonable assistance with the property of passengers as requested.
- C. Drivers shall obey all laws and ordinances, and shall maintain all appropriate licenses.
- D. Drivers shall not carry animals or nonpaying riders while transporting passengers in their vehicles, except that at the request of a passenger, drivers may carry seeing eye dogs or other service animals, or animals enclosed in a carrier or other enclosure, and drivers may carry nonpaying passengers when so requested by driver's employer for training or other job related purposes.
- E. Drivers shall transport any paying passengers who present themselves for transport in nonelectric wheelchairs and shall offer reasonable assistance to such passengers, except that if a passenger must be lifted into the vehicle, the driver may request the passenger to contact a special transportation vehicle.
- F. Drivers shall furnish a receipt for payment of a fare.
- G. Drivers shall not engage in fighting with any person at any time.

- H. Drivers shall follow any transportation routes predetermined by the driver's employer, or if such routes are not predetermined, drivers shall either take the shortest reasonable route to a destination, or shall follow a specific route requested by a passenger.
- I. The city will issue a driver's badge with the following minimum information: the name and picture of the driver, the name of the ground transportation business he or she is associated with, and the number assigned to the driver by the city. Drivers who are associated with multiple ground transportation companies shall obtain a badge for each company that they drive for. Such badges shall be displayed in the ground transportation vehicle in a manner that they are easily readable by passengers at all times the driver is providing ground transportation services. (Ord. 24-99 § 4, 1999)

### **Article III. Smoking**

#### **5.71.140: SMOKING RESTRICTIONS:**

Passengers and drivers in ground transportation vehicles subject to Utah Code Annotated title 76, chapter 10, part 15, as amended, or its successor, may only smoke in such vehicles as set forth in that part. Passengers and drivers in all other ground transportation vehicles may only smoke when the vehicle does not contain a minor child or a nonsmoker. (Ord. 24-99 § 4, 1999)

### **Article IV. Vehicle Standards**

#### **5.71.150: VEHICLE EXTERIOR:**

All ground transportation vehicles shall meet the following standards in order to meet the interests of Salt Lake City in such transportation:

- A. All vehicles shall be maintained as required by any state or city ordinance or statute, whether or not a part of this chapter.
- B. Vehicles' exteriors shall be clean except during the first twenty four (24) hours following a snow, rain or dust storm in Salt Lake or surrounding counties.
- C. Vehicles, including bumpers and body molding, shall be free of all exterior damage except for dents no larger than six inches (6") in diameter and rust spots no larger than one inch (1") in diameter. Bumpers shall be straight and aligned, as designed by the vehicle manufacturer.
- D. All windshields shall be free of cracks and chips larger than six inches (6") in diameter or length. All other glass and mirrors shall be free of cracks and chips larger than one inch (1") in diameter or length.



- E. All vehicle exterior paint shall be maintained in good condition and repair, with no faded, oxidized, or nonmatching paint. Signs, graphics, door handles, antennas, and other equipment used for the ease and convenience of drivers and passengers shall be maintained in a good and operable condition.
- F. All vehicle exterior tires, brakes, exhaust pipes, lights, wipers, turn signals, horns and other safety equipment shall be maintained in a good and operable condition.
- G. Vehicles' wheels shall have wheel covers, or be equipped with custom wheels.
- H. All fluid leaks shall be repaired immediately. (Ord. 24-99 § 4, 1999)

**5.71.160: VEHICLE INTERIOR:**

The interior of all ground transportation vehicles shall be maintained as follows in order to meet the interests of Salt Lake City in such transportation:

- A. All vehicle interiors shall be clean and sanitary, and free of dirt, oil, litter, or other similar material, or offensive odors.
- B. All seats and other interior surfaces shall be in good repair and free of tears and sharp objects. Dashboard covers may be used, but shall be professionally manufactured.
- C. All vehicles' trunks or luggage storage compartments shall at all times be maintained free of oil, dirt, debris and personal property except for property used by the driver in connection with operating a ground transportation vehicle.
- D. All equipment present in the interior of the vehicle that is used for the ease and convenience of drivers and passengers, including, but not limited to, doors, windows, carpets, door and window handles, ashtrays, heaters, air conditioners, and radios, shall be maintained in a good and operable condition.
- E. Any ashtrays shall be emptied after use and washed each day.
- F. All vehicles with a gross weight rating of ten thousand (10,000) pounds or less, or which are designed to transport fifteen (15) passengers or less, including the driver, shall have operational seat belts for the driver and for each passenger as required by law for such vehicle. All other safety equipment inside the vehicle, including child safety restraint devices or seats, shall be maintained in a good and operable condition as may be required by Utah and federal law. (Ord. 24-99 § 4, 1999)

**5.71.170: VEHICLE SIGNAGE:**

All ground transportation vehicles with exterior signs or color schemes used for identifying purposes, whether such identifying information is placed on such vehicle

voluntarily or in accordance with applicable ordinances or statutes, shall meet the following requirements with regards to such identifying information:

- A. Signs and other identifying information shall comply with all applicable ordinances or statutes. Signs shall be professionally produced and permanently affixed on both sides of the vehicle, and shall identify the name of the authorized ground transportation business with which the vehicle is associated and other information as required by law. No sign may be handwritten. In cases of companies that operate vehicles for separate business locations with the same name, the vehicle signage shall include the location of the business being served by each particular vehicle.
- B. Lettering size shall be no smaller than one and one-half inches (1<sup>1</sup>/<sub>2</sub>" ) in height for capital letters and no less than one inch (1" ) in height for other lettering. The color of the lettering shall contrast with the color of the vehicle or window that it is placed on. (Ord. 24-99 § 4, 1999)

#### **5.71.175: INSURANCE REQUIRED:**

- A. Every transportation business, whether or not a certificate of convenience and necessity is required by these ordinances, shall be required to maintain continuous vehicle insurance, when the vehicle is operational, at the minimum levels of coverage required by 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 at the time of inspection, and may be verified upon the city's receipt of a negative comment form, or at the time of an on street unscheduled ground transportation vehicle inspection.
- B. Ground transportation businesses shall send a copy of any notice of cancellation or reduction of insurance coverage to the department responsible for the enforcement of ground loading transportation violations immediately upon such cancellation or reduction. (Ord. 24-99 § 4, 1999)

### **Article V. Inspections**

#### **5.71.180: PERIODIC INSPECTIONS:**

With the exception of buses 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 ( $\frac{1}{16}$ ) of an inch for rear tires, nor less than one-eighth ( $\frac{1}{8}$ ) of an inch 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](#) of this title, or its successor. (Ord. 87-05 § 3, 2005; Ord. 24-99 § 4, 1999)

#### **5.71.185: ADDITIONAL VEHICLE INSPECTIONS:**

In addition to the regularly scheduled inspections as set forth in this title, the city may perform other inspections of any ground transportation vehicle operating within the corporate limits of Salt Lake City, in order to administer and enforce the vehicle standards herein, provided the authorized employees or agents of the department charged with enforcing this title schedule an appointment with the ground transportation business for such inspection at least twenty four (24) hours in advance of such inspection. Said inspection shall be conducted during the city's regular business hours at a location to be set by the city. Nothing herein shall prevent the city from issuing civil notices or taking other action authorized under this chapter for vehicle violations which are in the plain view of the employees or agents of the department charged with enforcing this title. (Ord. 24-99 § 4, 1999)

#### **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 (3") to the right of the left edge or more than four inches (4") above the bottom edge of the window. (Ord. 87-05 § 4, 2005; Ord. 24-99 § 4, 1999)

#### **5.71.200: FAILURE OF INSPECTION:**

Each time a ground transportation vehicle fails to meet the inspection requirements set forth in this chapter, the vehicle shall have affixed to its windshield a "rejected" sticker, stating that it is not in compliance with minimum operating standards. Any vehicle which fails to meet such requirements shall be reinspected and shall not be used as a ground transportation vehicle until all required repairs have been made and it has passed inspection. Upon meeting such requirements, the city shall issue a sticker signifying the same. (Ord. 24-99 § 4, 1999)

#### **5.71.205: REMOVAL OF INSPECTION STICKER PROHIBITED:**

It is a violation of this chapter for anyone other than the city to remove or alter in any way any inspection or rejected sticker issued by the city, without prior written approval from the city to do so. (Ord. 24-99 § 4, 1999)

#### **5.71.210: INSPECTION AFTER CERTAIN PENALTIES:**

- A. Regardless of whether or not an appeal is requested, any vehicle which is named in a civil notice alleging a violation of section [5.71.150](#), [5.71.160](#) or [5.71.170](#) of this chapter, or any successor thereto, shall pass a new inspection as required by the city; but no meter inspection shall be required unless the alleged violation relates to a meter.
- B. If any vehicle is excluded from the pursuit of commercial activities in the city due to any violation relating to such ground transportation vehicle, such vehicle shall pass the inspection set forth in this chapter before such vehicle may again be used to pursue commercial activities in the city. (Ord. 24-99 § 4, 1999)

#### **5.71.220: OTHER INSPECTIONS; FEES:**

The inspections provided for in this chapter shall be in addition to any other inspections required by law. The fee for a vehicle inspection is ninety dollars (\$90.00). There is no additional fee for a vehicle reinspection. There is no fee for a missed vehicle inspection appointment. None of the fees provided in this section may be changed without the approval of the city council. (Ord. 40-09 § 1, 2009)

#### **5.71.230: CIVIL PENALTIES:**

Any failure to obtain any inspection required under this chapter at the time it is required shall constitute a violation under this chapter, and a civil notice shall be issued to the authorized ground transportation business with which such vehicle is associated. (Ord. 24-99 § 4, 1999)

#### **5.71.240: RECORDS AND OPERATING PROCEDURES:**

The city shall maintain records regarding such inspections as it shall determine, and shall create procedures by which it shall administer and operate such inspection and the issuing of stickers. (Ord. 24-99 § 4, 1999)

### **Article VI. Driver Operator's Certificate**

#### **5.71.250: OPERATOR'S CERTIFICATE REQUIRED:**

It is unlawful for any person to operate a ground transportation vehicle upon the streets of the city without having first obtained and having then in force a valid ground transportation vehicle operator's certificate issued annually by the department under the provisions of this chapter. The foregoing notwithstanding, a ground transportation vehicle operator who has operated upon the streets of the city prior to the effective date hereof, and while in the employ of a ground transportation business duly licensed by the city, shall have until one hundred eighty (180) calendar days from the effective date hereof to file an application for a valid ground transportation vehicle operator's certificate issued by the city. The department may set various times for compliance within such

one hundred eighty (180) calendar days to provide for the orderly implementation of this section. (Ord. 48-07 § 2, 2007: Ord. 69-04 § 2, 2004)

#### **5.71.260: PERMITTING UNCERTIFIED OPERATOR UNLAWFUL:**

Except as provided in section [5.71.250](#) of this chapter, or its successor section, it is unlawful for any person who owns or controls a ground transportation vehicle to permit it to be driven, and no ground transportation vehicle authorized by the city shall be so driven at any time, unless the ground transportation vehicle is operated by a driver who has then in force a valid ground transportation vehicle operator's certificate issued under the provisions of this chapter. (Ord. 48-07 § 2, 2007: Ord. 69-04 § 2, 2004)

#### **5.71.270: OPERATOR'S CERTIFICATE APPLICATION:**

Any person applying for a ground transportation vehicle operator's certificate shall file an application with the department on forms provided by the city. (Ord. 48-07 § 2, 2007: Ord. 69-04 § 2, 2004)

#### **5.71.280: APPLICATION VERIFICATION:**

An application for a ground transportation vehicle operator's certificate shall be verified by the applicant under oath, and he/she shall be required to swear to the truthfulness of the matters contained upon the application. (Ord. 48-07 § 2, 2007: Ord. 69-04 § 2, 2004)

The section below has been affected by a recently passed ordinance, 2010-45 - ground transportation vehicle operator certificate badge application fee. [Go to new ordinance.](#)

#### **5.71.290: APPLICATION FEE REQUIRED:**

At the time an application is filed, the applicant shall pay to the city a fee of one hundred twelve dollars (\$112.00). If a ground transportation vehicle operator is working for more than one company, he or she must submit an application for each company. There is no additional fee for such applications. There is no fee for replacement of a lost or stolen vehicle operator's certificate. None of the fees provided in this section may be changed without the approval of the city council. (Ord. 40-09, § 2, 2009)

#### **5.71.300: TRAINING REQUIRED TO OBTAIN OPERATOR'S CERTIFICATE:**

Before the city issues any operator's certificate, the applicant shall be required to provide a written statement demonstrating that the applicant has completed a training program that is satisfactory to the city as to: a) the applicant's knowledge of the city and map reading capabilities; b) the applicant's ability to understand, read, write and speak basic English; c) the applicant's understanding of principles of common courtesy; and d) the applicant's understanding of how to address the needs of disabled passengers. The

city may review any such program from time to time to determine whether it is satisfactory to address the needs of the traveling public. This section shall be effective for any application submitted as of January 2, 2008, or thereafter. (Ord. 48-07 § 2, 2007; Ord. 69-04 § 2, 2004)

### **5.71.310: DRIVER QUALIFICATIONS REQUIRED TO OBTAIN OPERATOR'S CERTIFICATE:**

An applicant for a ground transportation vehicle operator's certificate shall be required to demonstrate the information set forth in this section, and no operator's certificate shall be issued or renewed if all such information cannot be demonstrated to the city's satisfaction.

- A. The applicant must be twenty one (21) years old or older.
- B. The applicant must not be an individual required to register pursuant to the Utah penal code, section 77-27-21.5, Utah Code Annotated, sex offender registration, or its successor section.
- C. The applicant must have a current motor vehicle license issued by the state with all required endorsements.
- D. The applicant must submit written evidence that a ground transportation business operating in compliance with the requirements of this code will employ or retain the applicant upon the issuance of an operator's certificate.
- E. The applicant must submit a certificate from a reputable, board certified physician practicing in the state of Utah certifying that, in such physician's opinion, the applicant is able to operate a ground transportation vehicle in a safe manner.
- F. The applicant must submit written evidence of complying with section [5.71.300](#) of this chapter, or its successor section, regarding driver training requirements.
- G. The applicant must submit two (2) forms of identification, at least one of which must have been issued by a government authority and includes a photo.
- H. The applicant must successfully comply with the criminal history background check requirements set forth in this chapter.
- I. The applicant must submit the following information demonstrating that the applicant is of suitable character and integrity to interact with the traveling public:
  - 1. The names and addresses of four (4) persons in the state of Utah who have known the prospective applicant for a period of thirty (30) days and who will vouch for the sobriety, honesty and general good character of the applicant;



2. A statement explaining the applicant's experience and ability to safely transport passengers;
  3. A concise history of the applicant's employment;
  4. A letter of introduction from the ground transportation business that will employ or retain the applicant.
- J. An applicant seeking an operator's certificate in connection with a special transportation vehicle shall file with the application a certificate from the valley health department certifying that such applicant has received a proper course of instruction in the transporting of "persons with disabilities", as such term is defined in section [5.76.040](#) of this title. (Ord. 48-07 § 2, 2007: Ord. 69-04 § 2, 2004)

#### **5.71.320: CRIMINAL HISTORY BACKGROUND CHECK REQUIREMENT:**

The Salt Lake City council finds that any driver operating a "ground transportation vehicle" as defined in section [5.71.010](#) of this chapter has the ability to provide ground transportation service to the Salt Lake City International Airport, whether by working for a ground transportation business that picks up passengers at such airport, or due to occasional requests by passengers to be dropped off at such airport. Therefore, pursuant to Utah code section 72-10-602 or its successor section, an applicant for a ground transportation vehicle operator's certificate shall be required to obtain a criminal history background check demonstrating that the applicant meets the requirements set forth in this chapter before any certificate will be issued.

- A. The applicant must obtain a fingerprint based federal bureau of investigation (triple III) criminal history background check in the manner directed by the city through the appropriate governmental agency empowered to provide the results of such background check directly to the city.
- B. The city may investigate any information relevant to such background check, determine the accuracy of any information, require an applicant to provide additional information, and take any other action necessary to determine the results of such background check and make a determination under this chapter. Submission of an application under this chapter constitutes the applicant's consent to such background check and any associated investigative efforts by the city.
- C. No applicant shall be issued an operator's certificate if such background check for the applicant demonstrates that the applicant has a disqualifying criminal offense as described in section [5.71.330](#) of this chapter. (Ord. 48-07 § 2, 2007: Ord. 69-04 § 2, 2004)

#### **5.71.330: DISQUALIFYING CRIMINAL OFFENSES:**



An applicant has a disqualifying criminal offense if the applicant has been convicted, or found not guilty by reason of insanity, of any of the disqualifying crimes listed in this section, or of a conspiracy or attempt to commit any such crime, in any jurisdiction during the five (5) years before the date of the applicant's application for an operator's certificate. The disqualifying criminal offenses are as follows:

- A. Murder.
- B. Assault or aggravated assault.
- C. Kidnapping or hostage taking.
- D. Rape, aggravated sexual abuse or other sex crimes, including, but not limited to, unlawful sexual activity with or sexual abuse of a minor, enticing a minor over the internet, unlawful sexual intercourse or conduct, object rape or sodomy, forcible sexual abuse, aggravated sexual assault, sexual exploitation of a minor, incest, lewdness or obscene acts, sex acts for hire, or soliciting.
- E. Stalking.
- F. Urinating in public or other disorderly conduct at a time when the applicant was engaged in operating a ground transportation business.
- G. Unlawful possession, use, sale, distribution, or manufacture of an explosive or weapon.
- H. Extortion.
- I. Robbery, burglary, theft or bribery.
- J. Distribution of, or intent to distribute, a controlled substance.
- K. Felony arson.
- L. Felony involving a threat.
- M. Felony involving wilful destruction of property.
- N. Felony involving dishonesty, fraud, or misrepresentation.
- O. Possession or distribution of stolen property.
- P. Felony involving importation or manufacture of a controlled substance.

- Q. Illegal possession of a controlled substance punishable by a maximum term of imprisonment of more than one year.
- R. Reckless driving, driving while under the influence of alcohol or a controlled substance, or being in or about a vehicle while under the influence of alcohol or a controlled substance with the intent of driving.
- S. Felony involving a driving offense.
- T. The following aviation related offenses:

1. Aircraft registration violations under 49 USC section 46306.
2. Interference with air navigation under 49 USC section 46308.
3. Improper transportation of hazardous material under 49 USC section 46312.
4. Aircraft piracy under 49 USC section 46502.
5. Interference with flight crew members under 49 USC section 46504.
6. Crimes aboard aircraft under 49 USC section 46506.
7. Carrying a weapon or explosive aboard an aircraft under 49 USC section 46505.
8. Conveying false information and threats under 49 USC section 46507.
9. Aircraft piracy outside the United States under 49 USC section 46502(b).
10. Lighting violations involving transporting controlled substances under 49 USC section 46315.
11. Unlawful entry into an aircraft or airport area contrary to security regulations under 49 USC section 46314.
12. Destruction of an aircraft or aircraft facility under 18 USC section 32.
13. Violence at airports under 18 USC section 37.

U. Espionage, sedition or treason. (Ord. 48-07 § 2, 2007: Ord. 69-04 § 2, 2004)

#### **5.71.340: BACKGROUND CHECK PROCEDURES:**

The department shall maintain the following procedures in connection with criminal history background checks under this chapter:

- A. The department shall advise an applicant that he or she may receive a copy of his or her criminal record received from the FBI upon submitting a written request to the department, and that the applicant may direct questions regarding such record to the department administrator.
- B. If an applicant's criminal record discloses an arrest for any disqualifying criminal offense without indicating a disposition, the department must determine, after investigation, that the arrest did not result in a disqualifying offense as provided under section [5.71.330](#) of this chapter before issuing an operator's certificate.
- C. Before making a final decision to deny an operator's certificate, the department must advise the applicant that the FBI criminal record discloses information that would disqualify him or her from receiving such operator's certificate and provide the applicant with a copy of the FBI record if he or she requests it in writing.
- D. An applicant whose criminal record discloses disqualifying information may seek to complete or correct information contained in his or her criminal record by contacting the local jurisdiction responsible for the information and the FBI. Within thirty (30) days after being advised that the criminal record received from the FBI discloses a disqualifying criminal offense, the applicant must notify the department in writing of his or her intent to correct any information that he or she believes to be inaccurate. The department must then receive a copy of the revised FBI record or a certified true copy of the information from the appropriate court prior to granting the operator's certificate. If the department receives no such notification within thirty (30) days that the applicant intends to seek a correction, the department may make a final determination based on the information available to the department.
- E. Criminal record information provided by the FBI pursuant to this chapter may be used only to carry out the background check requirements in this chapter. The department shall maintain criminal history background check records and other information of a personal nature in a confidential manner. The FBI criminal record shall be maintained until one hundred eighty (180) days after the termination of an operator's certificate, including any subsequent renewals, and the FBI criminal record shall then be destroyed. (Ord. 48-07 § 2, 2007: Ord. 69-04 § 2, 2004)

**5.71.350: CONTINUING OBLIGATION TO DISCLOSE NONCOMPLIANCE WITH BACKGROUND CHECK:**

Any person who complies with the background check requirements stated in this chapter has a continuing obligation to disclose to the department within twenty four (24) hours if he or she is convicted of any disqualifying criminal offense, or otherwise fails to comply with section [5.71.330](#) of this chapter, at any time while he or she has a ground transportation vehicle operator's certificate. (Ord. 48-07 § 2, 2007: Ord. 69-04 § 2, 2004)

**5.71.360: ISSUANCE OF OPERATOR'S CERTIFICATE:**

The department shall issue an operator's certificate to any applicant who complies with the requirements of this chapter. Such certificate shall be in the form of an identification card showing the applicant's name, business address, date of birth, signature, current photograph, and the ground transportation business employing or retaining the applicant, and showing any permission given under section [5.71.380](#) of this chapter pertaining to conducting business at the airport. If the department determines to deny the application of any applicant, the department shall issue a letter within ten (10) calendar days of making such a determination to the applicant stating the reason(s) why the applicant was not found to be in compliance with the requirements of this chapter, including any disqualifying offenses in the applicant's criminal record. (Ord. 48-07 § 2, 2007; Ord. 69-04 § 2, 2004)

#### **5.71.370: APPEAL OF DENIAL OF OPERATOR'S CERTIFICATE:**

If the city determines not to issue an operator's certificate, the applicant denied such operator's certificate may appeal the city's determination in the following manner:

- A. The denied applicant shall submit a request for appeal to the city's ground transportation administrator within fourteen (14) calendar days from the time when the city issues a letter denying the application for the operator's certificate. Such request shall state the reasons why the applicant believes the applicant has complied with this chapter and the denial is in error.
- B. The ground transportation administrator shall convene a review board composed of the following members to review the appeal:
  1. Two (2) city employees who are knowledgeable in security background check requirements from either the department of airports or the police department.
  2. One management level employee from the ground transportation business proposed to employ or retain the denied applicant.
- C. The review board shall provide the ground transportation administrator and the denied applicant the opportunity to submit written information regarding the denial for the board's consideration. The review board shall also convene a meeting to provide the ground transportation administrator and the denied applicant an opportunity to be heard within thirty (30) calendar days after the date when the ground transportation administrator received the request for appeal.
- D. After considering all written and oral information submitted, the review board shall issue in writing findings of fact and a decision determining whether the denied applicant has demonstrated compliance with the requirements of this chapter within forty five (45) calendar days after the date when the ground transportation administrator received the denied applicant's request for appeal.

- E. The members of the review board shall be persons who do not have a personal conflict of interest with the denied applicant, and the board shall keep a record of its actions and a recording of any hearing.
- F. The time periods required under this section may be modified with the consent of the ground transportation administrator and the denied applicant, or may be modified by the city when compliance with such time periods would be unduly burdensome to the city and the modification would not impose an unreasonable hardship on the denied applicant. (Ord. 48-07 § 2, 2007: Ord. 69-04 § 2, 2004)

**5.71.380: PERMISSION TO CONDUCT BUSINESS AT THE SALT LAKE CITY INTERNATIONAL AIRPORT:**

An applicant for a ground transportation vehicle operator's certificate under this chapter must request permission to pick up or drop off passengers at the Salt Lake City International Airport on the application form provided by the department. If the applicant complies with the requirements of this chapter, and is in compliance with the requirements of [title 16](#) of this code and airport rules and regulations, the department shall designate on the operator's certificate that such driver has permission to conduct business at such airport. Permission to conduct business at such airport is subject to the provisions of this code, including [title 16](#) of this code, and to airport rules and regulations, and such permission may be withdrawn for a violation of any such requirement. (Ord. 48-07 § 2, 2007: Ord. 69-04 § 2, 2004)

**5.71.390: PENALTY FOR IMPROPERLY ACCESSING AIRPORT:**

- A. It is unlawful for any person who has been issued a ground transportation vehicle operator's certificate to access property at the Salt Lake City International Airport for the purpose of conducting any ground transportation related business activity when:
  - 1. Such person has not been given permission to conduct business at the airport pursuant to section [5.71.380](#) of this chapter; or
  - 2. The Salt Lake City department of airports has withdrawn permission to conduct business at the airport from such person.
- B. Any person who violates the provisions of subsection A of this section shall be guilty of a class B misdemeanor. (Ord. 48-07 § 2, 2007: Ord. 69-04 § 2, 2004)

**5.71.400: DISPLAY OF OPERATOR'S CERTIFICATE:**

Every person issued an operator's certificate under this chapter shall post his or her ground transportation vehicle operator's certificate in such a place as to be in full view of all passengers while such person is operating a ground transportation vehicle, and every such person shall exhibit such certification upon demand by any police officer, or any authorized agent of the department, or any authorized agent of the Salt Lake City

department of airports, or any other person authorized by the mayor to enforce the provisions of this chapter. (Ord. 48-07 § 2, 2007; Ord. 69-04 § 2, 2004)

#### **5.71.410: OPERATOR'S CERTIFICATE DURATION AND RENEWAL:**

The ground transportation vehicle operator's certificate shall be effective beginning on the day indicated thereon by the city, and shall expire on the same day of the next calendar year. Any person holding such a certificate may renew such certificate annually by submitting a new application as provided in this chapter up to thirty (30) days prior to the expiration of the operator's certificate, and paying a renewal fee of one hundred dollars (\$100.00). The city may adjust such fee on an annual basis in order to recover the costs of administering the city's ground transportation programs, but no increase shall exceed five percent (5%) in a single year. The foregoing notwithstanding, the department may set various expiration dates for operator's certificates issued during the first year of this program in order to provide for an orderly renewal process, but no expiration date shall exceed a period of two (2) years from the date of issuance. (Ord. 48-07 § 2, 2007; Ord. 69-04 § 2, 2004)

#### **5.71.415: PAYMENT FOR FURNISHING OF PASSENGERS<sup>4</sup>:**

(Rep. by Ord. 48-07 § 2, 2007)

#### **5.71.420: SUSPENSION OR REVOCATION OF OPERATOR'S CERTIFICATE:**

The department may suspend or revoke any ground transportation vehicle operator's certificate issued under this chapter as follows:

- A. A ground transportation vehicle operator's certificate shall be revoked if the department determines that the person to whom it was issued ceases to comply with the application requirements set forth in this chapter. Any person whose operator's certificate is so revoked may appeal a determination made under this subsection as provided in section [5.71.370](#) of this chapter. If such appeal is not successful, such person may reapply to obtain an operator's certificate when such person is in full compliance with the requirements of this chapter. Any person who corrects the noncompliance under this chapter within thirty (30) days after a revocation issued under this subsection shall be allowed to reinstate his or her operator's certificate without fee.
- B. If any person having a ground transportation vehicle operator's certificate fails to comply with any provision of this code other than the application requirements included within this chapter, or if the city otherwise determines that such person is a threat to the public or is disruptive to providing effective services to the public, the department may temporarily suspend such operator's certificate as provided herein, and may revoke such operator's certificate for cause shown. An operator's certificate may be temporarily suspended if the city determines based on reasonable evidence that a temporary suspension is necessary to protect important public interests, and if

the temporary suspension is effective only until a hearing officer can make a determination under this subsection. An operator's certificate may be revoked under this subsection only when the person possessing such certificate has first been given notice and has had an opportunity to present evidence on his or her behalf at a hearing before a mayoral hearing examiner as provided in section [5.02.280](#) of this title, or any successor section. Notice of such hearing shall be deemed to be sufficient if it is mailed to the address designated on the ground transportation vehicle operator's certificate application at least ten (10) days prior to the hearing. Unless reinstated by a hearing officer, any person whose ground transportation vehicle operator's certificate has been revoked under this subsection shall not be eligible to reapply for such certificate for a period of one year. (Ord. 48-07 § 2, 2007; Ord. 69-04 § 2, 2004)

#### **5.71.430: COMPLIANCE WITH CITY, STATE AND FEDERAL LAWS:**

Every person issued an operator's certificate under this chapter shall comply with all city, state and federal laws. Failure to do so may justify the suspension or revocation of an operator's certificate. (Ord. 48-07 § 2, 2007; Ord. 69-04 § 2, 2004)

#### **5.71.440: FALSE INFORMATION:**

Any applicant who shall knowingly provide false information on an application submitted pursuant to this chapter shall be denied an operator's certificate, and shall not be permitted to resubmit an application for a period of five (5) years. (Ord. 48-07 § 2, 2007)

#### **5.71.450: AUTHORITY TO MAKE RULES:**

The department shall have authority to create rules and regulations to administer the requirements of this chapter that are consistent with the requirements of this chapter and with any security or operating requirements applicable to the Salt Lake City International Airport. (Ord. 48-07 § 2, 2007)

### **Article VII. Manifests For Prearranged Service**

#### **5.71.460: 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 [chapter 5.72](#), article VIII, of this title, or its successor article. (Ord. 48-07 § 3, 2007; Ord. 45-05 § 5, 2004)

#### **5.71.470: 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. (Ord. 48-07 § 3, 2007: Ord. 69-04 § 2, 2004)

#### **5.71.480: 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. (Ord. 48-07 § 3, 2007: Ord. 69-04 § 2, 2004)

### **Article VIII. Payment For Furnishing Of Passengers**

#### **5.71.490: PAYMENT:**

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 dispatchers, 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. (Ord. 48-07 § 4, 2007)

[Footnote 1:](#) See section [5.71.490](#) of this chapter.

[Footnote 2:](#) Ordinance 29-02 shall take effect July 1, 2002.

[Footnote 3:](#) Ordinance 29-02 shall take effect July 1, 2002.

[Footnote 4:](#) See section [5.71.490](#) of this chapter.



SALT LAKE CITY ORDINANCE  
No. \_\_\_\_\_ of 2010

(Amending section 5.71, *Salt Lake City Code*, regarding ground transportation)

Ordinance amending section 5.71, *Salt Lake City Code*, pertaining to ground transportation requirements, to coordinate with taxicab ordinance and to provide for categorization of vehicle types by passenger seating fees through rules and regulations; on-demand service restrictions; elimination of manifests; vehicle inspection requirements; vehicle standards; replacement of criminal enforcement with civil penalties; Ground Transportation Hearing Officer.

WHEREAS, City Council has amended section 5.72, *Salt Lake City Code*, pertaining to taxicabs; and

WHEREAS, the City Council has determined that the following ordinance corresponds with and supports the amendments to section 5.72; and

WHEREAS, after a hearing before the City Council, the City Council has determined that the following ordinance is in the best interest of the City.

NOW, THEREFORE, be it ordained by the City Council of Salt Lake City, Utah as follows:

SECTION 1. That section 5.71, *Salt Lake City Code*, pertaining to ground transportations requirements be and the same hereby is, amended to read as follows:

Article I. Definitions and ~~Chapter 5.71~~  
**~~GROUND TRANSPORTATION REQUIREMENTS~~**

**General Regulations**

**5.71.010: DEFINITIONS:**

The words and phrases, when used in this chapter, shall have the meanings defined

and set forth in this section:

**AIRPORT SHARED RIDE SERVICE:** Ground transportation provided by an Authorized Ground Transportation Business contracted through the Department of Airports to provide On Demand Shared Ride Service to and from the Salt Lake City International Airport.

**AIRPORT SHARED RIDE VEHICLE:** Any authorized Ground Transportation Vehicle operating under contract with the Salt Lake City Department of Airports to provide Airport Shared Ride Service.

**APPLICANT:** An individual who has submitted~~submitting~~ an application to the Department~~city~~ to obtain a Ground Transportation Vehicle Operator's Badge~~ground transportation vehicle operator's certificate~~ pursuant to article VI of this chapter.

**AUTHORIZED GROUND TRANSPORTATION BUSINESS:** Any Business~~business~~ operating any Ground Transportation Vehicle~~ground transportation vehicle~~, which has a current, valid business license as required by the City~~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 of this code~~ and which A) registers the Business in accordance with the requirements established by the Department and B) is current with all fees or charges imposed~~shall be governed by the Department and City.~~  
~~that title.~~

**AUTOMOBILE:** Any motor vehicle with passenger seating for five persons or which is registered at a gross weight of less, not including the driver.

~~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.~~

**BUS:** Any licensed motor vehicle operated on the streets and highways for hire on a scheduled or nonscheduled basis with a seating capacity of twenty five or more passengers, not including the driver.

**BUSINESS:** A voluntary association legally formed and organized to carry on a Business in 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 in the legal name of the association, including without limitation a corporation, limited liability company, partnership, or sole-proprietorship.  
~~transit authority.~~

**BUSINESS LICENSING OFFICE:** The division of building services and licensing of Salt Lake City Corporation or its successor.

**CERTIFICATE:** A Certificate of public convenience and necessity issued by the City. No Certificate issued by the City shall be construed to be either a franchise or irrevocable and will terminate upon notification by the City.

**CIVIL NOTICE:** The written notice of Ground Transportation Violation.  
~~ground transportation violation as provided under this chapter.~~

**COMMENT FORM OR FORM:** Has the meaning set forth in 5.71.270~~article 1~~ of this chapter, or its successor article.

**COURTESY VEHICLE:** 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 to the passenger for such transportation. All contracts providing for operating a Courtesy Vehicle ~~courtesy vehicle at the airport on behalf of a hotel or motel~~ shall be filed with the Department.  
~~under the direction of the director of airports and shall be subject to all applicable airport rules and regulations.~~

**DEPARTMENT:** The Salt Lake City Department of Airports ~~ground transportation administration section of the Salt Lake City division of building services and licensing,~~ or such other City department or division as may be designated~~delegated~~ by the mayor to have responsibility for the enforcement of this chapter.

**DEPARTMENT AUTOMATED VEHICLE IDENTIFICATION (AVI) TAG:** An electronic transponder used to identify vehicles and provide the Department with vehicle data and billing information.

**DEPARTMENT DIRECTOR:** The Director of the Department designated by the mayor to have responsibility for the enforcement of this chapter or the authorized designee of such Director.

**DEPARTMENT INSPECTION:** An inspection of a Ground Transportation Vehicle by the Department to verify that the vehicle meets the standards set by the Department Director, Department Rules and Regulations, applicable contracts, and all applicable City ordinances, policies and procedures, including without limitation the exterior and interior of the vehicle and all associated vehicle licensing, safety and insurance requirements.

**DEPARTMENT INSPECTION SEAL:** A sticker or seal issued by the Department to signify that the Ground Transportation Vehicle has passed the required Department Inspection. These Department Inspection Seals are non-transferable and no Ground Transportation Vehicle may be operated without such seal.

**DEPARTMENT RULES AND REGULATIONS:** Rules and regulations developed and adopted by the Department Director to govern commercial ground transportation operations within the City.

**FIXED SCHEDULE:** Ground Transportation Service~~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 are to be carried.

**GROUND TRANSPORTATION BUSINESS:** Any ~~Business~~business operating any Ground Transportation Vehicle.

**GROUND TRANSPORTATION HEARING OFFICER:** A Ground Transportation Hearing Officer appointed by the Department Director to hear and rule on appeals, suspensions and other matters related to ground transportation in and connected with the City.

**GROUND TRANSPORTATION SERVICE:** The transportation of passengers by a Ground Transportation Business. ~~vehicle.~~

**GROUND TRANSPORTATION VEHICLE:** Any motor vehicle ~~which is~~ used for the transportation of persons using Salt Lake City streets for commercial purposes regardless of whether a fee or fare is collected, or as a courtesy in connection with providing ground transportation to or from any terminal of public transportation, including the Salt Lake City International Airport, which includes, but is not limited to, any Airport Shared Ride Vehicle, Automobile, Bus, Courtesy Vehicle, Hotel Vehicle, Limousine, Minibus, Taxicab, Van, or Trailer being towed by a Ground Transportation Vehicle.

**HEARING OFFICERS:** Means those hearing officers of the Salt Lake City Justice Courts.

**HOLDER:** A person to whom a certificate of public convenience and necessity has been issued.

~~automobile, bus, courtesy vehicle, hotel vehicle, limousine, minibus, special transportation vehicle, taxicab and van.~~

**HOTEL VEHICLE:** Any motor vehicle which is regularly operated by a Ground Transportation Business under contract to or directly by a motel / hotel or other lodging Business, to providefor transportation of customers and/or baggage for the contracted establishment~~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 shall be filed with the Department.  
~~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.~~

~~LICENSE: When referring to a driver's license, means a ground transportation vehicle operator's certificate.~~

**LIMOUSINE:** Any vehicle~~motor propelled vehicle which is a Rolls Royce or other automobile~~ described by its manufacturer or aftermarket manufacturer as a Limousine~~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 professional business attire or a "chauffeur's uniform. uniform" (defined as a jacket and tie for a man or a pantsuit or dress for a woman) or tuxedo while on duty, and licensed as required by this code.~~

~~MANIFEST: For purposes of this chapter, means a daily record of all prearranged service trips 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.~~

~~**MINIBUS:** Any motor vehicle with a passenger seating capacity of thirteen to twenty four persons, not 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.~~

~~**MODEL YEAR:** The age of a motor vehicle based upon the manufacturer's date of manufacture. The year shall be calculated as beginning January 1 of the Model Year, regardless of the month of manufacture, purchase or licensing with the City. driver, and is licensed as required by this code. Such term, however, shall not include any minibus operated by any local, state or federal agency.~~

~~**NAMED PARTY:** The driver, vehicle owner or Authorized Ground Transportation~~



~~Business~~authorized ground transportation business named in a ~~Civil Notice~~civil notice issued by the City.

~~city.~~

**ON DEMAND AIRPORT SERVICE OR ON DEMAND SERVICE:** Transportation provided by an Authorized Ground Transportation Business which is not Scheduled Service or Prearranged Service as defined in this section.

**PERSONS WITH DISABILITIES:** Means persons who are not acutely ill, who do not require the services of an ambulance, and who need or desire special transportation equipment or accommodation for physical or mental infirmities.

~~authorized ground transportation business which is not "scheduled service" or "prearranged service" as defined in this section.~~

~~OPERATOR'S CERTIFICATE: The operator's certificate that the city may issue pursuant to article VI of this chapter to signify that an individual has met the requirements stated therein to lawfully operate a ground transportation vehicle upon the streets of the city.~~

**PREARRANGED SERVICE:** Transportation provided by an Authorized Ground Transportation Business~~authorized ground transportation business~~ from points within the City to destinations within city, other than from the City, for airport, in which the Authorized Ground Transportation Business providing such transportation has recorded the name or description of ~~the~~ prospective passenger and the date and time of the

~~request for transportation~~ other required information is listed on the vehicle driver's ~~manifest~~ at least thirty (30) minutes prior to the transporting of the passenger by such vehicle. Records of such transportation may be required for inspection by the Department.

~~Prearranged service from the airport is governed by subsection 16.60.090L of this code or its successor subsection.~~

**SCHEDULED SERVICE:** Transportation provided by an Authorized Ground Transportation Business on a Fixed Schedule ~~authorized ground transportation business on a fixed schedule~~ posted with and approved by the Department ~~city business license office~~ in advance of such transportation.

**SPECIAL TRANSPORTATION VEHICLE:** Special transportation vehicle means any motor ~~Any~~ vehicle for hire, other than an Airport Shared Ride Vehicle, ambulance or Taxicab, on Salt Lake City streets, which vehicle is designed, equipped and is used for the transportation of Persons With Disabilities.

**SPECIALTY VEHICLES:** Means vehicles that are unique in their design, or built for a specific purpose. These may include but are not limited to special conversion vehicles and classic or collector Automobiles. Such vehicles do not include Special Transportation Vehicles.

~~persons with disabilities as provided under chapter 5.76 of this title, or its successor chapter.~~

**STARTER:** A person appointed by and representing a Ground Transportation Business who is responsible for managing the coordination of vehicles and passenger ground transportation for that Business.

~~business at a terminal of public transportation and providing coordinated travel arrangements and information about available services and fares.~~

**TAXICAB:** A motor vehicle with a seating capacity used in the transportation of five passengers or less, not including the driver, used in the on demand, for hire transportation of passengers or baggage over the public streets and not operated over a fixed route or upon a Fixed Schedule, fixed schedule, but which is subject for contract hire by persons desiring special trips from one point to another, as provided under chapter 5.72 of this title, or its successor chapter and authorized to operate in Salt Lake City by contract with the Department.

**TERMINAL OF TRANSPORTATION:** Means a facility or location in which the primary purpose is to facilitate Ground Transportation Services, such as but not limited to the Salt Lake City Intermodal Hub.

**TRAILER:** Means a wheeled vehicle designed to be pulled by a motor vehicle for the transportation of freight, luggage or other items.

**VAN:** Any licensed motor vehicle other than those designated as a Limousine with a passenger seating capacity of six to twelve, not including the driver. City. It does not include an automobile rental vehicle licensed under any other section of this code.

~~TEMPORARY VEHICLE: 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 service providing transportation to or from any terminal of public transportation, including the Salt Lake City International Airport, for a period not to exceed fourteen (14) days. It does not include any vehicle operated as a taxicab as provided under chapter 5.72 of this title, or its successor chapter.~~

~~VAN: Any licensed 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 this code. (Ord. 48-07 § 1, 2007: Ord. 20-06 § 1, 2006: Ord. 87-05 § 1, 2005: Ord. 45-05 § 3, 2005: Ord. 24-99 § 4, 1999)~~

~~VEHICLE OPERATOR'S BADGE or OPERATOR'S BADGE: An identification badge issued by the Department to an individual to signify that the individual has met the requirements to operate a Ground Transportation Vehicle established by the Department Director.~~

~~**5.71.020: PURPOSE OF ENACTMENT; AND DEPARTMENT RESPONSIBILITIES:**~~

This chapter is enacted to provide for and protect the interests of Salt Lake City residents and visitors using Ground Transportation Services, ground transportation services which make use of Citycity streets and other City property, including:

- A. To reflect standards of professionalism prevalent in and accepted by the Salt Lake community at large;
- B. To enhance the comfort, ease and safety of the traveling public on Salt Lake City streets;
- C. To enhance Salt Lake City's competitiveness in attracting the traveling public to this City;city;
- D. To increase safety for the drivers of Ground Transportation Vehicles,ground transportation-vehicles, their passengers, and the public when such vehicles are operated on Salt Lake City streets;
- E. To adequately identify Ground Transportation Vehiclesground transportation vehicles and their drivers to the public in Salt Lake City;
- F. To meet the needs of the public using Ground Transportation Vehiclesground transportation-vehicles in Salt Lake City; and
- G. To provide for uniform enforcement of standards throughout the Citycity by coordinating the efforts of the departments responsible for enforcement, adjudication, and business licensing of all commercial Ground Transportation Businesses and Ground Transportation Vehicles,ground transportation businesses and vehicles.

~~The mayor shall designate a city department to be responsible for the enforcement and inspections of all ground transportation vehicles operating within the corporate limits of Salt Lake City. (Ord. 24-99 § 4, 1999)~~

H. To provide that the mayor shall designate a City department to be responsible for the oversight and enforcement of all Ground Transportation Businesses, Ground Transportation Vehicles and Ground Transportation Vehicle drivers within the corporate limits of Salt Lake City. (Ord. 24-99 § 4, 1999)

I. To provide that the City departments responsible for enforcement, adjudication and business licensing in connection with ground transportation in the City may create and implement such contracts, rules and regulations as are necessary or desirable to comply with and operate under this chapter, and the same shall be consistent with the purposes of this chapter and applicable law, and to meet due process requirements. (Ord. 24-99 § 4, 1999)

**5.71.030: EXEMPTIONS FROM REQUIREMENTS OF THIS CHAPTER:**

Vehicles licensed and operated by governmental agencies, universities and school districts, the Utah Transit Authority, ambulances and others that may be designated by the Department Director, are exempt from the requirements of this chapter.

**5.71.040: AUTHORITY TO ESTABLISH RULES / REGULATIONS AND**

**PROCEDURES:**

The Department Director, under guidance or direction from the mayor and in accordance with applicable law, shall have authority to establish fees, enter into contracts deemed as necessary or desirable and to create standards, rules / regulations and procedures, as necessary to administer the requirements of this chapter and any security or operating requirements applicable to the Salt Lake City International Airport and the City or that are deemed to be in the best interest of the City and the public.

**5.71.050: BUSINESS~~5.71.025~~: **LICENSE AND REGISTRATION** REQUIRED:**

It is ~~a violation~~unlawful for any person to operate a Ground Transportation Business without, prior to commencement of the Business, completing the following:

A. Obtaining ground transportation business without first obtaining a business license.

B. Registering such Business with the Department, and

C. Paying all applicable fees associated with the licensing or permitting of such Business, its vehicles and its employees. ~~to do so.~~ (Ord. 69-04 § 1, 2004)

**5.71.060:**

**5.71.028: GROUND TRANSPORTATION DESTINATIONS:**

A. All Authorized Ground Transportation Businesses~~authorized ground transportation businesses~~ may provide Scheduled Service or Prearranged Services~~scheduled service and prearranged service~~ within the City~~city~~.

B. Only authorized Airport Shared Ride Service Vehicles, Taxicabs, Courtesy Vehicles, taxicabs, courtesy vehicles, hotel vehicles, and Hotel Vehicles~~limousines~~ may provide On Demand Service~~on-demand service~~ within the City~~city~~, except that: Courtesy Vehicles and Hotel Vehicles ~~1) hotel vehicles~~ may provide On Demand Service~~on-demand service~~ only to and from the hotel / motel or other Business with whom they hold a current contract for any railroad station, bus station, airport, or similar terminal of public transportation services. The Department Director may waive these restrictions if it is determined that circumstances in the City exist that create congestion, security concerns, emergency conditions, or ~~and any motel or hotel;~~ and ~~2) limousines may provide on-demand service only upon charging a minimum fare of thirty dollars (\$30.00) per trip. Limousines may provide prearranged service without charging a set minimum fare.~~

~~C. Subsection B of this section 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 five thousand (5,000) or more participants, or 2) to and from other operational problems, and that a temporary suspension of this limitation is in locations providing such transport involves three (3) or more persons riding together to and from the same destination and with the best interests consent of the City to address such circumstances. motel or hotel manager on duty. (Ord. 45-05 § 4, 2005)~~

C. All Authorized Ground Transportation Businesses may provide On Demand, Scheduled Service and Prearranged Service from points within the City to destinations outside of the corporate limits of Salt Lake City.

## **Article II. Driver Standards**

### **5.71.070: DRIVER AND STARTER APPEARANCE:**

The drivers of Ground Transportation Vehicles and Starters representing Ground Transportation Businesses within the City shall adhere to the standards of appearance established by the Department Director while operating such vehicles, or while representing Ground Transportation Businesses, in order to meet the interests of Salt Lake City in such transportation.

### **5.71.080: DRIVER CONDUCT:**

The drivers of Ground Transportation Vehicles and Starters representing Ground Transportation Businesses within the City shall adhere to the standards of conduct established by the Department Director while operating such vehicles or while representing Ground Transportation Businesses in order to meet the interests of Salt Lake City in such transportation.

### **5.71.090: UNAUTHORIZED SOLICITATION OF BUSINESS**



No Person may solicit for business at any Terminal of Transportation except in locations and in accordance with rules as established by the Department Director.

### **Article III. Smoking**

#### **5.71.100: SMOKING RESTRICTIONS:**

Passengers and drivers in Ground Transportation Vehicles may only smoke in such vehicles as set forth in Utah Code.

### **Article IV. Vehicle Standards**

#### **5.71.120: VEHICLE AGE AND CONDITION**

No vehicle shall be authorized by the City to operate as a Ground Transportation Vehicle that is more than five Model Years in age, has a salvage title, or has accumulated 300,000 miles or more.

A. The following exemptions may be granted by the Department on a case by case basis upon application to the Department Director.

1. Busses, Mini-busses, Special Transportation Vehicles and Limousines may be exempted from these age and mileage restrictions, but not from the salvage title restriction.
2. Specialty Vehicles may be exempted from these age, mileage and salvage restrictions.

B. Seventy five percent (75%) of a Business's Ground Transportation Vehicles must meet this vehicle age restriction within 12 months of this ordinance being adopted into law.

C. One hundred percent (100%) of a Business's Ground Transportation Vehicles must meet this age restriction within 24 months of this ordinance being adopted into law.

D. One hundred percent (100%) of a Business's Ground Transportation Vehicles must meet these mileage and salvage title restrictions upon the effective date.

E. No new vehicle will be approved as a Ground Transportation Vehicle that does not meet these restrictions.

**5.71.130: CONFLICTING OR MISLEADING DESIGNS PROHIBITED:**

No vehicle will be authorized to operate whose color scheme, identifying design, monogram or insignia, in the opinion of the Department Director, conflicts with or imitates any color scheme, identifying design, monogram or insignia used on a vehicle or vehicles already operating under this chapter, in such a manner as to be misleading or tending to deceive or defraud the public or which improperly conveys the nature or the type of the ground transportation service offered.

**Article V. Insurance and Inspections**

**5.71.140: INSURANCE REQUIRED:**

A. Every Ground Transportation Business, shall be required to maintain continuous vehicle insurance, when the vehicle is operational, at the minimum levels of coverage set forth by the Federal Motor Carrier Association section 49 CFR 387.303 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 at the time a vehicle is initially inspected by the Department, and may be verified upon

the City's receipt of a complaint, negative Comment Form, or at the time of an on-street, unscheduled Ground Transportation Vehicle inspection.

B. Taxicabs and other Authorized Ground Transportation Vehicles with a seating capacity of seven passengers or less, including the driver, shall carry minimum coverage in the amounts required for vehicles with 8 passengers or more, including driver, as set forth in section 49 CFR 387.303.

C. Ground Transportation Businesses shall send a copy of any notice of cancellation or reduction of insurance coverage to the Department immediately upon such cancellation or reduction. (Ord. 24-99 § 4, 1999)

**5.71.150: INSPECTIONS:**

A. All Authorized Ground Transportation Vehicles must be registered with the Department and at all times shall meet or exceed standards established by the Department Director in order to meet the interests of Salt Lake City.

B. No vehicle may operate as a Ground Transportation Vehicle within the City without first having been inspected by the Department and found to be meeting all requirements of the Department Inspection as established by the Department Director for the category of vehicle being inspected.

C. Vehicles meeting the requirements of the Department Inspection shall have a unique Department Inspection Seal affixed to the rear of the vehicle signifying that the vehicle has passed the Department Inspection and may be operated as a Ground Transportation Vehicle. The department Seal is non-transferable and no vehicle may be used as a Ground Transportation Vehicle without the Department Inspection Seal in place.

D. All Ground Transportation Vehicles meeting the requirements of the Department inspection will be issued a Department Automated Vehicle Identification (AVI) Tag, which the Department will install on the vehicle. These tags are non-transferable and may not be removed or modified without authorization from the Department.

E. The Department may perform vehicle inspections at any time any Ground Transportation Vehicle is operating within the corporate limits of Salt Lake City, in order to administer and enforce the applicable vehicle standards.

F. No Ground Transportation Vehicle may be operated within the City unless it is maintained to the standards and requirements established by the Department, including without limitation Department Inspection requirements.

#### **5.71.160: TEMPORARY OPERATIONS**

Ground Transportation Businesses that operate on a limited or temporary basis within the City may petition the Department Director for a waiver from some of the requirements of this chapter. However, no Ground Transportation Business may operate without paying fees as may be required by ordinance, Rules and Regulations or the Department Director. Consideration of such waiver may include the following.

A. The Business is based outside of a thirty-five mile radius of the City and the Business provides limited services within the City.

B. The Business does not pick up passengers within the City and provides transportation only into the City.

C. Any specific Ground Transportation Vehicle that will be used for operations within the City no more than five calendar days per year.

#### **Article VI. Vehicle Operator's Badge**

**5.71.180: VEHICLE OPERATOR'S BADGE REQUIRED:**

It is a violation for any person to operate a Ground Transportation Vehicle upon the streets of the City without having first obtained and having then in force a valid Ground Transportation Vehicle Operator's Badge issued by the Department under Rules and Regulations established by the Department Director. (Ord. 48-07 § 2, 2007: Ord. 69-04 § 2, 2004)

**5.71.190: PERMITTING NON-BADGED OPERATOR TO DRIVE:**

It is a violation for any Person who owns or controls a Ground Transportation Vehicle to permit it to be driven, and no Ground Transportation Vehicle authorized by the Department shall be so driven at any time, unless the Ground Transportation Vehicle is operated by a driver who has then in force a valid Ground Transportation Vehicle Operator's Badge issued by the Department.

**5.71.240: DISPLAY OF OPERATOR'S BADGE:**

Every Person issued a Vehicle Operator's Badge shall display the badge above the waist, on front side of the outermost garment so as to be in plain view and not covered while such Person is operating a Ground Transportation Vehicle. Every such Person shall exhibit such badge upon demand by any police officer, any authorized agent of the Department or any other Person authorized by the mayor to enforce the provisions of this chapter. (Ord. 48-07 § 2, 2007: Ord. 69-04 § 2, 2004)

**Article VII. Payment For Furnishing Of Passengers**

**5.71.250: PAYMENT:**

It shall be a violation for any Person operating a Ground Transportation Vehicle, Business, driver, independent contractor, employee, or other Person to pay or offer to

pay any remuneration to another Person, specifically including Persons employed at a lodging Business and vehicle dispatchers, for the furnishing of passengers and/or baggage to be transported by a Ground Transportation Vehicle. It shall be a violation for any Person, specifically including persons employed at a lodging Business and vehicle dispatchers, to receive or request any remuneration from any Person 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 bell staff or door staff or concierge as a gratuity. (Ord. 48-07 § 4, 2007)

#### **Article VIII. Enforcement and Civil Penalties**

##### **5.71.260: DEPARTMENT AUTHORITY:**

The Department is hereby given the authority and is instructed to enforce the provisions of this chapter and to govern the conduct of companies and drivers operating under this chapter.

##### **5.71.270: 5.71.030: COMMENT FORM:**

Any Person ~~person~~ may complain of any violation of this chapter or comment on ~~of~~ any Ground Transportation Business ~~ground transportation vehicle~~, or Vehicle, ~~or~~ any driver of a Ground Transportation Vehicle ~~ground transportation vehicle~~ operating within the corporate limits of Salt Lake City by filing a Comment Form with the Department ~~on comment form with the department responsible for the enforcement of ground transportation violations in the manner set forth in this article. (Ord. 24-99 § 4, 1999)~~

##### **5.71.040: FORM OF COMMENT FORM:**

~~A. The city shall cause to be printed a comment form substantially as follows:~~

~~COMMENT FORM~~

~~—Please provide the following information if you have any comments about the quality of the ground transportation services being provided to you:~~

- ~~—1. Company Providing Transportation:~~
- ~~—2. Driver's Name (and Number, if any):~~
- ~~—3. Date and Time:~~
- ~~—4. Location:~~
- ~~—5. Comments/Objections:~~
- ~~—6. Your Name:~~
- ~~—7. Your Home address:~~
- ~~—8. Your Business Phone Number:~~
- ~~—9. Your Signature:~~

~~B. The comment form shall be a "self-mailer" type, providing the name and mailing address where the form is to be returned and telephone number of the city department responsible for the enforcement of ground transportation violations.~~

~~C. The comment form set forth in this section shall be printed in the form of a card, and all ground transportation vehicles shall at all times carry such cards in an area directly visible and accessible to the public. The comment forms that the Department may require Ground Transportation Businesses to print and provide in their vehicles and which may be found on the City's website and within the Department Rules and Regulations. ~~or cards may be available at other locations selected by the city. (Ord. 24-99 § 4, 1999)~~~~

**~~5.71.280:5.71.050: ISSUANCE OF A CIVIL NOTICE OF GROUND~~**

**TRANSPORTATION VIOLATION:**

A. Every notice issued under this chapter shall be issued in the form of a written Civil Notice ~~civil notice of a ground transportation violation~~ and shall contain a statement

that the ~~Named Party~~named party may appeal the imposition of the penalty and provide information regarding how to appeal.

B. Any driver, vehicle owner, or Authorized Ground Transportation Business ~~that, as set forth in this section, any authorized ground transportation business which~~ violates any provision of this chapter may be named in a Civil Notice~~civil notice~~ issued by the City~~city~~ and shall be subject to the civil penalty as provided in section 5.71.080 ~~of this chapter or its successor~~. A violation of any provision of this chapter by any driver or vehicle owner shall also constitute a violation of such provision by the Ground Transportation Business ~~ground transportation business~~ under whose authority~~certificate of convenience and necessity~~ such driver or owner was operating at the time of the violation, ~~if the same driver or owner has had three (3) or more violations of this chapter, of chapter 5.72 of this title, or of title 16, chapter 16.60 of this code within a three (3) consecutive year period.~~ (Ord. 24-99 § 4, 1999)

**~~5.71.290;5.71.060: INFORMATION TO ACCOMPANY ISSUANCE OF SERVICE COMMENT FORM:~~**

~~(Rep. by Ord. 24-99 § 3, 1999)~~

**~~5.71.070: RECORD KEEPING:~~**

The City~~city~~ shall create a file for each driver and for each Authorized Ground Transportation Business~~authorized ground transportation business~~ at the time any document~~item~~ is submitted for application or filing. The City~~city~~ shall maintain any document~~item~~ placed in such files for a period as required by law. (Ord. 24-99 § 4, 1999)



**5.71.300:**

**5.71.080: CIVIL PENALTIES AND ENFORCEMENT::**

A. The City may impose revocation, suspension and nonrenewal of a City business license to operate a Ground Transportation Business

~~The following shall constitute civil penalties which may be imposed by the city as set forth under this chapter:~~

~~A. Civil penalties may be imposed for violations of applicable laws, policies, procedures, rules, or regulations as provided under chapter 5.02 of this title.~~

~~B. this chapter within the city. The Department may revoke, suspend or deny renewal of an Operator's Badge, Department Automated Vehicle Identification tag or Department Inspection Seal for violations of applicable laws, policies, procedures, rules, or regulations. The person or business affected may request, in writing filed with the Department, an appeal hearing before the Ground Transportation Hearing Officer. Any such revocation, suspension or denial of renewal shall remain in effect until the named party against whom such action is taken requests reinstatement and the Ground Transportation Hearing Officer determines that reinstatement is appropriate.~~

~~C. If any Named Party fails to comply with civil penalties imposed under this chapter, such party may be subject to suspension, revocation or nonrenewal of a City license to operate a Ground Transportation Business, Operator's Badge, Department Automated Vehicle Identification Tag and Department Inspection Seal. (Ord. 24-99 § 4, 1999)~~

~~D. Civil penalties may be imposed as set forth below. The Named Party in the Civil Noticecivil notice shall be liable for a civil penalty. Any penalty assessed in connection withsubsection B of this section may be in addition to any other penalty~~

that may be imposed by law, rule, regulation, suspension, revocation or other restrictions as may be imposed by the Department Director.

B. Civil penalties shall be imposed as follows: the increased amounts for second and third and additional offenses shall be imposed only if the same violation occurs within a three (3) consecutive year period.

<u>CODE</u> <u>Article II:</u> <u>Driver</u> <u>Standards-</u>	<u>AMOUNT</u> <u>OF</u> <u>PENALTY</u>	<u>VIOLATION</u>				
<b><u>ARTICLE I GENERAL REGULATIONS-</u></b>			-	-	-	-
<u>5.71.050</u> <u>Driver appearance:-</u>		<u>\$1000.00</u>	<u>Business</u> <u>license</u> <u>required</u> <u>5.71.1</u> <u>20-</u>	-	<u>A,B,C,D,E,F,G,H,</u> <u>I,J-</u>	
<u>5.71.060 (B)-</u>	<u>\$500.00</u> <u>First</u> <u>offense-</u>	<u>Violation</u> <u>of</u> <u>passeng</u> <u>er</u> <u>transport</u> <u>-</u>	-	-	<u>\$ 60 .00-</u>	-
<b><u>ARTICLE II</u></b>  <b><u>DRIVERS</u></b> <b><u>STANDARDS</u></b> <u>-</u>	<u>Second offense</u> <u>-</u>	-	-	-	<u>80 .00-</u>	-
<u>5.71.070-</u>	<u>\$100.00</u> <u>Third</u> <u>or additional</u> <u>offense-</u>	<u>Driver's</u> <u>appeara</u> <u>nce-</u>	-	-	<u>100 .00-</u>	-
<u>5.71.080-</u>	<u>\$300.00</u>	<u>Driver's conduct</u>				
<u>5.71.090</u> <u>Driver conduct:-</u>		<u>\$300.00-</u>	<u>Unauthorized</u> <u>solicitation of</u>	-	<u>A,B,C,D,E,F,G,I-</u>	

			<u>business5.71.1</u> <u>30-</u>			
<u>ARTICLE III</u> <u>SMOKING-</u>	<u>First offense-</u>	-	-	-	<u>\$-60.00-</u>	-
<u>5.71.100-</u>	<u>\$300.00Second</u> <u>offense-</u>	<u>Smoking</u> <u>in</u> <u>vehicles-</u>	-	-	<u>80.00-</u>	-
<u>ARTICLE IV</u> <u>VEHICLE</u> <u>STANDARDS</u> -	<u>Third or</u> <u>additional</u> <u>offense-</u>	-	-	-	<u>100.00-</u>	-
<u>5.71.120-</u>	<u>\$500.00</u>	<u>Vehicle age</u>				
<u>5.71.130Article</u> <u>III. Smoking-</u>	<u>\$1000.00</u>	<u>Misleading design prohibited</u>				
<u>ARTICLE V</u> <u>INSURANCE</u> <u>AND</u> <u>INSPECTIONS-</u>						
<u>5.71.140Smoking:-</u>		<u>\$1000.00</u> -	<u>Insurance</u> <u>required5.71.1</u> <u>40-</u>	-	-	
<u>5.71.150</u> <u>(A,B,C)-</u>	<u>\$1000.00First</u> <u>offense-</u>	<u>Vehicle</u> <u>inspectio</u> <u>n and</u> <u>Seal</u> <u>required-</u>	-	-	<u>\$-60.00-</u>	-
<u>5.71.150 (D)-</u>	<u>\$500.00Second</u> <u>offense-</u>	<u>Automat</u> <u>ed</u> <u>Vehicle</u> <u>Identifica</u> <u>tion Tag</u>	-	-	<u>80.00-</u>	-

		<u>required-</u>				
<u>5.71.150 (F)-</u>	<u>\$500.00</u> <u>Third offense-</u>	<u>Failure to maintain vehicle inspection standard-</u>	-	-	<u>100.00-</u>	-
<b><u>ARTICLE VI</u></b>						
<b><u>VEHICLE OPERATORS BADGE-</u></b>						
<u>5.71.180</u> <u>Article IV. Vehicle Standards-</u>	<u>\$1000.00</u>	<u>Operator's badge required</u>				
<u>5.71.190-</u>	<u>\$1000.00</u>	<u>Permitting non-badged operator</u>				
<u>5.71.240</u> <u>Vehicle exterior:-</u>		<u>\$100.00-</u>	<u>Display of badge</u> <u>5.71.150</u>	-	<u>A,B,C,D,E,F,G,H</u>	-
<b><u>ARTICLE VII</u></b>	<u>First offense-</u>	-	-	-	<u>\$ 60.00-</u>	-
<b><u>PAYMENT FOR FURNISHING OF PASSENGERS-</u></b>						
<u>5.71.250-</u>	<u>\$300.00</u> <u>Second offense-</u>	<u>Payment for passenger-</u>	-	-	<u>80.00-</u>	-

-	<u>Third offense-</u>	-	-	-	<u>100.00-</u>	-
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<del>-</del>			
<del>Vehicle interior:-</del>	<del>-</del>	<del><u>5.71.160</u></del>	<del>- A,B,C,D,E,F-</del>
<del>- First offense-</del>	<del>-</del>	<del>-</del>	<del>- \$ 60 .00- -</del>
<del>- Second offense-</del>	<del>-</del>	<del>-</del>	<del>- 80 .00- -</del>
<del>- Third offense-</del>	<del>-</del>	<del>-</del>	<del>- 100 .00- -</del>
<del>-</del>			
<del>Vehicle signage:-</del>	<del>-</del>	<del><u>5.71.170</u></del>	<del>- A,B-</del>
<del>- First offense-</del>	<del>-</del>	<del>-</del>	<del>- \$ 60 .00- -</del>
<del>- Second offense-</del>	<del>-</del>	<del>-</del>	<del>- 80 .00- -</del>
<del>- Third offense-</del>	<del>-</del>	<del>-</del>	<del>- 100 .00- -</del>
<del>-</del>			
<del>Vehicle insurance:-</del>	<del>-</del>	<del><u>5.71.175</u></del>	<del>- A,B-</del>
<del>- First offense-</del>	<del>-</del>	<del>-</del>	<del>- \$ 60 .00- -</del>
<del>- Second offense-</del>	<del>-</del>	<del>-</del>	<del>- 80 .00- -</del>
<del>- Third offense-</del>	<del>-</del>	<del>-</del>	<del>- 100 .00- -</del>
<del>-</del>			
<del><u>Article V. Inspections</u></del>			
<del>-</del>			
<del>Removal of inspection sticker-</del>	<del>-</del>	<del><u>5.71.205</u></del>	<del>- \$125 .00- -</del>
<del>-</del>	<del>-</del>	<del>-</del>	<del>- - -</del>
<del>Failure to obtain vehicle inspection-</del>	<del>-</del>	<del><u>5.71.180</u></del>	<del>- 125 .00- -</del>

-	-	-	-
<del>Failure to obtain meter inspection</del>	<del>5.71.180C, 5.72.405</del>	<del>350.00</del>	-
-	-	-	-
<del>Failure to take best route</del>	<del>5.71.130H, 5.72.515</del>	<del>150.00</del>	-

~~5.71.310~~:C. The civil penalties specified in subsection B of this section shall be subject to the following:

~~1. For violation of articles II, III, or IV of this chapter:~~

~~a. Any penalty that is paid within ten (10) days from the date of receipt of civil notice shall be reduced by twenty dollars (\$20.00).~~

~~b. Any penalty that is paid within twenty (20) days from the date of receipt of civil notice shall be reduced by ten dollars (\$10.00).~~

~~c. Any penalty that is paid within thirty (30) days from the date of receipt of civil notice shall be reduced by five dollars (\$5.00).~~

~~2. For violations of article V of this chapter:~~

~~a. Any penalty that is paid within ten (10) days from the date of receipt of civil notice shall be reduced by fifty dollars (\$50.00).~~

~~b. Any penalty that is paid within twenty (20) days from the date of receipt of civil notice shall be reduced by thirty dollars (\$30.00).~~

~~c. Any penalty that is paid within thirty (30) days from the date of receipt of civil notice shall be reduced by fifteen dollars (\$15.00).~~

~~D. As used in this section, "receipt of civil notice" means for the driver or owner of the vehicle, the affixing of a civil notice of ground transportation violation to the vehicle alleged to have been employed in such ground transportation violation, or by delivery of such civil notice to the vehicle owner or driver, or for an authorized ground transportation business, by delivery of such civil notice to an owner or officer or process agent of the authorized ground transportation business.~~

~~E. Revocation, suspension and nonrenewal of a city license to operate a taxicab or to operate a ground transportation business may be imposed in accordance with chapter 5.02 of this title, or its successor, for violations of this title. As provided in section 5.02.260 of this title, or its successor, no revocation, suspension or denial of a license shall be imposed until a hearing is first held as provided in chapter 5.02 of this title. Any such action shall remain in effect until the party against whom such action is taken requests reinstatement, and the city determines that the violations upon which such action was taken have been remedied and that reinstatement is appropriate.~~

~~F. The city department responsible for the enforcement of ground transportation violations may require an inspection of any ground transportation vehicle whenever a completed comment form received by the city relates to such vehicle in a negative manner or upon the issuance of any civil notice that relates to the requirements set forth for standards of vehicles.~~

~~G. If any named party fails to comply with civil penalties imposed under this chapter such party may be subject to suspension, revocation or nonrenewal of a city license to operate a taxicab or to operate a ground transportation business. (Ord. 24-99 § 4, 1999)~~

#### **5.71.090: ENFORCEMENT PROCEDURES; CIVIL NOTICE OF GROUND**

##### **TRANSPORTATION VIOLATION:**

~~A. "Hearing officers" means those hearing officers referred to in title 2, chapter 2.75 of this code, or its successor.~~

~~B. Civil Notices under this chapter, other than those involving license revocations, suspensions, denials or approvals of a business license, Operators' Badge, Department Automated Vehicle Identification Tags and Department Inspection Seal shall be heard, shall be handled by the Salt Lake City Justice Court. Any Named Party may appear before a Hearing Officer and present and contest an alleged violation as provided in title 2, chapter 2.75 of this code, or its successor.~~

~~B.C.~~ The burden to prove any defense shall be upon the ~~Person~~ raising such defense. Nothing herein shall affect the ~~City's~~ burden to prove each element of the underlying charge by a preponderance of evidence.

~~C.D.~~ If the ~~Hearing Officer~~ finds that no violation of this chapter occurred, or that a violation occurred but one or more of the defenses set forth in this section is applicable, the ~~Hearing Officer~~ may dismiss the ~~Civil Notice~~ and release the ~~Named Party~~ from liability thereunder, or may reduce the penalty associated therewith as he or she shall determine. Such defenses are:

1. The ~~Civil Notice~~ does not contain the information required by this chapter;
2. Compliance with the subject ordinances would have presented an imminent and irreparable injury to persons or property; or
3. Such other mitigating circumstances as may be approved by the ~~City Attorney's Office~~. (Ord. 29-02 § 6, 2002; Ord. 24-99 § 4, 1999)

#### ~~5.71.320:5.71.100:~~ EXPEDITED APPEAL OF EXCLUSION:

~~A. "Mayoral hearing examiners" means persons appointed as provided by section 5.02.280 of this title to hear matters involving business license revocations, suspensions, and denials or approvals.~~

~~B. Any ~~Named Party~~ who is excluded from pursuing commercial activities under this chapter, and has not had a hearing before ~~the Ground Transportation Hearing Officer~~ regarding such exclusion as provided for in this chapter, such party; may request an expedited appeal of the action that resulted in such exclusion, ~~within five (5) business days of the date when such exclusion is~~~~



~~effective.~~ Such appeal shall be requested in ~~writing~~ by the ~~party~~ so excluded to the ~~Department.~~ The ~~Department~~ shall promptly investigate the facts relating to such exclusion. If the evidence indicates ~~that~~ such exclusion is improper under this chapter, the ~~Department Director may reverse the action that resulted in such exclusion. If the Department Director does not reverse such action, the action resulting in department's manager or other designated officer shall stay~~ such exclusion ~~shall until the issue can~~ be heard and determined by ~~the Ground Transportation Hearing Officer in accordance a mayoral hearing examiner. If the exclusion is not stayed by the department charged with the provisions of this chapter. If a preponderance enforcement, a hearing regarding such exclusion shall be held before a mayoral hearing examiner within five (5) days of the manager's or departmental officer's determination. If the~~ evidence indicates ~~that~~ such exclusion is proper under this chapter ~~the Ground Transportation Hearing Officer~~ such hearing officer shall uphold such exclusion. (Ord. 29-02 § 7, 2002; Ord. 24-99, § 4, 1999)

SECTION 2. Effective Date. This ordinance shall become effective on the date of its first publication.

Passed by the City Council of Salt Lake City, Utah this \_\_\_\_\_ day of \_\_\_\_\_, 2010.

\_\_\_\_\_  
CHAIRPERSON

\_\_\_\_\_  
CITY RECORDER

Transmitted to Mayor on \_\_\_\_\_.

Mayor's Action: \_\_\_\_\_ Approved. \_\_\_\_\_ Vetoed.

\_\_\_\_\_  
MAYOR

\_\_\_\_\_  
CITY RECORDER

(SEAL)

Bill No. \_\_\_\_\_ of 2010

Published: \_\_\_\_\_ **5.71.110: POLICIES AND PROCEDURES:**

~~The city departments responsible for enforcement, adjudication and business licensing shall create and implement such policies and procedures as are necessary or desirable to comply with and operate under this chapter and the same shall be consistent with the purposes of this chapter and applicable law, and shall meet due process requirements. (Ord. 24-99 § 4, 1999)~~

## ~~Article II. Driver Standards~~

### ~~5.71.120: DRIVER AND STARTER APPEARANCE:~~

~~The drivers of ground transportation vehicles and starters representing commercial ground transportation within the city shall adhere to the following standards of appearance while operating such vehicles, or while representing commercial ground transportation, in order to meet the interests of Salt Lake City in such transportation:~~

- ~~A. Wear enclosed shoes or boots or sandals with socks.~~
- ~~B. Maintain their hair, and beards or mustaches, if any, in a clean and groomed condition.~~
- ~~C. Maintain their clothes in a clean and repaired condition.~~
- ~~D. Be free from offensive odor.~~
- ~~E. Not at any time expose the following body regions: the stomach, back, shoulders, chest, hips, buttocks, abdomen, genitals, or thighs higher than four inches (4") above the knee.~~
- ~~F. Not wear as outer garments any clothing manufactured and commonly worn as underwear.~~
- ~~G. Not wear T-shirts as outer garments unless as a part of a company uniform.~~
- ~~H. Wear shirttails and shirt hems tucked into pants, and shall use a belt or suspenders when pants are designed for their use.~~
- ~~I. Not wear sweatpants or sweatshirts designed for athletic use.~~

~~J. At all times bear an identification of the company with which they are associated on their shirts, whether as a shirt logo, nametag, photo identification badge, or otherwise, as shall be approved by the city.~~

~~K. Any driver or starter who desires that an exception be made to any requirement under this section on any grounds may notify the city law department of the same in writing and request a review of the same by such mayoral hearing examiners as the mayor deems appropriate to consider such matters with the assistance of the city law department. Such exception shall be granted if such driver, or starter, can demonstrate that the requirement from which an exception is requested is unduly restrictive of any religious, political or personal right of the driver, or starter, as provided under the United States or Utah constitutions or laws, or Salt Lake City ordinances. (Ord. 24-99 § 4, 1999)~~

#### **5.71.130: DRIVER CONDUCT:**

~~The drivers of ground transportation vehicles shall adhere to the following standards of conduct while operating such vehicles in order to meet the interests of Salt Lake City in such transportation:~~

~~A. Drivers shall refrain from playing loud music, arguing with passengers or others, using insulting language, or any other conduct which is intended to be offensive.~~

~~B. When ground transportation vehicles are available for transport, drivers shall provide transportation to paying passengers as requested and as set forth in this chapter and chapter 5.72 of this title, and shall provide reasonable assistance with the property of passengers as requested.~~

~~C. Drivers shall obey all laws and ordinances, and shall maintain all appropriate licenses.~~

~~D. Drivers shall not carry animals or nonpaying riders while transporting passengers in their vehicles, except that at the request of a passenger, drivers may carry seeing eye dogs or other service animals, or animals enclosed in a carrier or other enclosure, and drivers may carry nonpaying passengers when so requested by driver's employer for training or other job related purposes.~~

~~E. Drivers shall transport any paying passengers who present themselves for transport in nonelectric wheelchairs and shall offer reasonable assistance to such passengers, except that if a passenger must be lifted into the vehicle, the driver may request the passenger to contact a special transportation vehicle.~~

~~F. Drivers shall furnish a receipt for payment of a fare.~~

~~G. Drivers shall not engage in fighting with any person at any time.~~

~~H. Drivers shall follow any transportation routes predetermined by the driver's employer, or if such routes are not predetermined, drivers shall either take the shortest reasonable route to a destination, or shall follow a specific route requested by a passenger.~~

~~I. The city will issue a driver's badge with the following minimum information: the name and picture of the driver, the name of the ground transportation business he or she is associated with, and the number assigned to the driver by the city. Drivers who are associated with multiple ground transportation companies shall obtain a badge for each company that they drive for. Such badges shall be displayed in the ground transportation vehicle in a manner that they are easily readable by passengers at all times the driver is providing ground transportation services. (Ord. 24-99 § 4, 1999)~~

### ~~Article III. Smoking~~

#### ~~5.71.140: SMOKING RESTRICTIONS:~~

~~Passengers and drivers in ground transportation vehicles subject to Utah Code Annotated title 76, chapter 10, part 15, as amended, or its successor, may only smoke in such vehicles as set forth in that part. Passengers and drivers in all other ground transportation vehicles may only smoke when the vehicle does not contain a minor child or a nonsmoker. (Ord. 24-99 § 4, 1999)~~

### ~~Article IV. Vehicle Standards~~

#### ~~5.71.150: VEHICLE EXTERIOR:~~

~~All ground transportation vehicles shall meet the following standards in order to meet the interests of Salt Lake City in such transportation:~~

~~A. All vehicles shall be maintained as required by any state or city ordinance or statute, whether or not a part of this chapter.~~

~~B. Vehicles' exteriors shall be clean except during the first twenty four (24) hours following a snow, rain or dust storm in Salt Lake or surrounding counties.~~

- ~~C. Vehicles, including bumpers and body molding, shall be free of all exterior damage except for dents no larger than six inches (6") in diameter and rust spots no larger than one inch (1") in diameter. Bumpers shall be straight and aligned, as designed by the vehicle manufacturer.~~
- ~~D. All windshields shall be free of cracks and chips larger than six inches (6") in diameter or length. All other glass and mirrors shall be free of cracks and chips larger than one inch (1") in diameter or length.~~
- ~~E. All vehicle exterior paint shall be maintained in good condition and repair, with no faded, oxidized, or nonmatching paint. Signs, graphics, door handles, antennas, and other equipment used for the ease and convenience of drivers and passengers shall be maintained in a good and operable condition.~~
- ~~F. All vehicle exterior tires, brakes, exhaust pipes, lights, wipers, turn signals, horns and other safety equipment shall be maintained in a good and operable condition.~~
- ~~G. Vehicles' wheels shall have wheel covers, or be equipped with custom wheels.~~
- ~~H. All fluid leaks shall be repaired immediately. (Ord. 24-99 § 4, 1999)~~

#### **5.71.160: VEHICLE INTERIOR:**

~~The interior of all ground transportation vehicles shall be maintained as follows in order to meet the interests of Salt Lake City in such transportation:~~

- ~~A. All vehicle interiors shall be clean and sanitary, and free of dirt, oil, litter, or other similar material, or offensive odors.~~
- ~~B. All seats and other interior surfaces shall be in good repair and free of tears and sharp objects. Dashboard covers may be used, but shall be professionally manufactured.~~
- ~~C. All vehicles' trunks or luggage storage compartments shall at all times be maintained free of oil, dirt, debris and personal property except for property used by the driver in connection with operating a ground transportation vehicle.~~
- ~~D. All equipment present in the interior of the vehicle that is used for the ease and convenience of drivers and passengers, including, but not limited to, doors, windows, carpets, door and window handles, ashtrays, heaters, air conditioners, and radios, shall be maintained in a good and operable condition.~~

~~E. Any ashtrays shall be emptied after use and washed each day.~~

~~F. All vehicles with a gross weight rating of ten thousand (10,000) pounds or less, or which are designed to transport fifteen (15) passengers or less, including the driver, shall have operational seat belts for the driver and for each passenger as required by law for such vehicle. All other safety equipment inside the vehicle, including child safety restraint devices or seats, shall be maintained in a good and operable condition as may be required by Utah and federal law. (Ord. 24-99 § 4, 1999)~~

#### **5.71.170: VEHICLE SIGNAGE:**

~~All ground transportation vehicles with exterior signs or color schemes used for identifying purposes, whether such identifying information is placed on such vehicle voluntarily or in accordance with applicable ordinances or statutes, shall meet the following requirements with regards to such identifying information:~~

~~A. Signs and other identifying information shall comply with all applicable ordinances or statutes. Signs shall be professionally produced and permanently affixed on both sides of the vehicle, and shall identify the name of the authorized ground transportation business with which the vehicle is associated and other information as required by law. No sign may be handwritten. In cases of companies that operate vehicles for separate business locations with the same name, the vehicle signage shall include the location of the business being served by each particular vehicle.~~

~~B. Lettering size shall be no smaller than one and one-half inches (1<sup>1</sup>/<sub>2</sub>" ) in height for capital letters and no less than one inch (1") in height for other lettering. The color of the lettering shall contrast with the color of the vehicle or window that it is placed on. (Ord. 24-99 § 4, 1999)~~

#### **5.71.175: INSURANCE REQUIRED:**

~~A. Every transportation business, whether or not a certificate of convenience and necessity is required by these ordinances, shall be required to maintain continuous vehicle insurance, when the vehicle is operational, at the minimum levels of coverage required by 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 at the time of inspection, and may be verified upon the city's receipt of a negative comment form, or at the time of an on street unscheduled ground transportation vehicle inspection.~~

~~B. Ground transportation businesses shall send a copy of any notice of cancellation or reduction of insurance coverage to the department responsible for the enforcement of ground loading transportation violations immediately upon such cancellation or reduction. (Ord. 24-99 § 4, 1999)~~

## ~~Article V. Inspections~~

### ~~5.71.180: PERIODIC INSPECTIONS:~~

~~With the exception of buses 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 ( $\frac{1}{16}$ ) of an inch for rear tires, nor less than one-eighth ( $\frac{1}{8}$ ) of an inch 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 fillet 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 of this title, or its successor. (Ord. 87-05 § 3, 2005; Ord. 24-99 § 4, 1999)~~

#### **~~5.71.185: ADDITIONAL VEHICLE INSPECTIONS:~~**

~~In addition to the regularly scheduled inspections as set forth in this title, the city may perform other inspections of any ground transportation vehicle operating within the corporate limits of Salt Lake City, in order to administer and enforce the vehicle standards herein, provided the authorized employees or agents of the department charged with enforcing this title schedule an appointment with the ground transportation business for such inspection at least twenty four (24) hours in advance of such inspection. Said inspection shall be conducted during the city's regular business hours at a location to be set by the city. Nothing herein shall prevent the city from issuing civil notices or taking other action authorized under this chapter for vehicle violations which~~

are in the plain view of the employees or agents of the department charged with enforcing this title. (Ord. 24-99 § 4, 1999)

#### **~~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 (3") to the right of the left edge or more than four inches (4") above the bottom edge of the window. (Ord. 87-05 § 4, 2005; Ord. 24-99 § 4, 1999)~~

#### **~~5.71.200: FAILURE OF INSPECTION:~~**

~~Each time a ground transportation vehicle fails to meet the inspection requirements set forth in this chapter, the vehicle shall have affixed to its windshield a "rejected" sticker, stating that it is not in compliance with minimum operating standards. Any vehicle which fails to meet such requirements shall be reinspected and shall not be used as a ground transportation vehicle until all required repairs have been made and it has passed inspection. Upon meeting such requirements, the city shall issue a sticker signifying the same. (Ord. 24-99 § 4, 1999)~~

#### **~~5.71.205: REMOVAL OF INSPECTION STICKER PROHIBITED:~~**

~~It is a violation of this chapter for anyone other than the city to remove or alter in any way any inspection or rejected sticker issued by the city, without prior written approval from the city to do so. (Ord. 24-99 § 4, 1999)~~

#### **~~5.71.210: INSPECTION AFTER CERTAIN PENALTIES:~~**

~~A. Regardless of whether or not an appeal is requested, any vehicle which is named in a civil notice alleging a violation of section 5.71.150, 5.71.160 or 5.71.170 of this chapter, or any successor thereto, shall pass a new inspection as required by the~~

city; but no meter inspection shall be required unless the alleged violation relates to a meter.

~~B. If any vehicle is excluded from the pursuit of commercial activities in the city due to any violation relating to such ground transportation vehicle, such vehicle shall pass the inspection set forth in this chapter before such vehicle may again be used to pursue commercial activities in the city. (Ord. 24-99 § 4, 1999)~~

#### **~~5.71.220: OTHER INSPECTIONS; FEES:~~**

~~The inspections provided for in this chapter shall be in addition to any other inspections required by law. The fee for a vehicle inspection is ninety dollars (\$90.00). There is no additional fee for a vehicle reinspection. There is no fee for a missed vehicle inspection appointment. None of the fees provided in this section may be changed without the approval of the city council. (Ord. 40-09 § 1, 2009)~~

#### **~~5.71.230: CIVIL PENALTIES:~~**

~~Any failure to obtain any inspection required under this chapter at the time it is required shall constitute a violation under this chapter, and a civil notice shall be issued to the authorized ground transportation business with which such vehicle is associated. (Ord. 24-99 § 4, 1999)~~

#### **~~5.71.240: RECORDS AND OPERATING PROCEDURES:~~**

~~The city shall maintain records regarding such inspections as it shall determine, and shall create procedures by which it shall administer and operate such inspection and the issuing of stickers. (Ord. 24-99 § 4, 1999)~~

### **~~Article VI. Driver Operator's Certificate~~**

#### **~~5.71.250: OPERATOR'S CERTIFICATE REQUIRED:~~**

~~It is unlawful for any person to operate a ground transportation vehicle upon the streets of the city without having first obtained and having then in force a valid ground transportation vehicle operator's certificate issued annually by the department under the~~

~~provisions of this chapter. The foregoing notwithstanding, a ground transportation vehicle operator who has operated upon the streets of the city prior to the effective date hereof, and while in the employ of a ground transportation business duly licensed by the city, shall have until one hundred eighty (180) calendar days from the effective date hereof to file an application for a valid ground transportation vehicle operator's certificate issued by the city. The department may set various times for compliance within such one hundred eighty (180) calendar days to provide for the orderly implementation of this section. (Ord. 48-07 § 2, 2007; Ord. 69-04 § 2, 2004)~~

#### ~~**5.71.260: PERMITTING UNCERTIFIED OPERATOR UNLAWFUL:**~~

~~Except as provided in section 5.71.250 of this chapter, or its successor section, it is unlawful for any person who owns or controls a ground transportation vehicle to permit it to be driven, and no ground transportation vehicle authorized by the city shall be so driven at any time, unless the ground transportation vehicle is operated by a driver who has then in force a valid ground transportation vehicle operator's certificate issued under the provisions of this chapter. (Ord. 48-07 § 2, 2007; Ord. 69-04 § 2, 2004)~~

#### ~~**5.71.270: OPERATOR'S CERTIFICATE APPLICATION:**~~

~~Any person applying for a ground transportation vehicle operator's certificate shall file an application with the department on forms provided by the city. (Ord. 48-07 § 2, 2007; Ord. 69-04 § 2, 2004)~~

#### ~~**5.71.280: APPLICATION VERIFICATION:**~~

~~An application for a ground transportation vehicle operator's certificate shall be verified by the applicant under oath, and he/she shall be required to swear to the truthfulness of the matters contained upon the application. (Ord. 48-07 § 2, 2007; Ord. 69-04 § 2, 2004)~~

~~The section below has been affected by a recently passed ordinance, 2010-45 – ground transportation vehicle operator certificate badge application fee. [Go to new ordinance.](#)~~

**~~5.71.290: APPLICATION FEE REQUIRED:~~**

~~At the time an application is filed, the applicant shall pay to the city a fee of one hundred twelve dollars (\$112.00). If a ground transportation vehicle operator is working for more than one company, he or she must submit an application for each company. There is no additional fee for such applications. There is no fee for replacement of a lost or stolen vehicle operator's certificate. None of the fees provided in this section may be changed without the approval of the city council. (Ord. 40-09, § 2, 2009)~~

**~~5.71.300: TRAINING REQUIRED TO OBTAIN OPERATOR'S CERTIFICATE:~~**

~~Before the city issues any operator's certificate, the applicant shall be required to provide a written statement demonstrating that the applicant has completed a training program that is satisfactory to the city as to: a) the applicant's knowledge of the city and map reading capabilities; b) the applicant's ability to understand, read, write and speak basic English; c) the applicant's understanding of principles of common courtesy; and d) the applicant's understanding of how to address the needs of disabled passengers. The city may review any such program from time to time to determine whether it is satisfactory to address the needs of the traveling public. This section shall be effective for any application submitted as of January 2, 2008, or thereafter. (Ord. 48-07 § 2, 2007; Ord. 69-04 § 2, 2004)~~

**~~5.71.310: DRIVER QUALIFICATIONS REQUIRED TO OBTAIN OPERATOR'S CERTIFICATE:~~**

~~An applicant for a ground transportation vehicle operator's certificate shall be required to demonstrate the information set forth in this section, and no operator's certificate shall be issued or renewed if all such information cannot be demonstrated to the city's satisfaction.~~

~~A. The applicant must be twenty one (21) years old or older.~~

~~B. The applicant must not be an individual required to register pursuant to the Utah penal code, section 77-27-21.5, Utah Code Annotated, sex offender registration, or its successor section.~~

- ~~C. The applicant must have a current motor vehicle license issued by the state with all required endorsements.~~
- ~~D. The applicant must submit written evidence that a ground transportation business operating in compliance with the requirements of this code will employ or retain the applicant upon the issuance of an operator's certificate.~~
- ~~E. The applicant must submit a certificate from a reputable, board-certified physician practicing in the state of Utah certifying that, in such physician's opinion, the applicant is able to operate a ground transportation vehicle in a safe manner.~~
- ~~F. The applicant must submit written evidence of complying with section 5.71.300 of this chapter, or its successor section, regarding driver training requirements.~~
- ~~G. The applicant must submit two (2) forms of identification, at least one of which must have been issued by a government authority and includes a photo.~~
- ~~H. The applicant must successfully comply with the criminal history background check requirements set forth in this chapter.~~
- ~~I. The applicant must submit the following information demonstrating that the applicant is of suitable character and integrity to interact with the traveling public:
  - ~~1. The names and addresses of four (4) persons in the state of Utah who have known the prospective applicant for a period of thirty (30) days and who will vouch for the sobriety, honesty and general good character of the applicant;~~
  - ~~2. A statement explaining the applicant's experience and ability to safely transport passengers;~~
  - ~~3. A concise history of the applicant's employment;~~
  - ~~4. A letter of introduction from the ground transportation business that will employ or retain the applicant.~~~~
- ~~J. An applicant seeking an operator's certificate in connection with a special transportation vehicle shall file with the application a certificate from the valley health department certifying that such applicant has received a proper course of instruction in the transporting of "persons with disabilities", as such term is defined in section 5.76.040 of this title. (Ord. 48-07 § 2, 2007; Ord. 69-04 § 2, 2004)~~

**~~5.71.320: CRIMINAL HISTORY BACKGROUND CHECK REQUIREMENT:~~**

~~The Salt Lake City council finds that any driver operating a "ground transportation vehicle" as defined in section 5.71.010 of this chapter has the ability to provide ground transportation service to the Salt Lake City International Airport, whether by working for a ground transportation business that picks up passengers at such airport, or due to occasional requests by passengers to be dropped off at such airport. Therefore, pursuant to Utah code section 72-10-602 or its successor section, an applicant for a ground transportation vehicle operator's certificate shall be required to obtain a criminal history background check demonstrating that the applicant meets the requirements set forth in this chapter before any certificate will be issued.~~

~~A. The applicant must obtain a fingerprint based federal bureau of investigation (triple III) criminal history background check in the manner directed by the city through the appropriate governmental agency empowered to provide the results of such background check directly to the city.~~

~~B. The city may investigate any information relevant to such background check, determine the accuracy of any information, require an applicant to provide additional information, and take any other action necessary to determine the results of such background check and make a determination under this chapter. Submission of an application under this chapter constitutes the applicant's consent to such background check and any associated investigative efforts by the city.~~

~~C. No applicant shall be issued an operator's certificate if such background check for the applicant demonstrates that the applicant has a disqualifying criminal offense as described in section 5.71.330 of this chapter. (Ord. 48-07 § 2, 2007; Ord. 69-04 § 2, 2004)~~

### **5.71.330: DISQUALIFYING CRIMINAL OFFENSES:**

~~An applicant has a disqualifying criminal offense if the applicant has been convicted, or found not guilty by reason of insanity, of any of the disqualifying crimes listed in this section, or of a conspiracy or attempt to commit any such crime, in any jurisdiction during the five (5) years before the date of the applicant's application for an operator's certificate. The disqualifying criminal offenses are as follows:~~

~~A. Murder.~~

~~B. Assault or aggravated assault.~~

~~C. Kidnapping or hostage taking.~~

~~D. Rape, aggravated sexual abuse or other sex crimes, including, but not limited to, unlawful sexual activity with or sexual abuse of a minor, enticing a minor over the internet, unlawful sexual intercourse or conduct, object rape or sodomy, forcible sexual abuse, aggravated sexual assault, sexual exploitation of a minor, incest, lewdness or obscene acts, sex acts for hire, or soliciting.~~

~~E. Stalking.~~

~~F. Urinating in public or other disorderly conduct at a time when the applicant was engaged in operating a ground transportation business.~~

~~G. Unlawful possession, use, sale, distribution, or manufacture of an explosive or weapon.~~

~~H. Extortion.~~

~~I. Robbery, burglary, theft or bribery.~~

~~J. Distribution of, or intent to distribute, a controlled substance.~~

~~K. Felony arson.~~

~~L. Felony involving a threat.~~

~~M. Felony involving wilful destruction of property.~~

~~N. Felony involving dishonesty, fraud, or misrepresentation.~~

~~O. Possession or distribution of stolen property.~~

~~P. Felony involving importation or manufacture of a controlled substance.~~

~~Q. Illegal possession of a controlled substance punishable by a maximum term of imprisonment of more than one year.~~

~~R. Reckless driving, driving while under the influence of alcohol or a controlled substance, or being in or about a vehicle while under the influence of alcohol or a controlled substance with the intent of driving.~~

~~S. Felony involving a driving offense.~~



~~T. The following aviation related offenses:~~

- ~~1. Aircraft registration violations under 49 USC section 46306.~~
- ~~2. Interference with air navigation under 49 USC section 46308.~~
- ~~3. Improper transportation of hazardous material under 49 USC section 46312.~~
- ~~4. Aircraft piracy under 49 USC section 46502.~~
- ~~5. Interference with flight crew members under 49 USC section 46504.~~
- ~~6. Crimes aboard aircraft under 49 USC section 46506.~~
- ~~7. Carrying a weapon or explosive aboard an aircraft under 49 USC section 46505.~~
- ~~8. Conveying false information and threats under 49 USC section 46507.~~
- ~~9. Aircraft piracy outside the United States under 49 USC section 46502(b).~~
- ~~10. Lighting violations involving transporting controlled substances under 49 USC section 46315.~~
- ~~11. Unlawful entry into an aircraft or airport area contrary to security regulations under 49 USC section 46314.~~
- ~~12. Destruction of an aircraft or aircraft facility under 18 USC section 32.~~
- ~~13. Violence at airports under 18 USC section 37.~~

~~U. Espionage, sedition or treason. (Ord. 48-07 § 2, 2007; Ord. 69-04 § 2, 2004)~~

~~**5.71.340: BACKGROUND CHECK PROCEDURES:**~~

~~The department shall maintain the following procedures in connection with criminal history background checks under this chapter:~~

- ~~A. The department shall advise an applicant that he or she may receive a copy of his or her criminal record received from the FBI upon submitting a written request to the~~

~~department, and that the applicant may direct questions regarding such record to the department administrator.~~

- ~~B. If an applicant's criminal record discloses an arrest for any disqualifying criminal offense without indicating a disposition, the department must determine, after investigation, that the arrest did not result in a disqualifying offense as provided under section 5.71.330 of this chapter before issuing an operator's certificate.~~
- ~~C. Before making a final decision to deny an operator's certificate, the department must advise the applicant that the FBI criminal record discloses information that would disqualify him or her from receiving such operator's certificate and provide the applicant with a copy of the FBI record if he or she requests it in writing.~~
- ~~D. An applicant whose criminal record discloses disqualifying information may seek to complete or correct information contained in his or her criminal record by contacting the local jurisdiction responsible for the information and the FBI. Within thirty (30) days after being advised that the criminal record received from the FBI discloses a disqualifying criminal offense, the applicant must notify the department in writing of his or her intent to correct any information that he or she believes to be inaccurate. The department must then receive a copy of the revised FBI record or a certified true copy of the information from the appropriate court prior to granting the operator's certificate. If the department receives no such notification within thirty (30) days that the applicant intends to seek a correction, the department may make a final determination based on the information available to the department.~~
- ~~E. Criminal record information provided by the FBI pursuant to this chapter may be used only to carry out the background check requirements in this chapter. The department shall maintain criminal history background check records and other information of a personal nature in a confidential manner. The FBI criminal record shall be maintained until one hundred eighty (180) days after the termination of an operator's certificate, including any subsequent renewals, and the FBI criminal record shall then be destroyed. (Ord. 48-07 § 2, 2007; Ord. 69-04 § 2, 2004)~~

**~~5.71.350: CONTINUING OBLIGATION TO DISCLOSE NONCOMPLIANCE WITH BACKGROUND CHECK:~~**

~~Any person who complies with the background check requirements stated in this chapter has a continuing obligation to disclose to the department within twenty four (24) hours if he or she is convicted of any disqualifying criminal offense, or otherwise fails to~~

~~comply with section 5.71.330 of this chapter, at any time while he or she has a ground transportation vehicle operator's certificate. (Ord. 48-07 § 2, 2007; Ord. 69-04 § 2, 2004)~~

#### **~~5.71.360: ISSUANCE OF OPERATOR'S CERTIFICATE:~~**

~~The department shall issue an operator's certificate to any applicant who complies with the requirements of this chapter. Such certificate shall be in the form of an identification card showing the applicant's name, business address, date of birth, signature, current photograph, and the ground transportation business employing or retaining the applicant, and showing any permission given under section 5.71.380 of this chapter pertaining to conducting business at the airport. If the department determines to deny the application of any applicant, the department shall issue a letter within ten (10) calendar days of making such a determination to the applicant stating the reason(s) why the applicant was not found to be in compliance with the requirements of this chapter, including any disqualifying offenses in the applicant's criminal record. (Ord. 48-07 § 2, 2007; Ord. 69-04 § 2, 2004)~~

#### **~~5.71.370: APPEAL OF DENIAL OF OPERATOR'S CERTIFICATE:~~**

~~If the city determines not to issue an operator's certificate, the applicant denied such operator's certificate may appeal the city's determination in the following manner:~~

- ~~A. The denied applicant shall submit a request for appeal to the city's ground transportation administrator within fourteen (14) calendar days from the time when the city issues a letter denying the application for the operator's certificate. Such request shall state the reasons why the applicant believes the applicant has complied with this chapter and the denial is in error.~~
- ~~B. The ground transportation administrator shall convene a review board composed of the following members to review the appeal:~~
  - ~~1. Two (2) city employees who are knowledgeable in security background check requirements from either the department of airports or the police department.~~
  - ~~2. One management level employee from the ground transportation business proposed to employ or retain the denied applicant.~~

- ~~C. The review board shall provide the ground transportation administrator and the denied applicant the opportunity to submit written information regarding the denial for the board's consideration. The review board shall also convene a meeting to provide the ground transportation administrator and the denied applicant an opportunity to be heard within thirty (30) calendar days after the date when the ground transportation administrator received the request for appeal.~~
- ~~D. After considering all written and oral information submitted, the review board shall issue in writing findings of fact and a decision determining whether the denied applicant has demonstrated compliance with the requirements of this chapter within forty five (45) calendar days after the date when the ground transportation administrator received the denied applicant's request for appeal.~~
- ~~E. The members of the review board shall be persons who do not have a personal conflict of interest with the denied applicant, and the board shall keep a record of its actions and a recording of any hearing.~~
- ~~F. The time periods required under this section may be modified with the consent of the ground transportation administrator and the denied applicant, or may be modified by the city when compliance with such time periods would be unduly burdensome to the city and the modification would not impose an unreasonable hardship on the denied applicant. (Ord. 48-07 § 2, 2007; Ord. 69-04 § 2, 2004)~~

**~~5.71.380: PERMISSION TO CONDUCT BUSINESS AT THE SALT LAKE CITY INTERNATIONAL AIRPORT:~~**

~~An applicant for a ground transportation vehicle operator's certificate under this chapter must request permission to pick up or drop off passengers at the Salt Lake City International Airport on the application form provided by the department. If the applicant complies with the requirements of this chapter, and is in compliance with the requirements of title 16 of this code and airport rules and regulations, the department shall designate on the operator's certificate that such driver has permission to conduct business at such airport. Permission to conduct business at such airport is subject to the provisions of this code, including title 16 of this code, and to airport rules and regulations, and such permission may be withdrawn for a violation of any such requirement. (Ord. 48-07 § 2, 2007; Ord. 69-04 § 2, 2004)~~

**~~5.71.390: PENALTY FOR IMPROPERLY ACCESSING AIRPORT:~~**

~~A. It is unlawful for any person who has been issued a ground transportation vehicle operator's certificate to access property at the Salt Lake City International Airport for the purpose of conducting any ground transportation related business activity when:~~

- ~~1. Such person has not been given permission to conduct business at the airport pursuant to section 5.71.380 of this chapter; or~~
- ~~2. The Salt Lake City department of airports has withdrawn permission to conduct business at the airport from such person.~~

~~B. Any person who violates the provisions of subsection A of this section shall be guilty of a class B misdemeanor. (Ord. 48-07 § 2, 2007; Ord. 69-04 § 2, 2004)~~

#### ~~**5.71.400: DISPLAY OF OPERATOR'S CERTIFICATE:**~~

~~Every person issued an operator's certificate under this chapter shall post his or her ground transportation vehicle operator's certificate in such a place as to be in full view of all passengers while such person is operating a ground transportation vehicle, and every such person shall exhibit such certification upon demand by any police officer, or any authorized agent of the department, or any authorized agent of the Salt Lake City department of airports, or any other person authorized by the mayor to enforce the provisions of this chapter. (Ord. 48-07 § 2, 2007; Ord. 69-04 § 2, 2004)~~

#### ~~**5.71.410: OPERATOR'S CERTIFICATE DURATION AND RENEWAL:**~~

~~The ground transportation vehicle operator's certificate shall be effective beginning on the day indicated thereon by the city, and shall expire on the same day of the next calendar year. Any person holding such a certificate may renew such certificate annually by submitting a new application as provided in this chapter up to thirty (30) days prior to the expiration of the operator's certificate, and paying a renewal fee of one hundred dollars (\$100.00). The city may adjust such fee on an annual basis in order to recover the costs of administering the city's ground transportation programs, but no increase shall exceed five percent (5%) in a single year. The foregoing notwithstanding, the department may set various expiration dates for operator's certificates issued during the first year of this program in order to provide for an orderly renewal process, but no expiration date shall exceed a period of two (2) years from the date of issuance. (Ord. 48-07 § 2, 2007; Ord. 69-04 § 2, 2004)~~

#### **5.71.415: PAYMENT FOR FURNISHING OF PASSENGERS<sup>4</sup>:**

(Rep. by Ord. 48-07 § 2, 2007)

#### **5.71.420: SUSPENSION OR REVOCATION OF OPERATOR'S CERTIFICATE:**

The department may suspend or revoke any ground transportation vehicle operator's certificate issued under this chapter as follows:

- A. ~~A ground transportation vehicle operator's certificate shall be revoked if the department determines that the person to whom it was issued ceases to comply with the application requirements set forth in this chapter. Any person whose operator's certificate is so revoked may appeal a determination made under this subsection as provided in section 5.71.370 of this chapter. If such appeal is not successful, such person may reapply to obtain an operator's certificate when such person is in full compliance with the requirements of this chapter. Any person who corrects the noncompliance under this chapter within thirty (30) days after a revocation issued under this subsection shall be allowed to reinstate his or her operator's certificate without fee.~~
- B. ~~If any person having a ground transportation vehicle operator's certificate fails to comply with any provision of this code other than the application requirements included within this chapter, or if the city otherwise determines that such person is a threat to the public or is disruptive to providing effective services to the public, the department may temporarily suspend such operator's certificate as provided herein, and may revoke such operator's certificate for cause shown. An operator's certificate may be temporarily suspended if the city determines based on reasonable evidence that a temporary suspension is necessary to protect important public interests, and if the temporary suspension is effective only until a hearing officer can make a determination under this subsection. An operator's certificate may be revoked under this subsection only when the person possessing such certificate has first been given notice and has had an opportunity to present evidence on his or her behalf at a hearing before a mayoral hearing examiner as provided in section 5.02.280 of this title, or any successor section. Notice of such hearing shall be deemed to be sufficient if it is mailed to the address designated on the ground transportation vehicle operator's certificate application at least ten (10) days prior to the hearing. Unless reinstated by a hearing officer, any person whose ground transportation vehicle operator's certificate has been revoked under this subsection shall not be~~

~~eligible to reapply for such certificate for a period of one year. (Ord. 48-07 § 2, 2007; Ord. 69-04 § 2, 2004)~~

**~~5.71.430: COMPLIANCE WITH CITY, STATE AND FEDERAL LAWS:~~**

~~Every person issued an operator's certificate under this chapter shall comply with all city, state and federal laws. Failure to do so may justify the suspension or revocation of an operator's certificate. (Ord. 48-07 § 2, 2007; Ord. 69-04 § 2, 2004)~~

**~~5.71.440: FALSE INFORMATION:~~**

~~Any applicant who shall knowingly provide false information on an application submitted pursuant to this chapter shall be denied an operator's certificate, and shall not be permitted to resubmit an application for a period of five (5) years. (Ord. 48-07 § 2, 2007)~~

**~~5.71.450: AUTHORITY TO MAKE RULES:~~**

~~The department shall have authority to create rules and regulations to administer the requirements of this chapter that are consistent with the requirements of this chapter and with any security or operating requirements applicable to the Salt Lake City International Airport. (Ord. 48-07 § 2, 2007)~~

**~~Article VII. Manifests For Prearranged Service~~**

**~~5.71.460: 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 chapter 5.72, article VIII, of this title, or its successor article. (Ord. 48-07 § 3, 2007; Ord. 45-05 § 5, 2004)~~

**~~5.71.470: 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. (Ord. 48-07 § 3, 2007; Ord. 69-04 § 2, 2004)~~

**~~5.71.480: 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. (Ord. 48-07 § 3, 2007; Ord. 69-04 § 2, 2004)~~

**Article VIII. Payment For Furnishing Of Passengers**

**~~5.71.490: PAYMENT:~~**

~~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 dispatchers, 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. (Ord. 48-07 § 4, 2007)~~

~~Footnote 1: See section 5.71.490 of this chapter.~~

~~Footnote 2: Ordinance 29-02 shall take effect July 1, 2002.~~

~~Footnote 3: Ordinance 29-02 shall take effect July 1, 2002.~~

~~Footnote 4: See section 5.71.490 of this chapter.~~





SALT LAKE CITY ORDINANCE  
No. \_\_\_\_\_ of 2010

(Amending Section 5.72, *Salt Lake City Code*, regarding taxicabs)

An ordinance amending section 5.72, *Salt Lake City Code*, pertaining to taxicabs, to provide for transition from regulatory to contract-based system for providing taxicab services; eliminating certificates of convenience; eliminating operational requirements that will become contract-based; providing for a contract between taxicab companies and the City, through the Department of Airports; providing for rules and regulations; replacing fixed fares with a flexible fare structure; replacing criminal enforcement with civil penalties.

WHEREAS, City Council adopted Resolution No. 66 of 2005 on December 8, 2005, declaring the City Council's intent to "change the taxicab (regulatory) system from a certificate of convenience and necessity system" to a system where taxicab companies contract with Salt Lake City to operate taxicabs. Simultaneously, the City Council adopted Ordinance No. 87 of 2005, which, in part, declared that a certificate of convenience and necessity is not a franchise and is not irrevocable. Prior to adopting regulatory changes required for the transition, the City agreed to provide certificate holders with 180-day notice, and accordingly, all such certificates of convenience will terminate 180 days from the date of when such notice is issued; and

WHEREAS, after a hearing before the City Council, the City Council has determined that the following ordinance facilitates and enables the transition to a contract-based taxicab system; and

WHEREAS, after a hearing before the City Council, the City Council has determined that notice of termination of certificates of convenience will issue on the effective date of the following ordinance, and all certificates of convenience and

necessity issued in connection with taxicabs and special transportation vehicles shall terminate 180 days from such notice date; and

WHEREAS, after a hearing before the City Council, the City Council has determined that the following ordinance is in the best interest of the City.

NOW, THEREFORE, be it ordained by the City Council of Salt Lake City, Utah as follows:

SECTION 1. That section 5.72, *Salt Lake City Code*, pertaining to taxicabs, be and the same hereby is, amended to read as follows:

### **Article I. Definitions and General Regulations**

#### **5.72.005: DEFINITIONS AND INTERPRETATION OF LANGUAGE:**

The words and phrases, when used in this chapter, shall have the meanings defined and set forth in this article. (Ord. 24-99 § 6, 1999)

**BUSINESS:** A voluntary association legally formed and organized to carry on a Business in Utah in the legal name of the association, including without limitation a corporation, limited liability company, partnership, or sole-proprietorship.

**CERTIFICATE:** A Certificate of public convenience and necessity issued by the City. No Certificate issued by the City shall be construed to be either a franchise or irrevocable and will terminate upon notification by the City.

**CITY:** The governmental institution and landmass contained within the boundaries of Salt Lake City, Utah.

**CIVIL NOTICE:** The written notice of Ground Transportation Violation as provided under this chapter.

**CLEARED:** That condition of a Taximeter when it is inoperative with respect to all Fare registration and all cumulative Fare and Extras charges have been set to \$0.

**CONCESSIONAIRE:** A Person or entity with whom the Department of Airports has contracted to provide Taxicab services. Nothing in the Department Contract shall relieve the Concessionaire of the requirements of applicable laws, including without limitation City Titles 5.71, 5.72, 16.60 or any applicable rules and regulations.)

**DEPARTMENT:** The Salt Lake City Department of Airports or such other City department or division as may be designated by the mayor to have responsibility for the enforcement of this chapter. (Ord. 24-99 § 6, 1999)

**DEPARTMENT DIRECTOR:** The Director of the Department designated by the mayor to have responsibility for the enforcement of this chapter or the authorized designee of such Director.

**DEPARTMENT CONTRACT:** A valid, existing and current contract negotiated and approved by the Salt Lake City Department of Airports for providing Taxicab or other services within the corporate boundaries of Salt Lake City, including the Airport.

**DEPARTMENT RULES AND REGULATIONS:** Rules and regulations developed and adopted by the Department Director to govern Ground Transportation Service and Businesses within the City.

**EXTRAS:** The charges to be paid by the customer or passenger in addition to the Fare.

**FACE:** That side of a Taximeter upon which passenger or customer charges for hire of a taxicab are indicated. (Ord. 24-99 § 6, 1999)

**FARE:** That portion of the charge for hire of a Taxicab which is automatically calculated by the Taximeter through the operation of the mileage and time mechanism. (Ord. 24-99 § 6, 1999)

**GROUND TRANSPORTATION HEARING OFFICER:** A Ground Transportation Hearing Officer appointed by the Department Director to hear and rule on appeals, suspensions and other matters related to ground transportation in and connected with the City.

**HAIL A TAXICAB:** Means for a Person to call out for, or to signal for an In Service Taxicab that is not already engaged in transport of passengers to respond to the Person's location for hiring and transport of Persons or property.

**HIRED:** The button on the Face of the Taximeter, which when activated places the Taximeter in operation, signifying the start of a billing process for the person(s) engaging the use of the taxicab. (Ord. 24-99 § 6, 1999)

**HOLDER:** A person to whom a certificate of public convenience and necessity has been issued.

**IN SERVICE:** A Taxicab that is in use on the streets of the City, with a driver, and available for the transportation of passengers for hire. (Ord. 24-99 § 6, 1999)

**OPEN STAND:** A public place alongside the curb of a street, or elsewhere in the City, which has been designated by the mayor or designee as reserved for the use of Taxicabs available for hire by passengers, and may include places otherwise marked as freight zones or other parking restricted zones if designated for use of Taxicabs during specified times. (Ord. 24-99 § 6, 1999)

**PERSON:** An individual, a corporation or other legal entity, a partnership, and any incorporated association. (Ord. 24-99 § 6, 1999)

**TAXICAB:** A motor vehicle with a seating capacity of five passengers or less, not including the driver, used in the on demand, for hire transportation of passengers or baggage 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 authorized to operate in Salt Lake City by contract with the Department.

**TAXIMETER:** A meter instrument or electronic device attached to a Taxicab which measures mileage by the distance driven and the Waiting Time upon which the Fare is based, and which automatically calculates, at a predetermined rate or rates, and registers, the charge for hire of a Taxicab. (Ord. 24-99 § 6, 1999)

**WAITING TIME:** The time when a Taxicab is not in motion, from the time of hiring by a passenger to the time of discharge of passenger(s). (Ord. 24-99 § 6, 1999)

#### **5.72.105: AUTHORITY TO ESTABLISH RULES / REGULATIONS AND**

##### **PROCEEDURES:**

The Department Director, under guidance or direction from the mayor and in accordance with applicable law, shall have authority to establish fees, enter into contracts deemed as necessary or desirable and to create standards, rules / regulations and procedures, as necessary to administer the requirements of this chapter and any security or operating requirements applicable to the Salt Lake City International Airport and the City or that are deemed to be in the best interest of the City and the public.

### **Article II. Authority To Operate**

**5.72.125: COMPLIANCE RESPONSIBILITY:**

- A. All Persons are required to comply with and operate under requirements of applicable law, including without limitation Federal, State, County and City laws and ordinances, to include but not limited to Salt Lake City Code Sections 5.72, 5.71., , 16.60 and all applicable policies, procedures and Department Rules and Regulations.
- B. A Concessionaire shall not be relieved of any responsibility for compliance with the provisions of this chapter, whether the Concessionaire leases or rents Taxicabs to drivers, or whether the Concessionaire pays salary, wages or any other form of compensation. (Ord. 24-99 § 6, 1999)

**5.72.155: DEPARTMENT CONTRACT 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 unless such Person is authorized to do so under a Department Contract.
- B. No Person may operate a Taxicab Business in the City unless the Person is authorized to do so under a Department Contract.
- C. 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. 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.

**5.72.165: CONTRACT-BASED SYSTEM FOR PROVISION OF TAXI SERVICES:**

A. The City hereby adopts a contract-based system for provision of Taxicab services.

Only Taxicab providers selected pursuant to a competitive Request for Proposals (“RFP”) process and who have entered into a Department Contract, as defined in Section 5.72.005 may operate Taxicab services upon Salt Lake City streets.

B. Existing certificates of public convenience and necessity issued by the City for Taxicab services shall expire no sooner than 180 days from the effective date of this ordinance. The City may elect, in the City’s sole discretion, to continue the expiration date up to an additional 180 days. Upon expiration, a pro rata refund of that portion of the Certificate fee shall be given to those Persons whose Certificates have expired prior to the portion of the year remaining at the time of expiration.

**5.72.170 FEES:**

No Certificate shall continue in operation prior to the expiration as set forth in section 5.72.165 unless the holder thereof has paid the annual business regulatory fee as set forth in section 5.04.070 of this title, or its successor section, each year for each vehicle authorized under a Certificate. Such fees shall be in addition to any other fees or charges established by proper authority and applicable to the holder of the vehicle or vehicles under the holder's operation and control.

**5.72.175 EXISTING HOLDERS' CERTIFICATES:**

All holders of existing Taxicab Certificates at the effective date hereof shall retain such Certificates, allowing them to operate the same number of vehicles as they are



presently authorized to operate, without the hearing provided in this article, the public convenience and necessity having heretofore been demonstrated, until such Certificate expires as provided in this chapter.

**5.72.185: CERTIFICATE NOT A FRANCHISE AND NOT IRREVOCABLE:**

No Certificate issued in accordance with this chapter, or its successor section, shall be construed to be either a franchise or irrevocable.

**5.72.205: MANDATORY ADA ACCESSIBLE VEHICLE:**

Every Taxicab Concessionaire shall provide ADA accessible vehicle service in numbers and availability as required by Department Contract and in compliance with applicable law.

**Article III. Taximeters**

**5.72.305: TAXIMETER REQUIRED**

- A. All Taxicabs shall be equipped with Taximeters approved by the Department.
- B. It is a violation for any Person to operate or to allow to be operated any Taxicab without an operative Taximeter.
- C. All Taximeters shall be mounted in locations approved by the Department.
- D. All Taximeters shall be tested and sealed by the Department every six months and no Taximeter may be used without such seal being in place.
- E. Nothing that could shield or conceal the indications and metered Fare of the Taximeter from passengers may be placed so as to block the Face of the Taximeter.
- F. Taximeters shall have illuminated Faces so as to provide visible indications of the meters status and Fare to the passenger in low light or after sundown.

- G. Upon the completion of the service by the Taxicab, it shall be the duty of the driver to call the attention of the passenger to the amount registered and to clear the Taximeter of all Fare indications so as to start at \$0 upon the next Fare.
- H. Except as otherwise provided herein, it is a violation for any driver of a Taxicab or Taxicab business to charge a Fare other than as calculated by the Taximeter.
- I. It is a violation for any driver of a Taxicab or Taxicab Business to charge any Extra that is not approved by the Department, calculated by the Taximeter, and which is not applicable to the current Fare.
- J. A top light shall be installed on every licensed Taxicab. The top light shall be illuminated when said Taxicab is available for Hire and shall not be illuminated when the Taximeter is placed into Hire.

**5.72.355: TAXIMETER INSPECTIONS; RECORD KEEPING:**

- A. The Department shall keep a record of the identification of every Taxicab meter number and date of inspection thereof in its office. (Ord. 24-99 § 6, 1999)
- B. The Department shall inspect, test and seal every operational Taximeter at least every six months. Additionally, the Department may inspect and test any Taximeter upon receipt of a complaint regarding the operations or accuracy of a Taximeter.
- C. In the event a change in rates is made, the Taximeter shall be adjusted to the new rates, and the Taximeter of every Taxicab in which a meter has been installed shall be immediately inspected, tested and sealed by the Department. A fee as set by the Department Director to recover costs of the meter inspection shall be charged by the Department for each meter reprogrammed and sealed.

- D. No Taximeter which is inaccurate in registration in excess of one and one-half percent ( $1\frac{1}{2}\%$ ) shall be allowed to operate in any Taxicab, and when an inaccuracy is discovered, such Taxicab involved shall immediately cease operation and be kept out of operation until the meter is repaired and in proper working condition.
- E. No owner, driver or Business shall perform or permit or allow any alterations to a Taxicab that will affect the Taximeter pulse setting without said Taximeter being inspected and recertified by the Department. Said alterations shall include, but are not limited to, transmission replacement or remanufacturing, differential replacement or remanufacturing, speedometer cable replacement, speed sensor replacement, repair or replacement of the Taxicab's onboard computer, or change of tire size on drive axle.

#### **Article IV. Rates**

##### **5.72.405: RATES:**

- A. Unless otherwise provided for in Department Contract, the Department will review submittals by Taxicab companies for Taxicab rates and the Department Director will approve the rate structure and Extras allowed to be charged for Taxicab service.
- B. Unless otherwise provided for in Department Contract, each Taxicab Business may file with the Department periodically, but no more often than every six months, a statement regarding the adequacy of the existing maximum rates as set by the Department Director. Said statement shall state whether, in the opinion of the Person submitting the statement, the existing maximum rates are at an appropriate level, or whether such rates should be increased or decreased. If the statement indicates that the said rates should be increased, the Person submitting the

statement shall supplement the statement with documentation in support of such increase, such as evidence of increased operating costs, insurance costs, costs of living, fares charged by competing transportation services and other relevant information.

- C. Every Taxicab shall have printed on the outside of the cab, in a conspicuous place on the cab and of sufficient size, legibility and in such manner as to be plainly visible to all prospective passengers, all rates and Extras in effect for such Taxicab. All such rates and Extras shall also be posted on the inside of the Taxicab in such a manner as to be plainly visible to all passengers.
- D. No Taxicab or Taxicab Business shall charge any fee or payment for the use of a Taxicab within the City without the prior approval of the Department Director.
- E. The driver of any Taxicab shall render to every passenger a receipt for the amount charged, on which shall be the name of the Taxicab Business, Taxicab number, the date and time the Fare was initiated and completed, the miles charged, Extras added to the Fare, and the total amount of meter reading or charges.

#### **Article V. Service Regulations**

##### **5.72.455: GENERAL SERVICE REQUIREMENTS:**

- A. Taxicab companies shall maintain all service requirements stipulated in the Department Contract and other requirements as called for by applicable law or Rules and Regulations, or as may be required by the Department Director.
- B. Unless otherwise provided in the Department Contract, it is a violation for any Taxicab Business to refuse to accept a call for service to or from any point within the corporate limits of the City at any time when such Business has available Taxicabs,

and it is a violation for any Business to fail or refuse to provide all or any service required by this title.

- C. Any driver employed to carry a passenger to a definite point shall take the most direct or expeditious route possible that will carry the passenger safely and expeditiously to his or her destination, unless otherwise directed by the passenger.
- D. The mayor or designee is authorized and empowered to establish Open Stands in such place or places upon the streets of the City as the mayor deems necessary for the use of Taxicabs operated in the City. The mayor shall not create an Open Stand without taking into consideration the need for such Stands by the Taxicab industry, the convenience to the general public, and the recommendation of the City Traffic Engineer. The mayor shall not create an Open Stand where such Stand would tend to create a traffic hazard.
- E. Open Stands shall be used only by Taxicab drivers and their boarding passengers, who shall use them on a first come, first served basis. The driver shall enter the Open Stand from the rear and shall advance forward as the Taxicabs exit. Drivers shall stay within ten feet (10') of their Taxicabs. Nothing in this chapter shall be construed to prevent a passenger from boarding the cab of his or her choice that is parked at any position in an Open Stand. The mayor or designee shall prescribe the maximum number of cabs that shall occupy such Open Stands.
- F. Private or other vehicles for hire, and Persons not waiting for or boarding Taxicabs shall not occupy the space upon the streets that has been established as an Open Stand during any times specified by the mayor or designee for use by Taxicabs.

- G. The driver of any Taxicab shall remain in the driver's compartment or immediately adjacent to his or her vehicle at all times when such vehicle is upon the public street, except that, when necessary, a driver may be absent from his or her Taxicab for not more than twenty (20) consecutive minutes; and provided further, that nothing herein contained shall be held to prohibit any driver from alighting to the street or sidewalk for the purpose of assisting passengers into or out of such vehicle or to load their baggage into the Taxicab.
- H. No driver shall permit more Persons to be carried in a Taxicab as passengers than the rated seating capacity rated by the vehicle manufacturer of his or her Taxicab, Child seating shall be in accordance with Utah and federal law.
- I. After a Taxicab has been Hired by a passenger or group of passengers, no driver shall permit any other Person to occupy or ride in the Taxicab without the consent of the original passenger or group.
- J. No driver shall solicit passengers for a Taxicab except when sitting in the driver's compartment of such Taxicab, while standing within ten feet (10') of such Taxicab, or at any authorized Open Stand.
- K. No driver shall refuse or neglect to convey any orderly and sober Person or Persons, or their luggage upon request, unless previously engaged or unable or forbidden by the provisions of this chapter to do so. No driver shall refuse to transport a service animal accompanying a person or persons in the passenger compartment of the Taxicab.
- L. Any Person may Hail a Taxicab for service within the City, except that in locations of an Open Stand for Taxicabs the Person should proceed to the Taxicab that is

“headset” at the stand for service. However, nothing shall prohibit the Person from hiring the Taxicab of their choice.

**5.72.505: REQUIREMENT TO PROVIDE SERVICE TO HAILING PUBLIC:**

It is a violation for any Taxicab driver to pass by or refuse service to a Person Hailing a Taxicab for service unless the Taxicab being Hailed is already in route to a dispatched Fare, is already Hired or is not In Service.

**5.72.530: ADVERTISING MATERIAL ON CABS PERMITTED:**

In accordance with applicable Department Contract, it shall be permitted for any Person owning or operating a Taxicab to allow advertising matter to be affixed to or installed in or on such Taxicabs. (Ord. 24-99 § 6, 1999)

**Article VIII. Enforcement and Penalties**

**5.72.705: DEPARTMENT AUTHORITY:**

The Department is hereby given the authority and is instructed to govern the conduct of companies and drivers operating under this chapter. (Ord. 24-99 § 6, 1999)

**5.72.805: ISSUANCE OF A CIVIL NOTICE OF GROUND TRANSPORTATION**

**VIOLATION:**

- A. Every notice issued under this chapter shall be issued in the form of a written Civil Notice and shall contain a statement that the named party may appeal the imposition of the penalty and provide information regarding how to appeal.
- B. Any Concessionaire, driver, vehicle owner, or Authorized Ground Transportation Business that violates any provision of this chapter may be named in a Civil Notice issued by the City. A violation of any provision of this chapter by any driver or vehicle owner shall also constitute a violation of such provision by the Ground

Transportation Business or concessionaire under whose authority such driver or owner was operating at the time of the violation.

**5.72.855: CIVIL PENALTIES AND ENFORCEMENT:**

- A. The City may impose revocation, suspension and nonrenewal of a City business license to operate a Ground Transportation Business for violations of applicable laws, policies, procedures, rules, or regulations as provided under chapter 5.02 of this title.
- B. The Department may revoke, suspend or deny renewal of an Operator's Badge, Department Automated Vehicle Identification tag or Department Inspection Seal for violations of applicable laws, policies, procedures, rules, or regulations. The person or business affected may request, in writing filed with the Department, an appeal hearing before the Ground Transportation Hearing Officer. Any such revocation, suspension or denial of renewal shall remain in effect until the party against whom such action is taken requests reinstatement and the Ground Transportation Hearing Officer determines that reinstatement is appropriate.
- C. If any Named Party fails to comply with civil penalties imposed under this chapter, such party may be subject to suspension, revocation or nonrenewal of a City license to operate a Ground Transportation Business, Operator's Badge, Department Automated Vehicle Identification Tag and Department Inspection Seal. (Ord. 24-99 § 4, 1999)
- D. Civil penalties may be imposed as set forth below. The Named Party in the Civil Notice shall be liable for a civil penalty. Any penalty assessed in connection with this section may be in addition to any other penalty that may be imposed by law, rule,



regulation, suspension, revocation or other restrictions as may be imposed by the  
Department Director.

<b>ARTICLE II. AUTHORITY TO OPERATE</b>		
5.72.155 (A,B)	\$1000.00	Authority to operate Taxicabs
5.72.205	\$1000.00	ADA vehicle service required
<b>ARTICLE III. TAXIMETERS</b>		
5.72.305 (A,B,D) 5.72.305 (G) 5.72.305 (C,E,F,J) 5.72.305 (H,I)	\$1000.00 \$300.00 \$100.00 \$500.00	Certified meter required Clearing of metered Fare Location, visibility & top light requirement Passenger Fares
5.72.355 (D,E)	\$1000.00	Accuracy in calculation of Fares
<b>ARTICLE IV RATES</b>		
5.72.405 (C,E)	\$100.00	Posting of rates and receipt required
5.72.405 (D)	\$1000.00	Charge of approved Fares only
<b>ARTICLE V SERVICE REGULATIONS</b>		
5.72.455 (A,B,H,K)	\$500.00	Violation of service requirements
5.72.455 (C,I,)	\$300.00	Violation of service requirements
5.72.455 (,E,F,G,J)	\$100.00	Violation of service requirements
5.72.505	\$500.00	Service to Hailing Person

## **5.72.890: ENFORCEMENT PROCEDURES; CIVIL NOTICE OF GROUND**

### **TRANSPORTATION VIOLATION:**

- A. Civil Notices under this chapter, other than those involving revocations, suspensions, denials or approvals of a business license, Operators' Badge, Department Automated Vehicle Identification Tags and Department Inspection Seal shall be heard by the Salt Lake City Justice Court. Any Named Party may appear before a Hearing Officer and present and contest an alleged violation as provided in [title 2, chapter 2.75](#) of this code, or its successor.
- B. The burden to prove any defense shall be upon the Person raising such defense. Nothing herein shall affect the City's burden to prove each element of the underlying charge by a preponderance of evidence.
- C. If the Hearing Officer finds that no violation of this chapter occurred, or that a violation occurred but one or more of the defenses set forth in this section is applicable, the Hearing Officer may dismiss the Civil Notice and release the Named Party from liability thereunder, or may reduce the penalty associated therewith as he or she shall determine. Such defenses are:
1. The Civil Notice does not contain the information required by this chapter;
  2. Compliance with the subject ordinances would have presented an imminent and irreparable injury to persons or property; or
  3. Such other mitigating circumstances as may be approved by the City Attorney's Office.

**5.72.900: EXPEDITED APPEAL OF EXCLUSION:**

Any Named Party who is excluded from pursuing commercial activities under this chapter, and has not had a hearing before the Ground Transportation Hearing Officer regarding such exclusion as provided for in this chapter, such party may request an expedited appeal of the action that resulted in such exclusion. Such appeal shall be requested in writing by the party so excluded to the Department. The Department shall promptly investigate the facts relating to such exclusion. If the evidence indicates such exclusion is improper under this chapter, the Department Director may reverse the action that resulted in such exclusion. If the Department Director does not reverse such action, the action resulting in such exclusion shall be heard and determined by the Ground Transportation Hearing Officer in accordance with the provisions of this chapter. If a preponderance of the evidence indicates such exclusion is proper under this chapter the Ground Transportation Hearing Officer shall uphold such exclusion.

SECTION 2. Effective Date. This ordinance shall become effective on the date of its first publication.

Passed by the City Council of Salt Lake City, Utah this \_\_\_\_\_ day of \_\_\_\_\_, 2010.

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CHAIRPERSON

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CITY RECORDER

Transmitted to Mayor on \_\_\_\_\_.

Mayor's Action: \_\_\_\_\_ Approved. \_\_\_\_\_ Vetoed.

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MAYOR

**APPROVED AS TO FORM**  
Salt Lake City Attorney's Office

Date 8/27/2010

By 

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CITY RECORDER

(SEAL)

Bill No. \_\_\_\_\_ of 2010

Published: \_\_\_\_\_

**Chapter 5.72  
TAXICABS**

**Article I. Definitions**

**5.72.005: DEFINITIONS AND INTERPRETATION OF LANGUAGE:**

The words and phrases, when used in this chapter, shall have the meanings defined and set forth in this article. (Ord. 24-99 § 6, 1999)

**5.72.010: CAB DAY:**

"Cab day" means eight (8) or more hours during any calendar day. (Ord. 24-99 § 6, 1999)

**5.72.015: CALENDAR DAY:**

"Calendar day" means a twenty four (24) hour period from twelve o'clock (12:00) midnight to twelve o'clock (12:00) midnight. (Ord. 24-99 § 6, 1999)

**5.72.020: CALENDAR QUARTER:**

"Calendar quarter" means January 1 through March 31, April 1 through June 30, July 1 through September 30, or October 1 through December 31 of each year. (Ord. 24-99 § 6, 1999)

**5.72.025: CALENDAR SIX MONTHS:**

"Calendar six (6) months" means January 1 through June 30 and July 1 through December 31 of each year. (Ord. 24-99 § 6, 1999)

**5.72.030: CAR POOL:**

"Car pool" means the use of a taxicab for the transportation of two (2) or more persons from designated locations to other designated locations in accordance with a prearranged agreement between the taxicab company and the persons being transported. (Ord. 24-99 § 6, 1999)

**5.72.035: CERTIFICATE:**

"Certificate" means a certificate of public convenience and necessity issued by the city authorizing the holder thereof to conduct a taxicab business in the city. (Ord. 24-99 § 6, 1999)

**5.72.040: CLEARED:**

"Cleared" means that condition of a taximeter when it is inoperative with respect to all fare registration, when no figures indicating fare or extras are exposed to view, and when all parts are in that position for which they are designed to be when the taxicab to which the taximeter is attached is not engaged by a passenger. (Ord. 24-99 § 6, 1999)

**5.72.045: CRUISING:**

(Rep. by Ord. 24-99 § 5, 1999)

**5.72.047: DEPARTMENT:**

"Department" means the city department delegated by the mayor to have responsibility for the enforcement of this chapter. (Ord. 24-99 § 6, 1999)

**5.72.050: EXTRAS:**

"Extras" means the charges to be paid by the customer or passenger in addition to the fare, including any charge for the transportation of baggage or parcels. (Ord. 24-99 § 6, 1999)

**5.72.055: FACE:**

"Face" means that side of a taximeter upon which passenger or customer charges are indicated. (Ord. 24-99 § 6, 1999)

**5.72.060: FARE:**

"Fare" means that portion of the charge for hire of a taxicab which is automatically calculated by the taximeter through the operation of the mileage and time mechanism. (Ord. 24-99 § 6, 1999)

**5.72.065: HIRED:**

"Hired" means activating the button on the face of the taximeter which places taximeter in operation. (Ord. 24-99 § 6, 1999)

**5.72.070: HOLDER:**

"Holder" means a person to whom a certificate of public convenience and necessity has been issued. (Ord. 24-99 § 6, 1999)

**5.72.075: IN SERVICE:**

"In service" means that a taxicab is actually in use on the streets of the city, with a driver, and available for the transportation of passengers for hire. (Ord. 24-99 § 6, 1999)

**5.72.080: MANIFEST:**

"Manifest" means a daily record prepared by a taxicab driver of all trips made by such driver, showing time(s) and place(s) of origin and destination, number of passengers, and the amount of fare of each trip. (Ord. 24-99 § 6, 1999)

**5.72.085: OPEN STAND:**

"Open stand" means a public place alongside the curb of a street, or elsewhere in the city, which has been designated by the mayor as reserved exclusively for the use of taxicabs, and may include places otherwise marked as freight zones or other parking restricted zones if designated for use of taxicabs during specified times. (Ord. 24-99 § 6, 1999)

**5.72.090: PERSON:**

"Person" means and includes an individual, a corporation or other legal entity, a partnership, and any incorporated association. (Ord. 24-99 § 6, 1999)

**5.72.095: SMALL PARCEL DELIVERY SYSTEM:**

"Small parcel delivery system" means a system of delivering items which will be picked up by a taxicab driver and delivered to a destination within one and one-half (1<sup>1/2</sup>) hours. The pick up and delivery of such items shall be accomplished while the taxicab is idle; i.e., not en route to picking up or dropping off any passenger, and not while any passenger is en route in the taxicab. (Ord. 24-99 § 6, 1999)

**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. (Ord. 45-05 § 6, 2005; Ord. 24-99 § 6, 1999)

**5.72.105: TAXICAB DRIVER'S LICENSE:**

"Taxicab driver's license" means the operator's certificate required pursuant to section [5.71.250](#) of this title. (Ord. 48-07 § 5, 2007; Ord. 24-99 § 6, 1999)

**5.72.110: TAXIMETER:**

"Taximeter" means a meter instrument or electronic device attached to a taxicab which measures mileage by the distance driven and the waiting time upon which the fare is based, and which automatically calculates, at a predetermined rate or rates, and

registers, the charge for hire of a taxicab. Each taxicab shall have credit card capability for its customers. (Ord. 24-99 § 6, 1999)

#### **5.72.115: WAITING TIME:**

"Waiting time" means the time when a taxicab is not in motion, from the time of acceptance of a passenger or passengers to the time of discharge. (Ord. 24-99 § 6, 1999)

### **Article II. Certificate Of Public Convenience And Necessity**

#### **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 one hundred eighty (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 subsection, or unless such certificate or license is terminated for other causes as set forth in [chapter 5.05](#) of this title or other sections of this code. All certificate holders as of the date hereof 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](#) of this title and section [16.60.097](#) of this code, or their successor sections. (Ord. 87-05 § 7, 2005: Ord. 45-05 § 7, 2005: Ord. 9-02 § 1, 2002: Ord. 24-99 § 6, 1999)

**5.72.135: FEES:**

No certificate shall be issued or continued in operation unless the holder thereof has paid an annual disproportionate business regulatory fee as set forth in section [5.04.070](#) of this title, or its successor section, each year for each vehicle authorized under a certificate of public convenience and necessity. Such fees shall be in addition to any other fees or charges established by proper authority and applicable to the holder of the vehicle or vehicles under the holder's operation and control. (Ord. 24-99 § 6, 1999)

**5.72.140: EXISTING HOLDERS' CERTIFICATES:**

All holders of existing taxicab certificates at the effective date hereof shall have a certificate of public convenience and necessity awarded to them, allowing them to operate the same number of vehicles as they are presently authorized to operate, without the hearing provided in this article, the public convenience and necessity having heretofore been demonstrated. (Ord. 24-99 § 6, 1999)

**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 hereof 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 persons with disabilities, 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. (Ord. 20-06 § 1, 2006: Ord. 45-05 § 8, 2005)

**5.72.145: LICENSING FOR ALL CERTIFIED VEHICLES:**

- A. A holder is required to have the total number of vehicles authorized under such holder's certificate of convenience and necessity and to obtain the license required by section [5.05.155](#) of this title, or its successor section, for each and every vehicle.
- B. In the event the holder does not license the total number of vehicles authorized by the certificate before February 15 of any year, such holder shall forfeit the right to any vehicle not so licensed; that authority shall automatically revert to the city, and the certificate shall be modified to reflect the total number of vehicles actually licensed before February 15 of any year. Such forfeited right to operate any vehicle may be reissued to any person; provided, however, it shall not be reissued except upon application required by section [5.05.105](#) of this title, or its successor section, and by a showing of public convenience and necessity as required by section [5.05.140](#) of this title, or its successor section.
- C. Nothing contained herein shall prohibit a holder from having vehicles in excess of the number authorized under such holder's certificate for the purpose of replacement or substitution of an authorized vehicle under repair, maintenance or breakdown; provided, however, any such vehicle shall not be used as a taxicab other than as a replacement or substitution as herein provided. Each holder shall be authorized to license additional vehicles, over and above the number authorized in the certificate, as replacement or substitution vehicles according to the number of vehicles so authorized in the certificate. Any holder having authorization for one to five (5) vehicles shall be allowed to license one additional vehicle as a replacement or substitution vehicle. Any holder having authorization for six (6) or more vehicles shall be allowed to license one additional vehicle as a replacement or substitution vehicle for each five (5) vehicles authorized in the certificate. (Ord. 24-99 § 6, 1999)

**5.72.150: CERTIFICATE NOT A FRANCHISE AND NOT IRREVOCABLE:**

- A. No certificate issued in accordance with section [5.72.130](#) of this chapter, or its successor section, shall be construed to be either a franchise or irrevocable. (Ord. 87-05 § 8, 2005; Ord. 24-99 § 6, 1999)

**5.72.155: COMPLIANCE RESPONSIBILITY:**

The holder shall not be relieved of any responsibility for compliance with the provisions of this chapter, whether the holder leases or rents taxicabs to drivers, or whether the holder pays salary, wages or any other form of compensation. (Ord. 24-99 § 6, 1999)

**Article III. Driver Operator's Certificate**

**5.72.220: OPERATOR'S CERTIFICATE REQUIRED:**

It shall be unlawful for any person to operate a taxicab for hire upon the streets of the city unless the taxicab driver first obtains and has in effect a valid operator's certificate

issued pursuant to [chapter 5.71, article VI](#) of this title, and it shall be unlawful for any person or business to permit a taxicab to be so operated unless its driver has such an operator's certificate. (Ord. 48-07 § 6, 2007; Ord. 24-99 § 6, 1999)

#### **Article IV. Vehicle Equipment And Maintenance**

##### **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 title, 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. (Ord. 11-09 § 1, 2009)

##### **5.72.320: VEHICLE AGE:**

Vehicle age will be based on the calendar year starting January 1 and ending December 31 of each year. No matter when a vehicle is purchased in the calendar year, the model year of the vehicle will count as an allowable full year of model years.

A. No vehicle shall be licensed by the city as a taxicab that:

1. Was not licensed prior to July 31, 2005; or
2. Was manufactured more than six (6) model years prior to application for a license unless the vehicle meets the criteria in subsection B of this section.

B. A vehicle up to eight (8) model years in age shall be licensed if:

1. The vehicle runs on "alternative fuel", as defined in subsection [12.56.205A](#) of this code;
2. The vehicle is a "fuel efficient vehicle", as defined in subsection [12.56.205A](#) of this code; or
3. The vehicle is a "low polluting vehicle", as defined in subsection [12.56.205A](#) of this code.

C. Compliance with age restrictions will be confirmed by inspection, as provided in [chapter 5.71, article V](#) of this title. Compliance with subsection B1 of this section may be proven by providing the department with a copy of a current clean special fuel tax certificate obtained pursuant to Utah Code Annotated (2008) section 59-13-304. All vehicle modifications made to allow the use of alternative fuel must meet EPA safety standards. (Ord. 11-09 § 2, 2009)

##### **5.72.335: IDENTIFYING DESIGN:**

Each taxicab shall bear on the outside of each rear or front door, in painted letters not less than two inches (2") in height, the name of the holder and the company number, which number shall also be painted on the rear of the taxicab, and, in addition, may bear an identifying design approved by the mayor. All signs, markings, advertisement and graphics shall comply with subsection [5.71.170A](#) of this title, or its successor. (Ord. 24-99 § 6, 1999)

**5.72.340: CONFLICTING OR MISLEADING DESIGNS PROHIBITED:**

No vehicle covered by the terms of this chapter shall be licensed whose color scheme, identifying design, monogram or insignia to be used thereon shall, in the opinion of the mayor, conflict with or imitate any color scheme, identifying design, monogram or insignia used on a vehicle or vehicles already operating under this chapter, in such a manner as to be misleading or tend to deceive or defraud the public; and provided further that if, after a license has been issued for a taxicab hereunder, the color scheme, identifying design, monogram or insignia thereof is changed so as to be, in the opinion of the mayor, in conflict with or in imitation of any color scheme, identifying design, monogram or insignia used by any other person, owner or operator, in such a manner as to be misleading or tend to deceive the public, the certificate covering such taxicab or taxicabs shall be suspended or revoked. (Ord. 24-99 § 6, 1999)

**Article V. Taximeters**

**5.72.345: REQUIRED FOR OPERATION; EXCEPTION:**

- A. All taxicabs operated under the authority of this chapter, except as specified below, shall be equipped with taximeters which shall conform to the specifications set forth in this chapter and such others as may be adopted from time to time by the mayor.
- B. It is unlawful for any person to operate or to allow to be operated any taxicab without such taximeter, with the exception that any taxicab performing car pool services under section [5.72.520](#) of this chapter, or its successor, need not have such taximeter operative during such trip, and any taxicab used exclusively as a car pool vehicle. (Ord. 24-99 § 6, 1999)

**5.72.347: TAXIMETER; METHOD OF PROGRAMMING RATES, FARES:**

No meter shall be approved or adopted by the city which has rates, fares, or calibrations which are not properly sealed to prevent tampering. (Ord. 24-99 § 6, 1999)

**5.72.350: FARES; METHOD OF CALCULATION:**

Taximeters shall calculate the fares upon the basis of a combination of mileage traveled

and time elapsed. When the taximeter is operative with respect to fare registration, the fare registration mechanism shall be actuated by the mileage mechanism and the fare registering mechanism shall be actuated by the time mechanism whenever the taxicab is not in motion. Means shall be provided for the driver of the taxicab to maintain the clock mechanism either operative or inoperative with respect to the fare registering mechanism. (Ord. 24-99 § 6, 1999)

**5.72.355: OPERATION TO BE INDICATED:**

It shall be shown on the taximeter's face whether the mechanism is set to be operative or inoperative, and, if operative, the character of fare registration for which it is set. While the taximeter is cleared, the indication "not registering" or an equivalent expression shall appear. If a taximeter is set to be operative, the indication "registering" or equivalent expression shall appear. (Ord. 24-99 § 6, 1999)

**5.72.360: ACCUMULATED FARE TO BE SHOWN:**

The fare indication shall be identified by the word "fare" or by an equivalent expression. Values shall be defined by suitable words or monetary signs. (Ord. 24-99 § 6, 1999)

**5.72.365: VISIBILITY OF INDICATIONS:**

Indications of fare and extras shall never be obscured or covered except when a taximeter is cleared. No decals, stickers or other material may be placed on the face of the taximeter. (Ord. 24-99 § 6, 1999)

**5.72.370: PROTECTION OF INDICATIONS:**

Indications shall be displayed through an entirely protected glass or plastic face securely attached to the metal housing of the taximeter. (Ord. 24-99 § 6, 1999)

**5.72.375: FLAG AND LEVER ARM REQUIREMENTS:**

(Rep. by Ord. 24-99 § 5, 1999)

**5.72.378: TOP LIGHT REQUIREMENT:**

A top light shall be installed on every licensed taxicab. The top light shall be illuminated when said taxicab is available for hire and shall not be illuminated when the taximeter is placed into hire. (Ord. 24-99 § 6, 1999)

**5.72.380: COMPLETION OF SERVICE:**

Upon the completion of the service by the taxicab, it shall be the duty for the driver to call the attention of the passenger to the amount registered, and to clear the taximeter to the nonregistering position and its dials cleared. Upon completion of each fare, the

driver shall give the passenger a printed receipt as required by section [5.72.475](#) of this chapter, or its successor. (Ord. 24-99 § 6, 1999)

**5.72.385: PLACEMENT OF METER IN CAB:**

When mounted upon a taxicab, a taximeter shall be so placed that its face is in plain view of any passenger seated on the rear seat of the cab. (Ord. 24-99 § 6, 1999)

**5.72.390: ILLUMINATION:**

The face of the taximeter shall be artificially illuminated after sundown so that it is clearly visible to rear seat passengers. (Ord. 24-99 § 6, 1999)

**5.72.395: SEALING OF METERS REQUIRED:**

- A. Every taximeter shall have adequate provisions for the affixing of a lead and wire seal so that no adjustments, alterations or replacements affecting in any way the indications, rates or accuracy of the taximeter can be made without mutilating such seal. The seal shall be affixed by the department or the city license office, as hereinafter provided.
- B. It is unlawful for any person to operate any taxicab at any time with the license office's seal of the taximeter broken, mutilated or removed, and any taxicab having a broken, mutilated or removed seal must be inspected by the department or the license office, and a new seal affixed by the office. (Ord. 24-99 § 6, 1999)

**5.72.400: INSPECTIONS; AUTHORIZED WHEN:**

All taximeters shall be subject to inspection from time to time by the department and/or the license office of the city. (Ord. 24-99 § 6, 1999)

**5.72.405: SIX MONTH INSPECTIONS:**

- A. It shall be the duty of the department or the license office to inspect, test and seal with a city seal every taximeter at least once every six (6) months. This inspection shall coincide with the airport and/or the license office inspection required under section [5.71.180](#) of this title, or its successor.
- B. It is further required that the semiannual meter checks shall be required for every taxicab in which a meter is installed, irrespective of whether or not that particular taxicab is in operation at the time of such inspections. When any department or license office seal has been broken, mutilated or removed, the holder shall contact the department or the license office and make arrangements for the replacement of such seal. It is unlawful for any driver of a taxicab or any other person to operate a taximeter in a taxicab unless said meter has been inspected and certified to be

operating accurately by the department or the license department for that specific taxicab. (Ord. 24-99 § 6, 1999)

**5.72.415: SEALING AFTER INSPECTION:**

Such taximeters shall be sealed at all points and connections which, if manipulated, would affect their correct reading and recording. (Ord. 24-99 § 6, 1999)

**5.72.420: INSPECTIONS; RECORD KEEPING:**

The department and/or the license office shall keep a record of the identification of every taxicab meter number and date of inspection thereof in its office. (Ord. 24-99 § 6, 1999)

**5.72.425: INSPECTION UPON COMPLAINT:**

It shall be the duty of the department or the license office to make an immediate inspection of any taximeter when complaint is received that the taximeter is registering incorrectly or not in accordance with the rate posted in the taxicab and set forth in this chapter. (Ord. 24-99 § 6, 1999)

**5.72.430: CHANGE IN RATES; IMMEDIATE INSPECTION:**

In the event a change in rates is made, the taximeter shall be adjusted to the new rates, and the taximeter of every taxicab in which a meter has been installed shall be immediately inspected, tested and sealed by the department or the license office. A fee of five dollars (\$5.00) will be charged by the department or the license office for each meter reprogrammed and sealed. (Ord. 24-99 § 6, 1999)

**5.72.435: ERROR IN REGISTRATION; REMOVAL FROM SERVICE:**

No taximeter which is inaccurate in registration in excess of one and one-half percent ( $1\frac{1}{2}\%$ ) shall be allowed to operate in any taxicab, and when an inaccuracy is discovered, such taxicab involved shall immediately cease operation and be kept off the highways until the meter is repaired and in proper working condition. (Ord. 24-99 § 6, 1999)

**5.72.438: ALTERING TAXICAB TO AFFECT TAXIMETER:**

No owner, driver or company shall perform or permit or allow any alterations to a taxicab that will affect the taximeter pulse setting without said taximeter being recertified by the department and/or the license office. Said alterations shall include, but not be limited to, transmission replacement or remanufacturing, differential replacement or remanufacturing, speedometer cable replacement, speed sensor replacement, repair or replacement of the taxicab's onboard computer, or change of tire size on drive axle. (Ord. 24-99 § 6, 1999)

**5.72.440: USING HIRED BUTTON AS SIGNAL FOR DIFFERENT RATE PROHIBITED:**

Except as otherwise provided herein, it is unlawful for any driver of a taxicab to charge a fare other than as calculated by the taximeter. (Ord. 24-99 § 6, 1999)

**Article VI. Rates**

**5.72.455: MAXIMUM RATES:**

- A. Except as otherwise provided herein, an owner or driver of a taxicab may establish and charge mileage rates lower than, but shall not establish and charge any mileage rate for the use of a taxicab greater than, two dollars twenty five cents (\$2.25) for flag drop and twenty cents (\$0.20) for each one-eleventh ( $\frac{1}{11}$ ) mile or fraction thereof. An owner or driver of a taxicab may establish and charge a rate for waiting time lower than, but shall not establish any rate for waiting time greater than, twenty two dollars (\$22.00) per hour. With respect to the flag drop rate identified herein, the city council may elect to reevaluate that amount on its own initiative before December 31, 2008. If followed, this reevaluation process shall be separate from and not require that a separate petition be filed and fee paid by any certificate holder under section [5.72.457](#) of this chapter, and in no way shall this process obligate the city council to amend the flag drop rate unless it otherwise chooses to do so.
- B. The foregoing notwithstanding, an owner or driver of a taxicab who is charged a fee by the city to deliver a passenger or to pick up a passenger at the Salt Lake City International Airport may, in addition to the rates allowed by subsection A of this section, or its successor, charge an additional sum in the exact amount of such fee to be used to pay such fee. Further, an owner or driver of a taxicab may charge a minimum airport rate of twelve dollars (\$12.00) for service from the Salt Lake City international airport. (Ord. 69-08 § 1, 2008: Ord. 52-07 § 1, 2007: Ord. 18-06 § 1, 2006: Ord. 16-05 § 1, 2005: Ord. 24-99 § 6, 1999)

**5.72.457: ANNUAL REVIEW OF MAXIMUM RATES:**

- A. Each person holding a certificate of public convenience and necessity to operate taxicabs within the city shall file with the city business license supervisor once during the calendar year a petition regarding the adequacy of the existing maximum rates as set forth in section [5.72.455](#) of this chapter, or its successor section. Said petition shall state whether, in the opinion of the certificate holder, the existing maximum rates are at an appropriate level, or whether such rates should be increased or decreased. If the petition indicates that the said rates should be increased, the person submitting such petition shall supplement the petition with documentation in support of such increase, such as evidence of increase of operating costs, insurance costs, costs of living, and other relevant information. Each person filing said statement shall at the time of filing, pay a filing fee to the city business license



supervisor of one hundred dollars (\$100.00) to cover the city's costs of processing the statement and of conducting the subsequent hearing thereon.

- B. As soon as is practicable after filing said petition the city business license supervisor shall schedule a public hearing before a hearing officer appointed by the mayor to consider the question of whether or not the existing taxicab rates should be increased. Notice of said hearing shall be posted in the office of the city recorder and shall be published in a newspaper of general circulation in the city.
- C. The city hearing officer appointed by the mayor shall have power and authority to preside at and power to examine witnesses and receive evidence, compel the attendance of witnesses, and compel the production of documents.
- D. The decision of the hearing officer, following the conclusion of said hearing, shall act as a recommendation to the city council. In the event said decision recommends an increase in taxicab rates, the city business license supervisor shall, as soon as practicable, present to the city council the recommendation of the hearing officer for the council's consideration. The city council may accept, modify, or reject the hearing officer's recommendations.
- E. If in the determination of the mayor or the city council it is decided that certain special circumstances warrant an additional hearing during a calendar year, then either the mayor or the city council may direct that a hearing be scheduled. A holder of a certificate of public convenience and necessity to operate a taxicab within the city who has already received a hearing under subsection A of this section may petition the mayor or city council at any time under this provision. Neither the mayor nor the city council is required to grant the petition for a hearing. All other provisions governing fees and hearing procedures shall be the same as set forth above. (Ord. 64-05 § 1, 2005: Ord. 4-05 § 1, 2005: Ord. 92-04 § 1, 2004: Ord. 24-99 § 6, 1999)

#### **5.72.460: RATES AND RATE CHANGES; NOTIFICATION TO CITY:**

Each holder of a certificate shall file a schedule of its maximum rate with the license supervisor of the city, and shall notify the license supervisor in writing of any change in the maximum rate at least fifteen (15) days prior to such new rate being placed into effect. (Ord. 24-99 § 6, 1999)

#### **5.72.465: DISPLAY OF FARE RATES:**

Every taxicab operated under this chapter shall have printed on the outside of the cab, in a conspicuous place on the cab and of sufficient size, legibility and in such manner as to be plainly visible to all prospective passengers, all rates and charges in effect for the taxicab company operating such taxicab. All such rates and charges shall also be posted on the inside of the taxicab in such a manner as to be plainly visible to all passengers. All displays of rate information on taxicabs shall meet the requirements of

section [5.71.170](#) of this title, or its successor section, regarding vehicle signage, and all other applicable ordinances. (Ord. 24-99 § 6, 1999)

**5.72.470: DISPLAY OF ADDITIONAL CHARGES:**

(Rep. by Ord. 24-99 § 5, 1999)

**5.72.472: ALL CHARGES TO BE APPROVED BY CITY:**

No taxicab or taxicab company shall charge any fee or payment for the use of a taxicab within the city without the prior approval of the city council. (Ord. 24-99 § 6, 1999)

**5.72.475: RECEIPTS FOR PAYMENT OF FARE:**

The driver of any taxicab shall render to every passenger a receipt for the amount charged, either by a mechanically or electronically printed receipt from the taximeter, on which shall be the name of the taxicab company, taxicab number, the date and time the fare was initiated and completed, the miles charged, extras added to the fare, and the total amount of meter reading or charges. (Ord. 24-99 § 6, 1999)

**5.72.480: HIRING VEHICLE WITH INTENT TO DEFRAUD:**

It is unlawful for any person to hire any vehicle defined in this chapter with intent to defraud the person from whom it is hired of the value of such service. (Ord. 24-99 § 6, 1999)

**5.72.485: REFUSING TO PAY LEGAL FARE:**

It is unlawful for any person to refuse to pay immediately the legal fare of any of the vehicles mentioned in this chapter after having hired the same. (Ord. 24-99 § 6, 1999)

**Article VII. Service Regulations**

**5.72.490: GENERAL SERVICE REQUIREMENTS:**

The holder of a certificate shall maintain, at all hours during the day or night, sufficient taxicabs with drivers to reasonably answer all calls received. The telephone number of the central place of business shall be listed under the company name in the white pages, and in the yellow pages under the heading "taxicabs", of the city telephone directory. Any not so listed at the time this chapter was adopted, or any company receiving a new certificate of convenience and necessity, shall be so listed in the next issue of the telephone book. (Ord. 24-99 § 6, 1999)

**5.72.495: TWENTY FOUR HOUR SERVICE REQUIRED:**

Holders of a certificate of public convenience and necessity shall maintain a central place of business and keep the same open with a person on duty twenty four (24) hours a day, seven (7) days per week, for the purpose of receiving calls and dispatching cabs. (Ord. 24-99 § 6, 1999)

**5.72.500: ANSWERING CALLS FOR SERVICE:**

(Rep. by Ord. 24-99 § 5, 1999)

**5.72.505: REFUSING CALLS OR SERVICE PROHIBITED:**

It is unlawful for any holder of a certificate to refuse to accept a call for service to any point within the corporate limits of the city at any time when such holder has available taxicabs, and it is unlawful for any holder to fail or refuse to provide all service required by this title. (Ord. 24-99 § 6, 1999)

**5.72.510: VEHICLE TO BE USED ONLY FOR TRANSPORTATION:**

(Rep. by Ord. 24-99 § 5, 1999)

**5.72.515: BEST ROUTE REQUIRED:**

Any driver employed to carry a passenger to a definite point shall take the most direct or expeditious route possible that will carry the passenger safely and expeditiously to his or her destination, unless otherwise directed by the passenger, except that a driver may deviate to pick up or drop off passengers at their homes when he is operating a taxicab as a car pool vehicle. A driver who, in order to increase the fare, knowingly takes a route which is not the most direct or expeditious as possible under the circumstances shall be subject to a civil penalty under section [5.71.080](#) of this title. (Ord. 24-99 § 6, 1999)

**5.72.520: CAR POOL SERVICES:**

Notwithstanding all other provisions of this chapter, it shall be lawful for any person owning or operating a taxicab where both such taxicab and operator are properly licensed under the provisions of this chapter to provide the additional car pool provided in this section. Car pool service may provide transportation for two (2) or more persons between drop off and pick up points within the city as designated by the taxicab company, subject to the approval of the mayor. A fixed price may be charged for such one-way car pool service. (Ord. 24-99 § 6, 1999)

**5.72.525: SMALL PARCEL DELAY DELIVERY SYSTEM:**

Taxicabs which are properly licensed under the provisions of this chapter are authorized to provide a small parcel delay delivery system for the transporting of small parcels at a

fixed rate, as provided in section [5.72.455](#) of this chapter, or its successor. It is unlawful for the driver of any taxicab to pick up or deliver any small parcel while en route to pick up or drop off any passenger. (Ord. 24-99 § 6, 1999)

**5.72.530: ADVERTISING MATERIAL ON CABS PERMITTED:**

It shall be lawful for any person owning or operating a taxicab or motor vehicle for hire to permit advertising matter to be affixed to or installed in or on such taxicabs or motor vehicles for hire. All advertising material shall be professionally produced. (Ord. 24-99 § 6, 1999)

**5.72.535: OPEN STANDS; ESTABLISHMENT:**

The mayor is authorized and empowered to establish open stands in such place or places upon the streets of the city as the mayor deems necessary for the use of taxicabs operated in the city. The mayor shall not create an open stand without taking into consideration the need for such stands by the companies, the convenience to the general public, and the recommendation of the traffic engineer. The mayor shall not create an open stand where such stand would tend to create a traffic hazard. (Ord. 24-99 § 6, 1999)

**5.72.540: OPEN STANDS; USE RESTRICTIONS:**

Open stands shall be used by the different drivers on a first come, first served basis. The driver shall pull onto the open stand from the rear and shall advance forward as the cabs ahead pull off. Drivers shall stay within ten feet (10') of their cabs. Nothing in this chapter shall be construed to prevent a passenger from boarding the cab of his or her choice that is parked at open stands. The mayor shall prescribe the number of cabs that shall occupy such open stands. (Ord. 24-99 § 6, 1999)

**5.72.545: OPEN STANDS; TELEPHONES PERMITTED WHEN:**

(Rep. by Ord. 24-99 § 5, 1999)

**5.72.550: OPEN STANDS; USE BY OTHER VEHICLES PROHIBITED:**

Private or other vehicles for hire shall not occupy the space upon the streets that has been established as an open stand during any times specified by the mayor for use by taxicabs. (Ord. 24-99 § 6, 1999)

**5.72.555: DRIVER TO REMAIN WITH CAB; EXCEPTION:**

The driver of any taxicab shall remain in the driver's compartment or immediately adjacent to his or her vehicle at all times when such vehicle is upon the public street, except that, when necessary, a driver may be absent from his or her taxicab for not more than twenty (20) consecutive minutes; and provided further, that nothing herein

contained shall be held to prohibit any driver from alighting to the street or sidewalk for the purpose of assisting passengers into or out of such vehicle. Drivers shall comply with the requirements of [chapter 16.60](#) of this code, or its successor, as well as all other applicable laws and ordinances, when operating at the airport. (Ord. 24-99 § 6, 1999)

**5.72.560: NUMBER OF PASSENGERS; RESTRICTIONS:**

No driver shall permit more persons to be carried in a taxicab as passengers than the rated seating capacity rated by the vehicle manufacturer of his or her taxicab, as stated in the license for the vehicle issued by the department and/or the licensing office. Child seating shall be in accordance with Utah and federal law. (Ord. 24-99 § 6, 1999)

**5.72.565: ADDITIONAL PASSENGERS; PASSENGER CONSENT REQUIRED:**

After the employment of the taxicab by a passenger or group of passengers, no driver shall permit any other person to occupy or ride in the taxicab without the consent of the original passenger or group. (Ord. 24-99 § 6, 1999)

**5.72.570: SOLICITATION; BY DRIVER; LIMITATIONS:**

No driver shall solicit passengers for a taxicab except when sitting in the driver's compartment of such taxicab, while standing within ten feet (10') of such taxicab, or at any authorized ground transportation stand. (Ord. 24-99 § 6, 1999)

**5.72.575: SOLICITATION; PROHIBITED PROCEDURES:**

(Rep. by Ord. 24-99 § 5, 1999)

**5.72.580: SOLICITATION OF COMMON CARRIER PASSENGERS:**

(Rep. by Ord. 24-99 § 5, 1999)

**5.72.585: SOLICITATION OF HOTEL BUSINESS PROHIBITED:**

It is a violation of this chapter for any driver of a taxicab to solicit business for any hotel, or to attempt to divert patronage from one hotel to another. (Ord. 24-99 § 6, 1999)

**5.72.590: CRUISING PROHIBITED; EXCEPTION:**

(Rep. by Ord. 24-99 § 5, 1999)

**5.72.595: REFUSAL TO CARRY PASSENGERS PROHIBITED WHEN:**

No driver shall refuse or neglect to convey any orderly and sober person or persons, upon request, unless previously engaged or unable or forbidden by the provisions of this chapter to do so. (Ord. 24-99 § 6, 1999)

#### **5.72.600: ENGAGING IN LIQUOR OR PROSTITUTION TRAFFIC PROHIBITED:**

It is unlawful for any taxicab driver to sell intoxicating liquor or to knowingly transport persons for the purpose of buying liquor unlawfully, or to solicit business for any house of ill repute or prostitute. It is also unlawful for any taxicab driver to permit any person to occupy or use his or her vehicle for the purpose of prostitution, lewdness or assignation, with knowledge or reasonable cause to know that the same is or is to be used for such purposes, or to direct, take or transport, or offer or agree to direct, take or transport any person to any building or place, or to any other person, with knowledge or reasonable cause to know that the purpose of such directing, taking or transporting is prostitution, lewdness or assignation. (Ord. 24-99 § 6, 1999)

#### **5.72.601: 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. (Ord. 87-05 § 11, 2005)

### **Article VIII. Manifests And Other Records**

#### **5.72.605: DRIVERS TO KEEP MANIFESTS:**

Every driver shall maintain a daily manifest upon which is reported all 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 number of passengers and amount of fare, and all such complete manifests shall be returned to the holder by the driver at the conclusion of his or her working day. (Ord. 24-99 § 6, 1999)

#### **5.72.610: MANIFEST FORMS TO BE APPROVED:**

The forms for each manifest shall be furnished to the driver by the holder, and shall be of a character approved by the mayor. (Ord. 24-99 § 6, 1999)

#### **5.72.615: MANIFESTS; HOLDING PERIOD; AVAILABILITY:**

Every holder of a certificate of public convenience and necessity 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 to the department and the licensing office. (Ord. 24-99 § 6, 1999)

**5.72.620: RECORD KEEPING REQUIREMENTS FOR HOLDERS:**

Every holder shall keep accurate records of receipts from operations, operating and other expenses, capital expenditures, and such other operating information as may be required by the mayor. (Ord. 24-99 § 6, 1999)

**5.72.625: RECORDS ACCESSIBLE FOR EXAMINATION:**

Every holder shall maintain the records containing such information and other data required by this chapter at a place readily accessible for examination by the mayor. (Ord. 24-99 § 6, 1999)

**Article IX. Enforcement**

**5.72.630: DEPARTMENT AND LICENSE OFFICE AUTHORITY:**

The department and the license office of the city are hereby given the authority and are instructed to watch and observe the conduct of holders and drivers operating under this chapter. (Ord. 24-99 § 6, 1999)

**5.72.635: VIOLATION; CRIMINAL PROCEEDINGS; REPORT TO MAYOR:**

Upon discovering a violation of the provisions of this chapter, in addition to regular criminal proceedings, the department or the license office shall report the same to the mayor, which will order or take appropriate action respecting the licenses or certificates of the persons involved. (Ord. 24-99 § 6, 1999)

**5.72.640: VIOLATION; PENALTY:**

Any violation of any of the provisions of this chapter shall constitute a misdemeanor. (Ord. 24-99 § 6, 1999)

SALT LAKE CITY ORDINANCE  
No. \_\_\_\_\_ of 2010

(Amending Section 5.72, *Salt Lake City Code*, regarding taxicabs)

An ordinance amending section 5.72, *Salt Lake City Code*, pertaining to taxicabs, to provide for transition from regulatory to contract-based system for providing taxicab services; eliminating certificates of convenience; eliminating operational requirements that will become contract-based; providing for a contract between taxicab companies and the City, through the Department of Airports; providing for rules and regulations; replacing fixed fares with a flexible fare structure; replacing criminal enforcement with civil penalties.

WHEREAS, City Council adopted Resolution No. 66 of 2005 on December 8, 2005, declaring the City Council's intent to "change the taxicab (regulatory) system from a certificate of convenience and necessity system" to a system where taxicab companies contract with Salt Lake City to operate taxicabs. Simultaneously, the City Council adopted Ordinance No. 87 of 2005, which, in part, declared that a certificate of convenience and necessity is not a franchise and is not irrevocable. Prior to adopting regulatory changes required for the transition, the City agreed to provide certificate holders with 180-day notice, and accordingly, all such certificates of convenience will terminate 180 days from the date of when such notice is issued; and

WHEREAS, after a hearing before the City Council, the City Council has determined that the following ordinance facilitates and enables the transition to a contract-based taxicab system; and

WHEREAS, after a hearing before the City Council, the City Council has determined that notice of termination of certificates of convenience will issue on the effective date of the following ordinance, and all certificates of convenience and



necessity issued in connection with taxicabs and special transportation vehicles shall terminate 180 days from such notice date; and

WHEREAS, after a hearing before the City Council, the City Council has determined that the following ordinance is in the best interest of the City.

NOW, THEREFORE, be it ordained by the City Council of Salt Lake City, Utah as follows:

SECTION 1. That section 5.72, Salt Lake City Code, pertaining to taxicabs, be and the same hereby is, amended to read as follows:

**Chapter 5.72  
TAXICABS**

**Article I. Definitions and General Regulations**

**5.72.005: DEFINITIONS AND INTERPRETATION OF LANGUAGE:**

The words and phrases, when used in this chapter, shall have the meanings defined and set forth in this article. (Ord. 24-99 § 6, 1999)

**BUSINESS:** A voluntary association legally formed and organized to carry on a Business in Utah in the legal name of the association, including without limitation a corporation, limited liability company, partnership, or sole-proprietorship.

**~~5.72.010: CAB DAY:~~**

~~"Cab day" means eight (8) or more hours during any calendar day. (Ord. 24-99 § 6, 1999)~~

**~~5.72.015: CALENDAR DAY:~~**

~~"Calendar day" means a twenty four (24) hour period from twelve o'clock (12:00) midnight to twelve o'clock (12:00) midnight. (Ord. 24-99 § 6, 1999)~~

**~~5.72.020: CALENDAR QUARTER:~~**

~~"Calendar quarter" means January 1 through March 31, April 1 through June 30, July 1 through September 30, or October 1 through December 31 of each year. (Ord. 24-99 § 6, 1999)~~

**~~5.72.025: CALENDAR SIX MONTHS:~~**

~~"Calendar six (6) months" means January 1 through June 30 and July 1 through December 31 of each year. (Ord. 24-99 § 6, 1999)~~

**~~5.72.030: CAR POOL:~~**

~~"Car pool" means the use of a taxicab for the transportation of two (2) or more persons from designated locations to other designated locations in accordance with a prearranged agreement between the taxicab company and the persons being transported. (Ord. 24-99 § 6, 1999)~~

**~~5.72.035: CERTIFICATE: A~~**

~~"Certificate" means a certificate of public convenience and necessity issued by the City.~~

~~No Certificate issued by the City shall be construed to be either a franchise or irrevocable and will terminate upon notification by the City. city authorizing the holder thereof to conduct a taxicab business in the city. (Ord. 24-99 § 6, 1999)~~

**CITY:** The governmental institution and landmass contained within the boundaries of Salt Lake City, Utah.

**CIVIL NOTICE:** The written notice of Ground Transportation Violation as provided under this chapter.

**5.72.040: CLEARED:** That

~~"Cleared" means that condition of a Taximetertaximeter when it is inoperative with respect to all Farefare registration and all cumulative Fare and Extras charges have been set to \$0., when no figures indicating fare or extras are exposed to view, and when all parts are in that position for which they are designed to be when the taxicab to which the taximeter is attached is not engaged by a passenger. (Ord. 24-99 § 6, 1999)~~

**CONCESSIONAIRE:** A Person or entity with whom the Department of Airports has contracted to provide Taxicab services. Nothing in the Department Contract shall relieve the Concessionaire of the requirements of applicable laws, including without limitation City Titles 5.71, 5.72, 16.60 or any applicable rules and regulations.)

**5.72.045: CRUISING:**

~~(Rep. by Ord. 24-99 § 5, 1999)~~

**5.72.047: DEPARTMENT:** The Salt Lake City

~~"Department of Airports or such other City" means the city department or division as~~

~~may be designated~~delegated by the mayor to have responsibility for the enforcement of this chapter. (Ord. 24-99 § 6, 1999)

**DEPARTMENT DIRECTOR:** The Director of the Department designated by the mayor to have responsibility for the enforcement of this chapter or the authorized designee of such Director.

**DEPARTMENT CONTRACT:** A valid, existing and current contract negotiated and approved by the Salt Lake City Department of Airports for providing Taxicab or other services within the corporate boundaries of Salt Lake City, including the Airport.

**DEPARTMENT RULES AND REGULATIONS:** Rules and regulations developed and adopted by the Department Director to govern Ground Transportation Service and Businesses within the City.

**~~5.72.050:~~ EXTRAS:** The

~~"Extras" means the~~ charges to be paid by the customer or passenger in addition to the Fare. ~~fare, including any charge for the transportation of baggage or parcels.~~ (Ord. 24-99 § 6, 1999)

**~~5.72.055:~~ FACE:** That

~~"Face" means that~~ side of a Taximeter~~taximeter~~ upon which passenger or customer charges for hire of a taxicab are indicated. (Ord. 24-99 § 6, 1999)

**~~5.72.060:~~ FARE:** That

~~"Fare" means that~~ portion of the charge for hire of a Taxicab ~~taxicab~~ which is automatically calculated by the Taximeter ~~taximeter~~ through the operation of the mileage and time mechanism. (Ord. 24-99 § 6, 1999)

**GROUND TRANSPORTATION HEARING OFFICER:** A Ground Transportation Hearing Officer appointed by the Department Director to hear and rule on appeals, suspensions and other matters related to ground transportation in and connected with the City.

**HAIL A TAXICAB:** Means for a Person to call out for, or to signal for an In Service Taxicab that is not already engaged in transport of passengers to respond to the Person's location for hiring and transport of Persons or property.

**5.72.065: HIRED:** The

~~"Hired" means activating the~~ button on the Face ~~face~~ of the Taximeter ~~taximeter~~ which when activated places the Taximeter ~~taximeter~~ in operation, signifying the start of a billing process for the person(s) engaging the use of the taxicab. ~~operation.~~ (Ord. 24-99 § 6, 1999)

**5.72.070: HOLDER:** A

~~"Holder" means a~~ person to whom a certificate of public convenience and necessity has been issued. ~~(Ord. 24-99 § 6, 1999)~~

**5.72.075: IN SERVICE: A Taxicab**

~~"In service" means that a taxicab is actually~~ in use on the streets of the City,city, with a driver, and available for the transportation of passengers for hire. (Ord. 24-99 § 6, 1999)

**5.72.080: MANIFEST:**

~~"Manifest" means a daily record prepared by a taxicab driver of all trips made by such driver, showing time(s) and place(s) of origin and destination, number of passengers, and the amount of fare of each trip. (Ord. 24-99 § 6, 1999)~~

**5.72.085: OPEN STAND: A**

~~"Open stand" means a~~ public place alongside the curb of a street, or elsewhere in the City,city, which has been designated by the mayor or designee as reserved ~~exclusively~~ for the use of Taxicabs available for hire by passengers,taxicabs, and may include places otherwise marked as freight zones or other parking restricted zones if designated for use of Taxicabstaxicabs during specified times. (Ord. 24-99 § 6, 1999)

**5.72.090: PERSON: An**

~~"Person" means and includes an~~ individual, a corporation or other legal entity, a partnership, and any incorporated association. (Ord. 24-99 § 6, 1999)

**5.72.095: SMALL PARCEL DELIVERY SYSTEM:**

~~"Small parcel delivery system" means a system of delivering items which will be picked~~

~~up by a taxicab driver and delivered to a destination within one and one-half (1<sup>1/2</sup>) hours. The pick up and delivery of such items shall be accomplished while the taxicab is idle; i.e., not en route to picking up or dropping off any passenger, and not while any passenger is en route in the taxicab. (Ord. 24-99 § 6, 1999)~~

**5.72.100: TAXICAB: A**

~~"Taxicab" means a motor vehicle with a seating capacity of five passengers or less, not including the driver, used in the on demand, for hire transportation of passengers or baggage for hire over the public streets ~~of the city,~~ and not operated over a fixed route or upon a Fixed Schedule, fixed schedule, but which is subject for to contract ~~for~~ hire by persons desiring special trips from one point to another and authorized to operate in Salt Lake City by contract with the Department. ~~."Taxicab" does not include an automobile rental licensed under any other section of this code. (Ord. 45-05 § 6, 2005: Ord. 24-99 § 6, 1999)~~~~

**5.72.105: TAXICAB DRIVER'S LICENSE:**

~~"Taxicab driver's license" means the operator's certificate required pursuant to section 5.71.250 of this title. (Ord. 48-07 § 5, 2007: Ord. 24-99 § 6, 1999)~~

**5.72.110: TAXIMETER: A**

~~"Taximeter" means a meter instrument or electronic device attached to a Taxicab~~taxicab~~ which measures mileage by the distance driven and the Waiting Time~~waiting time~~ upon which the Fare~~fare~~ is based, and which automatically calculates, at a predetermined~~

rate or rates, and registers, the charge for hire of a Taxicab.taxicab. Each taxicab shall have credit card capability for its customers. (Ord. 24-99 § 6, 1999)

**5.72.115: WAITING TIME: The**

~~"Waiting time"~~ means the time when a Taxicabtaxicab is not in motion, from the time of hiring by acceptance of a passenger or passengers to the time of discharge of passenger(s).- (Ord. 24-99 § 6, 1999)

**5.72.105: AUTHORITY TO ESTABLISH RULES / REGULATIONS AND**

**PROCEEDURES:**

The Department Director, under guidance or direction from the mayor and in accordance with applicable law, shall have authority to establish fees, enter into contracts deemed as necessary or desirable and to create standards, rules / regulations and procedures, as necessary to administer the requirements of this chapter and any security or operating requirements applicable to the Salt Lake City International Airport and the City or that are deemed to be in the best interest of the City and the public.

**Article II. Authority To Operate~~Certificate Of Public Convenience And Necessity~~**

**5.72.125: COMPLIANCE RESPONSIBILITY:**

A. All Persons are required to comply with and operate under requirements of applicable law, including without limitation Federal, State, County and City laws and ordinances, to include but not limited to Salt Lake City Code Sections 5.72, 5.71., , 16.60 and all applicable policies, procedures and Department Rules and Regulations.



B. A Concessionaire shall not be relieved of any responsibility for compliance with the provisions of this chapter, whether the Concessionaire leases or rents Taxicabs to drivers, or whether the Concessionaire pays salary, wages or any other form of compensation. (Ord. 24-99 § 6, 1999)

**5.72.155: DEPARTMENT CONTRACT~~5.72.130~~: REQUIRED FOR OPERATION:**

A. No ~~Person~~person shall operate or permit a ~~Taxicab~~taxicab owned or controlled by such ~~Person~~person to be operated as a vehicle for hire upon the streets of Salt Lake City ~~unless such Person is authorized to do so under a Department Contract.~~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. No Person may operate a Taxicab Business in the City unless the Person is authorized to do so under a Department Contract.

C. 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.~~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 one hundred eighty (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 subsection, or unless such certificate or license is terminated for other causes as set forth in chapter 5.05 of this title or other sections of this code. All certificate holders as of the date hereof 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~~taxicab~~ properly licensed in a jurisdiction outside the corporate limits of the City~~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~~city~~ and where the destination is either within or beyond the City~~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.~~~~

**5.72.165: CONTRACT-BASED SYSTEM FOR PROVISION OF TAXI SERVICES:**

A. The City hereby adopts a contract-based system for provision of Taxicab services.

Only Taxicab providers selected pursuant to a competitive Request for Proposals ("RFP") process and who have entered into a Department Contract, as defined in Section 5.72.005 may operate Taxicab services upon Salt Lake City streets.

B. Existing certificates of public convenience and necessity issued by the City for Taxicab services shall expire no sooner than 180 days from the effective date of this ordinance. The City may elect, in the City's sole discretion, to continue the expiration date up to an additional 180 days. Upon expiration, a pro rata refund of

~~that portion of the Certificate fee~~D. Taxicabs may operate as provided in section ~~5.71.028~~ of this title and section ~~16.60.097~~ of this code, or their successor sections. (Ord. 87-05 § 7, 2005; Ord. 45-05 § 7, 2005; Ord. 9-02 § 1, 2002; Ord. 24-99 § 6, 1999)

**5.72.135: FEES:**

No certificate shall be given to those Persons whose Certificates have expired prior to the portion of the year remaining at the time of expiration.

**5.72.170 FEES:**

No Certificate shall ~~continue~~issued or continued in operation prior to the expiration as set forth in section 5.72.165 unless the holder thereof has paid the an annual ~~disproportionate~~ business regulatory fee as set forth in section ~~5.04.0705.04.070~~ of this title, or its successor section, each year for each vehicle authorized under a

Certificate.~~certificate of public convenience and necessity~~. Such fees shall be in addition to any other fees or charges established by proper authority and applicable to the holder of the vehicle or vehicles under the holder's operation and control. (~~Ord. 24-99 § 6, 1999~~)

**5.72.175 EXISTING HOLDERS' CERTIFICATES:**

**5.72.140: EXISTING HOLDERS' CERTIFICATES:**

All holders of existing Taxicab Certificate~~taxicab certificates~~ at the effective date hereof shall retain such Certificates,~~have a certificate of public convenience and necessity awarded to them~~, allowing them to operate the same number of vehicles as they are presently authorized to operate, without the hearing provided in this article, the public

convenience and necessity having heretofore been demonstrated, until such Certificate expires as provided in this chapter. ~~demonstrated.~~ (Ord. 24-99 § 6, 1999)

### **5.72.185:**

#### **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 hereof 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 persons with disabilities, 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. (Ord. 20-06 § 1, 2006; Ord. 45-05 § 8, 2005)~~

#### **5.72.145: LICENSING FOR ALL CERTIFIED VEHICLES:**

~~A. A holder is required to have the total number of vehicles authorized under such holder's certificate of convenience and necessity and to obtain the license required by section 5.05.155 of this title, or its successor section, for each and every vehicle.~~

~~B. In the event the holder does not license the total number of vehicles authorized by the certificate before February 15 of any year, such holder shall forfeit the right to any vehicle not so licensed; that authority shall automatically revert to the city, and the certificate shall be modified to reflect the total number of vehicles actually licensed before February 15 of any year. Such forfeited right to operate any vehicle may be reissued to any person; provided, however, it shall not be reissued except upon application required by section 5.05.105 of this title, or its successor section, and by a showing of public convenience and necessity as required by section 5.05.140 of this title, or its successor section.~~

~~C. Nothing contained herein shall prohibit a holder from having vehicles in excess of the number authorized under such holder's certificate for the purpose of replacement or substitution of an authorized vehicle under repair, maintenance or breakdown; provided, however, any such vehicle shall not be used as a taxicab other than as a~~

~~replacement or substitution as herein provided. Each holder shall be authorized to license additional vehicles, over and above the number authorized in the certificate, as replacement or substitution vehicles according to the number of vehicles so authorized in the certificate. Any holder having authorization for one to five (5) vehicles shall be allowed to license one additional vehicle as a replacement or substitution vehicle. Any holder having authorization for six (6) or more vehicles shall be allowed to license one additional vehicle as a replacement or substitution vehicle for each five (5) vehicles authorized in the certificate. (Ord. 24-99 § 6, 1999)~~

**~~5.72.150: CERTIFICATE NOT A FRANCHISE AND NOT IRREVOCABLE:~~**

~~A. No Certificate ~~certificate~~ issued in accordance with section 5.72.130 ~~of~~ this chapter, or its successor section, shall be construed to be either a franchise or irrevocable. ~~(Ord. 87-05 § 8, 2005; Ord. 24-99 § 6, 1999)~~~~

**~~5.72.205: MANDATORY ADA ACCESSIBLE VEHICLE:~~**

~~Every Taxicab Concessionaire shall provide ADA accessible vehicle service in numbers and availability as required by Department Contract and in compliance with applicable law.~~

**~~5.72.155: COMPLIANCE RESPONSIBILITY:~~**

~~The holder shall not be relieved of any responsibility for compliance with the provisions of this chapter, whether the holder leases or rents taxicabs to drivers, or whether the holder pays salary, wages or any other form of compensation. (Ord. 24-99 § 6, 1999)~~

**~~Article III. Driver Operator's Certificate~~**

**~~5.72.220: OPERATOR'S CERTIFICATE REQUIRED:~~**

~~It shall be unlawful for any person to operate a taxicab for hire upon the streets of the city unless the taxicab driver first obtains and has in effect a valid operator's certificate issued pursuant to chapter 5.71, article VI of this title, and it shall be unlawful for any person or business to permit a taxicab to be so operated unless its driver has such an operator's certificate. (Ord. 48-07 § 6, 2007; Ord. 24-99 § 6, 1999)~~

## **Article IV. Vehicle Equipment And Maintenance**

### **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 title, 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. (Ord. 11-09 § 1, 2009)~~

### **5.72.320: VEHICLE AGE:**

~~Vehicle age will be based on the calendar year starting January 1 and ending December 31 of each year. No matter when a vehicle is purchased in the calendar year, the model year of the vehicle will count as an allowable full year of model years.~~

~~A. No vehicle shall be licensed by the city as a taxicab that:~~

- ~~1. Was not licensed prior to July 31, 2005; or~~
- ~~2. Was manufactured more than six (6) model years prior to application for a license unless the vehicle meets the criteria in subsection B of this section.~~

~~B. A vehicle up to eight (8) model years in age shall be licensed if:~~

- ~~1. The vehicle runs on "alternative fuel", as defined in subsection 12.56.205A of this code;~~
- ~~2. The vehicle is a "fuel efficient vehicle", as defined in subsection 12.56.205A of this code; or~~
- ~~3. The vehicle is a "low polluting vehicle", as defined in subsection 12.56.205A of this code.~~

~~C. Compliance with age restrictions will be confirmed by inspection, as provided in chapter 5.71, article V of this title. Compliance with subsection B1 of this section may be proven by providing the department with a copy of a current clean special fuel tax certificate obtained pursuant to Utah Code Annotated (2008) section 59-13-~~

304. All vehicle modifications made to allow the use of alternative fuel must meet EPA safety standards. (Ord. 11-09 § 2, 2009)

**5.72.335: IDENTIFYING DESIGN:**

~~Each taxicab shall bear on the outside of each rear or front door, in painted letters not less than two inches (2") in height, the name of the holder and the company number, which number shall also be painted on the rear of the taxicab, and, in addition, may bear an identifying design approved by the mayor. All signs, markings, advertisement and graphics shall comply with subsection 5.71.170A of this title, or its successor. (Ord. 24-99 § 6, 1999)~~

**5.72.340: CONFLICTING OR MISLEADING DESIGNS PROHIBITED:**

~~No vehicle covered by the terms of this chapter shall be licensed whose color scheme, identifying design, monogram or insignia to be used thereon shall, in the opinion of the mayor, conflict with or imitate any color scheme, identifying design, monogram or insignia used on a vehicle or vehicles already operating under this chapter, in such a manner as to be misleading or tend to deceive or defraud the public; and provided further that if, after a license has been issued for a taxicab hereunder, the color scheme, identifying design, monogram or insignia thereof is changed so as to be, in the opinion of the mayor, in conflict with or in imitation of any color scheme, identifying design, monogram or insignia used by any other person, owner or operator, in such a manner as to be misleading or tend to deceive the public, the certificate covering such taxicab or taxicabs shall be suspended or revoked. (Ord. 24-99 § 6, 1999)~~

**Article V. Taximeters**

**5.72.305: TAXIMETER5.72.345: REQUIRED FOR OPERATION; EXCEPTION:**

A. All Taxicabs shall be equipped with Taximeters approved by the Department~~taxicabs~~ operated under the authority of this chapter, except as specified below, shall be

~~equipped with taximeters which shall conform to the specifications set forth in this chapter and such others as may be adopted from time to time by the mayor.~~

B. It is ~~a violation~~unlawful for any ~~Person~~person to operate or to allow to be operated any ~~Taxicab~~ without an taxicab without such taximeter, with the exception that any taxicab performing car pool services under section 5.72.520 of this chapter, or its successor, need not have such taximeter operative Taximeter during such trip, and any taxicab used exclusively as a car pool vehicle. (Ord. 24-99 § 6, 1999)

~~C. All Taximeters~~**5.72.347: TAXIMETER; METHOD OF PROGRAMMING RATES, FARES:**

~~No meter shall be mounted in locations approved or adopted by the Department.~~city which has rates, fares, or calibrations which are not properly sealed to prevent tampering. (Ord. 24-99 § 6, 1999)

~~D. All Taximeters shall be tested and sealed by the Department every six months and no Taximeter may be used without such seal being in place.~~

~~E. Nothing that could shield or conceal the indications and metered Fare of the Taximeter from passengers may be placed so as to block the Face of the Taximeter.~~

~~F. Taximeters shall have illuminated Faces so as to provide visible indications of the meters status and Fare to the passenger in low light or after sundown.~~

~~G. \_\_\_\_\_~~

**5.72.350: FARES; METHOD OF CALCULATION:**

~~Taximeters shall calculate the fares upon the basis of a combination of mileage traveled and time elapsed. When the taximeter is operative with respect to fare registration, the fare registration mechanism shall be actuated by the mileage mechanism and the fare registering mechanism shall be actuated by the time mechanism whenever the taxicab~~



~~is not in motion. Means shall be provided for the driver of the taxicab to maintain the clock mechanism either operative or inoperative with respect to the fare registering mechanism. (Ord. 24-99 § 6, 1999)~~

~~**5.72.355: OPERATION TO BE INDICATED:**~~

~~It shall be shown on the taximeter's face whether the mechanism is set to be operative or inoperative, and, if operative, the character of fare registration for which it is set. While the taximeter is cleared, the indication "not registering" or an equivalent expression shall appear. If a taximeter is set to be operative, the indication "registering" or equivalent expression shall appear. (Ord. 24-99 § 6, 1999)~~

~~**5.72.360: ACCUMULATED FARE TO BE SHOWN:**~~

~~The fare indication shall be identified by the word "fare" or by an equivalent expression. Values shall be defined by suitable words or monetary signs. (Ord. 24-99 § 6, 1999)~~

~~**5.72.365: VISIBILITY OF INDICATIONS:**~~

~~Indications of fare and extras shall never be obscured or covered except when a taximeter is cleared. No decals, stickers or other material may be placed on the face of the taximeter. (Ord. 24-99 § 6, 1999)~~

~~**5.72.370: PROTECTION OF INDICATIONS:**~~

~~Indications shall be displayed through an entirely protected glass or plastic face securely attached to the metal housing of the taximeter. (Ord. 24-99 § 6, 1999)~~

~~**5.72.375: FLAG AND LEVER ARM REQUIREMENTS:**~~

~~(Rep. by Ord. 24-99 § 5, 1999)~~

**5.72.378: TOP LIGHT REQUIREMENT:**

~~A top light shall be installed on every licensed taxicab. The top light shall be illuminated when said taxicab is available for hire and shall not be illuminated when the taximeter is placed into hire. (Ord. 24-99 § 6, 1999)~~

**5.72.380: COMPLETION OF SERVICE:**

Upon the completion of the service by the Taxicab, taxicab, it shall be the duty offer the driver to call the attention of the passenger to the amount registered and to clear the Taximeter of all Fare indications so as to start at \$0 upon the next Fare, and to clear the taximeter to the nonregistering position and its dials cleared. Upon completion of each fare, the driver shall give the passenger a printed receipt as required by section 5.72.475 of this chapter, or its successor. (Ord. 24-99 § 6, 1999)

H. Except as otherwise provided herein, it is a violation for any driver of a Taxicab or Taxicab business to charge a Fare other than as calculated by the Taximeter.

I. It is a violation for any driver of a Taxicab or Taxicab Business to charge any Extra that is not approved by the Department, calculated by the Taximeter, and which is not applicable to the current Fare.

J. A top light shall be installed on every licensed Taxicab. The top light

**5.72.385: PLACEMENT OF METER IN CAB:**

~~When mounted upon a taxicab, a taximeter shall be so placed that its face is in plain view of any passenger seated on the rear seat of the cab. (Ord. 24-99 § 6, 1999)~~

**5.72.390: ILLUMINATION:**

~~The face of the taximeter shall be artificially illuminated when said Taxicab is available for Hire and after sundown so that it is clearly visible to rear seat passengers. (Ord. 24-99 § 6, 1999)~~

**5.72.395: SEALING OF METERS REQUIRED:**

~~A. Every taximeter shall not be illuminated when have adequate provisions for the affixing of a lead and wire seal so that no adjustments, alterations or replacements affecting in any way the Taximeter indications, rates or accuracy of the taximeter can be made without mutilating such seal. The seal shall be affixed by the department or the city license office, as hereinafter provided.~~

~~B. It is unlawful for any person to operate any taxicab at any time with the license office's seal of the taximeter broken, mutilated or removed, and any taxicab having a broken, mutilated or removed seal must be inspected by the department or the license office, and a new seal affixed by the office. (Ord. 24-99 § 6, 1999)~~

**5.72.400: INSPECTIONS; AUTHORIZED WHEN:**

~~All taximeters shall be subject to inspection from time to time by the department and/or the license office of the city. (Ord. 24-99 § 6, 1999)~~

**5.72.405: SIX MONTH INSPECTIONS:**

~~A. It shall be the duty of the department or the license office to inspect, test and seal with a city seal every taximeter at least once every six (6) months. This inspection shall coincide with the airport and/or the license office inspection required under section 5.71.180 of this title, or its successor.~~

~~B. It is further required that the semiannual meter checks shall be required for every taxicab in which a meter is installed, irrespective of whether or not that particular taxicab is placed into Hire in operation at the time of such inspections. When any department or license office seal has been broken, mutilated or removed, the holder~~

~~shall contact the department or the license office and make arrangements for the replacement of such seal. It is unlawful for any driver of a taxicab or any other person to operate a taximeter in a taxicab unless said meter has been inspected and certified to be operating accurately by the department or the license department for that specific taxicab. (Ord. 24-99 § 6, 1999)~~

**5.72.355: TAXIMETER**~~**5.72.415: SEALING AFTER INSPECTION:**~~

~~Such taximeters shall be sealed at all points and connections which, if manipulated, would affect their correct reading and recording. (Ord. 24-99 § 6, 1999)~~

**5.72.420: INSPECTIONS; RECORD KEEPING:**

**A. The Department**

~~The department and/or the license office shall keep a record of the identification of every Taxicab~~taxicab~~ meter number and date of inspection thereof in its office. (Ord. 24-99 § 6, 1999)~~

~~B. The Department shall inspect, test and seal every operational Taximeter at least every six months. Additionally, the Department may inspect and test any Taximeter upon receipt of a complaint regarding the operations or accuracy of a Taximeter.~~

**C. \_\_\_\_\_**

**5.72.425: INSPECTION UPON COMPLAINT:**

~~It shall be the duty of the department or the license office to make an immediate inspection of any taximeter when complaint is received that the taximeter is registering incorrectly or not in accordance with the rate posted in the taxicab and set forth in this chapter. (Ord. 24-99 § 6, 1999)~~

**~~5.72.430: CHANGE IN RATES; IMMEDIATE INSPECTION:~~**

In the event a change in rates is made, the ~~Taximeter~~taximeter shall be adjusted to the new rates, and the ~~Taximeter~~taximeter of every ~~Taxicab~~taxicab in which a meter has been installed shall be immediately inspected, tested and sealed by the ~~Department~~.department or the license office. A fee as set by the Department Director to recover costs of the meter inspection shall ~~of five dollars (\$5.00) will~~ be charged by the ~~Department~~department or the license office for each meter reprogrammed and sealed. ~~(Ord. 24-99 § 6, 1999)~~

D.

**~~5.72.435: ERROR IN REGISTRATION; REMOVAL FROM SERVICE:~~**

No ~~Taximeter~~taximeter which is inaccurate in registration in excess of one and one-half percent (1<sup>1</sup>/<sub>2</sub>%) shall be allowed to operate in any ~~Taxicab~~taxicab, and when an inaccuracy is discovered, such ~~Taxicab~~taxicab involved shall immediately cease operation and be kept out of operation~~off the highways~~ until the meter is repaired and in proper working condition. ~~(Ord. 24-99 § 6, 1999)~~

E.

**~~5.72.438: ALTERING TAXICAB TO AFFECT TAXIMETER:~~**

No owner, driver or ~~Business~~company shall perform or permit or allow any alterations to a ~~Taxicab~~taxicab that will affect the ~~Taximeter~~taximeter pulse setting without said ~~Taximeter~~taximeter being inspected and recertified by the ~~Department~~.department and/or the license office. Said alterations shall include, but

~~are not be~~ limited to, transmission replacement or remanufacturing, differential replacement or remanufacturing, speedometer cable replacement, speed sensor replacement, repair or replacement of the ~~Taxicab's~~ ~~taxicab's~~ onboard computer, or change of tire size on drive axle. ~~(Ord. 24-99 § 6, 1999)~~

~~5.72.440: USING HIRED BUTTON AS SIGNAL FOR DIFFERENT RATE PROHIBITED:~~

~~Except as otherwise provided herein, it is unlawful for any driver of a taxicab to charge a fare other than as calculated by the taximeter. (Ord. 24-99 § 6, 1999)~~

~~Article IV.VI. Rates~~

~~5.72.405:5.72.455: MAXIMUM RATES:~~

~~A. Unless otherwise provided for in Department Contract, the Department will review submittals by Taxicab companies for Taxicab rates and the Department Director will approve the rate structure and Extras allowed to be charged for Taxicab service.~~

~~Unless otherwise provided for in Department Contract, each Taxicab Business may A. Except as otherwise provided herein, an owner or driver of a taxicab may establish and charge mileage rates lower than, but shall not establish and charge any mileage rate for the use of a taxicab greater than, two dollars twenty five cents (\$2.25) for flag drop and twenty cents (\$0.20) for each one-eleventh ( $\frac{1}{11}$ ) mile or fraction thereof. An owner or driver of a taxicab may establish and charge a rate for waiting time lower than, but shall not establish any rate for waiting time greater than, twenty two dollars (\$22.00) per hour. With respect to the flag drop rate identified herein, the city council may elect to reevaluate that amount on its own initiative before December 31, 2008. If followed, this reevaluation process shall be separate from and not require that a separate petition be filed and fee paid by any certificate holder under section 5.72.457 of this chapter, and in no way shall this process obligate the city council to amend the flag drop rate unless it otherwise chooses to do so.~~

~~B. The foregoing notwithstanding, an owner or driver of a taxicab who is charged a fee by the city to deliver a passenger or to pick up a passenger at the Salt Lake City International Airport may, in addition to the rates allowed by subsection A of this section, or its successor, charge an additional sum in the exact amount of such fee~~

~~to be used to pay such fee. Further, an owner or driver of a taxicab may charge a minimum airport rate of twelve dollars (\$12.00) for service from the Salt Lake City international airport. (Ord. 69-08 § 1, 2008; Ord. 52-07 § 1, 2007; Ord. 18-06 § 1, 2006; Ord. 16-05 § 1, 2005; Ord. 24-99 § 6, 1999)~~

#### **~~5.72.457: ANNUAL REVIEW OF MAXIMUM RATES:~~**

~~B. A. Each person holding a certificate of public convenience and necessity to operate~~

~~taxicabs within the city shall file with the Department periodically, but no more often than every six months, a statement city business license supervisor once during the~~

~~calendar year a petition~~ regarding the adequacy of the existing maximum rates as

set ~~by the Department Director. forth in section 5.72.455 of this chapter, or its~~

~~successor section.~~ Said statement petition shall state whether, in the opinion of the

Person submitting the statement, certificate holder, the existing maximum rates are

at an appropriate level, or whether such rates should be increased or decreased. If

the statement petition indicates that the said rates should be increased, the

Person person submitting the statementsuch petition shall supplement the

statement petition with documentation in support of such increase, such as evidence

of increased ~~d-of~~ operating costs, insurance costs, costs of living, fares charged by

competing transportation services and ~~and~~ other relevant information. ~~Each person~~

~~filing said statement shall at the time of filing, pay a filing fee to the city business~~

~~license supervisor of one hundred dollars (\$100.00) to cover the city's costs of~~

~~processing the statement and of conducting the subsequent hearing thereon.~~

~~B. As soon as is practicable after filing said petition the city business license supervisor shall schedule a public hearing before a hearing officer appointed by the mayor to consider the question of whether or not the existing taxicab rates should be increased. Notice of said hearing shall be posted in the office of the city recorder and shall be published in a newspaper of general circulation in the city.~~

- ~~C. The city hearing officer appointed by the mayor shall have power and authority to preside at and power to examine witnesses and receive evidence, compel the attendance of witnesses, and compel the production of documents.~~
- ~~D. The decision of the hearing officer, following the conclusion of said hearing, shall act as a recommendation to the city council. In the event said decision recommends an increase in taxicab rates, the city business license supervisor shall, as soon as practicable, present to the city council the recommendation of the hearing officer for the council's consideration. The city council may accept, modify, or reject the hearing officer's recommendations.~~
- ~~E. If in the determination of the mayor or the city council it is decided that certain special circumstances warrant an additional hearing during a calendar year, then either the mayor or the city council may direct that a hearing be scheduled. A holder of a certificate of public convenience and necessity to operate a taxicab within the city who has already received a hearing under subsection A of this section may petition the mayor or city council at any time under this provision. Neither the mayor nor the city council is required to grant the petition for a hearing. All other provisions governing fees and hearing procedures shall be the same as set forth above. (Ord. 64-05 § 1, 2005; Ord. 4-05 § 1, 2005; Ord. 92-04 § 1, 2004; Ord. 24-99 § 6, 1999)~~

#### **5.72.460: RATES AND RATE CHANGES; NOTIFICATION TO CITY:**

~~Each holder of a certificate shall file a schedule of its maximum rate with the license supervisor of the city, and shall notify the license supervisor in writing of any change in the maximum rate at least fifteen (15) days prior to such new rate being placed into effect. (Ord. 24-99 § 6, 1999)~~

#### **5.72.465: DISPLAY OF FARE RATES:**

##### C.

Every Taxicab~~taxicab operated under this chapter~~ shall have printed on the outside of the cab, in a conspicuous place on the cab and of sufficient size, legibility and in such manner as to be plainly visible to all prospective passengers, all rates and Extras~~charges~~ in effect for ~~the taxicab company operating such Taxicab.~~ All such rates and Extras~~charges~~ shall also be posted on the inside of the



~~Taxicabtaxicab~~ in such a manner as to be plainly visible to all passengers. All displays of rate information on taxicabs shall meet the requirements of section 5.71.170 of this title, or its successor section, regarding vehicle signage, and all other applicable ordinances. (Ord. 24-99 § 6, 1999)

**~~5.72.470: DISPLAY OF ADDITIONAL CHARGES:~~**

~~(Rep. by Ord. 24-99 § 5, 1999)~~

**~~5.72.472: ALL CHARGES TO BE APPROVED BY CITY:~~**

~~D.~~

No ~~Taxicabtaxicab~~ or ~~Taxicab Business~~~~taxicab company~~ shall charge any fee or payment for the use of a ~~Taxicabtaxicab~~ within the ~~City~~city without the prior approval of the ~~Department Director~~.city council. (Ord. 24-99 § 6, 1999)

**~~5.72.475: RECEIPTS FOR PAYMENT OF FARE:~~**

The driver of any ~~Taxicabtaxicab~~ shall render to every passenger a receipt for the amount charged, ~~either by a mechanically or electronically printed receipt from the taximeter,~~ on which shall be the name of the ~~Taxicab Business, Taxicabtaxicab company, taxicab~~ number, the date and time the ~~Farefare~~ was initiated and completed, the miles charged, ~~Extrasextras~~ added to the ~~Farefare~~, and the total amount of meter reading or charges. (Ord. 24-99 § 6, 1999)

**~~5.72.480: HIRING VEHICLE WITH INTENT TO DEFRAUD:~~**

~~It is unlawful for any person to hire any vehicle defined in this chapter with intent to~~

~~defraud the person from whom it is hired of the value of such service. (Ord. 24-99 § 6, 1999)~~

#### **~~5.72.485: REFUSING TO PAY LEGAL FARE:~~**

~~It is unlawful for any person to refuse to pay immediately the legal fare of any of the vehicles mentioned in this chapter after having hired the same. (Ord. 24-99 § 6, 1999)~~

E.

### **Article V.VII. Service Regulations**

#### **~~5.72.455;5.72.490:~~ GENERAL SERVICE REQUIREMENTS:**

A. Taxicab companies shall maintain all service requirements stipulated in the Department Contract and other requirements as called for by applicable law or Rules and Regulations, or as may be required by the Department Director.

B. Unless otherwise provided in the Department Contract, it is a violation for any Taxicab Business

~~The holder of a certificate shall maintain, at all hours during the day or night, sufficient taxicabs with drivers to reasonably answer all calls received. The telephone number of the central place of business shall be listed under the company name in the white pages, and in the yellow pages under the heading "taxicabs", of the city telephone directory. Any not so listed at the time this chapter was adopted, or any company receiving a new certificate of convenience and necessity, shall be so listed in the next issue of the telephone book. (Ord. 24-99 § 6, 1999)~~

#### **~~5.72.495: TWENTY FOUR HOUR SERVICE REQUIRED:~~**

~~Holders of a certificate of public convenience and necessity shall maintain a central place of business and keep the same open with a person on duty twenty four (24) hours a day, seven (7) days per week, for the purpose of receiving calls and dispatching cabs. (Ord. 24-99 § 6, 1999)~~

**~~5.72.500: ANSWERING CALLS FOR SERVICE:~~**

~~(Rep. by Ord. 24-99 § 5, 1999)~~

**~~5.72.505: REFUSING CALLS OR SERVICE PROHIBITED:~~**

~~It is unlawful for any holder of a certificate to refuse to accept a call for service to or  
from any point within the corporate limits of the City at any time when such  
Businessholder has available Taxicabs, taxicabs, and it is a violation ~~unlawful~~ for any  
Businessholder to fail or refuse to provide all or any service required by this title.~~

~~(Ord. 24-99 § 6, 1999)~~

C.

**~~5.72.510: VEHICLE TO BE USED ONLY FOR TRANSPORTATION:~~**

~~(Rep. by Ord. 24-99 § 5, 1999)~~

**~~5.72.515: BEST ROUTE REQUIRED:~~**

Any driver employed to carry a passenger to a definite point shall take the most direct or expeditious route possible that will carry the passenger safely and expeditiously to his or her destination, unless otherwise directed by the ~~passenger. passenger, except that a driver may deviate to pick up or drop off passengers at their homes when he is operating a taxicab as a car pool vehicle. A driver who, in order to increase the fare, knowingly takes a route which is not the~~

~~most direct or expeditious as possible under the circumstances shall be subject to a civil penalty under section 5.71.080 of this title. (Ord. 24-99 § 6, 1999)~~

D.

**~~5.72.520: CAR POOL SERVICES:~~**

~~Notwithstanding all other provisions of this chapter, it shall be lawful for any person owning or operating a taxicab where both such taxicab and operator are properly licensed under the provisions of this chapter to provide the additional car pool provided in this section. Car pool service may provide transportation for two (2) or more persons between drop off and pick up points within the city as designated by the taxicab company, subject to the approval of the mayor. A fixed price may be charged for such one-way car pool service. (Ord. 24-99 § 6, 1999)~~

**~~5.72.525: SMALL PARCEL DELAY DELIVERY SYSTEM:~~**

~~Taxicabs which are properly licensed under the provisions of this chapter are authorized to provide a small parcel delay delivery system for the transporting of small parcels at a fixed rate, as provided in section 5.72.455 of this chapter, or its successor. It is unlawful for the driver of any taxicab to pick up or deliver any small parcel while en route to pick up or drop off any passenger. (Ord. 24-99 § 6, 1999)~~

**~~5.72.530: ADVERTISING MATERIAL ON CABS PERMITTED:~~**

~~It shall be lawful for any person owning or operating a taxicab or motor vehicle for hire to permit advertising matter to be affixed to or installed in or on such taxicabs or motor vehicles for hire. All advertising material shall be professionally produced. (Ord. 24-99 § 6, 1999)~~

**~~5.72.535: OPEN STANDS; ESTABLISHMENT:~~**

The mayor or designee is authorized and empowered to establish Open Stands~~open~~

~~stands~~ in such place or places upon the streets of the ~~City~~city as the mayor deems necessary for the use of ~~Taxicabs~~taxicabs operated in the ~~City~~city. The mayor shall not create an ~~Open Stand~~open stand without taking into consideration the need for such ~~Stands~~stands by the ~~Taxicab industry companies~~, the convenience to the general public, and the recommendation of the ~~City Traffic Engineer~~traffic engineer. The mayor shall not create an ~~Open Stand~~open stand where such ~~Stand~~stand would tend to create a traffic hazard. ~~(Ord. 24-99 § 6, 1999)~~

E.

**~~5.72.540: OPEN STANDS; USE RESTRICTIONS:~~**

Open ~~Stands~~stands shall be used only by ~~Taxicab~~the different drivers and their boarding passengers, who shall use them on a first come, first served basis. The driver shall ~~enter~~pull onto the ~~Open Stand~~open stand from the rear and shall advance forward as the ~~Taxicabs exit~~cabs ahead pull off. Drivers shall stay within ten feet (10') of their ~~Taxicabs~~. Nothing in this chapter shall be construed to prevent a passenger from boarding the cab of his or her choice that is parked at any position in an Open Stand~~.open stands~~. The mayor or designee shall prescribe the maximum number of cabs that shall occupy such ~~Open Stands~~open stands. ~~(Ord. 24-99 § 6, 1999)~~

F.

**~~5.72.545: OPEN STANDS; TELEPHONES PERMITTED WHEN:~~**

~~(Rep. by Ord. 24-99 § 5, 1999)~~

**~~5.72.550: OPEN STANDS; USE BY OTHER VEHICLES PROHIBITED:~~**

Private or other vehicles for hire, and Persons not waiting for or boarding Taxicabs shall not occupy the space upon the streets that has been established as an Open Stand~~open stand~~ during any times specified by the mayor or designee for use by Taxicabs~~taxicabs~~. (Ord. 24-99 § 6, 1999)

G.

**~~5.72.555: DRIVER TO REMAIN WITH CAB; EXCEPTION:~~**

The driver of any Taxicab~~taxicab~~ shall remain in the driver's compartment or immediately adjacent to his or her vehicle at all times when such vehicle is upon the public street, except that, when necessary, a driver may be absent from his or her Taxicab~~taxicab~~ for not more than twenty (20) consecutive minutes; and provided further, that nothing herein contained shall be held to prohibit any driver from alighting to the street or sidewalk for the purpose of assisting passengers into or out of such vehicle or to load their baggage into the Taxicab. ~~Drivers shall comply with the requirements of chapter 16.60 of this code, or its successor, as well as all other applicable laws and ordinances, when operating at the airport.~~ (Ord. 24-99 § 6, 1999)

H.

**~~5.72.560: NUMBER OF PASSENGERS; RESTRICTIONS:~~**

No driver shall permit more Persons~~persons~~ to be carried in a Taxicab~~taxicab~~ as passengers than the rated seating capacity rated by the vehicle manufacturer of his

or her ~~Taxicab, taxicab,~~ as stated in the license for the vehicle issued by the department and/or the licensing office. Child seating shall be in accordance with Utah and federal law. ~~(Ord. 24-99 § 6, 1999)~~

I.

**~~5.72.565: ADDITIONAL PASSENGERS; PASSENGER CONSENT REQUIRED:~~**

After ~~a Taxicab has been Hired~~the employment of the taxicab by a passenger or group of passengers, no driver shall permit any other ~~Person~~person to occupy or ride in the ~~Taxicab~~taxicab without the consent of the original passenger or group. ~~(Ord. 24-99 § 6, 1999)~~

J.

**~~5.72.570: SOLICITATION; BY DRIVER; LIMITATIONS:~~**

No driver shall solicit passengers for a ~~Taxicab~~taxicab except when sitting in the driver's compartment of such ~~Taxicab, taxicab,~~ while standing within ten feet (10') of such ~~Taxicab, taxicab,~~ or at any authorized ~~Open Stand~~.ground transportation stand. ~~(Ord. 24-99 § 6, 1999)~~

K.

**~~5.72.575: SOLICITATION; PROHIBITED PROCEDURES:~~**

~~(Rep. by Ord. 24-99 § 5, 1999)~~

**~~5.72.580: SOLICITATION OF COMMON CARRIER PASSENGERS:~~**

~~(Rep. by Ord. 24-99 § 5, 1999)~~

**~~5.72.585: SOLICITATION OF HOTEL BUSINESS PROHIBITED:~~**

~~It is a violation of this chapter for any driver of a taxicab to solicit business for any hotel, or to attempt to divert patronage from one hotel to another. (Ord. 24-99 § 6, 1999)~~

**~~5.72.590: CRUISING PROHIBITED; EXCEPTION:~~**

~~(Rep. by Ord. 24-99 § 5, 1999)~~

**~~5.72.595: REFUSAL TO CARRY PASSENGERS PROHIBITED WHEN:~~**

No driver shall refuse or neglect to convey any orderly and sober Person or Persons, person or their luggage persons, upon request, unless previously engaged or unable or forbidden by the provisions of this chapter to do so. No driver shall refuse to transport a service animal accompanying a person or persons in the passenger compartment of the Taxicab. ~~(Ord. 24-99 § 6, 1999)~~

L. Any Person may Hail a Taxicab for service within the City, except that in locations of an Open Stand for Taxicabs the Person should proceed to the Taxicab that is "headset" at the stand for service. However, nothing shall prohibit the Person from hiring the Taxicab of their choice.

**5.72.505: REQUIREMENT TO PROVIDE SERVICE TO HAILING PUBLIC:**

It is a violation for any Taxicab driver to pass by or refuse service to a Person Hailing a Taxicab for service unless the Taxicab being Hailed is already in route to a dispatched Fare, is already Hired or is not In Service.



**5.72.530: ADVERTISING MATERIAL ON CABS PERMITTED:**

In accordance with applicable Department Contract, it shall be permitted for any Person owning or operating a Taxicab to allow advertising matter to be affixed to or installed in or on such Taxicabs. (Ord. 24-99 § 6, 1999)

**~~5.72.600: ENGAGING IN LIQUOR OR PROSTITUTION TRAFFIC PROHIBITED:~~**

~~It is unlawful for any taxicab driver to sell intoxicating liquor or to knowingly transport persons for the purpose of buying liquor unlawfully, or to solicit business for any house of ill repute or prostitute. It is also unlawful for any taxicab driver to permit any person to occupy or use his or her vehicle for the purpose of prostitution, lewdness or assignation, with knowledge or reasonable cause to know that the same is or is to be used for such purposes, or to direct, take or transport, or offer or agree to direct, take or transport any person to any building or place, or to any other person, with knowledge or reasonable cause to know that the purpose of such directing, taking or transporting is prostitution, lewdness or assignation. (Ord. 24-99 § 6, 1999)~~

**~~5.72.601: 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. (Ord. 87-05 § 11, 2005)~~

**Article VIII. Manifests And Other Records**

**~~5.72.605: DRIVERS TO KEEP MANIFESTS:~~**

~~Every driver shall maintain a daily manifest upon which is reported all 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 number of passengers and amount of fare, and all such complete manifests shall be returned to the holder by the driver at the conclusion of his or her working day. (Ord. 24-99 § 6, 1999)~~

**~~5.72.610: MANIFEST FORMS TO BE APPROVED:~~**

~~The forms for each manifest shall be furnished to the driver by the holder, and shall be of a character approved by the mayor. (Ord. 24-99 § 6, 1999)~~

**~~5.72.615: MANIFESTS; HOLDING PERIOD; AVAILABILITY:~~**

~~Every holder of a certificate of public convenience and necessity 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 to the department and the licensing office. (Ord. 24-99 § 6, 1999)~~

**~~5.72.620: RECORD KEEPING REQUIREMENTS FOR HOLDERS:~~**

~~Every holder shall keep accurate records of receipts from operations, operating and other expenses, capital expenditures, and such other operating information as may be required by the mayor. (Ord. 24-99 § 6, 1999)~~

**~~5.72.625: RECORDS ACCESSIBLE FOR EXAMINATION:~~**

~~Every holder shall maintain the records containing such information and other data required by this chapter at a place readily accessible for examination by the mayor. (Ord. 24-99 § 6, 1999)~~

**Article IX. Enforcement and Penalties**

**5.72.705:5.72.630: DEPARTMENT AND LICENSE OFFICE AUTHORITY:**

The Department is

~~The department and the license office of the city are~~ hereby given the authority and

~~isare~~ instructed to ~~govern~~~~watch and observe~~ the conduct of ~~companies~~ ~~holders~~ and drivers operating under this chapter. (Ord. 24-99 § 6, 1999)

#### **5.72.805: ISSUANCE OF A CIVIL NOTICE OF GROUND TRANSPORTATION**

##### **VIOLATION:**

- A. Every notice issued under this chapter shall be issued in the form of a written Civil Notice and shall contain a statement that the named party may appeal the imposition of the penalty and provide information regarding how to appeal.
- B. Any Concessionaire, driver, vehicle owner, or Authorized Ground Transportation Business that violates any provision of this chapter may be named in a Civil Notice issued by the City. A violation of any provision of this chapter by any driver or vehicle owner shall also constitute a violation of such provision by the Ground Transportation Business or concessionaire under whose authority such driver or owner was operating at the time of the violation.

#### **5.72.855: CIVIL PENALTIES AND ENFORCEMENT:**

- A. The City may impose revocation, suspension and nonrenewal of a City business license to operate a Ground Transportation Business for violations of applicable laws, policies, procedures, rules, or regulations as provided under chapter 5.02 of this title.
- B. The Department may revoke, suspend or deny renewal of an Operator's Badge, Department Automated Vehicle Identification tag or Department Inspection Seal for violations of applicable laws, policies, procedures, rules, or regulations. The person or business affected may request, in writing filed with the Department, an appeal hearing before the Ground Transportation Hearing Officer. Any such revocation,

suspension or denial of renewal shall remain in effect until the party against whom such action is taken requests reinstatement and the Ground Transportation Hearing Officer determines that reinstatement is appropriate.

C. If any Named Party fails to comply with civil penalties imposed under this chapter, such party may be subject to suspension, revocation or nonrenewal of a City license to operate a Ground Transportation Business, Operator’s Badge, Department Automated Vehicle Identification Tag and Department Inspection Seal. (Ord. 24-99 § 4, 1999)

D. Civil penalties may be imposed as set forth below. The Named Party in the Civil Notice shall be liable for a civil penalty. Any penalty assessed in connection with this section may be in addition to any other penalty that may be imposed by law, rule, regulation, suspension, revocation or other restrictions as may be imposed by the Department Director.

<b><u>ARTICLE II.</u></b>		
<b><u>AUTHORITY TO OPERATE</u></b>		
<u>5.72.155 (A,B)</u>	<u>\$1000.00</u>	<u>Authority to operate Taxicabs</u>
<u>5.72.205</u>	<u>\$1000.00</u>	<u>ADA vehicle service required</u>
<b><u>ARTICLE III.</u></b>		
<b><u>TAXIMETERS</u></b>		
<u>5.72.305 (A,B,D)</u>	<u>\$1000.00</u>	<u>Certified meter required</u>
<u>5.72.305 (G)</u>	<u>\$300.00</u>	<u>Clearing of metered Fare</u>
<u>5.72.305 (C,E,F,J)</u>	<u>\$100.00</u>	<u>Location, visibility &amp; top light requirement</u>
<u>5.72.305 (H,I)</u>	<u>\$500.00</u>	<u>Passenger Fares</u>

<u>5.72.355 (D,E)</u>	<u>\$1000.00</u>	<u>Accuracy in calculation of Fares</u>
<b><u>ARTICLE IV</u></b>		
<b><u>RATES</u></b>		
<u>5.72.405 (C,E)</u>	<u>\$100.00</u>	<u>Posting of rates and receipt required</u>
<u>5.72.405 (D)</u>	<u>\$1000.00</u>	<u>Charge of approved Fares only</u>
<b><u>ARTICLE V</u></b>		
<b><u>SERVICE REGULATIONS</u></b>		
<u>5.72.455 (A,B,H,K)</u>	<u>\$500.00</u>	<u>Violation of service requirements</u>
<u>5.72.455 (C,I,)</u>	<u>\$300.00</u>	<u>Violation of service requirements</u>
<u>5.72.455 (,E,F,G,J)</u>	<u>\$100.00</u>	<u>Violation of service requirements</u>
<u>5.72.505</u>	<u>\$500.00</u>	<u>Service to Hailing Person</u>

**5.72.890: ENFORCEMENT PROCEDURES; CIVIL NOTICE OF GROUND**

**TRANSPORTATION VIOLATION:**

A. Civil Notices under this chapter, other than those involving revocations, suspensions, denials or approvals of a business license, Operators' Badge, Department Automated Vehicle Identification Tags and Department Inspection Seal shall be heard by the Salt Lake City Justice Court. Any Named Party may appear before a Hearing Officer and present and contest an alleged violation as provided in title 2, chapter 2.75 of this code, or its successor.

B. The burden to prove any defense shall be upon the Person raising such defense.

Nothing herein shall affect the City's burden to prove each element of the underlying charge by a preponderance of evidence.

C. If the Hearing Officer finds that no violation of this chapter occurred, or that a violation occurred but one or more of the defenses set forth in this section is applicable, the Hearing Officer may dismiss the Civil Notice and release the Named Party from liability thereunder, or may reduce the penalty associated therewith as he or she shall determine. Such defenses are:

1. The Civil Notice does not contain the information required by this chapter;
2. Compliance with the subject ordinances would have presented an imminent and irreparable injury to persons or property; or
3. Such other mitigating circumstances as may be approved by the City Attorney's Office.

#### **5.72.900: EXPEDITED APPEAL OF EXCLUSION:**

Any Named Party who is excluded from pursuing commercial activities under this chapter, and has not had a hearing before the Ground Transportation Hearing Officer regarding such exclusion as provided for in this chapter, such party may request an expedited appeal of the action that resulted in such exclusion. Such appeal shall be requested in writing by the party so excluded to the Department. The Department shall promptly investigate the facts relating to such exclusion. If the evidence indicates such exclusion is improper under this chapter, the Department Director may reverse the

action that resulted in such exclusion. If the Department Director does not reverse such action, the action resulting in such exclusion shall be heard and determined by the Ground Transportation Hearing Officer in accordance with the provisions of this chapter. If a preponderance of the evidence indicates such exclusion is proper under this chapter the Ground Transportation Hearing Officer shall uphold such exclusion.

SECTION 2. Effective Date. This ordinance shall become effective on the date of its first publication.

Passed by the City Council of Salt Lake City, Utah this \_\_\_\_\_ day of \_\_\_\_\_, 2010.

\_\_\_\_\_  
CHAIRPERSON

\_\_\_\_\_  
CITY RECORDER

Transmitted to Mayor on \_\_\_\_\_.

Mayor's Action: \_\_\_\_\_ Approved. \_\_\_\_\_ Vetoed.

\_\_\_\_\_  
MAYOR

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CITY RECORDER

(SEAL)

Bill No. \_\_\_\_\_ of 2010

Published: \_\_\_\_\_

**~~5.72.635: VIOLATION; CRIMINAL PROCEEDINGS; REPORT TO MAYOR:~~**

~~Upon discovering a violation of the provisions of this chapter, in addition to regular criminal proceedings, the department or the license office shall report the same to the mayor, which will order or take appropriate action respecting the licenses or certificates of the persons involved. (Ord. 24-99 § 6, 1999)~~

**~~5.72.640: VIOLATION; PENALTY:~~**

~~Any violation of any of the provisions of this chapter shall constitute a misdemeanor. (Ord. 24-99 § 6, 1999)~~



SALT LAKE CITY ORDINANCE  
No. \_\_\_\_\_ of 2010

(Amending Title 16, *Salt Lake City Code*, section 16.60, regarding motor vehicle operation at the Salt Lake City International Airport, and section 16.64, regarding title 16 violations, penalties and enforcement)

An ordinance amending title 16, sections 16.60 and 16.64, *Salt Lake City Code*, pertaining to motor vehicle operation at the Salt Lake City International Airport, and violations, penalties and enforcement of title 16 provisions at the Salt Lake City International Airport to correspond with changes made in sections 5.71 and 5.72, *Salt Lake City Code*; providing for rules and regulations; replacing criminal enforcement with civil penalties and establishing *Salt Lake City Code* processes and procedures related thereto.

WHEREAS, City Council has amended sections 5.71 and 5.72, *Salt Lake City Code*, pertaining to ground transportation and taxicabs; and

WHEREAS, the City Council has determined that the following ordinance corresponds with and supports the amendments to sections 5.71 and 5.72; and

WHEREAS, after a hearing before the City Council, the City Council has determined that the following ordinance is in the best interest of the City.

NOW, THEREFORE, be it ordained by the City Council of Salt Lake City, Utah as follows:

SECTION 1. That Chapter 16.60, *Salt Lake City Code*, pertaining to motor vehicle operation at the Salt Lake City International Airport, be and the same hereby is, amended to read as follows:

**Article I. General Regulations**

**16.60.001: AUTHORITY TO ESTABLISH RULES / REGULATIONS AND**

**PROCEEDURES:**

The Department Director, under guidance or direction from the mayor and in accordance with applicable law, shall have authority to establish fees, enter into contracts deemed as necessary or desirable and to create standards, rules / regulations and procedures, as necessary to administer the requirements of this chapter and any security or operating requirements applicable to the Salt Lake City International Airport and the City or that are deemed to be in the best interest of the City and the public.

**16.60.005: EXEMPTIONS FROM REQUIREMENTS OF THIS CHAPTER:**

Vehicles licensed and operated by governmental agencies, universities and school districts, the Utah Transit Authority, ambulances and others that may be designated by the Department Director, are exempt from the requirements of this chapter.

**16.60.010: COMPLIANCE WITH STATE AND OTHER REGULATIONS:**

- A. No person shall operate a motor vehicle on the Airport except in strict compliance with applicable laws of the state and the ordinances of the City and Department of Airports Rules and Regulations, standards and procedures.
- B. No Person or owner shall drive, permit to be driven, stopped or parked on any street, parking lot, alleyway or driveway within the Airport any vehicle which is required under the laws of the state to be inspected and registered unless such vehicle has been inspected and registered, and has attached thereto in proper position a valid and unexpired certificate of inspection as required by the laws of the state.
- C. All vehicles operated on Department property, including ramp areas, shall be maintained in a safe operating condition. (Ord. 42-87 § 8, 1987: prior code § 2-15-1)

**16.60.020: DRIVING ON LOADING AREAS; RESTRICTIONS:**

- A. Any motorized vehicle being used on the ramp as a service vehicle must display the Department issued identification sticker. Each such vehicle must also bear company identification visible from fifty feet (50') on both sides of the vehicle.
- B. No Person or vehicle is permitted in, on or around any secured area, such as, but not limited to, any hangar, landing field, runway, apron or taxi strip, without prior permission from the Department Director.
- C. Automobiles, trucks and other equipment (including Airport maintenance and emergency vehicles) being driven on any landing area, runway, taxi strip or apron must display a standard checkered flag or flashing amber or red light, as appropriate, if operated during the nighttime, or, when applicable, marked in accordance with FAA regulations or as directed by the Department Director, and must not be operated without prior permission of the control tower. (Ord. 42-87 § 8, 1987: prior code § 2-15-3)

**16.60.030: VEHICLE RAMP OPERATIONS:**

- A. Speed Limits: Motor vehicles shall be operated on established streets and roadways within the Airport in strict compliance with speed limits posted on traffic signs. They shall also be maintained and operated in conformity with all motor vehicle regulations and laws of the state and City. Motor vehicles being operated on any passenger loading ramp, aircraft parking ramp, or in any area immediately adjacent to the terminals or hangars, shall be driven cautiously and at a safe and reasonable speed, but not to exceed twenty (20) miles per hour.

- B. Use Of Ramp Roadways: Vehicles shall only be operated within the limits of the designated painted roadways on the air operations areas, except as required to perform aircraft servicing and airfield inspections.
- C. Traffic Markings On Paved Surfaces: Vehicle operators shall observe all traffic markings painted on pavement surfaces of the aircraft operations area.
- D. Yield Right Of Way To Aircraft: All vehicles shall yield right of way to any aircraft when the aircraft is under tow or has its engines operating. No vehicle shall proceed past such aircraft until the vehicle's progress will not impede the aircraft's movement. This section does not preclude the establishment of agreements to the contrary between the City and the federal aviation administration. (Ord. 86-98 § 13, 1998: Ord. 42-87 § 8, 1987: prior code § 2-15-4)

**16.60.040: COMMON CARRIERS:**

No common carrier, vehicle for hire, or "Ground Transportation Vehicle" shall load or unload passengers at the Airport at any place or in any manner other than that designated by the Department Director. (Ord. 70-04 § 2, 2004: prior code § 2-15-8)

**16.60.050: ACCIDENTS TO BE REPORTED:**

Any person involved in an accident resulting in personal injury or damage to property on the Airport shall report such accident promptly to the office of the Department Director. (Prior code § 2-15-6)

**16.60.060: PROHIBITED VEHICLES AND ANIMALS:**

No go-cart, motorbike, bicycle, house trailer, or similar vehicle, or horse, shall be permitted on any landing area, ramp, taxiway or hangar area without the approval of the Department Director, except for bicycles that are secured and delivered to an aircraft for transport, or motorcycles used for surface transportation in a hangar area. (Ord. 77-04 § 47, 2004: prior code § 2-15-5)

**16.60.065: PARKING AREAS:**

- A. Parking areas for motor vehicles shall be set aside for Airport employees and the general public. No person shall park a motor vehicle or a trailer in any place on the Airport other than those areas designated by the Department Director or as expressly set forth in this title. No person shall park a vehicle in an area designated as an employee parking lot unless the Person has complied with all rules, regulations and other requirements for employee parking as established by the Department.
- B. Tenants of T-hangars and shade hangars may park their motor vehicles in their own hangars when the aircraft is being flown or in front of their hangar if they are present. Service or delivery vehicles may park next to a tenant's hangar long enough for delivery. All others shall park in public lots.
- C. No Person shall park a motor vehicle on the Airport in excess of seventy two (72) consecutive hours unless it is parked in the public parking area or with the authorization of the airport.
- D. No Person shall park a motor vehicle in an area designated as a public parking lot unless such person pays the authorized rate for such parking lots. A schedule of parking rates shall be available in the Airport Office of Finance and Administration.

(Ord. 77-04 § 48, 2004: Ord. 86-98 § 14, 1998: Ord. 42-87 § 8, 1987: prior code § 2-15-2)

**16.60.067: PARKING VEHICLES:**

No Person shall park a vehicle on the Airport other than in the manner and at locations indicated by posted traffic signs and markings. Each hour a vehicle remains parked in violation of this section shall be a separate offense. (Ord. 42-87 § 8, 1987: prior code § 2-15-7)

**16.60.070: IMPOUNDMENT AUTHORIZED WHEN:**

Any vehicle parked in violation of Department Rules and Regulations may be impounded or relocated by a certified peace officer. The owner thereof shall pay for the tow charge, regular parking fees and other penalties and related charges. (Ord. 70-04 § 3, 2004: Ord. 42-87 § 8, 1987: prior code § 2-15-9)

**16.60.075: PASSENGER COURTESY CARTS:**

A. No Person may operate any vehicle inside a City owned building at the Airport without proper authority. The owner of any such authorized vehicle shall install and maintain a speed governor on each such vehicle which will prevent the vehicle from exceeding five (5) miles per hour .Vehicles at all times shall be maintained in a safe operating condition. Any Person operating such vehicle shall yield to pedestrians, not pass pedestrians unless there is enough space to leave an eighteen inch (18") clearance between vehicle and pedestrian, and otherwise operate the vehicle in a safe manner.

B. The Department Director may prohibit the operation of such vehicles at the Airport or limit their use at any time. (Ord. 42-87 § 2, 1987: prior code § 2-2-40)

## **Article II. Ground Transportation Businesses**

### **16.60.080: PURPOSE OF ARTICLE II PROVISIONS:**

The provisions set out in this article are enacted for the purpose of:

- A. Requiring those Persons who conduct business at the Airport by providing Ground Transportation Service to assist the City in defraying the expense of providing certain facilities and services provided for Ground Transportation Vehicles and services using the Airport, and to create an equitable assessment of fees for its use; and
- B. Requiring such Persons to adhere to Rules and Regulations, standards and other requirements regarding the operations of Ground Transportation to ensure that such are conducted in a safe and efficient and cost effective manner for the public benefit.

(Ord. 70-04 § 4, 2004: Ord. 15-89 § 1, 1989: Ord. 3-89 § 1, 1989: prior code § 2-15-10)

### **16.60.090: DEFINITIONS FOR ARTICLE II:**

The following words and phrases, whenever used in this article, shall be defined as provided in this section, unless a different meaning is specifically or more particularly described:

**AIRPORT SHARED RIDE SERVICE:** Ground transportation provided by an Authorized Ground Transportation Business contracted through the Department of Airports to provide On Demand Shared Ride Service to and from the Salt Lake City International Airport.

**AIRPORT SHARED RIDE VEHICLE:** Any authorized Ground Transportation Vehicle operating under contract with the Salt Lake City Department of Airports to provide Airport Shared Ride Service.

**AUTHORIZED GROUND TRANSPORTATION BUSINESS:** Any Business operating any Ground Transportation Vehicle, which has a current, valid business license as required by the City and which A) registers the Business in accordance with the requirements established by the Department and B) is current with all fees or charges imposed by the Department or City.

**AUTOMOBILE:** Any motor vehicle with passenger seating for five persons or less not including the driver.

**BUS:** Any motor vehicle with a seating capacity of twenty-five passengers or more, not including the driver.

**BUSINESS:** A voluntary association legally formed and organized to carry on a business in Utah in the legal name of the association, including without limitation a corporation, limited liability company, partnership, or sole-proprietorship.

**CIVIL NOTICE:** The written notice of ground transportation violation.

**COURTESY VEHICLE:** 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 to the passenger for such transportation. All contracts providing for operating a Courtesy Vehicle shall be filed with the Department.

**DEPARTMENT:** The Salt Lake City Department of Airports.



**DEPARTMENT DIRECTOR:** The Director of the Department designated by the mayor to have responsibility for the enforcement of this chapter or the authorized designee of such Director.

**DEPARTMENT RULES AND REGULATIONS:** Rules and regulations developed and adopted by the Department Director to govern Ground Transportation Service and Businesses within the City.

**FIXED SCHEDULE:** Ground Transportation Service operating on a regular time schedule previously announced as to time of departure and arrival between the Airport and definitely established and previously announced points along definitely established and previously announced routes regardless of whether there are passengers or freight to be carried.

**GROUND TRANSPORTATION BUSINESS:** Any business operating any Ground Transportation Vehicle.

**GROUND TRANSPORTATION SERVICE:** The transportation of passengers by a Ground Transportation Business.

**GROUND TRANSPORTATION HEARING OFFICER:** A Ground Transportation Hearing Officer appointed by the Department Director to hear and rule on appeals, suspensions and other matters related to ground transportation in and connected with the City.

**GROUND TRANSPORTATION VEHICLE:** Any motor vehicle used for the transportation of persons using Salt Lake City streets for commercial purposes regardless of whether a fee or fare is collected, which includes, but is not limited to, any Airport Shared Ride Vehicle, Automobile, Bus, Courtesy Vehicle, Hotel Vehicle,

Limousine, Minibus, Special Transportation Vehicle, Taxicab, Van, or Trailer being towed by a Ground Transportation Vehicle.

**HOTEL VEHICLE:** Any motor vehicle which is regularly operated by a Ground Transportation Business under contract to or directly by a motel / hotel or other lodging Business, to provide transportation of customers and/or baggage for the contracted establishment and for which transportation the customer is charged a separate fee or fare. All contracts providing for operating a Hotel Vehicle shall be filed with the Department.

**LIMOUSINE:** Any vehicle described by its manufacturer or aftermarket manufacturer as a Limousine or luxury vehicle, with a driver furnished, who is dressed in professional business attire or a chauffeur's uniform.

**MINIBUS:** Any motor vehicle with a seating capacity of thirteen to twenty-four passengers, not including the driver.

**ON DEMAND AIRPORT SERVICE OR ON DEMAND SERVICE:** Transportation provided by an authorized Airport Ground Transportation Business which is not Scheduled Service nor Prearranged Service From The Airport as defined in this section.

**PREARRANGED SERVICE FROM THE AIRPORT:** Transportation from the Airport to points within the corporate limits of Salt Lake City provided by an Authorized Ground Transportation Business which is contracted for between such 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 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 [Title 5, Chapter 5.71](#) of this code.

**SCHEDULED SERVICE:** Transportation provided by an Authorized Ground Transportation Business on a Fixed Schedule posted with the Department in advance of such transportation.

**TAXICAB:** A motor vehicle with a seating capacity of five passengers or less, not including the driver, used in the on demand for hire transportation of passengers or baggage 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, as provided under [chapter 5.72](#) of this title, or its successor chapter and authorized to operate in Salt Lake City by contract with the Department.

**VAN:** Any licensed motor vehicle other than those designated as a Limousine with a passenger seating capacity of six to twelve, not including the driver. (Ord. 20-06 § 1, 2006: Ord. 87-05 § 2, 2005: Ord. 45-05 § 1, 2005: Ord. 70-04 § 5, 2004: Ord. 24-99 § 7, 1999: Ord. 15-89 § 1, 1989: Ord. 3-89 § 1, 1989: prior code § 2-15-11)

#### **16.60.095: BUSINESSES AUTHORIZED TO PROVIDE GROUND**

##### **TRANSPORTATION:**

It shall be a violation to operate a Ground Transportation Vehicle at the Airport, unless such is an Authorized Ground Transportation Business.

#### **16.60.097: GROUND TRANSPORTATION DESTINATIONS:**

- A. All Authorized Ground Transportation Businesses may provide Scheduled Service or Prearranged Service from the Airport.
- B. Only authorized Airport Shared Ride Service Vehicles, Taxicabs, Courtesy Vehicles, and Hotel Vehicles may provide On Demand Service at the Airport, except that: Courtesy Vehicles and Hotel Vehicles may provide On Demand Service only to and from the hotel / motel or other Business with whom they hold a current contract for transportation services. The Department Director may waive these restrictions if it is determined 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.
- C. All Authorized Ground Transportation Businesses may provide On Demand, Scheduled Service and Prearranged Service from the Airport to destinations outside of the corporate limits of Salt Lake City.

**16.60.100: PASSENGER PICK UP ZONES:**

All persons operating a Ground Transportation Vehicle on the premises of the Airport shall pick up passengers only in areas as designated by the Department Director.

Ground Transportation Vehicles may occupy such area only for the period of time established by the Department Director. (Ord. 70-04 § 8, 2004: prior code § 2-15-12)

**16.60.110: CHARGES:**

The Department Director may impose commercial charges for the use of Airport facilities and services. Businesses must pay all fees established by the Department

Director. (Ord. 87-05 § 12, 2005: Ord. 86-98 § 15, 1998: Ord. 52-96 § 1, 1996: Ord. 28-94 § 1, 1994: Ord. 91-91 § 1, 1991: Ord. 3-89 § 1, 1989: prior code § 2-15-13)

**16.60.120: CHARGES REQUIRED:**

No Ground Transportation Vehicle or Business shall use the Airport's roadways or facilities without paying the fees established by the Department Director.

**16.60.130: PAYMENT OF FEE BY GROUND TRANSPORTATION VEHICLES:**

Payment of the required fees shall be made in the manner prescribed by the Department Director.

**16.60.140: CITY ORDINANCES APPLICABLE TO AIRPORT:**

All applicable ordinances contained Salt Lake City Code, including without limitation [title 5, chapter 5.71 and 5.72](#) or their successors shall apply to the Salt Lake City International Airport. The Department Director may enter into contracts and establish Rules and Regulations for Taxicab operations specific to the Airport.

**16.60.180: GROUND TRANSPORTATION BOOTHS:**

There may be established within the terminal buildings at the Airport one or more ground transportation booths for the exclusive use of Authorized Ground Transportation Businesses to assist the public to arrange for transportation, including travel reservations and ticket sales. These booths may be made available to Businesses in accordance with applicable contracts and/or Department Rules and Regulations.

A. A. No Authorized Ground Transportation Business may solicit passengers at the Airport except at a bona fide ground transportation booth established by the Department Director and operated by the Authorized Ground Transportation Business.

- B. No Person or Business including any Ground Transportation Business may contract for passenger meet and greet services on behalf of any Ground Transportation Business without the written permission of the Department Director.
- C. In addition to civil penalties, any violation of these solicitation restrictions by any driver or representative of any Authorized Ground Transportation Business may result, at the Department Director's sole option, in such driver or Business being barred from any further entry to an Airport terminal as a driver or Authorized Ground Transportation Business employee.
- D. No representative of any Authorized Ground Transportation Business shall transport baggage or cargo in behalf of a customer to or from the Airport without documentation such as baggage claim tickets or transfer documents clearly indicating the authority of such representative to transport such baggage. Said representative shall produce such documentation for inspection upon request by an authorized official of the Department. (Ord. 70-04 § 13, 2004: Ord. 91-91 § 1, 1991: Ord. 89-91 § 1, 1991: Ord. 15-89 § 1, 1989: Ord. 3-89 § 1, 1989)

**16.60.190: STAGING AND PARKING OF GROUND TRANSPORTATION VEHICLES:**

Any use of the staging area, parking facilities, taxistands, parking areas, traffic lanes or other areas and facilities used by Authorized Ground Transportation Vehicles are subject to Department Rules and Regulations. (Ord. 70-04 § 14, 2004: Ord. 86-98 § 16, 1998: Ord. 91-91 § 1, 1991: Ord. 15-89 § 1, 1989: Ord. 3-89 § 1, 1989)

**16.60.200: SIGNS:**

Signs may be posted at the Airport by Authorized Ground Transportation Businesses if such signs are in accordance with applicable department contracts, Department Rules

and Regulations, and have been approved by the Department Director. (Ord. 70-04 § 15, 2004: Ord. 86-98 § 17, 1998: Ord. 91-91 § 1, 1991: Ord. 15-89 § 1, 1989: Ord. 3-89 § 1, 1989)

SECTION 2. That Chapter 16.64, *Salt Lake City Code*, pertaining to violations, penalty and enforcement at the Salt Lake City International Airport, be and the same hereby is, amended to read as follows:

**16.64.010: PROHIBITIVE NATURE OF TITLE REGULATIONS:**

It is a violation for any Person to do any act prohibited by law, to fail or refuse to do any act required by law, to operate any vehicle or aircraft in violation of any provisions of this title or Department Rules and Regulations or to operate any vehicle or aircraft unless such vehicle or aircraft is equipped and maintained as provided in this title or other applicable law. (Prior code § 2-16-1)

**16.64.020: REMOVAL AUTHORIZED WHEN:**

Any Person using Airport property, operating any vehicle or handling any aircraft in violation of this title or other applicable law, or by refusing to comply therewith, may be removed or ejected from the Airport, and may be deprived of the further use of the Airport and its facilities for such length of time as may be deemed necessary by the Department Director to ensure the safeguarding of the same and the public and its interest therein. (Ord.77-04 § 49, 2004: prior code § 2-16-3)

### **16.64.025: VIOLATION; PENALTY**

Any Person guilty of violating any of the provisions of this title shall be deemed guilty of a class B misdemeanor, except the violation of certain sections of this Title 16 as set forth in section 16.64.030 below, which shall constitute civil violations.

### **16.64.030: CIVIL PENALTIES AND ENFORCEMENT:**

- A. All persons in violation of this Title, or Department Rules and Regulations, or other applicable law are subject to Civil Penalties and any other actions as may be taken by the Airport Director to ensure the safe and effective operations of the Airport.
- B. The City may impose revocation, suspension and nonrenewal of a City business license to operate a Ground Transportation Business for violations of applicable laws, policies, procedures, rules, or regulations as provided under chapter 5.02 of this title
- C. The Department may revoke, suspend or deny renewal of an Operator's Badge, Department Automated Vehicle Identification tag or Department Inspection Seal for violations of applicable laws, policies, procedures, rules, or regulations. The person or business affected may request, in writing filed with the Department, an appeal hearing before the Ground Transportation Hearing Officer. Any such revocation, suspension or denial of renewal shall remain in effect until the party against whom such action is taken requests reinstatement, and the Ground Transportation Hearing Officer determines that reinstatement is appropriate.
- D. If any Named Party fails to comply with civil penalties imposed under this chapter, such party may be subject to suspension, revocation or nonrenewal of a City license to operate a Ground Transportation Business, Operator's Badge. Department



Automated Vehicle Identification Tag and Department Inspection Seal. (Ord. 24-99 § 4, 1999)

E. Civil penalties may be imposed as set forth below. The Named Party in the Civil Notice shall be liable for a civil penalty. Any penalty assessed in connection with this section may be in addition to any other penalty that may be imposed by law, rule, regulation, suspension, revocation or other restrictions as may be imposed by the Department Director.

F. Violations of the following ordinances shall constitute Civil violations and be subject to the following penalties:

<b>CODE</b>	<b>AMOUNT OF PENALTY</b>	<b>VIOLATION</b>
<b>ARTICLE I GENERAL REGULATIONS</b>		
16.60.010	\$500.00	Vehicle operations on Airport
16.60.020	\$1000.00	Secured area vehicle operations
16.60.030	\$1000.00	Ramp area vehicle operations
16.60.040	\$200.00	Unauthorized passenger load /unload
16.60.050	\$1000.00	Failure to report accident
16.60.060	\$1000.00	Prohibited vehicle in secure area
16.60.065	\$200.00	Parking area restrictions / failure to pay fees
16.60.067	\$100.00	Parking violation posted signs
16.60.075	\$500.00	Courtesy cart operations
<b>ARTICLE II GROUND TRANSPORTATION BUSINESSES</b>		

16.60.095	\$1000.00	Unauthorized ground transportation vehicle
16.60.097	\$500.00	Unauthorized prearranged/on-demand transport
16.60.100	\$200.00	Unauthorized passenger pick up
16.60.120	\$500.00	Failure to pay fees
16.60.180 (A,B,D)	\$500.00	Unauthorized solicitation or baggage transport
16.60.190	\$100.00	Unauthorized staging / use of grounds and facilities
16.60.200	\$500.00	Unauthorized posting of signs

**16.64.050: ENFORCEMENT PROCEDURES; CIVIL NOTICE OF GROUND**

**TRANSPORTATION VIOLATION:**

- A. Civil Notices under this chapter, other than those involving revocations, suspensions, denials or approvals of a business license, Operators' Badge, Department Automated Vehicle Identification Tags and Department Inspection Seal shall be heard by the Salt Lake City Justice Court. Any Named Party may appear before a Hearing Officer and present and contest an alleged violation as provided in [title 2, chapter 2.75](#) of this code, or its successor.
- B. The burden to prove any defense shall be upon the Person raising such defense. Nothing herein shall affect the City's burden to prove each element of the underlying charge by a preponderance of evidence.
- C. If the Hearing Officer finds that no violation of this chapter occurred, or that a violation occurred but one or more of the defenses set forth in this section is applicable, the Hearing Officer may dismiss the Civil Notice and release the Named Party from liability thereunder, or may reduce the penalty associated therewith as he or she shall determine. Such defenses are:

1. The Civil Notice does not contain the information required by this chapter;
2. Compliance with the subject ordinances would have presented an imminent and irreparable injury to persons or property; or
3. Such other mitigating circumstances as may be approved by the City Attorney's Office. Civil Notices under this chapter, other than those involving business license revocations, suspensions, denials or approvals, and or Operators' Badge, Department Automated Vehicle Identification Tags and Department Inspection Seal revocations, shall be heard by the Salt Lake City Justice Court. Any Named Party may appear before a Hearing Officer and present and contest an alleged violation as provided in [title 2, chapter 2.75](#) of this code, or its successor.

**16.64.060: EXPEDITED APPEAL OF EXCLUSION:**

Any Named Party who is excluded from pursuing commercial activities under this chapter, and has not had a hearing before the Ground Transportation Hearing Officer regarding such exclusion as provided for in this chapter, such party may request an expedited appeal of the action that resulted in such exclusion. Such appeal shall be requested in writing by the party so excluded to the Department. The Department shall promptly investigate the facts relating to such exclusion. If the evidence indicates such exclusion is improper under this chapter, the Department Director may reverse the action that resulted in such exclusion. If the Department Director does not reverse such action, the action resulting in such exclusion shall be heard and determined by the Ground Transportation Hearing Officer in accordance with the provisions of this chapter. If a preponderance of the evidence indicates such exclusion is proper under this chapter

the Ground Transportation Hearing Officer shall uphold such exclusion. (Ord. 29-02 § 7, 20023: Ord. 24-99, § 4, 1999)

SECTION 3. Effective Date. This ordinance shall become effective on the date of its first publication.

Passed by the City Council of Salt Lake City, Utah this \_\_\_\_\_ day of \_\_\_\_\_, 2010.

\_\_\_\_\_  
CHAIRPERSON

\_\_\_\_\_  
CITY RECORDER

Transmitted to Mayor on \_\_\_\_\_.

Mayor's Action: \_\_\_\_\_ Approved. \_\_\_\_\_ Vetoed.

\_\_\_\_\_  
MAYOR

\_\_\_\_\_  
CITY RECORDER

**APPROVED AS TO FORM**  
Salt Lake City Attorney's Office

Date 8/27/2010

By MS

(SEAL)

Bill No. \_\_\_\_\_ of 2010

Published: \_\_\_\_\_

**Chapter 16.60**  
**MOTOR VEHICLE OPERATION**

**Article I. General Regulations**

**16.60.010: COMPLIANCE WITH STATE AND OTHER REGULATIONS:**

- A. No person shall operate a motor vehicle on the airport except in strict compliance with the motor vehicle laws of the state and the ordinances of the city and, in addition thereto, such persons shall conform to the regulations set forth in this chapter.
- B. No person or owner shall drive, permit to be driven, stopped or parked on any street, parking lot, alleyway or driveway within the airport any vehicle which is required under the laws of the state to be inspected and registered unless such vehicle has been inspected and registered, and has attached thereto in proper position a valid and unexpired certificate of inspection as required by the laws of the state.
- C. All vehicles operated on airport property, including ramp areas, shall be maintained in a safe operating condition. (Ord. 42-87 § 8, 1987: prior code § 2-15-1)

**16.60.020: DRIVING ON LOADING AREAS; RESTRICTIONS:**

- A. Any motorized vehicle being used on the ramp as a service vehicle must display the airport issued identification sticker. Each such vehicle must also bear company identification visible from fifty feet (50') on both sides of the vehicle.
- B. No person or vehicle is permitted in, on or around any secured area, such as, but not limited to, any hangar, landing field, runway, apron or taxi strip, without prior permission from the director.
- C. Automobiles, trucks and other equipment (including airport maintenance and emergency vehicles) being driven on any landing area, runway, taxi strip or apron must display a standard checkered flag or flashing amber or red light, as appropriate, if operated during the nighttime, or, when applicable, marked in accordance with FAA regulations or as directed by the director, and must not be operated without prior permission of the control tower or the director. (Ord. 42-87 § 8, 1987: prior code § 2-15-3)

**16.60.030: VEHICLE RAMP OPERATIONS:**

- A. Speed Limits: Motor vehicles shall be operated on established streets and roadways within the airport in strict compliance with speed limits posted on traffic signs. They shall also be maintained and operated in conformity with all motor vehicle

regulations and laws of the state and city. Motor vehicles being operated on any passenger loading ramp, aircraft parking ramp, or in any area immediately adjacent to the terminals or hangars, shall be driven cautiously and at a safe and reasonable speed, but not to exceed twenty (20) miles per hour.

- B. Use Of Ramp Roadways: Vehicles shall only be operated within the limits of the designated painted roadways on the air operations areas.
- C. Traffic Markings On Paved Surfaces: Vehicle operators shall observe all traffic markings painted on pavement surfaces of the aircraft operations area.
- D. Yield Right Of Way To Aircraft: All vehicles shall yield right of way to any aircraft when the aircraft is under tow or has its engines operating. No vehicle shall proceed past such aircraft until the vehicle's progress will not impede the aircraft's movement. This section does not preclude the establishment of agreements to the contrary between the city and the federal aviation administration. (Ord. 86-98 § 13, 1998: Ord. 42-87 § 8, 1987: prior code § 2-15-4)

#### **16.60.040: COMMON CARRIERS:**

No common carrier, vehicle for hire, or "ground transportation vehicle" as defined at section [16.60.090](#) of this chapter shall load or unload passengers at the airport at any place or in any manner other than that designated by the director. (Ord. 70-04 § 2, 2004: prior code § 2-15-8)

#### **16.60.050: ACCIDENTS TO BE REPORTED:**

Any person involved in an accident resulting in personal injury or damage to property on the airport shall report promptly to the office of the director. (Prior code § 2-15-6)

#### **16.60.060: PROHIBITED VEHICLES AND ANIMALS:**

No go-cart, motorbike, bicycle, house trailer, or similar vehicle, or horse, shall be permitted on any landing area, ramp, taxiway or hangar area without the approval of the director, except for bicycles that are secured and delivered to an aircraft for transport, or motorcycles used for surface transportation in a hangar area. (Ord. 77-04 § 47, 2004: prior code § 2-15-5)

#### **16.60.065: PARKING AREAS:**

- A. Parking areas for motor vehicles shall be set aside for airport employees and the general public. No person shall park a motor vehicle or a trailer in any place on the airport other than those areas designated by the director of airports or as expressly set forth in this title. No person shall park a vehicle in an area designated as an employee parking lot unless the vehicle displays a currently effective employee

parking sticker authorized by the airport. Such permits shall not be valid if the information thereon is not clearly visible and readable.

- B. Tenants of T-hangars and shade hangars may park their motor vehicles in their own hangars when the aircraft is being flown, or in front of their hangar if they are present. Service or delivery vehicles may park next to a tenant's hangar long enough for delivery. All others shall park in public lots.
- C. No person shall park a motor vehicle on the airport in excess of seventy two (72) consecutive hours unless it is parked in the public parking area or with the authorization of the airport.
- D. No person shall park a motor vehicle in an area designated as a public parking lot unless such person pays the authorized rate for such parking lots. A schedule of parking rates shall be available in the airport office of finance and administration. (Ord. 77-04 § 48, 2004: Ord. 86-98 § 14, 1998: Ord. 42-87 § 8, 1987: prior code § 2-15-2)

**16.60.067: PARKING VEHICLES:**

No person shall park a vehicle on the airport other than in the manner and at locations indicated by posted traffic signs and markings. Each hour a vehicle remains parked in violation of this section shall be a separate offense. (Ord. 42-87 § 8, 1987: prior code § 2-15-7)

**16.60.070: IMPOUNDMENT AUTHORIZED WHEN:**

Any vehicle parked in violation of airport rules and regulations may be impounded by a certified peace officer. The owner thereof shall pay for the tow charge, regular parking fees and other related charges. (Ord. 70-04 § 3, 2004: Ord. 42-87 § 8, 1987: prior code § 2-15-9)

**16.60.075: PASSENGER COURTESY CARTS:**

- A. No person may operate any vehicle inside a city owned building at the airport without proper authority or in excess of five (5) miles per hour. The owner of any such authorized vehicle shall install and maintain a speed governor on each such vehicle which will prevent exceeding said speed and at all times shall be maintained in a safe operating condition. Any person operating such vehicle shall yield to pedestrians, not pass pedestrians unless there is enough space to leave an eighteen inch (18") clearance between vehicle and pedestrian, and otherwise operate the vehicle in a safe manner.
- B. The director may prohibit such vehicles or limit their use at any time. (Ord. 42-87 § 2, 1987: prior code § 2-2-40)



## **Article II. Ground Transportation Businesses**

### **16.60.080: PURPOSE OF ARTICLE II PROVISIONS:**

The provisions set out in this article are enacted for the purpose of:

- A. Requiring those persons who conduct business at the airport by providing ground transportation as their sole business or as a part of their business such as, but not limited to, providing courtesy vehicle or hotel vehicle service, to assist the city in defraying the expense of providing certain facilities and services including, but not limited to, the airport roads, curbs, special parking facilities, traffic control, snow removal, lights, and other related airport facilities and services provided for ground transportation vehicles using the airport, and to create an equitable assessment of fees for its use; and
- B. Requiring such persons to adhere to certain regulations regarding the operations of ground transportation to ensure that such are conducted in a safe and efficient manner for the public benefit. (Ord. 70-04 § 4, 2004: Ord. 15-89 § 1, 1989: Ord. 3-89 § 1, 1989: prior code § 2-15-10)

### **16.60.090: DEFINITIONS FOR ARTICLE II:**

The following words and phrases, whenever used in this article, shall be defined as provided in this section, unless a different meaning is specifically or more particularly described:

**AUTHORIZED AIRPORT GROUND TRANSPORTATION BUSINESS:** Businesses providing ground transportation services for hire or courtesy at the airport which: a) have a current, valid business license as required by the city, b) have, when applicable, a current certificate of convenience and necessity as required by the city, and c) have registered with the airport. Such registrations shall be made on forms provided by the airport and shall include the name of the business, the type(s) of vehicles to be operated, the type(s) of services to be provided, all fee and tariff schedules, the business address and telephone number, and the name, address and telephone number of a representative of the business who will be responsible for ground transportation activities of the business at the airport. A copy of the current business license issued by the city and the appropriate certificate shall be provided to the airport with such registration.

**AUTOMOBILE:** 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.

**BUS:** 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.

**COURTESY VEHICLE:** 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.

**FIXED SCHEDULE:** Ground transportation service operating on a regular time schedule previously announced as to time of departure and arrival between the airport and definitely established and previously announced points along definitely established and previously announced routes regardless of whether there are passengers or freight to be carried.

**GROUND TRANSPORTATION VEHICLE:** Any motor vehicle which is used in connection with persons conducting business of providing ground transportation at the airport, and includes, but is not limited to, an automobile, bus, courtesy vehicle, hotel vehicle, limousine, minibus, special transportation vehicle, taxicab and van.

**HOTEL VEHICLE:** 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.

**LIMOUSINE:** 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.

**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.

**MINIBUS:** 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 this code. Such term, however, shall not include any minibus operated by any local, state or federal agency.

**ON DEMAND AIRPORT SERVICE OR ON DEMAND SERVICE:** Transportation provided by an authorized airport ground transportation business which is not "scheduled service" nor "prearranged service" as defined in this section.

**PREARRANGED SERVICE FROM THE AIRPORT:** 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 [title 5, chapter 5.71](#) of this code.

**SCHEDULED SERVICE:** Transportation provided by an authorized airport ground transportation business on a fixed schedule posted with the city as required by law and a current copy of the schedule filed with the airport.

**SPECIAL TRANSPORTATION VEHICLE:** Any vehicle for hire on Salt Lake City streets, which is used for the transportation of persons with disabilities and is licensed under [title 5, chapter 5.76](#) of this code, or its successor.

**STARTER:** A person appointed by and representing a ground transportation business and providing coordinated travel arrangements and information about available travel services and fares.

**TAXICAB:** 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 [title 5, chapter 5.72](#) of this code, or its successor. It does not include an automobile rental vehicle licensed under any other section of this code.

**VAN:** 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 this code. (Ord. 20-06 § 1, 2006: Ord. 87-05 § 2, 2005: Ord. 45-05 § 1, 2005: Ord. 70-04 § 5, 2004: Ord. 24-99 § 7, 1999: Ord. 15-89 § 1, 1989: Ord. 3-89 § 1, 1989: prior code § 2-15-11)

#### **16.60.095: BUSINESSES AUTHORIZED TO PROVIDE GROUND TRANSPORTATION:**

It shall be unlawful for any person who conducts business at the airport by providing

ground transportation to operate a motor vehicle connected with said business at the airport unless such is an "authorized airport ground transportation business" as defined in this article. (Ord. 70-04 § 6, 2004: Ord. 15-89 § 1, 1989: Ord. 3-89 § 1, 1989)

**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](#) of this chapter.
- 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 thirty dollars (\$30.00) per trip. Limousines may provide prearranged service without charging a set minimum fare. (Ord. 45-05 § 2, 2005: Ord. 70-04 § 7, 2004: Ord. 15-89 § 1, 1989: Ord. 3-89 § 1, 1989)

**16.60.100: PASSENGER PICK UP ZONES:**

All persons operating a ground transportation vehicle on the premises of the airport shall pick up passengers only in areas as designated by the director. Ground transportation vehicles may occupy such area only for the period of time established by the director. (Ord. 70-04 § 8, 2004: prior code § 2-15-12)

**16.60.110: 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. (Ord. 87-05 § 12, 2005: Ord. 86-98 § 15, 1998: Ord. 52-96 § 1, 1996: Ord. 28-94 § 1, 1994: Ord. 91-91 § 1, 1991: Ord. 3-89 § 1, 1989: prior code § 2-15-13)

**16.60.120: CHARGES REQUIRED:**

No ground transportation vehicle shall use the commercial ground transportation lanes

without paying the fee required by section [16.60.110](#) of this chapter, or its successor. (Ord. 91-91 § 1, 1991; Ord. 3-89 § 1, 1989; prior code § 2-15-14)

**16.60.130: PAYMENT OF FEE BY GROUND TRANSPORTATION VEHICLES:**

- A. Payment of the required fee shall be made in the manner prescribed by the director of airports.
- B. All taxicabs which are licensed under [title 5, chapter 5.72](#) of this code, or its successor, shall possess a taximeter in accordance with the requirements of [title 5, chapter 5.72](#) of this code. (Ord. 70-04 § 9, 2004; Ord. 27-94 § 1, 1994; prior code § 2-15-15)

**16.60.140: TAXICAB REGULATIONS APPLICABLE TO AIRPORT:**

All applicable ordinances contained in [title 5, chapter 5.72](#) of this code or its successor shall apply to Salt Lake City International Airport. In addition, the provisions set out in sections [16.60.150](#) through [16.60.170](#) of this chapter or successor sections shall specifically apply at said airport. (Prior code § 2-15-16)

**16.60.150: STAGING AREA FOR TAXIS:**

- A. There is established a taxicab staging area at the airport which is designated exclusively for taxicabs entering the airport for the purpose of obtaining a fare.
- B. All taxicabs entering the airport for the purpose of obtaining a fare shall follow airport rules and regulations.
- C. No driver of a taxicab seeking to obtain a fare shall go directly to the taxicab stand without first going to the designated staging area. (Ord. 70-04 § 10, 2004; Ord. 91-91 § 1, 1991; prior code § 2-15-17)

**16.60.160: PREARRANGED FARES FOR TAXIS:**

(Rep. by Ord. 70-04 § 11, 2004)

**16.60.170: TAXICAB STAND RESTRICTIONS:**

There are established taxicab stands at the airport which are designated exclusively for taxicabs entering the airport for the purpose of obtaining a fare. Such stands shall be marked by appropriate signs placed at the direction of the director, and the use of such stands shall be subject to airport rules and regulations. (Ord. 70-04 § 12, 2004; prior code § 2-15-19)

**16.60.180: GROUND TRANSPORTATION BOOTHS:**

There are established within the terminal buildings at the airport one or more ground transportation booths for the exclusive use of authorized ground transportation businesses in coordinating travel arrangements with the traveling public. These booths shall be made available to businesses through airport rules and regulations.

- A. Solicitation of passengers by authorized ground transportation business at the airport shall be unlawful except at a bona fide ground transportation booth established by the airport director.
- B. Any violation of this solicitation restriction by any driver or representative of any authorized ground transportation company may result, at the director's sole option after a hearing, in such driver being barred from any further entry to an airport terminal as a driver or authorized ground transportation business employee.
- C. No representative of any authorized ground transportation business shall transport baggage or cargo in behalf of a customer to or from the airport without documentation such as baggage claim tickets or transfer documents clearly indicating the authority of such representative to transport such baggage. Said representative shall produce such documentation for inspection upon request by an authorized official of the airport. (Ord. 70-04 § 13, 2004: Ord. 91-91 § 1, 1991: Ord. 89-91 § 1, 1991: Ord. 15-89 § 1, 1989: Ord. 3-89 § 1, 1989)

#### **16.60.190: STAGING AND PARKING OF GROUND TRANSPORTATION VEHICLES:**

In addition to the staging area parking facilities and stands established solely for taxicabs as set forth in this article, there are established parking areas and a commercial traffic lane for use by authorized ground transportation vehicles. The use of such facilities shall be subject to airport rules and regulations. (Ord. 70-04 § 14, 2004: Ord. 86-98 § 16, 1998: Ord. 91-91 § 1, 1991: Ord. 15-89 § 1, 1989: Ord. 3-89 § 1, 1989)

#### **16.60.200: SIGNS:**

Signs may be posted at the airport which meet the graphic standard of the airport and in accordance with airport rules and regulations. (Ord. 70-04 § 15, 2004: Ord. 86-98 § 17, 1998: Ord. 91-91 § 1, 1991: Ord. 15-89 § 1, 1989: Ord. 3-89 § 1, 1989)

### **Chapter 16.64 VIOLATION, PENALTY AND ENFORCEMENT**

#### **16.64.010: PROHIBITIVE NATURE OF TITLE REGULATIONS:**

It is unlawful for any person to do any act prohibited by this title, to fail or refuse to do any act required by this title, to operate any vehicle or aircraft in violation of any provisions of this title, or to operate any vehicle or aircraft unless such vehicle or aircraft is equipped and maintained as provided in this title. (Prior code § 2-16-1)

**16.64.020: REMOVAL AUTHORIZED WHEN:**

Any person operating or handling any aircraft in violation of this title, or by refusing to comply herewith, may be removed or ejected from the airport, and may be deprived of the further use of the airport and its facilities for such length of time as may be deemed necessary to ensure the safeguarding of the same and the public and its interest therein. (Ord. 77-04 § 49, 2004: prior code § 2-16-3)

**16.64.030: VIOLATION; PENALTY:**

Any person guilty of violating any of the provisions of this title shall be deemed guilty of a class B misdemeanor. (Ord. 42-87 § 9, 1987: prior code § 2-16-2)

SALT LAKE CITY ORDINANCE  
No. \_\_\_\_\_ of 2010

(Amending Title 16, *Salt Lake City Code*, section 16.60, regarding motor vehicle operation at the Salt Lake City International Airport, and section 16.64, regarding title 16 violations, penalties and enforcement)

An ordinance amending title 16, sections 16.60 and 16.64, *Salt Lake City Code*, pertaining to motor vehicle operation at the Salt Lake City International Airport, and violations, penalties and enforcement of title 16 provisions at the Salt Lake City International Airport to correspond with changes made in sections 5.71 and 5.72, *Salt Lake City Code*; providing for rules and regulations; replacing criminal enforcement with civil penalties and establishing *Salt Lake City Code* processes and procedures related thereto.

WHEREAS, City Council has amended sections 5.71 and 5.72, *Salt Lake City Code*, pertaining to ground transportation and taxicabs; and

WHEREAS, the City Council has determined that the following ordinance corresponds with and supports the amendments to sections 5.71 and 5.72; and

WHEREAS, after a hearing before the City Council, the City Council has determined that the following ordinance is in the best interest of the City.

NOW, THEREFORE, be it ordained by the City Council of Salt Lake City, Utah as follows:

SECTION 1. That Chapter 16.60, *Salt Lake City Code*, pertaining to motor vehicle operation at the Salt Lake City International Airport, be and the same hereby is, amended to read as follows:

**Chapter 16.60**  
**MOTOR VEHICLE OPERATION**



## Article I. General Regulations

### **16.60.001: AUTHORITY TO ESTABLISH RULES / REGULATIONS AND**

#### **PROCEDURES:**

The Department Director, under guidance or direction from the mayor and in accordance with applicable law, shall have authority to establish fees, enter into contracts deemed as necessary or desirable and to create standards, rules / regulations and procedures, as necessary to administer the requirements of this chapter and any security or operating requirements applicable to the Salt Lake City International Airport and the City or that are deemed to be in the best interest of the City and the public.

### **16.60.005: EXEMPTIONS FROM REQUIREMENTS OF THIS CHAPTER:**

Vehicles licensed and operated by governmental agencies, universities and school districts, the Utah Transit Authority, ambulances and others that may be designated by the Department Director, are exempt from the requirements of this chapter.

### **16.60.010: COMPLIANCE WITH STATE AND OTHER REGULATIONS:**

- A. No person shall operate a motor vehicle on the ~~Airport~~airport except in strict compliance with ~~applicable~~the motor vehicle laws of the state and the ordinances of the ~~City~~city and Department of Airports Rules and Regulations, standards and procedures., ~~in addition thereto, such persons shall conform to the regulations set forth in this chapter.~~
- B. No ~~Person~~person or owner shall drive, permit to be driven, stopped or parked on any street, parking lot, alleyway or driveway within the ~~Airport~~airport any vehicle which is required under the laws of the state to be inspected and registered unless such

vehicle has been inspected and registered, and has attached thereto in proper position a valid and unexpired certificate of inspection as required by the laws of the state.

- C. All vehicles operated on ~~Department~~airport property, including ramp areas, shall be maintained in a safe operating condition. (Ord. 42-87 § 8, 1987: prior code § 2-15-1)

**16.60.020: DRIVING ON LOADING AREAS; RESTRICTIONS:**

- A. Any motorized vehicle being used on the ramp as a service vehicle must display the ~~Department~~airport issued identification sticker. Each such vehicle must also bear company identification visible from fifty feet (50') on both sides of the vehicle.
- B. No ~~Person~~person or vehicle is permitted in, on or around any secured area, such as, but not limited to, any hangar, landing field, runway, apron or taxi strip, without prior permission from the ~~Department Director~~director.
- C. Automobiles, trucks and other equipment (including ~~Airport~~airport maintenance and emergency vehicles) being driven on any landing area, runway, taxi strip or apron must display a standard checkered flag or flashing amber or red light, as appropriate, if operated during the nighttime, or, when applicable, marked in accordance with FAA regulations or as directed by the ~~Department Director~~director, and must not be operated without prior permission of the control tower ~~or the~~  
~~director~~. (Ord. 42-87 § 8, 1987: prior code § 2-15-3)

**16.60.030: VEHICLE RAMP OPERATIONS:**

- A. Speed Limits: Motor vehicles shall be operated on established streets and roadways within the ~~Airport~~airport in strict compliance with speed limits posted on traffic signs. They shall also be maintained and operated in conformity with all motor vehicle

regulations and laws of the state and City.city. Motor vehicles being operated on any passenger loading ramp, aircraft parking ramp, or in any area immediately adjacent to the terminals or hangars, shall be driven cautiously and at a safe and reasonable speed, but not to exceed twenty (20) miles per hour.

B. Use Of Ramp Roadways: Vehicles shall only be operated within the limits of the designated painted roadways on the air operations areas, except as required to perform aircraft servicing and airfield inspections.areas.

C. Traffic Markings On Paved Surfaces: Vehicle operators shall observe all traffic markings painted on pavement surfaces of the aircraft operations area.

D. Yield Right Of Way To Aircraft: All vehicles shall yield right of way to any aircraft when the aircraft is under tow or has its engines operating. No vehicle shall proceed past such aircraft until the vehicle's progress will not impede the aircraft's movement. This section does not preclude the establishment of agreements to the contrary between the Citycity and the federal aviation administration. (Ord. 86-98 § 13, 1998: Ord. 42-87 § 8, 1987: prior code § 2-15-4)

#### **16.60.040: COMMON CARRIERS:**

No common carrier, vehicle for hire, or "Ground Transportation Vehicle"-ground ~~transportation vehicle" as defined at section 16.60.090 of this chapter~~ shall load or unload passengers at the Airportairport at any place or in any manner other than that designated by the Department Director.director. (Ord. 70-04 § 2, 2004: prior code § 2-15-8)

#### **16.60.050: ACCIDENTS TO BE REPORTED:**

Any person involved in an accident resulting in personal injury or damage to property on the ~~Airport~~ shall report such accident promptly to the office of the Department Director~~director~~. (Prior code § 2-15-6)

#### **16.60.060: PROHIBITED VEHICLES AND ANIMALS:**

No go-cart, motorbike, bicycle, house trailer, or similar vehicle, or horse, shall be permitted on any landing area, ramp, taxiway or hangar area without the approval of the Department Director~~director~~, except for bicycles that are secured and delivered to an aircraft for transport, or motorcycles used for surface transportation in a hangar area. (Ord. 77-04 § 47, 2004: prior code § 2-15-5)

#### **16.60.065: PARKING AREAS:**

A. Parking areas for motor vehicles shall be set aside for Airport employees and the general public. No person shall park a motor vehicle or a trailer in any place on the Airport other than those areas designated by the Department Director~~director of airports~~ or as expressly set forth in this title. No person shall park a vehicle in an area designated as an employee parking lot unless the Person has complied with all rules, regulations and other requirements for employee parking as established by the Department~~vehicle displays a currently effective employee parking sticker authorized by the airport. Such permits shall not be valid if the information thereon is not clearly visible and readable.~~

B. Tenants of T-hangars and shade hangars may park their motor vehicles in their own hangars when the aircraft is being flown, or in front of their hangar if they are present. Service or delivery vehicles may park next to a tenant's hangar long enough for delivery. All others shall park in public lots.

C. No ~~Person~~ shall park a motor vehicle on the ~~Airport~~ in excess of seventy two (72) consecutive hours unless it is parked in the public parking area or with the authorization of the airport.

D. No ~~Person~~ shall park a motor vehicle in an area designated as a public parking lot unless such person pays the authorized rate for such parking lots. A schedule of parking rates shall be available in the ~~Airport Office~~ of ~~Finance~~ and ~~Administration~~. (Ord. 77-04 § 48, 2004: Ord. 86-98 § 14, 1998: Ord. 42-87 § 8, 1987: prior code § 2-15-2)

#### **16.60.067: PARKING VEHICLES:**

No ~~Person~~ shall park a vehicle on the ~~Airport~~ other than in the manner and at locations indicated by posted traffic signs and markings. Each hour a vehicle remains parked in violation of this section shall be a separate offense. (Ord. 42-87 § 8, 1987: prior code § 2-15-7)

#### **16.60.070: IMPOUNDMENT AUTHORIZED WHEN:**

Any vehicle parked in violation of ~~Department Rules~~ and ~~Regulations~~ may be impounded or relocated by a certified peace officer. The

owner thereof shall pay for the tow charge, regular parking fees and other penalties and related charges. (Ord. 70-04 § 3, 2004: Ord. 42-87 § 8, 1987: prior code § 2-15-9)

**16.60.075: PASSENGER COURTESY CARTS:**

- A. No Person~~person~~ may operate any vehicle inside a City~~city~~ owned building at the Airport~~airport~~ without proper authority ~~, or in excess of five (5) miles per hour.~~ The owner of any such authorized vehicle shall install and maintain a speed governor on each such vehicle which will prevent the vehicle from exceeding five (5) miles per hour. ~~Vehicles said speed and~~ at all times shall be maintained in a safe operating condition. Any Person~~person~~ operating such vehicle shall yield to pedestrians, not pass pedestrians unless there is enough space to leave an eighteen inch (18") clearance between vehicle and pedestrian, and otherwise operate the vehicle in a safe manner.
- B. The Department Director~~director~~ may prohibit the operation of such vehicles at the Airport or limit their use at any time. (Ord. 42-87 § 2, 1987: prior code § 2-2-40)-

**-Article II. Ground Transportation Businesses**

**16.60.080: PURPOSE OF ARTICLE II PROVISIONS:**

The provisions set out in this article are enacted for the purpose of:

- A. Requiring those Persons~~persons~~ who conduct business at the Airport~~airport~~ by providing Ground Transportation Service~~ground transportation as their sole business or as a part of their business such as, but not limited to, providing courtesy vehicle or hotel vehicle service,~~ to assist the City~~city~~ in defraying the expense of providing certain facilities and services ~~including, but not limited to, the airport roads, curbs,~~

~~special parking facilities, traffic control, snow removal, lights, and other related airport facilities and services~~ provided for Ground Transportation Vehicles and services~~ground transportation vehicles~~ using the Airport~~airport~~, and to create an equitable assessment of fees for its use; and

- B. Requiring such Persons~~persons~~ to adhere to Rules and Regulations, standards and other requirements~~certain regulations~~ regarding the operations of Ground Transportation~~ground transportation~~ to ensure that such are conducted in a safe and efficient and cost effective manner for the public benefit. (Ord. 70-04 § 4, 2004: Ord. 15-89 § 1, 1989: Ord. 3-89 § 1, 1989: prior code § 2-15-10)

#### **16.60.090: DEFINITIONS FOR ARTICLE II:**

The following words and phrases, whenever used in this article, shall be defined as provided in this section, unless a different meaning is specifically or more particularly described:

**AIRPORT SHARED RIDE SERVICE:** Ground transportation provided by an Authorized Ground Transportation Business contracted through the Department of Airports to provide On Demand Shared Ride Service to and from the Salt Lake City International Airport.

**AIRPORT SHARED RIDE VEHICLE:** Any authorized Ground Transportation Vehicle operating under contract with the Salt Lake City Department of Airports to provide Airport Shared Ride Service.

**AUTHORIZED ~~AIRPORT~~ GROUND TRANSPORTATION BUSINESS:** Any Business

~~operating any Ground Transportation Vehicle, Businesses providing ground transportation services for hire or courtesy at the airport which has: a) have a current, valid business license as required by the City and which A) registers the Business in accordancecity, b) have, when applicable, a current certificate of convenience and necessity as required by the city, and c) have registered with the airport. Such registrations shall be made on forms provided by the airport and shall include the name of the business, the type(s) of vehicles to be operated, the type(s) of services to be provided, all fee and tariff schedules, the business address and telephone number, and the name, address and telephone number of a representative of the business who will be responsible for ground transportation activities of the business at the airport. A copy of the current business license issued by the city and the appropriate certificate shall be provided to the airport with the requirements established by the Department and B) is current with all fees or charges imposed by the Department or City.~~

~~such registration.~~

**AUTOMOBILE:** Any motor vehicle with passenger seating for five persons or which is registered at a gross weight of less than six thousand (6,000) pounds, or, if not including the driver. 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.

**BUS:** Any motor vehicle with a seating capacity of twenty-five passengers or more, 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 includinginclude any buses operated by the driver.~~

**BUSINESS:** A voluntary association legally formed and organized to carry on a business in Utah in the legal name of the association, including without limitation a corporation, limited liability company, partnership, or sole-proprietorship.

**CIVIL NOTICE:** The written notice of ground transportation violation, ~~transit authority.~~

**COURTESY VEHICLE:** 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 to the passenger for such transportation. All contracts providing for operating a Courtesy Vehicle~~courtesy vehicle at the airport on behalf of a hotel or motel~~ shall be filed ~~with~~under the Department.

**DEPARTMENT:** The Salt Lake City Department of Airports.

**DEPARTMENT DIRECTOR:** The Director~~direction~~ of the Department designated by the mayor~~director of airports and shall be subject to~~ have responsibility for the enforcement of this chapter or the authorized designee of such Director.

**DEPARTMENT RULES AND REGULATIONS:** Rules~~all applicable airport rules~~ and regulations developed and adopted by the Department Director to govern Ground Transportation Service and Businesses within the City.

-

**FIXED SCHEDULE:** Ground Transportation Service~~transportation service~~ operating on

a regular time schedule previously announced as to time of departure and arrival between the ~~Airport~~airport and definitely established and previously announced points along definitely established and previously announced routes regardless of whether there are passengers or freight to be carried.

**GROUND TRANSPORTATION BUSINESS:** Any business operating any Ground Transportation Vehicle.

**GROUND TRANSPORTATION SERVICE:** The transportation of passengers by a Ground Transportation Business.

**GROUND TRANSPORTATION HEARING OFFICER:** A Ground Transportation Hearing Officer appointed by the Department Director to hear and rule on appeals, suspensions and other matters related to ground transportation in and connected with the City.

**GROUND TRANSPORTATION VEHICLE:** Any motor vehicle ~~which is~~ used for the transportation of in connection with persons using Salt Lake City streets for commercial purposes regardless of whether a fee or fare is collected, which conducting business of providing ground transportation at the airport, and includes, but is not limited to, any Airport Shared Ride Vehicle, Automobile, Bus, Courtesy Vehicle, Hotel Vehicle, Limousine, Minibus, Special Transportation Vehicle, Taxicab, Van, or Trailer being towed by a Ground Transportation Vehicle.

~~automobile, bus, courtesy vehicle, hotel vehicle, limousine, minibus, special transportation vehicle, taxicab and van.~~

**HOTEL VEHICLE:** Any motor vehicle which is regularly operated by a Ground Transportation Business under contract to or directly by a motel / hotel or other lodging Business, to providefor transportation of customers and/or baggage for the contracted establishment~~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~~hotel vehicle at the airport~~ shall be filed with the Department.

~~under the direction of the director of airports and shall be subject to all applicable airport rules and regulations.~~

**LIMOUSINE:** Any vehicle ~~motor propelled vehicle which is a Rolls Royce or other automobile~~ described by its manufacturer or aftermarket manufacturer as a Limousine~~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 professional business attire or a "chauffeur's uniform. ~~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.~~

**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.~~

**MINIBUS:** Any motor vehicle with a seating capacity of thirteen to twenty-four passengers, not ~~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.~~ driver, and is licensed as required by this code. Such term, however, shall not include any minibus operated by any local, state or federal agency.

**ON DEMAND AIRPORT SERVICE OR ON DEMAND SERVICE:** Transportation provided by an authorized Airport Ground Transportation Business~~airport ground transportation business~~ which is not Scheduled Service~~"scheduled-service"~~ nor Prearranged Service From The Airport~~"prearranged-service"~~ as defined in this section.

**PREARRANGED SERVICE FROM THE AIRPORT:** Transportation from the Airport~~airport~~ to points within ~~or without~~ the corporate limits of Salt Lake City provided by an Authorized Ground Transportation Business ~~which authorized airport ground transportation business which~~ is contracted for between such the ~~business~~ and the Person~~person~~ to be transported, or by an agent of the Person,~~person,~~ prior to the arrival

of the ~~Person~~ at the Salt Lake City International Airport. "Prearranged Service From The Airport~~service from the airport~~" shall include Airport~~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~~authorized ground transportation business~~. Prearranged service to the Airport~~airport~~ shall be provided on the same basis as permitted under Title~~title~~ 5, Chapter~~chapter~~ 5.71 of this code.

**SCHEDULED SERVICE:** Transportation provided by an Authorized Ground Transportation Business on a Fixed Schedule~~authorized airport ground transportation business on a fixed schedule~~ posted with the Department in advance~~city as required by law and a current copy~~ of such transportation.

**TAXICAB:** A motor vehicle the schedule filed with a seating capacity of five passengers or less, not including the driver, used in the on demand airport.

**SPECIAL TRANSPORTATION VEHICLE:** Any vehicle for hire on Salt Lake City streets, which is used for the transportation of passengers or baggage persons with disabilities and is licensed under title 5, chapter 5.76 of this code, or its successor.

**STARTER:** A person appointed by and representing a ground transportation business and providing coordinated travel arrangements and information about available travel services and fares.

~~TAXICAB: 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, fixed schedule, but which is subject for contract hire by Persons persons desiring special trips from one point to another, as provided and which is licensed under title 5, chapter 5.72 of this title, or its successor chapter and authorized to operate in Salt Lake City by contract with the Department.~~

~~code, or its successor. It does not include an automobile rental vehicle licensed under any other section of this code.~~

**VAN:** Any licensed motor vehicle other than those designated as a Limousine which is registered with the state at a passenger seating capacity of six gross weight of four thousand (4,000) to ten thousand (10,000) pounds, or is designed to twelve, not including the driver, transport fifteen (15) passengers or fewer, including the driver, and which is licensed as required by this code. (Ord. 20-06 § 1, 2006: Ord. 87-05 § 2, 2005: Ord. 45-05 § 1, 2005: Ord. 70-04 § 5, 2004: Ord. 24-99 § 7, 1999: Ord. 15-89 § 1, 1989: Ord. 3-89 § 1, 1989: prior code § 2-15-11)

## **16.60.095: BUSINESSES AUTHORIZED TO PROVIDE GROUND**

### **TRANSPORTATION:**

It shall be a violation to operate a Ground Transportation Vehicle at the Airport, unless such is an Authorized Ground Transportation Business.

~~It shall be unlawful for any person who conducts business at the airport by providing~~

~~ground transportation to operate a motor vehicle connected with said business at the airport unless such is an "authorized airport ground transportation business" as defined in this article. (Ord. 70-04 § 6, 2004; Ord. 15-89 § 1, 1989; Ord. 3-89 § 1, 1989)~~

**16.60.097: GROUND TRANSPORTATION DESTINATIONS:**

A. All Authorized Ground Transportation Businesses may provide Scheduled Service or Prearranged Service from the Airport.

B. Only authorized Airport Shared Ride Service Vehicles, Taxicabs, Courtesy Vehicles, and Hotel Vehicles may provide On Demand Service at the Airport, except that: Courtesy Vehicles and Hotel Vehicles may provide On Demand Service only to and from the hotel / motel or other Business with whom they hold a current contract for transportation services. The Department Director may waive these restrictions if it is determined that circumstances at the Airport~~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 of this chapter.~~

~~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.city to address such circumstances. The foregoing notwithstanding, limousines may provide on-demand service only upon charging a minimum fare of thirty dollars (\$30.00) per trip. Limousines may provide prearranged~~

~~service without charging a set minimum fare. (Ord. 45-05 § 2, 2005: Ord. 70-04 § 7, 2004: Ord. 15-89 § 1, 1989: Ord. 3-89 § 1, 1989)~~

C. All Authorized Ground Transportation Businesses may provide On Demand, Scheduled Service and Prearranged Service from the Airport to destinations outside of the corporate limits of Salt Lake City.

**16.60.100: PASSENGER PICK UP ZONES:**

All persons operating a Ground Transportation Vehicle~~ground transportation vehicle~~ on the premises of the Airport~~airport~~ shall pick up passengers only in areas as designated by the Department Director~~director~~. Ground Transportation Vehicles~~transportation vehicles~~ may occupy such area only for the period of time established by the Department Director~~director~~. (Ord. 70-04 § 8, 2004: prior code § 2-15-12)

**16.60.110: CHARGES:**

The Department Director may impose~~airport enterprise fund imposes~~ commercial charges for the use of Airport~~airport~~ facilities and services. Businesses must pay services, and all fees established~~such charges imposed on ground transportation providers shall be limited to the recovery of costs incurred~~ by the Department Director~~fund for providing facilities and services to ground transportation providers~~. (Ord. 87-05 § 12, 2005: Ord. 86-98 § 15, 1998: Ord. 52-96 § 1, 1996: Ord. 28-94 § 1, 1994: Ord. 91-91 § 1, 1991: Ord. 3-89 § 1, 1989: prior code § 2-15-13)

**16.60.120: CHARGES REQUIRED:**



~~No Ground Transportation Vehicle or Business shall use the Airport's roadways or facilities without paying the fees established by the Department Director.~~

~~No ground transportation vehicle shall use the commercial ground transportation lanes without paying the fee required by section 16.60.110 of this chapter, or its successor. (Ord. 91-91 § 1, 1991; Ord. 3-89 § 1, 1989; prior code § 2-15-14)~~

**16.60.130: PAYMENT OF FEE BY GROUND TRANSPORTATION VEHICLES:**

~~A. Payment of the required fees shall be made in the manner prescribed by the Department Director.~~

~~B. All taxicabs which are licensed under title 5, chapter 5.72 of this code, or its successor, shall possess a taximeter in accordance with the requirements of title 5, chapter 5.72 of this code. (Ord. 70-04 § 9, 2004; Ord. 27-94 § 1, 1994; prior code § 2-15-15)~~

**16.60.140: CITY ORDINANCESTAXICAB REGULATIONS APPLICABLE TO AIRPORT:**

~~All applicable ordinances contained Salt Lake City Code, including without limitation in title 5, chapter 5.71 and 5.72 of this code or their successorsits successor shall apply to the Salt Lake City International Airport. The Department Director may enter into contractsIn addition, the provisions set out in sections 16.60.150 through 16.60.170 of this chapter or successor sections shall specifically apply at said airport. (Prior code § 2-15-16)~~

**16.60.150: STAGING AREA FOR TAXIS:**

~~A. There is established a taxicab staging area at the airport which is designated exclusively for taxicabs entering the airport for the purpose of obtaining a fare.~~

~~B. All taxicabs entering the airport for the purpose of obtaining a fare shall follow airport rules and regulations.~~

~~C. No driver of a taxicab seeking to obtain a fare shall go directly to the taxicab stand without first going to the designated staging area. (Ord. 70-04 § 10, 2004; Ord. 91-91 § 1, 1991; prior code § 2-15-17)~~

**~~16.60.160: PREARRANGED FARES FOR TAXIS:~~**

~~(Rep. by Ord. 70-04 § 11, 2004)~~

**~~16.60.170: TAXICAB STAND RESTRICTIONS:~~**

~~There are established taxicab stands at the airport which are designated exclusively for taxicabs entering the airport for the purpose of obtaining a fare. Such stands shall be marked by appropriate signs placed at the direction of the director, and establish Rulethe use of such stands shall be subject to airport rules and Regulations for Taxicab operations specific to the Airport.regulations. (Ord. 70-04 § 12, 2004; prior code § 2-15-19)~~

**16.60.180: GROUND TRANSPORTATION BOOTHS:**

There may be established within the terminal buildings at the Airport~~airport~~ one or more ground transportation booths for the exclusive use of Authorized Ground Transportation Businesses to assist authorized ground transportation businesses in coordinating travel arrangements with the traveling public to arrange for transportation, including travel reservations and ticket sales. These booths may~~shall~~ be made available to Businesses in accordance with applicable contracts and/or Department Rules and Regulations.~~businesses through airport rules and regulations.~~

A. A. No Authorized Ground Transportation Business may solicit ~~Solicitation of~~ passengers ~~by authorized ground transportation business~~ at the Airport~~airport~~ shall ~~be unlawful~~ except at a bona fide ground transportation booth established by the Department Director and operated by the Authorized Ground Transportation Business~~airport director~~.

B. No Person or Business including any Ground Transportation Business may contract ~~for passenger meet and greet services on behalf of any Ground Transportation Business without the written permission of the Department Director.~~

C. In addition to civil penalties, any~~B. Any~~ violation of ~~these~~this solicitation restrictions by any driver or representative of any Authorized Ground Transportation Business~~authorized ground transportation company~~ may result, at the Department Director's~~director's~~ sole option, ~~after a hearing,~~ in such driver or Business being barred from any further entry to an Airport~~airport~~ terminal as a driver or Authorized Ground Transportation Business~~authorized ground transportation business~~ employee.

D.C. No representative of any Authorized Ground Transportation Business~~authorized ground transportation business~~ shall transport baggage or cargo in behalf of a customer to or from the Airport~~airport~~ without documentation such as baggage claim tickets or transfer documents clearly indicating the authority of such representative to transport such baggage. Said representative shall produce such documentation for inspection upon request by an authorized official of the Department~~airport~~. (Ord. 70-04 § 13, 2004: Ord. 91-91 § 1, 1991: Ord. 89-91 § 1, 1991: Ord. 15-89 § 1, 1989: Ord. 3-89 § 1, 1989)

**16.60.190: STAGING AND PARKING OF GROUND TRANSPORTATION VEHICLES:**

Any use of

~~In addition to the staging area, parking facilities, taxistands, and stands established solely for taxicabs as set forth in this article, there are established parking areas, and a commercial traffic lanes or other areas and for use by authorized ground transportation vehicles. The use of such facilities used by Authorized Ground Transportation Vehicles are shall be~~ subject to ~~Department Rules~~airport rules and ~~Regulations~~regulations. (Ord. 70-04 § 14, 2004: Ord. 86-98 § 16, 1998: Ord. 91-91 § 1, 1991: Ord. 15-89 § 1, 1989: Ord. 3-89 § 1, 1989)

**16.60.200: SIGNS:**

Signs may be posted at the Airport by Authorized Ground Transportation Businesses if such signs are airport which meet the graphic standard of the airport and in accordance with applicable department contracts, Department Rules and Regulations, airport rules and have been approved by the Department Director~~regulations~~. (Ord. 70-04 § 15, 2004: Ord. 86-98 § 17, 1998: Ord. 91-91 § 1, 1991: Ord. 15-89 § 1, 1989: Ord. 3-89 § 1, 1989)

SECTION 3. Effective Date. This ordinance shall become effective on the date of its first publication.

Passed by the City Council of Salt Lake City, Utah this \_\_\_\_\_ day of \_\_\_\_\_, 2010.

\_\_\_\_\_  
CHAIRPERSON

\_\_\_\_\_  
CITY RECORDER

Transmitted to Mayor on \_\_\_\_\_.

Mayor's Action: \_\_\_\_\_ Approved. \_\_\_\_\_ Vetoed.

\_\_\_\_\_  
MAYOR

\_\_\_\_\_  
CITY RECORDER

(SEAL)

Bill No. \_\_\_\_\_ of 2010

Published: \_\_\_\_\_

SECTION 2. That Chapter 16.64, Salt Lake City Code, pertaining to violations, penalty and enforcement at the Salt Lake City International Airport, be and the same hereby is, amended to read as follows:

**Chapter 16.64**  
**~~VIOLATION, PENALTY AND ENFORCEMENT~~**

**16.64.010: PROHIBITIVE NATURE OF TITLE REGULATIONS:**

It is ~~a violation~~~~unlawful~~ for any ~~Person~~~~person~~ to do any act prohibited by ~~law, this title,~~ to fail or refuse to do any act required by ~~law, this title,~~ to operate any vehicle or aircraft in violation of any provisions of this title ~~or Department Rules and Regulations,~~ or to operate any vehicle or aircraft unless such vehicle or aircraft is equipped and maintained as provided in this title ~~or other applicable law.~~ (Prior code § 2-16-1)

**16.64.020: REMOVAL AUTHORIZED WHEN:**

Any ~~Person using Airport property,~~~~person~~ operating ~~any vehicle~~ or handling any aircraft in violation of this title ~~or other applicable law,~~ or by refusing to comply ~~t~~herewith, may be removed or ejected from the ~~Airport,~~~~airport,~~ and may be deprived of the further use of the ~~Airport~~~~airport~~ and its facilities for such length of time as may be deemed necessary ~~by the Department Director~~ to ensure the safeguarding of the same and the public and its interest therein. (Ord.-77-04 § 49, 2004: prior code § 2-16-3)

**16.64.025:16.64.030: VIOLATION; PENALTY:**

Any ~~Person~~person guilty of violating any of the provisions of this title shall be deemed guilty of a class B ~~misdemeanor.~~ (Ord. misdemeanor, except the violation of certain sections of this Title 16 as set forth in section 16.64.030 below, which shall constitute civil violations.42-87 § 9, 1987: prior code § 2-16-2)

**16.64.030: CIVIL PENALTIES AND ENFORCEMENT:**

- A. All persons in violation of this Title, or Department Rules and Regulations, or other applicable law are subject to Civil Penalties and any other actions as may be taken by the Airport Director to ensure the safe and effective operations of the Airport.
- B. The City may impose revocation, suspension and nonrenewal of a City business license to operate a Ground Transportation Business for violations of applicable laws, policies, procedures, rules, or regulations as provided under chapter 5.02 of this title
- C. The Department may revoke, suspend or deny renewal of an Operator's Badge, Department Automated Vehicle Identification tag or Department Inspection Seal for violations of applicable laws, policies, procedures, rules, or regulations. The person or business affected may request, in writing filed with the Department, an appeal hearing before the Ground Transportation Hearing Officer. Any such revocation, suspension or denial of renewal shall remain in effect until the party against whom such action is taken requests reinstatement, and the Ground Transportation Hearing Officer determines that reinstatement is appropriate.

D. If any Named Party fails to comply with civil penalties imposed under this chapter, such party may be subject to suspension, revocation or nonrenewal of a City license to operate a Ground Transportation Business, Operator's Badge. Department Automated Vehicle Identification Tag and Department Inspection Seal. (Ord. 24-99 § 4, 1999)

E. Civil penalties may be imposed as set forth below. The Named Party in the Civil Notice shall be liable for a civil penalty. Any penalty assessed in connection with this section may be in addition to any other penalty that may be imposed by law, rule, regulation, suspension, revocation or other restrictions as may be imposed by the Department Director.

F. Violations of the following ordinances shall constitute Civil violations and be subject to the following penalties:

<u>CODE</u>	<u>AMOUNT OF PENALTY</u>	<u>VIOLATION</u>
<u>ARTICLE I</u>		
<u>GENERAL REGULATIONS</u>		
<u>16.60.010</u>	<u>\$500.00</u>	<u>Vehicle operations on Airport</u>
<u>16.60.020</u>	<u>\$1000.00</u>	<u>Secured area vehicle operations</u>
<u>16.60.030</u>	<u>\$1000.00</u>	<u>Ramp area vehicle operations</u>
<u>16.60.040</u>	<u>\$200.00</u>	<u>Unauthorized passenger load /unload</u>
<u>16.60.050</u>	<u>\$1000.00</u>	<u>Failure to report accident</u>
<u>16.60.060</u>	<u>\$1000.00</u>	<u>Prohibited vehicle in secure area</u>
<u>16.60.065</u>	<u>\$200.00</u>	<u>Parking area restrictions / failure to pay fees</u>



<u>16.60.067</u>	<u>\$100.00</u>	<u>Parking violation posted signs</u>
<u>16.60.075</u>	<u>\$500.00</u>	<u>Courtesy cart operations</u>
<b><u>ARTICLE II</u></b>		
<b><u>GROUND TRANSPORTATION BUSINESSES</u></b>		
<u>16.60.095</u>	<u>\$1000.00</u>	<u>Unauthorized ground transportation vehicle</u>
<u>16.60.097</u>	<u>\$500.00</u>	<u>Unauthorized prearranged/on-demand transport</u>
<u>16.60.100</u>	<u>\$200.00</u>	<u>Unauthorized passenger pick up</u>
<u>16.60.120</u>	<u>\$500.00</u>	<u>Failure to pay fees</u>
<u>16.60.180 (A,B,D)</u>	<u>\$500.00</u>	<u>Unauthorized solicitation or baggage transport</u>
<u>16.60.190</u>	<u>\$100.00</u>	<u>Unauthorized staging / use of grounds and facilities</u>
<u>16.60.200</u>	<u>\$500.00</u>	<u>Unauthorized posting of signs</u>

**16.64.050: ENFORCEMENT PROCEDURES; CIVIL NOTICE OF GROUND**

**TRANSPORTATION VIOLATION:**

- A. Civil Notices under this chapter, other than those involving revocations, suspensions, denials or approvals of a business license, Operators' Badge, Department Automated Vehicle Identification Tags and Department Inspection Seal shall be heard by the Salt Lake City Justice Court. Any Named Party may appear before a Hearing Officer and present and contest an alleged violation as provided in title 2, chapter 2.75 of this code, or its successor.
- B. The burden to prove any defense shall be upon the Person raising such defense. Nothing herein shall affect the City's burden to prove each element of the underlying charge by a preponderance of evidence.

C. If the Hearing Officer finds that no violation of this chapter occurred, or that a violation occurred but one or more of the defenses set forth in this section is applicable, the Hearing Officer may dismiss the Civil Notice and release the Named Party from liability thereunder, or may reduce the penalty associated therewith as he or she shall determine. Such defenses are:

1. The Civil Notice does not contain the information required by this chapter;

2. Compliance with the subject ordinances would have presented an imminent and irreparable injury to persons or property; or

3. Such other mitigating circumstances as may be approved by the City Attorney's Office. Civil Notices under this chapter, other than those involving business license revocations, suspensions, denials or approvals, and or Operators' Badge,

Department Automated Vehicle Identification Tags and Department Inspection Seal revocations, shall be heard by the Salt Lake City Justice Court. Any Named Party may appear before a Hearing Officer and present and contest an alleged violation as provided in title 2, chapter 2.75 of this code, or its successor.

**16.64.060: EXPEDITED APPEAL OF EXCLUSION:**

Any Named Party who is excluded from pursuing commercial activities under this chapter, and has not had a hearing before the Ground Transportation Hearing Officer regarding such exclusion as provided for in this chapter, such party may request an expedited appeal of the action that resulted in such exclusion. Such appeal shall be requested in writing by the party so excluded to the Department. The Department shall promptly investigate the facts relating to such exclusion. If the evidence indicates such exclusion is improper under this chapter, the Department Director may reverse the

action that resulted in such exclusion. If the Department Director does not reverse such action, the action resulting in such exclusion shall be heard and determined by the Ground Transportation Hearing Officer in accordance with the provisions of this chapter. If a preponderance of the evidence indicates such exclusion is proper under this chapter the Ground Transportation Hearing Officer shall uphold such exclusion. (Ord. 29-02 § 7, 20023: Ord. 24-99, § 4, 1999)

SECTION 3. Effective Date. This ordinance shall become effective on the date of its first publication.

Passed by the City Council of Salt Lake City, Utah this \_\_\_\_\_ day of \_\_\_\_\_, 2010.

\_\_\_\_\_  
CHAIRPERSON

\_\_\_\_\_  
CITY RECORDER

Transmitted to Mayor on \_\_\_\_\_.

Mayor's Action: \_\_\_\_\_ Approved. \_\_\_\_\_ Vetoed.

\_\_\_\_\_  
MAYOR

CITY RECORDER