
MEMORANDUM

DATE: October 13, 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

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 is scheduled to hold a public hearing on the proposed amendments on October 19. The public hearing will be held in the City Council Chamber, Room 315, as part of the Council's formal meeting. The formal meeting is scheduled to start at 7 p.m. The City Council held a public hearing on September 21 and discussed potential amendments at length during the Council's work session October 5.

This memorandum contains new information based on the City Council discussion at its October 5 work session and earlier discussions. The *Options* section that usually appears here in past memoranda will follow the sections titled *Issues from October 5 Discussion* and *Other Issues*.

POTENTIAL MOTIONS

Council staff plans to prepare motions for the City Council to consider after the October 19 public hearing.

ISSUES FROM OCTOBER 5 DISCUSSION

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 – 5.72.165. A.1: “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.

Following the RFP procedure, at least two (2) and not more than four (4) taxicab businesses shall be awarded a department contract.”

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:

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

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

It should be noted that the Taxicab, Limousine & Paratransit Association in 2007 adopted the following as part of recommended taxicab standards for metropolitan areas of more than one million people. “Further, major metropolitan areas should require that a vehicle be no more than five years old when it is placed into taxicab service, and that a vehicle be removed from service at the end of the day on December 31 at the conclusion of the vehicle’s eighth model year.” The recommendation also included allowing vehicles that are less than four-model-years old to be inspected once per year by the local authority that licenses taxicabs. Taxicabs older than four-model-years would be required to have two inspections by the same local authority. It also should be noted that the City Council consultant Ray Mundy indicates that the Airport Ground Transportation Association recommends six model years but views the total number of miles, such as the proposed 350,000 mile limit, the more important aspect of vehicle standards.

The City Council also may wish to consider remarks made at the October 5 discussion in which participants indicated that the proposed vehicle age and mileage limit was the upper limit of what would allow Department of Airport personnel to inspect a vehicle once and then use random inspections after

that to enforce vehicle standards. It also should be noted that the proposed ordinance still includes a two-year period for all ground transportation companies to meet the proposed age standards.

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:

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

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

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

2. 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 hotel, motel, or other lodging business with whom they hold a current contract for transportation services. Proof of the existence of such contract shall be maintained in each hotel vehicle and shall be subject to inspection on demand.

3. 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. 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 *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.

D. 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.

ISSUE: ENFORCEMENT – Include enforcement costs in the calculation of business license fees for all ground transportation companies.

Proposed Revision – 5.71.050.B: “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: “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 – 5.72.455. E: “The Mayor or the Mayor’s designee is authorized 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.”

It should be noted that Council staff notes indicate the City Council chose to keep the current language written above, 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 City regulation – except for background checks, because USDOT background checks are not as stringent.

Proposed Revision –

From the proposed introduction to Salt Lake City Code Chapter 5.71: “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 ...

5.71.040: “Exemptions from Requirements in this Chapter: ... B. Busses and motor coaches and bus and motor coach drivers regulated by the U.S. Department of Transportation, provided, however, that bus and motor coach drivers shall be subject to a background investigation as provided in department rules and regulations.”

ISSUE: TRANSPORTATION COMMITTEE – Organize a 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:

Article IX. Ground Transportation Discussion Group

5.71.255: PURPOSE:

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

- A. Identifying problems and potential solutions;
- B. Identifying items within the ordinances or regulations that appear to be unclear or confusing;
- C. Suggesting improvements to the program for consideration of the Mayor and Administration and/or the City Council;
- D. Discussing issues of concern to those in attendance;
- E. Identifying barriers to quality transportation service; and

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

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 – 5.72.205: 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.”

It should be noted that City Council staff has discussed revising *City Code* Section 5.71.120 regulating vehicle age to include an additional allowable year of service for ADA accessible vehicles.

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 – 5.71.150. B:

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 department rules and regulations for the category of vehicle being inspected. Notwithstanding the foregoing, a ground transportation company that purchases a new ground transportation vehicle may, in lieu of an inspection of such vehicle:

1. Certify to the department that the vehicle is new and conforms to the standards and requirements established by this section and department rules and regulations, and
2. Provide proof of insurance as provided in Subsection 5.71.140A.
3. Installation of an AVI and taximeter shall be subject to inspection by the department.

ISSUE: ANNUAL DRIVER APPLICATION RENEWAL – Allow renewal every two years.

Proposed Revision – 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 – 5.71.010: “**TAXICAB:** A motor vehicle with a seating capacity of five (5) passengers or less, not including the driver, or a van with a passenger seating capacity of six (6) to twelve (12), 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.”

ISSUE: INSURANCE POLICIES SHOULD INCLUDE SALT LAKE CITY AIRPORT AS AN ADDITIONAL INSURED PARTY

Proposed Revision – Section 5.71.140.D: “Salt Lake City Corporation shall be named as an additional insured in all insurance contracts.”

ISSUE: THE SALT LAKE CITY COUNCIL SHOULD SET RATES FOR TAXICABS

Proposed Revision – 5.72.405: *Rates:*

A. The rates charged by a ground transportation company for taxicab service shall be set by the City Council. The department shall review submittals by taxicab companies for taxicab rates and the department director shall recommend to the City Council the rate structure and extras allowed to be charged for taxicab service.

1. Unless otherwise provided for in a department contract, each taxicab business may file with the department periodically, but no more often than every six (6) months, a statement regarding the adequacy of the existing maximum rates. 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 existing 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 for competing ground transportation services, and any other relevant information.

2. Upon receipt of a statement regarding the adequacy of existing rates, the department director may authorize a temporary increase in rates, not to exceed six (6) months, to account for increased operating costs, insurance costs, costs of living, fares charged for competing ground transportation services, or other factors documented in a rate statement.

3. If the department director authorizes a temporary rate increase, the statement and other information justifying the increase shall be submitted to the City Council for review and consideration of a permanent rate increase.

ISSUE: THERE SHOULD BE PARAMETERS FOR A DEPARTMENT DIRECTOR TO USE TO SET RULES AND REGULATIONS

Proposed Revision – 5.72.105: *Authority to Establish Rules and Regulations*

A. To the extent authorized by the provisions of this chapter and 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 regulations necessary to administer the provisions of this chapter.

B. The Mayor shall 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.

OPTIONS/DISCUSSION

As indicated in previous City Council staff memoranda, 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.

It should be noted that the language of the latest version of the proposed ordinance amendments appears to contemplate a decision enacting competitive bids for taxicab service instead of continuing certificates of public convenience and necessity. However, many of the proposed amendments appear able to be incorporated into current ground transportation ordinances if the City Council decides the City should continue to use certificates of public convenience and necessity for the provision of taxicab services.

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. Again, other questions and other issues may inform answers to the three questions, but the three appear to remain the constants and focal points of consideration. The questions are:

- I. 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?
- II. 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?
- III. Would the proposed amendments:
 - i. Provide Salt Lake City residents and visitors to Salt Lake City with reliable, affordable, and consumer friendly taxi and ground transportation service?
 - ii. Provide the City with enforceable ground transportation regulations?
 - iii. Enhance the opportunity for ground transportation industry workers in Salt Lake City to earn a reasonable income at or near national levels?

CITIES WITH COMPETITIVE BIDS

One argument not raised at the September 21 public hearing was that competitive bids are an innovation among municipalities involved in the provision of ground transportation services, particularly taxicabs.

According to a study for the Los Angeles Department of Transportation and a ground transportation trade newspaper, here are six cities that use or have used competitive bids in the provision of those services:

- **Anaheim, California** – Has operated a competitive bid franchise system since 1999.¹
- **Austin, Texas** – Issues five-year franchises awarded by the City Council through the Austin Ground Transportation Division.²

- **Coachella Valley, California** – Has operated under a competitive bid franchise system since 2009.³
- **San Diego, California** – Issues permits to allow taxicabs to operate in the city through the San Diego County Metropolitan Transit System. Based on a study conducted by the city, San Diego authorized increasing the number of taxicabs serving San Diego by 135 vehicles. The Metropolitan Transit System then issued requests for proposals between 2004 and 2007 and awarded the permits based on the responses.⁴
- **Santa Monica, California** – Has operated under a competitive bid franchise system since 2009 and is near awarding contracts to five companies.⁵
- **Seattle, Washington** – The city issues licenses to operate taxicabs. They are awarded through competitive responses to proposals, through a “competitive lottery,” or a combination of RFP and lottery.⁶

It should be noted that Los Angeles has operated nine competitively awarded taxi franchises for more than a decade and presently is deciding how to rebid the concession agreements for taxicab services.⁷

COMPETITIVE BID CONTRACTS VERSUS CERTIFICATES OF PUBLIC CONVENIENCE AND NECESSITY

As indicated in earlier City Council staff documents, certificates of public convenience and necessity are one way to regulate private sector industries that have a public benefit – from airlines to hospitals (in some states) to transportation services (among a variety of municipalities). It appears to City Council staff that the requirements necessary for regulation through ordinance and certificates of public convenience and necessity to succeed are commitments depending wholly on a municipality’s interest and ability to allocate time, staff, and money to make sure companies that hold the certificates do what a city expects them to do.

City Council staff knows of no instance where Salt Lake City has revoked a company’s certificates of public convenience and necessity for failing to perform to expectations. Part of the reason for that, again, may be that to make any change in regulating and enforcing the requirements of certificates of public convenience and necessity in Salt Lake City appears to require either amending City ordinances or holding a quasi-judicial hearing that may include the presentation of evidence, arguments for and against, rebuttals, a finding of fact by a hearing officer, and an appeal process. To date, no other taxicab company has entered the Salt Lake City market since the 1960s in part because new companies have to prove through the process described above that they provide a public convenience and necessity that the current holders of the certificates are not.

As indicated in earlier City Council staff documents, since the early 1980s the alternative of governments contracting with the private sector for services that have a public benefit also has been a proven method of achieving the same goal as operating under certificates of public convenience and necessity. It appears to City Council staff that a contract primarily does three things: The parties in the contract know what is expected of them. The parties in the contract agree to perform to those expectations. The parties in the contract agree to abide by the contract.

The other difference, at least in Salt Lake City, is there appears to be no provision for the City to determine what is available in a changing market under its method of awarding certificates of public convenience and necessity. A competitive bid contract method would have a limited term the contract would be in effect.

Under the current method of certificates of public convenience and necessity, the City has legislated, among other things, the conduct of drivers, the appearance of drivers, and the condition and age of vehicles to meet market demands and market evolution, but under the current method any change appears to have come slowly. A contract with a fixed term, as City Council staff understands it, would provide the City with a periodic chance to review and renew a public convenience and necessity. It may be possible for a municipality to limit the length of time a certificate of public convenience and necessity may be in force, but if a municipality were to do that, why wouldn't it seek competitive bids?

¹ Taxicab Refranchising Plan Peer Review, December 2009, Nelson/Nygaard Consulting Associates, Page 2.

² Ibid, Page 7.

³ Transportation Reviews News, May 7, 2010.

⁴ Taxicab Refranchising Plan Peer Review, December 2009, Nelson/Nygaard Consulting Associates, Pages 27-30.

⁵ Transportation Reviews News, September 27, 2010. (Please see attachment.)

⁶ Taxicab Refranchising Plan Peer Review, December 2009, Nelson/Nygaard Consulting Associates, Page 34.

⁷ Electronic mail, Ray Mundy, PhD, September 29, 2010.

SALT LAKE CITY ORDINANCE
No. _____ of 2010

~~(Amending section 5.71, Salt Lake City Code, regarding ground~~Ground ~~transportation requirements)~~

~~Ordinance~~An ordinance amending ~~section~~Chapter 5.71, *Salt Lake City Code*, pertaining to ground transportation requirements, to coordinate with taxicab ~~ordinance~~and 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 has amended sections~~intends to amend Chapter
~~5.72 and 5.76, Salt Lake City Code, pertaining to taxicabs and special transportation~~
~~vehicles regarding taxicab regulation;~~ and

WHEREAS, the City Council has determined ~~that the following~~this ordinance corresponds with and supports ~~the~~ amendments to ~~sections~~Chapter 5.72 ~~and 5.76~~; and

WHEREAS, after a duly noticed public hearing before the City Council, the ~~City~~ Council has determined ~~that the following~~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 ~~section~~Chapter 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 following words and phrases, when used in this chapter, shall have the meanings defined and set forth in this section:

30 **AIRPORT SHARED RIDE SERVICE:** Ground transportation provided by an ~~Authorized~~
31 ~~Ground Transportation Business~~authorized ground transportation business contracted
32 through the Department of Airports to provide ~~On-Demand Shared Ride Service~~on-
33 demand shared ride service to and from the Salt Lake City International Airport.

34 **AIRPORT SHARED RIDE VEHICLE:** Any authorized ~~Ground Transportation~~
35 ~~Vehicle~~ground transportation vehicle operating under contract with the ~~Salt Lake City~~
36 Department of Airports to provide airport shared ride service to and from the Salt Lake
37 City International Airport-~~Shared Ride Service~~.

38 **APPLICANT:** An individual who has submitted an application to the
39 ~~Department~~department to obtain a ~~Ground Transportation Vehicle Operator's~~
40 ~~Badge~~ground transportation vehicle operator's badge pursuant to ~~article VI~~Article VII of
41 this chapter.

42 **AUTHORIZED GROUND TRANSPORTATION BUSINESS:** Any ~~Business~~business
43 operating any ~~Ground Transportation Vehicle~~ground transportation vehicle, which has a
44 current, valid business license as required by the City and which-;

45 A) ~~registers.~~ Registers the ~~Business~~business in accordance with the
46 requirements established by the ~~Department~~department, and

47 B) ~~is.~~ Is current with all fees or charges imposed by the ~~Department~~department
48 and City.

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

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(Compared to the draft considered at the October 5, 2010 Council meeting)

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

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

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

59 **CERTIFICATE:** A ~~Certificate~~certificate of public convenience and necessity issued by
60 | the City. ~~No Certificate issued by the City shall be construed to be either a franchise or~~
61 | ~~irrevocable and will terminate upon notification by the City.~~

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

64 **COMMENT FORM OR FORM:** ~~Has the meaning set forth in~~The form described in
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
68 | separate charge to the passenger for such transportation. ~~All contracts providing for~~
69 | ~~operating a Courtesy Vehicle shall be filed with the Department.~~

70 **DEPARTMENT:** The Salt Lake City Department of Airports or such other City
71 | department or division as may be designated by the ~~mayer~~Mayor to have responsibility
72 | for the enforcement of this chapter.

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

76 **DEPARTMENT DIRECTOR:** The ~~Director~~director of the ~~Department~~department
77 designated by the ~~mayer~~Mayor to have responsibility for the enforcement of this chapter
78 or the authorized designee of such ~~Director~~director.

79 **DEPARTMENT INSPECTION:** An inspection of a ~~Ground Transportation Vehicle~~
80 ground transportation vehicle by the ~~Department~~department to verify that the vehicle
81 meets the standards set by the ~~Department Director, Department Rules~~department
82 director, department rules and ~~Regulations~~regulations, applicable contracts, and ~~all~~
83 applicable City ordinances, ~~policies and procedures~~, including without limitation the
84 exterior and interior of the vehicle and all associated vehicle licensing, safety, and
85 insurance requirements.

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

92 **DEPARTMENT RULES AND REGULATIONS:** Rules and regulations developed and
93 adopted by the ~~Department Director~~department director to govern commercial ground
94 transportation operations within the City.

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(Compared to the draft considered at the October 5, 2010 Council meeting)

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

100 | **GROUND TRANSPORTATION APPEAL COMMITTEE:** A committee established by
101 | the ~~Department Director~~department director to hear and rule on appeals, suspensions,
102 | and other matters related to ground transportation in and connected with the City.

103 | **GROUND TRANSPORTATION BUSINESS:** Any ~~Business~~business operating any
104 | ~~Ground Transportation Vehicle~~ground transportation vehicle.

105 | **GROUND TRANSPORTATION SERVICE:** The transportation of passengers by a
106 | ~~Ground Transportation Business~~ground transportation business.

107 | **GROUND TRANSPORTATION VEHICLE:** Any motor vehicle used for the
108 | transportation of persons using Salt Lake City streets for commercial purposes
109 | regardless of whether a fee or fare is collected, which includes, but is not limited to, any
110 | ~~Airport Shared Ride Vehicle, Automobile, Bus, Courtesy Vehicle, Hotel Vehicle,~~
111 | ~~Limousine, Minibus, Special Transportation Vehicle, Taxicab, Van, or Trailer being~~
112 | ~~towed by a Ground Transportation Vehicle~~airport shared ride vehicle, automobile, bus,
113 | courtesy vehicle, hotel vehicle, limousine, minibus, special transportation vehicle,
114 | taxicab, van, or trailer being towed by a ground transportation vehicle.

115 | **HEARING OFFICERS:** ~~Means those~~**OFFICER:** A hearing ~~officers~~officer of the Salt
116 | Lake City Justice ~~Courts~~Court.

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(Compared to the draft considered at the October 5, 2010 Council meeting)

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

119 **HOTEL VEHICLE:** Any motor vehicle ~~which is~~ regularly operated by a ~~Ground~~
120 ~~Transportation Business~~ground transportation business under contract to or directly by
121 a motel ~~/,~~ hotel ~~,~~ or other lodging ~~Business~~business, to provide transportation of
122 customers and/or baggage for the contracted establishment ~~and~~ for which
123 transportation the customer is charged a separate fee or fare. ~~All contracts, and which is~~
124 ~~subject to a contract filed with the department~~ providing for operating ~~a Hotel Vehicle~~
125 ~~shall be filed with the Department.~~the vehicle.

126 **LIMOUSINE:** Any vehicle described by its manufacturer or aftermarket manufacturer as
127 a ~~Limousine~~limousine or luxury vehicle, with a driver furnished, who is dressed in
128 professional business attire or a chauffeur's uniform.

129 **MINIBUS:** Any motor vehicle with a passenger seating capacity of thirteen ~~(13)~~ to
130 twenty ~~-~~four ~~(24)~~ persons, not including the driver.

131 **MODEL YEAR:** The age of a motor vehicle based upon the manufacturer's date of
132 manufacture. The year shall be calculated as beginning January 1 of the ~~Model~~
133 ~~Year~~model year, regardless of the month of manufacture, purchase ~~,~~ or licensing with
134 the City.

135 **NAMED PARTY:** The driver, vehicle owner ~~,~~ or ~~Authorized Ground Transportation~~
136 ~~Business~~authorized ground transportation business named in a ~~Civil Notice~~civil notice
137 issued by the City.

138 **ON-DEMAND AIRPORT SERVICE OR ON-DEMAND SERVICE:** Transportation
139 provided by an ~~Authorized Ground Transportation Business~~authorized ground

DRAFT – OCTOBER 14, 2010

(Compared to the draft considered at the October 5, 2010 Council meeting)

140 ~~transportation business~~ which is not ~~Scheduled Services~~scheduled service or
141 ~~Prearranged Service~~prearranged service as defined in this section.

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

145 **PREARRANGED SERVICE:** Transportation provided by an ~~Authorized Ground~~
146 ~~Transportation Business~~authorized ground transportation business from points within
147 the City to destinations within the City, or beyond, for which the ~~Authorized Ground~~
148 ~~Transportation Business~~authorized ground transportation business providing such
149 transportation has recorded the name or description of prospective passenger and the
150 date and time of the request for transportation at least thirty (30) minutes prior to the
151 transporting of the passenger by such vehicle. ~~Records and for which records~~ of such
152 transportation may be required for inspection by the ~~Department.~~department.

153 **SCHEDULED SERVICE:** Transportation provided by an ~~Authorized Ground~~
154 ~~Transportation Business~~authorized ground transportation business on a ~~Fixed~~
155 ~~Schedule~~fixed schedule posted with and approved by the ~~Department~~department in
156 advance of such transportation.

157 **SPECIAL TRANSPORTATION VEHICLE:** ~~Special transportation vehicle means~~
158 ~~any~~Any motor vehicle for hire, other than an ~~Airport Shared Ride Vehicle~~airport shared
159 ride vehicle, ambulance, or ~~Taxicab~~taxicab, which vehicle is designed, equipped, and
160 used for the transportation of ~~Persons With Disabilities~~persons with disabilities.

161 **SPECIALTY VEHICLES:** ~~Means~~Any vehicles that are unique in their design, or built for
162 a specific purpose. ~~These may include, including~~ but are not limited to, special

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163 conversion vehicles and classic or collector ~~Automobiles. Such automobiles, but~~
164 ~~excluding special transportation~~ vehicles ~~do not include Special Transportation~~
165 ~~Vehicles.~~

166 **STARTER:** A person appointed by and representing a ~~Ground Transportation~~
167 ~~Business~~ ground transportation business who is responsible for managing the
168 coordination of vehicles and passenger transportation for that ~~Business.~~ business.

169 **TAXICAB:** A motor vehicle with a seating capacity of five (5) passengers or less, not
170 including the driver, or a van with a passenger seating capacity of six (6) to twelve (12),
171 not including the driver, used in the on-demand, for hire transportation of passengers or
172 baggage over ~~the~~ public streets and not operated over a fixed route or upon a ~~Fixed~~
173 ~~Schedule~~ fixed schedule, but which is subject for contract hire by persons desiring
174 special trips from one point to another, as provided under ~~chapter 5.72~~ Chapter 5.72 of
175 this title, or its successor chapter, and authorized to operate in Salt Lake City by
176 contract with ~~the~~ Department ~~department.~~

177 **TERMINAL OF TRANSPORTATION:** ~~Means a~~ facility or location ~~in which~~ having the
178 primary purpose ~~is to facilitate Ground Transportation Services~~ of facilitating ground
179 transportation services, such as, but not limited to, the Salt Lake City Intermodal Hub.

180 **TRAILER:** ~~Means a~~ wheeled vehicle designed to be pulled by a motor vehicle for the
181 transportation of freight, luggage, or other items.

182 **VAN:** Any licensed motor vehicle other than those designated as a ~~Limousine~~ limousine
183 with a passenger seating capacity of six (6) to twelve, (12), not including the driver. ~~City~~
184 ~~(Ord. 48-07 § 1, 2007; Ord. 20-06 § 1, 2006; Ord. 87-05 § 1, 2005; Ord. 45-05 § 3,
185 2005; Ord. 24-99 § 4, 1999)~~

186 **VEHICLE OPERATOR'S BADGE or OPERATOR'S BADGE:** An identification badge
187 issued by the ~~Department~~department to an individual to signify that the individual has
188 met the requirements to operate a ~~Ground Transportation Vehicle established by the~~
189 ~~Department Director~~ground transportation vehicle.

190 **5.71.020: PURPOSE ~~OF ENACTMENT:~~**

191 _____ This chapter is enacted to provide for and protect the interests of Salt Lake City
192 residents and visitors using ~~Ground Transportation Services,~~ground transportation
193 services which make use of City streets and other City property, including:

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

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

198 C. To enhance ~~Salt Lakethe~~ City's competitiveness in attracting the traveling
199 public to this City;

200 D. To increase safety for ~~the~~ drivers of ~~Ground Transportation Vehicles~~ground
201 transportation vehicles, their passengers, and the public ~~when such vehicles are~~
202 ~~operated on Salt Lake City streets~~;

203 E. To adequately identify ~~Ground Transportation Vehicles~~ground transportation
204 vehicles and their drivers to the public in ~~Salt Lakethe~~ City;

205 F. To meet the needs of the public using ~~Ground Transportation Vehicles~~ground
206 transportation vehicles in ~~Salt Lakethe~~ City;

207 G. To provide for uniform enforcement of standards throughout the City by
208 coordinating the efforts of the departments responsible for enforcement, adjudication,

209 and business licensing of all commercial ~~Ground Transportation Businesses and~~
210 ~~Ground Transportation Vehicles~~ ground transportation businesses and ground
211 transportation vehicles;

212 H. To provide that the ~~mayer~~ Mayor designate a department or departments to be
213 responsible for the administration and enforcement of regulations pertaining to all
214 ground transportation businesses, ground transportation vehicles, and ground
215 transportation vehicle drivers in the City; and

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

218 **5.71.025: DESIGNATION OF DEPARTMENT:**

219 The Mayor shall designate a City department or departments to be responsible
220 for the oversight and enforcement of all ~~Ground Transportation Businesses, Ground~~
221 ~~Transportation Vehicles and Ground Transportation Vehicle~~ ground transportation
222 businesses, ground transportation vehicles, and ground transportation vehicle drivers
223 within the corporate limits of Salt Lake City. (~~Ord. 24-99 § 4, 1999~~) Such department or
224 departments shall be responsible for the administration and enforcement of business
225 licensing in connection with ground transportation in the City.

226 ~~I.—To provide that the City departments responsible for enforcement, adjudication~~
227 ~~and business licensing in connection with ground transportation in the City may~~
228 ~~create and implement such contracts, rules and regulations as are necessary or~~
229 ~~desirable to comply with and operate under this chapter, and the same shall be~~
230 ~~consistent with the purposes of this chapter and applicable law, and to meet due~~
231 ~~process requirements. (Ord. 24-99 § 4, 1999)~~

232 ~~5.71.030:~~ **5.71.030: AUTHORITY TO ESTABLISH RULES AND REGULATIONS:**

233 A. To the extent authorized by the provisions of this chapter and other applicable
234 provisions of this code, the department director, under guidance and direction from the
235 Mayor, may enter into contracts deemed necessary or desirable and may establish
236 rules and regulations necessary to administer the provisions of this chapter.

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

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

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

243 3. The basis for any proposed rule.

244 **5.71.040: EXEMPTIONS FROM REQUIREMENTS OF THIS CHAPTER:**

245 The following are exempt from the requirements of this chapter:

246 A. Vehicles licensed and operated by a governmental agencies, universities
247 and agency or operated by a university or school districts/district, the Utah Transit
248 Authority, ambulances an ambulance service, and others that/as may be designated by
249 the Department Director, are exempt from the requirements of this chapter in
250 department rules and regulations; and

251 **5.71.040: AUTHORITY TO ESTABLISH RULES / REGULATIONS AND**
252 **PROCEDURES:**

253 ~~The Department Director, under guidance or direction from the mayor and in~~
254 ~~accordance with applicable law, shall have authority to establish fees, enter into~~

255 ~~contracts deemed as necessary or desirable and to create standards, rules / regulations~~
256 ~~and procedures, as necessary to administer the requirements of this chapter and any~~
257 ~~security or operating requirements applicable to the Salt Lake City International Airport~~
258 ~~and the City or that are deemed to be in the best interest of the City and the public.~~

259 B. Busses and motor coaches, and bus and motor coach drivers, regulated by
260 the U.S. Department of Transportation, provided, however, that bus and motor coach
261 drivers shall be subject to a background investigation as provided in department rules
262 and regulations.

263 **5.71.050: BUSINESS LICENSE AND REGISTRATION REQUIRED:**

264 A. It is a violation for any person to operate a ~~Ground Transportation Business~~
265 ground transportation business without, prior to commencement of the
266 ~~Businessbusiness~~, completing the following:

267 A. 1. Obtaining a business license,

268 B. 2. Registering such ~~Businessbusiness~~ with the

269 ~~Departmentdepartment~~, and

270 C. 3. Paying all applicable fees associated with the licensing or
271 permitting of such ~~Businessbusiness~~, its vehicles, and its employees. ~~(Ord. 69-04~~
272 ~~§ 1, 2004)~~

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

275 **5.71.060: GROUND TRANSPORTATION DESTINATIONSSERVICE:**

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276 A. All Authorized ~~Ground Transportation Businesses~~ground transportation
277 businesses may provide ~~Scheduled Services~~scheduled service or ~~Prearranged~~
278 ~~Service~~prearranged service within the City.

279 B. Only ~~authorized Airport Shared Ride Service Vehicles, Taxicabs, Courtesy~~
280 ~~Vehicles, and Hotel Vehicles~~airport shared ride vehicles, courtesy vehicles, hotel
281 vehicles, and taxicabs may provide ~~On-Demand Service~~on-demand service within the
282 City, except that: ~~Courtesy Vehicles and Hotel Vehicles~~

283 1. Limousines may provide ~~On-Demand Service~~prearranged service only
284 upon charging a minimum fare of thirty dollars (\$30.00) per trip; and

285 2. Hotel vehicles may provide on-demand service only to and from ~~the~~
286 hotel /any railroad station, bus station, airport, or similar terminal of public
287 transportation and any hotel, motel, or other lodging ~~Business~~business with
288 whom they hold a current contract for transportation services. Proof of the
289 existence of such contract shall be maintained in each hotel vehicle and shall be
290 subject to inspection on demand.

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

296 ~~C. All Authorized Ground Transportation Businesses may provide On-Demand,~~
297 ~~Scheduled Service and Prearranged Service~~ C. Subsection B of this section

298 notwithstanding, hotel vehicles may transport motel or hotel patrons on demand to and
299 from locations other than a terminal of public transportation as follows:

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

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

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

308 **5.71.065: EXISTING HOLDERS' CERTIFICATES:**

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

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

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

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

329 **Article II. Driver Standards**

330 **5.71.070: DRIVER AND STARTER APPEARANCE:**

331 The drivers of ~~Ground Transportation Vehicles~~ground transportation vehicles and
332 ~~Starters~~starters representing ~~Ground Transportation Businesses~~ground transportation
333 businesses within the City shall adhere to the standards of appearance established by
334 ~~the Department Director~~department rules and regulations while operating such vehicles,
335 or while representing ~~Ground Transportation Businesses~~ground transportation
336 businesses, in order to meet the interests of ~~Salt Lake~~the City in such transportation.

337 **5.71.080: DRIVER CONDUCT:**

338 The drivers of ~~Ground Transportation Vehicles~~ground transportation vehicles
339 and ~~Starters~~starters representing ~~Ground Transportation Businesses~~ground
340 transportation businesses within the City shall adhere to the standards of conduct
341 established by ~~the Department Director~~department rules and regulations while operating
342 such vehicles or while representing ~~Ground Transportation Businesses~~ground

343 transportation businesses in order to meet the interests of ~~Salt Lake~~the City in such
344 transportation.

345 **5.71.090: UNAUTHORIZED SOLICITATION OF BUSINESS:**

346 No ~~Person~~person may solicit for business at any ~~Terminal~~terminal of
347 ~~Transportation~~transportation except in locations and in accordance with department
348 rules and regulations.

349 **5.71.095: ANNUAL DRIVER APPLICATION RENEWAL:**

350 A driver may not be required to renew a driver application more than once every
351 two (2) years and shall not be required to provide fingerprints for a background
352 investigation more than one (1) time except in the case of an emergency or as
353 established may be otherwise required by the Department Director a state or federal law,
354 regulation, or directive.

355 **Article III. Smoking**

356 **5.71.100: SMOKING RESTRICTIONS:**

357 Passengers and drivers in ~~Ground Transportation Vehicles~~ground transportation
358 vehicles may only smoke in such vehicles as set forth in the Utah Code.

359 **Article IV. Vehicle Standards**

360 **5.71.120: VEHICLE AGE AND CONDITION:**

361 A. No vehicle shall be authorized by the City to operate as a ~~Ground Transportation~~
362 ~~Vehicle~~ground transportation vehicle that is more than ~~five Model Years~~six (6) model
363 years in age, has a salvage title, or has accumulated ~~300~~three hundred fifty thousand
364 (350,000) miles or more.

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365 ~~A.~~ The following exemptions to the foregoing limitations may be
366 ~~granted~~approved by the ~~Department~~department on a case-~~by-~~case basis upon
367 application to the ~~Department Director~~department director.

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

374 ~~4.~~ 2. Busses, Mini~~mini~~-busses, Special Transportation Vehicles and
375 ~~Limousines~~special transportation vehicles, and limousines may be exempted
376 from these age and mileage restrictions, but not from the salvage title restriction.

377 ~~2.~~ 3. Specialty ~~Vehicles~~vehicles may be exempted from these age,
378 mileage, and salvage restrictions.

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

381 ~~B.~~ B. Seventy five percent (75%) of a ~~Business's Ground Transportation~~
382 ~~Vehicles must~~business's ground transportation vehicles shall meet this vehicle age
383 restriction within twelve (12) months after the effective date of this ordinance ~~being~~
384 ~~adopted into law.~~

385 ~~C.~~ C. One hundred percent (100%) of a ~~Business's Ground Transportation~~
386 ~~Vehicles must~~business's ground transportation vehicles shall meet this age restriction

387 within twenty-four (24) months after the effective date of this ordinance ~~being adopted~~
388 ~~into law.~~

389 ~~D.~~ D. One hundred percent (100%) of a ~~Business's Ground Transportation~~
390 ~~Vehicles must~~ business's ground transportation vehicles shall meet these mileage and
391 salvage title restrictions upon the effective date of this ordinance.

392 ~~E.~~ E. No new vehicle ~~will~~ shall be approved as a ~~Ground Transportation~~
393 ~~Vehicle~~ ground transportation vehicle that does not meet these restrictions.

394 **5.71.130: CONFLICTING OR MISLEADING DESIGNS PROHIBITED:**

395 No vehicle ~~will~~ shall be authorized to operate whose color scheme, identifying
396 design, monogram, or insignia, in the opinion of the ~~Department Director~~ department
397 director, conflicts with or imitates any color scheme, identifying design, monogram, or
398 insignia used on a vehicle or vehicles already operating under this chapter, in such a
399 manner as to be misleading or tending to deceive or defraud the public or which
400 improperly conveys the nature or the type of the ground transportation service offered.

401 **Article V. Insurance and Inspections**

402 **5.71.140: INSURANCE REQUIRED:**

403 A. Every ~~Ground Transportation Business~~ ground transportation business shall
404 ~~be required to~~ maintain continuous vehicle insurance, when the vehicle is operational, at
405 the minimum levels of coverage set forth by the Federal Motor Carrier Association
406 ~~section, Section~~ Section 49 CFR 387.303, or by the Utah Department of Transportation, or by
407 the United States Department of Transportation, whichever levels are higher. Proof of
408 insurance shall be required ~~at the time when~~ a vehicle is initially inspected by the
409 ~~Department~~ department, and may be verified upon the City's receipt of a complaint,

410 negative ~~Comment Form~~comment form, or at the time of an on-street, unscheduled
411 ~~Ground Transportation Vehicle~~ground transportation vehicle inspection.

412 B. ~~_____Taxicabs and other Authorized Ground Transportation Vehicles~~authorized
413 ground transportation vehicles with a seating capacity of seven (7) passengers or less,
414 including the driver, shall carry minimum coverage in the amounts required for vehicles
415 with eight (8) passengers or more, including the driver, as set forth in ~~section~~Section 49
416 CFR 387.303.

417 C. ~~Ground Transportation Businesses~~Each ground transportation business shall
418 send a copy of any notice of cancellation or reduction of insurance coverage to the
419 ~~Department~~department immediately upon such cancellation or reduction. ~~(Ord. 24-99~~
420 ~~§ 4, 1999)~~

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

423 **5.71.150: INSPECTIONS:**

424 ~~_____~~ A. All ~~Authorized Ground Transportation Vehicles must~~ authorized ground
425 transportation vehicles shall be registered with the ~~Department~~department and at all
426 times shall meet or exceed standards established by the ~~Department~~
427 ~~Director~~department rules and regulations in order to meet the interests of Salt Lake City.

428 B. No vehicle may operate as a ~~Ground Transportation Vehicle~~ ground
429 transportation vehicle within the City without first having been inspected by the
430 ~~Department~~department and found to be meeting all requirements of the
431 ~~Department~~department Inspection as established by ~~the Department~~
432 ~~Director~~department rules and regulations for the category of vehicle being inspected.

433 Notwithstanding the foregoing, a ground transportation company that purchases a new
434 ground transportation vehicle may, in lieu of an inspection of such vehicle:

435 ~~C. Vehicles meeting the~~ 1. Certify to the department that the vehicle is
436 new and conforms to the standards and requirements ~~of the Department~~

437 inspection established by this section and department rules and regulations, and

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

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

441 C. Vehicles meeting the requirements of the department inspection shall have a
442 unique ~~Department Inspection Seal~~ department inspection seal affixed to the rear of the

443 vehicle signifying that the vehicle has passed the ~~Department Inspection~~ department

444 inspection and may be operated as a ~~Ground Transportation Vehicle~~ ground

445 transportation vehicle. The department ~~Seal~~ seal is non-transferable and no vehicle may

446 be used as a ~~Ground Transportation Vehicle~~ ground transportation vehicle without the

447 ~~Department Inspection Seal~~ department inspection seal in place.

448 ~~D. All Ground Transportation Vehicles~~ ground transportation vehicles

449 meeting the requirements of the ~~Department~~ department inspection ~~will~~ shall be issued a

450 ~~Department Automated Vehicle Identification~~ department automated vehicle

451 identification (AVI) ~~Tag~~ tag, which the ~~Department will~~ department shall install on the

452 vehicle. These tags are non-transferable and may not be removed or modified without

453 authorization from the ~~Department~~ department.

454 E. The ~~Department~~ department may perform vehicle inspections at any time any

455 ~~Ground Transportation Vehicle~~ ground transportation vehicle is operating within the

456 corporate limits of ~~Salt Lake~~the City, in order to administer and enforce ~~the~~ applicable
457 vehicle standards.

458 F. No ~~Ground Transportation Vehicle~~ground transportation vehicle may be
459 operated within the City unless it is maintained to the standards and requirements
460 established by ~~the Department~~department rules and regulations, including without
461 limitation ~~Department Inspection~~department inspection requirements.

462 **5.71.160: TEMPORARY OPERATIONS:**

463 ~~Ground Transportation Businesses~~A ground transportation business that
464 ~~operate~~operates on a limited or temporary basis within the City may petition the
465 ~~Department Director~~department director for a waiver from some of the requirements of
466 this chapter. However, no ~~Ground Transportation Business~~ground transportation
467 business may operate without paying otherwise applicable fees ~~as may be required by~~
468 ~~ordinance, Rules and Regulations or the Department Director.~~ Consideration of such
469 waiver may include the following:

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

472 B. B. The ~~Business~~business does not pick up passengers within the City and
473 provides transportation only into the City; and

474 C. C. Any specific ~~Ground Transportation Vehicle~~ground transportation
475 vehicle that will be used for operations within the City no more than five (5) calendar
476 days per year.

477 **Article VI. Special Transportation Businesses**

478 **5.71.170: SPECIAL TRANSPORTATION VEHICLES AND OPERATORS:**

479 A. It is a violation for any person who owns or controls a ~~Special Transportation~~
480 ~~Business-special transportation business~~ to allow a ~~Special Transportation~~
481 ~~Vehiclespecial transportation vehicle~~ to be operated without, prior to commencement of
482 the ~~Businessbusiness~~, completing the following:

483 ~~A.~~ 1. Obtaining a business license~~;~~;

484 ~~B.~~ 2. Registering such ~~Businessbusiness~~ with the
485 ~~Department.department~~;

486 ~~C.~~ 3. Paying all applicable fees associated with the licensing or
487 permitting of such ~~Businessbusiness~~, its vehicles and its employees~~;~~; and

488 ~~D.~~ 4. Providing the ~~Departmentdepartment~~ with certification from the
489 State of Utah that the vehicle meets all State requirements and was found to be
490 in a safe condition for the transportation of persons with disabilities and had all
491 such equipment as may be required by state law including, but not limited to, the
492 following:

493 1. a. Doorways wide enough to accommodate a wheelchair;

494 2. b. Ramps or lifting devices for elevating persons with
495 disabilities from the curb or sidewalk into the special transportation
496 vehicle, which ramps and lifting devices ~~must~~shall be stored inside the
497 special transportation vehicle while it is moving;

498 3. c. Adequate means of securing persons with disabilities
499 safely to the inside of the special transportation vehicle and safety belts for
500 all passengers;

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

504 | 5. e. A fire extinguisher, and first aid equipment and supplies,
505 | as prescribed and amended from time to time by state law.

506 | E. B. In addition to meeting all other ~~requirements, laws, policies,~~
507 | ~~procedures, department~~ rules and regulations applicable to ~~Ground Transportation~~
508 | ~~Vehicles-ground transportation vehicles~~ and ~~Businessesbusinesses~~, owners and
509 | operators of ~~Special Transportation Vehicles~~ special transportation vehicles shall comply
510 | with the following:

511 | 1. 1. No ~~Special Transportation Vehicles~~ special transportation vehicle
512 | shall be equipped with a siren, or be permitted to operate as an emergency
513 | vehicle.

514 | 2. 2. Special ~~Transportation Vehicle~~ transportation vehicles shall be
515 | kept in a clean and sanitary condition, according to ~~the~~ applicable rules and
516 | regulations promulgated by the State.

517 | 3. 3. All ~~Special Transportation Vehicle~~ special transportation vehicle
518 | operators ~~must~~ shall obtain and maintain certification training in first aid, CPR,
519 | and AED as taught by an American Heart Association certified instructor.

520 | **5.7271.175-EXISTING HOLDERS' CERTIFICATES: EXISTING HOLDERS'**

521 | **CERTIFICATES FOR SPECIAL TRANSPORTATION VEHICLES:**

522 | A.—_____ Holders of existing ~~Certificates~~ certificates for ~~Special Transportation~~
523 | ~~Vehicles at the effective date hereof shall~~ special transportation vehicles shall retain

524 such ~~Certificates~~certificates, as set forth in Section 5.76.130 of this title, allowing them
525 to operate the same number of vehicles as they are ~~presently~~ authorized to operate on
526 the effective date of this ordinance, without any hearing, the public convenience and
527 necessity ~~having~~have heretofore been demonstrated, ~~until such Certificate expires as~~
528 ~~provided in this section.~~

529 ~~B. Existing Certificates issued by the City for Special Transportation vehicles shall~~
530 ~~expire no sooner than 180 days from the effective date of this ordinance. The City may~~
531 ~~elect, in the City's sole discretion, to continue the expiration date up to an additional 180~~
532 ~~days. Upon expiration, a pro rata refund of that portion of the Certificate fee shall be~~
533 ~~given to those Persons whose Certificates have expired prior to the portion of the year~~
534 ~~remaining at the time of expiration.~~

535 ~~C.~~ B. No ~~Certificate~~certificate shall continue in operation ~~prior to the~~
536 ~~expiration as set forth in section 5.72.165~~ unless the holder thereof has paid the annual
537 business regulatory fees each year for each vehicle authorized under a
538 ~~Certificate~~certificate. Such fees shall be in addition to any other fees or charges
539 established by proper authority and applicable to the holder of the vehicle or vehicles
540 under the holder's operation and control.

541 ~~D. No Certificate issued in accordance with this chapter, or its successor section,~~
542 ~~shall be construed to be either a franchise or irrevocable.~~

543 Article VII. Vehicle Operator's Badge

544 5.71.180: VEHICLE OPERATOR'S BADGE REQUIRED:

545 It is a violation for any person to operate a ~~Ground Transportation Vehicle~~ground
546 transportation vehicle upon the streets of the City without having first obtained and

547 | having then in force a valid ~~Ground Transportation Vehicle Operator's Badge~~
548 | ~~ground transportation vehicle operator's badge~~ issued by the ~~Department~~
549 | ~~department rules~~ and ~~Regulations established by the Department Director. (Ord.~~
550 | ~~48-07 § 2, 2007; Ord. 69-04 § 2, 2004)~~~~regulations.~~

551 | **5.71.190: PERMITTING NON-BADGED OPERATOR TO DRIVE:**

552 | It is a violation for any ~~Person~~
553 | ~~person~~ who owns or controls a ~~Ground~~
554 | ~~Transportation Vehicle~~~~ground transportation vehicle~~ to permit it to be driven, and no
555 | ~~Ground Transportation Vehicle~~~~ground transportation vehicle~~ authorized by the
556 | ~~Department~~
557 | ~~department~~ shall be so driven at any time, unless the ~~Ground Transportation~~
558 | ~~Vehicle~~~~ground transportation vehicle~~ is operated by a driver who has then in force a
559 | valid ~~Ground Transportation Vehicle Operator's Badge~~
560 | ~~ground transportation vehicle~~
561 | ~~operator's badge~~ issued by the ~~Department~~
562 | ~~department.~~

563 | **5.71.240: DISPLAY OF OPERATOR'S BADGE:**

564 | Every ~~Person~~
565 | ~~person~~ issued a ~~Vehicle Operator's Badge~~
566 | ~~vehicle operator's badge~~
567 | shall display the badge above the waist, on front side of the outermost garment so as to
568 | be in plain view and not covered while such ~~Person~~
569 | ~~person~~ is operating a ~~Ground~~
570 | ~~Transportation Vehicle~~~~ground transportation vehicle~~. Every such ~~Person~~
571 | ~~person~~ shall
572 | exhibit such badge upon demand by any police officer, any authorized agent of the
573 | ~~Department~~
574 | ~~department~~, or any other ~~Person~~
575 | ~~person~~ authorized by the ~~mayor~~
576 | ~~Mayor~~ to
577 | enforce the provisions of this chapter. ~~(Ord. 48-07 § 2, 2007; Ord. 69-04 § 2, 2004)~~

578 | **Article VIII. Payment For Furnishing Of Passengers**

579 | **5.71.250: PAYMENT:**

569 It shall be a violation for any ~~Person~~person operating a ~~Ground Transportation~~
570 ~~Vehicle, Business~~ground transportation vehicle, business, driver, independent
571 contractor, employee, or other ~~Person~~person to pay, or offer to pay, any remuneration
572 to another ~~Person~~person, specifically including ~~Persons~~persons employed at a lodging
573 ~~Business~~business and vehicle dispatchers, for the furnishing of passengers and/or
574 baggage to be transported by a ~~Ground Transportation Vehicle~~ground transportation
575 vehicle. It shall be a violation for any ~~Person~~person, specifically including persons
576 employed at a lodging ~~Business~~business and vehicle dispatchers, to receive or request
577 any remuneration from any ~~Person~~person for the furnishing of passengers and/or
578 baggage to be transported by a ~~Ground Transportation Vehicle~~ground transportation
579 vehicle. Nothing herein shall prohibit hotels and motels from contracting or invoicing for,
580 and being paid, or making payment for, the transportation of customers and/or baggage,
581 which payment may include a portion thereof being distributed by the hotel or motel to a
582 bell staff, or, door staff, or concierge as a gratuity. ~~(Ord. 48-07 § 4, 2007)~~

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

584 **5.71.255: PURPOSE:**

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

588 A. Identifying ground transportation problems and potential solutions;

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

591 C. Suggesting improvements to the program for consideration of the Mayor and
592 Administration and/or the City Council;

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

594 E. Identifying barriers to quality transportation service; and

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

598 **5.71.258: PARTICIPANTS:**

599 B. Invitations to participate in the discussion group, committee, or forum should
600 include, but not be limited to, representatives of the:

601 1. Hotel industry,

602 2. Hospitality industry,

603 3. Taxi cab industry,

604 4. Shuttle industry,

605 5. Hotel contract vehicle industry,

606 6. Transit Authority,

607 7. Tourism and convention industries, and

608 8. Specialty transportation industries.

609 C. Individuals or representative of key transportation user groups including, but
610 not limited to low income, elderly, and persons with physical limitations shall also be
611 invited to participate.

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

613 **5.71.260: DEPARTMENT AUTHORITY:**

614 The ~~Department is hereby given the authority and is instructed to~~department
615 shall enforce the provisions of this chapter and ~~to~~ govern the conduct of companies and
616 drivers operating under this chapter.

617 **5.71.270: COMMENT FORM:**

618 Any ~~Person~~person may complain of any violation of this chapter or comment on
619 any ~~Ground Transportation Business~~ground transportation business or ~~Vehicle~~vehicle,
620 or any driver of a ~~Ground Transportation Vehicle~~ground transportation vehicle operating
621 within the corporate limits of Salt Lake City, by filing a ~~Comment Form~~comment form
622 with the ~~Department~~department on forms that the ~~Department~~department may require
623 ~~Ground Transportation Businesses~~ground transportation businesses to print and
624 provide in their vehicles and which may be found on the City's website and within ~~the~~
625 ~~Department Rules~~department rules and ~~Regulations~~regulations.

626 **5.71.280: ISSUANCE OF A CIVIL NOTICE OF GROUND TRANSPORTATION**

627 **VIOLATION:**

628 A. Every notice issued under this chapter shall be issued in the form of a written
629 ~~Civil Notice~~civil notice and shall contain a statement that the ~~Named Party~~named party
630 may appeal the imposition of the penalty and provide information regarding how to
631 appeal.

632 B. Any driver, vehicle owner, or ~~Authorized Ground Transportation~~
633 ~~Business~~authorized ground transportation business that violates any provision of this
634 chapter may be named in a ~~Civil Notice~~civil notice issued by the City. A violation of any
635 provision of this chapter by any driver or vehicle owner shall also constitute a violation
636 of such provision by the ~~Ground Transportation Business~~ground transportation business

637 under whose authority such driver or owner was operating at the time of the violation.

638 ~~(Ord. 24-99 § 4, 1999)~~

639 **5.71.290: RECORD KEEPING:**

640 The City shall create a file for each driver and for each ~~Authorized Ground~~
641 ~~Transportation Business~~authorized ground transportation business at the time any
642 document is submitted for application or filing. The City shall maintain any document
643 placed in such files for a period as required by law. ~~(Ord. 24-99 § 4, 1999)~~

644 **5.71.300: CIVIL PENALTIES AND ENFORCEMENT:**

645 ~~_____ A._____~~ The City may ~~impose revocation, suspension and nonrenewal of revoke,~~
646 ~~suspend, or deny renewal of~~ a City business license to operate a ~~Ground Transportation~~
647 ~~Business for violations of applicable laws, policies, procedures, rules, or regulations as~~
648 ~~provided under chapter 5.02~~ground transportation business for violation of any provision
649 of this title, department rules and regulations, or other applicable law.

650 ~~_____ B._____~~ The ~~Department~~department may revoke, suspend, or deny renewal of an
651 ~~Operator's Badge, Department Automated Vehicle Identification~~operator's badge,
652 ~~department automated vehicle identification~~ tag or ~~Department Inspection~~
653 ~~Seal~~department inspection seal for violations of ~~applicable laws, policies,~~
654 ~~procedures, any provision of this title, department~~ rules, ~~or and~~ regulations, or other
655 applicable law. The person or business affected may request, in writing filed with the
656 ~~Department~~department, an appeal hearing before the ~~Ground Transportation Appeal~~
657 ~~Committee~~ground transportation appeal committee. Any such revocation, suspension,
658 or denial of renewal shall remain in effect until the party against whom such action is

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659 taken requests reinstatement and the ~~Ground Transportation Appeal Committee~~ground
660 transportation appeal committee determines that reinstatement is appropriate.

661 C. If any ~~Named Party~~named party fails to comply with civil penalties
662 imposed under this chapter, such party may be subject to suspension, revocation, or
663 nonrenewal of a City license to operate a ~~Ground Transportation Business, Operator's~~
664 ~~Badge, Department Automated Vehicle Identification Tag and Department Inspection~~
665 ~~Seal. (Ord. 24-99 § 4, 1999)~~ground transportation business, operator's badge,
666 department automated vehicle identification tag or department inspection seal.

667 D. Civil penalties may be imposed as set forth below. The ~~Named~~
668 ~~Party~~named party in the ~~Civil Notice~~civil notice shall be liable for a civil penalty. Any
669 penalty assessed in connection with this section may be in addition to any other penalty
670 that may be imposed by law, ~~rule, regulation, suspension, revocation or other~~
671 ~~restrictions as may be imposed by the Department Director~~ or department rules and
672 regulations.

CODE	AMOUNT OF PENALTY	VIOLATION	
ARTICLE I GENERAL REGULATIONS			
5.71.050		\$1000.00	Business license required
5.71.060 (B)	\$500.00	Violation of passenger transport	
ARTICLE II			
DRIVERS STANDARDS			
5.71.070	\$100.00	Driver's appearance	

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5.71.080	\$300.00	Driver's conduct
5.71.090		\$300.00 Unauthorized solicitation of business
ARTICLE III		
SMOKING		
5.71.100	\$300.00	Smoking in vehicles
ARTICLE IV		
VEHICLE STANDARDS		
5.71.120	\$500.00	Vehicle age
5.71.130	\$1000.00	Misleading design prohibited
ARTICLE V		
INSURANCE AND INSPECTIONS		
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
ARTICLE VI		
SPECIAL TRANSPORTATION BUSINESSES		
5.71.170 (A,B,C,D)	\$1000.00	License and registration requirements
5.71.170 (E)	\$1000.00	Emergency vehicle equipment prohibited

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5.71.170 (F)		\$1000.00	Clean and sanitary condition of vehicle
5.71.170 (G)		\$1000.00	First aid certification required
ARTICLE VII			
VEHICLE OPERATORS BADGE			
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
ARTICLE VIII			
PAYMENT FOR FURNISHING OF PASSENGERS			
5.71.250		\$300.00	Payment for passenger

673

674 **5.71.310: ENFORCEMENT PROCEDURES; CIVIL NOTICE OF GROUND**

675 **TRANSPORTATION VIOLATION:**

676 A. Civil ~~Notices~~notices under this chapter, other than those involving revocations,
677 suspensions, denials or approvals of a business license, ~~Operators' Badge, Department~~
678 ~~Automated Vehicle Identification Tags~~operators' badge, department automated vehicle
679 ~~identification tags~~ and ~~Department Inspection Seal~~department inspection seal shall be
680 heard by the Salt Lake City Justice Court. Any ~~Named Party~~named party may appear
681 before a ~~Hearing Officer~~hearing officer and present and contest an alleged violation as
682 provided in ~~title 2, chapter 2.75~~Title 2, Chapter 2.75 of this code, or its successor.

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683 | _____ B. The burden to prove any defense shall be upon the ~~Person~~person raising such
684 | defense. Nothing herein shall affect the City's burden to prove each element of the
685 | underlying charge by a preponderance of evidence.

686 | _____ C. If the ~~Hearing Officer~~hearing officer finds that no violation of this chapter
687 | occurred, or that a violation occurred but one (1) or more of the defenses set forth in this
688 | section is applicable, the ~~Hearing Officer~~hearing officer may dismiss the ~~Civil Notice~~civil
689 | notice and release the ~~Named Party~~named party from liability thereunder, or may
690 | reduce the penalty associated therewith as ~~he or she~~the officer shall determine. Such
691 | defenses are:

692 | _____ 1. The ~~Civil Notice~~civil notice does not contain the information required by this
693 | chapter;

694 | _____ 2. Compliance with the subject ordinances would have presented an imminent
695 | and irreparable injury to persons or property; or

696 | _____ 3. Such other mitigating circumstances as may be approved by the City
697 | Attorney's Office. ~~(Ord. 29-02 § 6, 2002; Ord. 24-99 § 4, 1999)~~

698 **5.71.320: EXPEDITED APPEAL OF EXCLUSION:**

699 | _____ Any ~~Named Party~~named party who is excluded from pursuing commercial
700 | activities under this chapter, and has not had a hearing before the ~~Ground~~
701 | ~~Transportation Appeal Committee~~ground transportation appeal committee regarding
702 | such exclusion as provided for in this chapter, ~~such party~~ may request an expedited
703 | appeal of the action that resulted in such exclusion. Such appeal shall be requested in
704 | writing by the party so excluded to the ~~Department~~department. The
705 | ~~Department~~department shall promptly investigate the facts relating to such exclusion. If

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706 | the evidence indicates such exclusion is improper under this chapter, the ~~Department~~
707 | ~~Director~~department director may reverse the action that resulted in such exclusion. If
708 | the ~~Department Director~~department director does not reverse such action, the action
709 | resulting in such exclusion shall be heard and determined by the ~~Ground Transportation~~
710 | ~~Appeal Committee~~ground transportation appeal committee in accordance with the
711 | provisions of this chapter. If a preponderance of the evidence indicates such exclusion
712 | is proper under this chapter the ~~Ground Transportation Hearing Committee shall uphold~~
713 | ~~such exclusion. (Ord. 29-02 § 7, 2002; Ord. 24-99, § 4, 1999)~~ground transportation
714 | hearing committee shall uphold such exclusion.
715 |

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716 | _____ SECTION 2. Effective Date. This ordinance shall become effective on the date of
717 | its first publication.

718 | Passed by the City Council of Salt Lake City, Utah this _____ day of
719 | _____, 2010.

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CHAIRPERSON

CITY RECORDER

Transmitted to Mayor on _____.

Mayor's Action: _____ Approved. _____ Vetoed.

MAYOR

CITY RECORDER

(SEAL)

Bill No. _____ of 2010

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:

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 ground transportation business contracted through the Department of Airports to

28 provide on-demand shared ride service to and from the Salt Lake City International
29 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
32 service to and from the Salt Lake City International Airport.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

69 **DEPARTMENT INSPECTION:** An inspection of a ground transportation vehicle by the
70 department to verify that the vehicle meets the standards set by the department
71 director, department rules and regulations, applicable contracts, and applicable City

72 ordinances, including without limitation the exterior and interior of the vehicle and all
73 associated vehicle licensing, safety, and insurance requirements.

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

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

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

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

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

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

92 **GROUND TRANSPORTATION VEHICLE:** Any motor vehicle used for the
93 transportation of persons using Salt Lake City streets for commercial purposes
94 regardless of whether a fee or fare is collected, which includes, but is not limited to, any

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95 airport shared ride vehicle, automobile, bus, courtesy vehicle, hotel vehicle, limousine,
96 minibus, special transportation vehicle, taxicab, van, or trailer being towed by a ground
97 transportation vehicle.

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

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

101 **HOTEL VEHICLE:** Any motor vehicle regularly operated by a ground transportation
102 business under contract to or directly by a motel, hotel, or other lodging business, to
103 provide transportation of customers and/or baggage for the contracted establishment
104 for which transportation the customer is charged a separate fee or fare, and which is
105 subject to a contract filed with the department providing for operating the vehicle.

106 **LIMOUSINE:** Any vehicle described by its manufacturer or aftermarket manufacturer as
107 a limousine or luxury vehicle, with a driver furnished, who is dressed in professional
108 business attire or a chauffeur's uniform.

109 **MINIBUS:** Any motor vehicle with a passenger seating capacity of thirteen (13) to
110 twenty-four (24) persons, not including the driver.

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

114 **NAMED PARTY:** The driver, vehicle owner, or authorized ground transportation
115 business named in a civil notice issued by the City.

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

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

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

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

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

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

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

141 **TAXICAB:** A motor vehicle with a seating capacity of five (5) passengers or less, not
142 including the driver, or a van with a passenger seating capacity of six (6) to twelve (12),
143 not including the driver, used in the on-demand, for hire transportation of passengers or
144 baggage over public streets and not operated over a fixed route or upon a fixed
145 schedule, but which is subject for contract hire by persons desiring special trips from
146 one point to another, as provided under Chapter 5.72 of this title, or its successor
147 chapter, and authorized to operate in Salt Lake City by contract with the department.

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

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

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

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

158 **5.71.020: PURPOSE:**

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

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

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

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

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

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

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

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

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

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

184 **5.71.025: DESIGNATION OF DEPARTMENT:**

185 The Mayor shall designate a City department or departments to be responsible
186 for the oversight and enforcement of all ground transportation businesses, ground
187 transportation vehicles, and ground transportation vehicle drivers within the corporate
188 limits of Salt Lake City. Such department or departments shall be responsible for the
189 administration and enforcement of business licensing in connection with ground
190 transportation in the City.

191 **5.71.030: AUTHORITY TO ESTABLISH RULES AND REGULATIONS:**

192 A. To the extent authorized by the provisions of this chapter and other applicable
193 provisions of this code, the department director, under guidance and direction from the
194 Mayor, may enter into contracts deemed necessary or desirable and may establish
195 rules and regulations necessary to administer the provisions of this chapter.

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

198 1. Public notice of any proposed rule that will affect operation of any

199 ground transportation business;

200 2. An opportunity for public comment on proposed rules before they take

201 effect, and

202 3. The basis for any proposed rule.

203 **5.71.040: EXEMPTIONS FROM REQUIREMENTS OF THIS CHAPTER:**

204 The following are exempt from the requirements of this chapter:

205 A. Vehicles licensed by a governmental agency or operated by a university or
206 school district, the Utah Transit Authority, an ambulance service, and others as may be
207 designated in department rules and regulations; and

208 B. Busses and motor coaches, and bus and motor coach drivers, regulated by
209 the U.S. Department of Transportation, provided, however, that bus and motor coach
210 drivers shall be subject to a background investigation as provided in department rules
211 and regulations.

212 **5.71.050: BUSINESS LICENSE AND REGISTRATION REQUIRED:**

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

- 215 1. Obtaining a business license,
- 216 2. Registering such business with the department, and
- 217 3. Paying all applicable fees associated with the licensing or permitting of
218 such business, its vehicles, and its employees.

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

221 **5.71.060: GROUND TRANSPORTATION SERVICE:**

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

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

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

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

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

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

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

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

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

250 **5.71.065: EXISTING HOLDERS' CERTIFICATES:**

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

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

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

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

271 **Article II. Driver Standards**

272 **5.71.070: DRIVER AND STARTER APPEARANCE:**

273 The drivers of ground transportation vehicles and starters representing ground
274 transportation businesses within the City shall adhere to the standards of appearance
275 established by department rules and regulations while operating such vehicles, or while
276 representing ground transportation businesses, in order to meet the interests of the City
277 in such transportation.

278 **5.71.080: DRIVER CONDUCT:**

279 The drivers of ground transportation vehicles and starters representing ground
280 transportation businesses within the City shall adhere to the standards of conduct
281 established by department rules and regulations while operating such vehicles or while
282 representing ground transportation businesses in order to meet the interests of the City
283 in such transportation.

284 **5.71.090: UNAUTHORIZED SOLICITATION OF BUSINESS:**

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

287 **5.71.095: ANNUAL DRIVER APPLICATION RENEWAL:**

288 A driver may not be required to renew a driver application more than once every
289 two (2) years and shall not be required to provide fingerprints for a background
290 investigation more than one (1) time except in the case of an emergency or as may be
291 otherwise required by a state or federal law, regulation, or directive.

292 **Article III. Smoking**

293 **5.71.100: SMOKING RESTRICTIONS:**

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

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Article IV. Vehicle Standards

5.71.120: VEHICLE AGE AND CONDITION:

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

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

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

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

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

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

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

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

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

327 **5.71.130: CONFLICTING OR MISLEADING DESIGNS PROHIBITED:**

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

334 **Article V. Insurance and Inspections**

335 **5.71.140: INSURANCE REQUIRED:**

336 A. Every ground transportation business shall maintain continuous vehicle
337 insurance, when the vehicle is operational, at the minimum levels of coverage set forth
338 by the Federal Motor Carrier Association, Section 49 CFR 387.303, or by the Utah
339 Department of Transportation, or by the United States Department of Transportation,
340 whichever levels are higher. Proof of insurance shall be required when a vehicle is
341 initially inspected by the department, and may be verified upon the City's receipt of a

342 complaint, negative comment form, or at the time of an on-street, unscheduled ground
343 transportation vehicle inspection.

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

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

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

353 **5.71.150: INSPECTIONS:**

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

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

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

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

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

369 C. Vehicles meeting the requirements of the department inspection shall have a
370 unique department inspection seal affixed to the rear of the vehicle signifying that the
371 vehicle has passed the department inspection and may be operated as a ground
372 transportation vehicle. The department seal is non-transferable and no vehicle may be
373 used as a ground transportation vehicle without the department inspection seal in place.

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

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

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

384 **5.71.160: TEMPORARY OPERATIONS:**

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

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

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

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

396 **Article VI. Special Transportation Businesses**

397 **5.71.170: SPECIAL TRANSPORTATION VEHICLES AND OPERATORS:**

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

- 401 1. Obtaining a business license;
- 402 2. Registering such business with the department;
- 403 3. Paying all applicable fees associated with the licensing or permitting of
404 such business, its vehicles and its employees; and
- 405 4. Providing the department with certification from the State of Utah that
406 the vehicle meets all State requirements and was found to be in a safe condition

407 for the transportation of persons with disabilities and had all such equipment as
408 may be required by state law including, but not limited to, the following:

409 a. Doorways wide enough to accommodate a wheelchair;

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

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

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

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

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

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

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

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

433 **5.71.175: EXISTING HOLDERS' CERTIFICATES FOR SPECIAL TRANSPORTATION**
434 **VEHICLES:**

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

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

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

446 **5.71.180: VEHICLE OPERATOR'S BADGE REQUIRED:**

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

451 **5.71.190: PERMITTING NON-BADGED OPERATOR TO DRIVE:**

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

457 **5.71.240: DISPLAY OF OPERATOR'S BADGE:**

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

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

465 **5.71.250: PAYMENT:**

466 It shall be a violation for any person operating a ground transportation vehicle,
467 business, driver, independent contractor, employee, or other person to pay, or offer to
468 pay, any remuneration to another person, specifically including persons employed at a
469 lodging business and vehicle dispatchers, for the furnishing of passengers and/or
470 baggage to be transported by a ground transportation vehicle. It shall be a violation for
471 any person, specifically including persons employed at a lodging business and vehicle
472 dispatchers, to receive or request any remuneration from any person for the furnishing
473 of passengers and/or baggage to be transported by a ground transportation vehicle.
474 Nothing herein shall prohibit hotels and motels from contracting or invoicing for, and

475 being paid, or making payment for, the transportation of customers and/or baggage,
476 which payment may include a portion thereof being distributed by the hotel or motel to a
477 bell staff, door staff, or concierge as a gratuity.

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

479 **5.71.255: PURPOSE:**

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

483 A. Identifying ground transportation problems and potential solutions;

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

486 C. Suggesting improvements to the program for consideration of the Mayor and
487 Administration and/or the City Council;

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

489 E. Identifying barriers to quality transportation service; and

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

493 **5.71.258: PARTICIPANTS:**

494 B. Invitations to participate in the discussion group, committee, or forum should
495 include, but not be limited to, representatives of the:

496 1. Hotel industry,

497 2. Hospitality industry,

- 498 3. Taxi cab industry,
- 499 4. Shuttle industry,
- 500 5. Hotel contract vehicle industry,
- 501 6. Transit Authority,
- 502 7. Tourism and convention industries, and
- 503 8. Specialty transportation industries.

504 C. Individuals or representative of key transportation user groups including, but
505 not limited to low income, elderly, and persons with physical limitations shall also be
506 invited to participate.

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

508 **5.71.260: DEPARTMENT AUTHORITY:**

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

511 **5.71.270: COMMENT FORM:**

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

518 **5.71.280: ISSUANCE OF A CIVIL NOTICE OF GROUND TRANSPORTATION**
519 **VIOLATION:**

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

523 B. Any driver, vehicle owner, or authorized ground transportation business that
524 violates any provision of this chapter may be named in a civil notice issued by the City.

525 A violation of any provision of this chapter by any driver or vehicle owner shall also
526 constitute a violation of such provision by the ground transportation business under
527 whose authority such driver or owner was operating at the time of the violation.

528 **5.71.290: RECORD KEEPING:**

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

533 **5.71.300: CIVIL PENALTIES AND ENFORCEMENT:**

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

537 B. The department may revoke, suspend, or deny renewal of an operator's
538 badge, department automated vehicle identification tag or department inspection seal
539 for violations of any provision of this title, department rules and regulations, or other
540 applicable law. The person or business affected may request, in writing filed with the
541 department, an appeal hearing before the ground transportation appeal committee. Any
542 such revocation, suspension, or denial of renewal shall remain in effect until the party

543 against whom such action is taken requests reinstatement and the ground
 544 transportation appeal committee determines that reinstatement is appropriate.

545 C. If any named party fails to comply with civil penalties imposed under this
 546 chapter, such party may be subject to suspension, revocation, or nonrenewal of a City
 547 license to operate a ground transportation business, operator’s badge, department
 548 automated vehicle identification tag or department inspection seal.

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

CODE	AMOUNT OF PENALTY	VIOLATION	
ARTICLE I GENERAL REGULATIONS			
5.71.050		\$1000.00	Business license required
5.71.060 (B)	\$500.00	Violation of passenger transport	
ARTICLE II DRIVERS STANDARDS			
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
ARTICLE III SMOKING			
5.71.100	\$300.00	Smoking in vehicles	

ARTICLE IV		
VEHICLE STANDARDS		
5.71.120	\$500.00	Vehicle age
5.71.130	\$1000.00	Misleading design prohibited
ARTICLE V		
INSURANCE AND INSPECTIONS		
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
ARTICLE VI		
SPECIAL TRANSPORTATION BUSINESSES		
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
ARTICLE VII		
VEHICLE OPERATORS BADGE		

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
ARTICLE VIII			
PAYMENT FOR FURNISHING OF PASSENGERS			
5.71.250	\$300.00	Payment for passenger	

553

554 **5.71.310: ENFORCEMENT PROCEDURES; CIVIL NOTICE OF GROUND**

555 **TRANSPORTATION VIOLATION:**

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

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

565 C. If the hearing officer finds that no violation of this chapter occurred, or that a
 566 violation occurred but one (1) or more of the defenses set forth in this section is
 567 applicable, the hearing officer may dismiss the civil notice and release the named party

568 from liability thereunder, or may reduce the penalty associated therewith as the officer
569 shall determine. Such defenses are:

570 1. The civil notice does not contain the information required by this chapter;

571 2. Compliance with the subject ordinances would have presented an imminent
572 and irreparable injury to persons or property; or

573 3. Such other mitigating circumstances as may be approved by the City

574 Attorney's Office.

575 5.71.320: EXPEDITED APPEAL OF EXCLUSION:

576 Any named party who is excluded from pursuing commercial activities under this
577 chapter, and has not had a hearing before the ground transportation appeal committee
578 regarding such exclusion as provided for in this chapter, may request an expedited
579 appeal of the action that resulted in such exclusion. Such appeal shall be requested in
580 writing by the party so excluded to the department. The department shall promptly
581 investigate the facts relating to such exclusion. If the evidence indicates such exclusion
582 is improper under this chapter, the department director may reverse the action that
583 resulted in such exclusion. If the department director does not reverse such action, the
584 action resulting in such exclusion shall be heard and determined by the ground
585 transportation appeal committee in accordance with the provisions of this chapter. If a
586 preponderance of the evidence indicates such exclusion is proper under this chapter the
587 ground transportation hearing committee shall uphold such exclusion.

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

DRAFT - OCTOBER 14, 2010

590 Passed by the City Council of Salt Lake City, Utah this _____ day of
591 _____, 2010.

592 _____
593 CHAIRPERSON

594
595
596
597 _____
598 CITY RECORDER

599
600
601 Transmitted to Mayor on _____.

602
603 Mayor's Action: _____ Approved. _____ Vetoed.

604
605 _____
606 MAYOR

607
608 _____
609 CITY RECORDER
610

611 (SEAL)
612 Bill No. _____ of 2010
613 Published: _____

SALT LAKE CITY ORDINANCE

No. _____ of 2010

~~(Amending Section 5.72, Salt Lake City Code, regarding taxicabs)~~

(Taxicab requirements)

An ordinance amending ~~section~~Chapter 5.72, *Salt Lake City Code*, pertaining to ~~taxicabs, to provide taxicab regulation, providing for transition from regulatory to~~ contract-based ~~system for providing~~ taxicab services; ~~eliminating certificates of convenience; and necessity,~~ eliminating operational requirements that will become contract-based; ~~providing for a contract~~contracts between taxicab companies and the City, ~~through the Department of Airports;~~ 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. ~~Simultaneously; 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. ~~Prior; and~~

WHEREAS, prior to adopting regulatory changes required for ~~the~~ transition to a contract-based system, the City agreed to provide certificate holders with 180-~~day~~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 City Council has determined ~~that the following(i) this~~ ordinance facilitates and enables ~~the~~ transition to a contract-based taxicab system; ~~and~~

28 ~~WHEREAS, after a hearing before the City Council, the City Council has~~
29 ~~determined that~~~~(ii)~~ notice of termination of certificates of convenience and necessity will
30 issue on the effective date of ~~the following~~this ordinance, ~~and; (iii)~~ all such certificates of
31 ~~convenience and necessity~~ issued in connection with taxicabs ~~and special~~
32 ~~transportation vehicles shall~~will terminate 180 days from such notice date; and

33 ~~WHEREAS, after a hearing before the City Council, the City Council has~~
34 ~~determined that the following~~ (iv) this ordinance is in the best interest of the City.

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

37 SECTION 1. That ~~section~~Chapter 5.72, *Salt Lake City Code*, pertaining to
38 taxicabs, be, and the same hereby is, amended to read as follows:

39 **Chapter 5.72**

40 **Taxicabs**

41 **Article I. Definitions and General Regulations**

42 **5.72.005: DEFINITIONS ~~AND INTERPRETATION OF LANGUAGE~~: :**

43 The following words and phrases, when used in this chapter, shall have the
44 meanings defined and set forth in this ~~article. (Ord. 24-99 § 6, 1999)~~section.

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

48 **CERTIFICATE:** A ~~Certificate~~certificate of public convenience and necessity issued by
49 the City. ~~No Certificate issued by the City shall be construed to be either a franchise or~~
50 ~~irrevocable and will terminate upon notification by the City.~~

DRAFT – OCTOBER 14, 2010

(Compared to the draft considered at the October 5, 2010 Council meeting)

51 **CITY:** The governmental institution and landmass contained within the boundaries of
52 Salt Lake City, Utah.

53 **CIVIL NOTICE:** ~~The~~A written notice of ~~Ground Transportation Violation~~a ground
54 transportation violation as provided under this chapter.

55 **CLEARED:** That condition of a ~~Taximeter~~taximeter when it is inoperative with respect
56 to all ~~Fare~~fare registration and all cumulative ~~Fare~~fare and ~~Extras~~extras charges have
57 been set to ~~\$zero dollars (\$0-)~~zero dollars (\$0-).

58 **CONCESSIONAIRE:** A ~~Person~~person or entity with whom the Department of Airports
59 has contracted to provide ~~Taxicab~~taxicab services. ~~Nothing in the Department Contract~~
60 ~~shall relieve the Concessionaire of the requirements of applicable laws, including~~
61 ~~without limitation City Titles 5.71, 5.72, 16.60 or any applicable rules and regulations.)~~

62 **DEPARTMENT:** The Salt Lake City Department of Airports or such other City
63 department or division as may be designated by the ~~mayer~~Mayor to have responsibility
64 for the enforcement of this chapter. ~~(Ord. 24-99 § 6, 1999)~~

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

68 **DEPARTMENT CONTRACT:** A valid, existing, and current contract negotiated and
69 approved by the ~~Salt Lake City Department of Airports~~department for providing
70 ~~Taxicab~~taxicab or other services within the corporate boundaries of Salt Lake City,
71 including the ~~Airport~~airport.

72 **DEPARTMENT RULES AND REGULATIONS:** Rules and regulations developed and
73 adopted by the ~~Department Director~~department director to govern ~~Ground~~

74 | ~~Transportation Service~~ground transportation service and ~~Businesses~~businesses within
75 | the City.

76 | **EXTRAS:** ~~The charges~~Charges to be paid by ~~the~~a customer or passenger in addition to
77 | the ~~Fare~~fare.

78 | **FACE:** That side of a ~~Taximeter~~taximeter upon which passenger or customer charges
79 | for hire of a taxicab are indicated. ~~(Ord. 24-99 § 6, 1999)~~

80 | **FARE:** That portion of the charge for hire of a ~~Taxicab~~taxicab which is automatically
81 | calculated by the ~~Taximeter~~taximeter through the operation of the mileage and time
82 | mechanism. ~~(Ord. 24-99 § 6, 1999)~~

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

86 | **HAIL A TAXICAB:** ~~Means for~~The act of a ~~Person~~person to call out for, or to signal for,
87 | an ~~In-Service Taxicab~~in-service taxicab that is not already engaged in transport of
88 | passengers to respond to the ~~Person's~~person's location for hiring and transport of
89 | ~~Persons~~persons or property.

90 | **HIRED:** The button on the ~~Face~~face of ~~the Taximeter~~a taximeter, which when activated
91 | places the ~~Taximeter~~taximeter in operation, signifying the start of a billing process for
92 | the person(s) engaging the use of the taxicab. ~~(Ord. 24-99 § 6, 1999)~~

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

95 | **IN-SERVICE:** A ~~Taxicab~~taxicab that is in use on the streets of the City, with a driver,
96 | and available for the transportation of passengers for hire. ~~(Ord. 24-99 § 6, 1999)~~

97 **OPEN STAND:** A public place alongside the curb of a street, or elsewhere in the City,
98 which has been designated by the ~~mayer~~Mayor or the Mayor's designee as reserved for
99 the use of ~~Taxicab~~taxicabs available for hire by passengers, ~~and may include~~including
100 places otherwise marked as freight zones or other parking restricted zones if designated
101 for use of ~~Taxicab~~taxicabs during specified times. ~~(Ord. 24-99 § 6, 1999)~~

102 **PERSON:** An individual, a corporation or other legal entity, a partnership, and any
103 incorporated association. ~~(Ord. 24-99 § 6, 1999)~~

104 **TAXICAB:** A motor vehicle with a seating capacity of five (5) passengers or less, not
105 including the driver, or a van with a passenger seating capacity of six (6) to twelve (12),
106 not including the driver, used in the on demand, for hire transportation of passengers or
107 baggage over the public streets and not operated over a fixed route or upon a Fixed
108 Schedule~~fixed schedule~~, but which is subject for contract hire by persons desiring
109 special trips from one point to another and authorized to operate in Salt Lake City by
110 contract with the ~~Department.~~department.

111 **TAXIMETER:** -A meter instrument or electronic device attached to a ~~Taxicab~~taxicab
112 which measures mileage by the distance driven and the ~~Waiting Time~~waiting time upon
113 which the ~~Fare~~fare is based, and which automatically calculates, at a predetermined
114 rate or rates, and registers, the charge for hire of a ~~Taxicab.~~ ~~(Ord. 24-99 § 6,~~
115 ~~1999)~~taxicab.

116 **WAITING TIME:** -The time when a ~~Taxicab~~taxicab is not in motion, from the time of
117 hiring by a passenger to the time of discharge of passenger(s). ~~(Ord. 24-99 § 6, 1999)~~

118 **5.72.105: AUTHORITY TO ESTABLISH RULES / AND REGULATIONS ~~AND~~**

119 **PROCEDURES:**

120 ~~The Department Director~~A. To the extent authorized by the provisions of this
121 chapter and other applicable provisions of this code, the department director, under
122 guidance ~~or~~and direction from the ~~mayor and in accordance with applicable law, shall~~
123 ~~have authority to establish fees,~~Mayor, may enter into contracts deemed ~~as~~ necessary
124 or desirable and ~~to create standards,~~may establish rules ~~/and~~ regulations and
125 ~~procedures, as~~ necessary to administer the ~~requirements~~provisions of this chapter ~~and~~
126 ~~any security or operating requirements.~~

127 B. The Mayor shall adopt procedures applicable to the ~~Salt Lake City~~
128 ~~International Airport~~establishment of department rules and ~~the City or~~regulations that
129 ~~are deemed to be in the best interest of the City and the~~provide for:

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

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

134 3. The basis for any such proposed rule.

135 **Article II. Authority To Operate**

136 **5.72.125: COMPLIANCE RESPONSIBILITY:**

137 A. —All ~~Persons are required to~~persons shall comply with and operate under
138 requirements of applicable law, including without limitation Federal, State, County and
139 City laws and ordinances, ~~to include~~including but not limited to, Chapters 5.72, 5.71,
140 and 16.60 of the Salt Lake City Code ~~Sections 5.72, 5.71., , 16.60 and all applicable~~
141 ~~policies, procedures,~~ and ~~Department Rules~~department rules and
142 ~~Regulations~~regulations.

143 | _____ B. —A ~~Concessionaire~~concessionaire shall not be relieved of any responsibility
144 | for compliance with the provisions of this chapter, whether the
145 | ~~Concessionaire~~concessionaire leases or rents ~~Taxicab~~taxicabs to drivers, or whether
146 | the ~~Concessionaire~~concessionaire pays salary, wages, or any other form of
147 | compensation. ~~(Ord. 24-99 § 6, 1999)~~

148 | **5.72.155: DEPARTMENT CONTRACT REQUIRED FOR OPERATION:**

149 | _____ A. —No ~~Person~~person shall operate or permit a ~~Taxicab~~taxicab owned or
150 | controlled by such ~~Person~~person to be operated as a vehicle for hire upon the streets of
151 | Salt Lake City unless such ~~Person~~person is authorized to do so under a ~~Department~~
152 | ~~Contract~~department contract.

153 | _____ B. —No ~~Person~~person may operate a ~~Taxicab Business~~taxicab business in the
154 | City unless the ~~Person~~person is authorized to do so under a ~~Department~~
155 | ~~Contract~~department contract. Nothing in the department contract shall relieve a
156 | concessionaire of the requirements of applicable laws, including but not limited to Titles
157 | 5.71, 5.72, and 16.60 of the Salt Lake City Code, and department rules and regulations.

158 | _____ C. —The term "operate for hire upon the streets of Salt Lake City" means and
159 | shall include the soliciting or picking up of a passenger or passengers within the
160 | corporate limits of the City, whether the destination is within or outside of the corporate
161 | limits of the City. For the purpose of this section, the term "operate for hire upon the
162 | streets of Salt Lake City" shall not include the transporting, by a ~~Taxicab~~taxicab properly
163 | licensed in a jurisdiction outside the corporate limits of the City, of a passenger or
164 | passengers for hire where a trip ~~shall originate~~originates with the passenger or

165 passengers being picked up outside of the corporate limits of the City and where the
166 destination is either within or beyond the City corporate limits.

167 **5.72.165: CONTRACT-BASED SYSTEM FOR PROVISION OF TAXI SERVICES:**

168 A. —The City hereby adopts a contract-based system for provision of
169 ~~Taxicab~~taxicab services. -Only ~~Taxicab~~taxicab providers selected pursuant to a
170 competitive ~~Request~~request for ~~Proposals~~ (“proposals (RFP)”) process and who have
171 entered into a ~~Department Contract~~department contract, as defined in Section 5.72.005,
172 may operate ~~Taxicab~~taxicab services upon Salt Lake City streets.

173 1. Following the RFP procedure, at least two (2) and not more than four
174 (4) taxicab businesses shall be awarded a department contract.

175 2. The total number of taxicabs authorized to operate in the City under all
176 such contracts shall be at least two hundred (200) and not more than two
177 hundred sixty- eight (268).

178 B. —Existing certificates of public convenience and necessity issued by the
179 City for ~~Taxicab~~taxicab services shall expire no sooner than one-hundred eighty (180)
180 days from the effective date of this ordinance.- The City may elect, in the City’s sole
181 discretion, to continue the expiration date up to an additional one-hundred eighty (180)
182 days. Upon expiration, a pro rata refund of that portion of the ~~Certificate~~certificate fee
183 shall be given to those ~~Persons~~persons whose ~~Certificates~~certificates have expired prior
184 to the portion of the year remaining at the time of expiration.

185 **5.72.170 FEES:**

186 No ~~Certificate~~certificate shall continue in operation prior to the expiration as set
187 forth in ~~section~~Section 5.72.165 unless the holder thereof has paid the annual business

188 regulatory fee as set forth in ~~section~~Section 5.04.070 of this title, or its successor
189 section, each year for each vehicle authorized under a ~~Certificate~~certificate. Such fees
190 shall be in addition to any other fees or charges established by proper authority and
191 applicable to the holder of the vehicle or vehicles under the holder's operation and
192 control.

193 **5.72.175 EXISTING HOLDERS' CERTIFICATES:**

194 All holders of existing ~~Taxicab Certificates at~~taxicab certificates on the effective
195 date ~~hereof~~of this ordinance shall retain such ~~Certificates~~certificates, allowing them to
196 operate the same number of vehicles as they are presently authorized to operate,
197 without the hearing provided in this article, the public convenience and necessity having
198 heretofore been demonstrated, until such ~~Certificate~~certificate expires as provided in
199 Section 5.72.165B of this chapter.

200 **5.72.185: CERTIFICATE NOT A FRANCHISE AND NOT IRREVOCABLE:**

201 No ~~Certificate~~certificate issued in accordance with this chapter, or its successor
202 section, shall be construed to be either a franchise or irrevocable.

203 **5.72.205: MANDATORY ADA ACCESSIBLE VEHICLE:**

204 ~~Every Taxicab Concessionaire shall provide ADA accessible vehicle service in numbers~~
205 ~~and availability as required by Department Contract and in compliance with applicable~~
206 ~~law.~~

207 ~~–~~ At least five (5) percent of the vehicle fleet of each taxicab concessionaire shall
208 be available and equipped, consistent with requirements of the Americans with
209 Disabilities Act (ADA), for the use and convenience of persons with disabilities.

211 **5.72.305: TAXIMETER REQUIRED**

212 A. All ~~Taxicab~~taxicabs shall be equipped with ~~Taximeter~~taximeters approved
213 by the ~~Department~~department.

214 B. It is a violation for any ~~Person~~person to operate or to allow to be operated any
215 ~~Taxicab~~taxicab without an operative ~~Taximeter~~taximeter.

216 C. All ~~Taximeter~~taximeters shall be mounted in locations approved by the
217 ~~Department~~department.

218 D. All ~~Taximeter~~taximeters shall be tested and sealed by the
219 ~~Department~~department every six (6) months and no ~~Taximeter~~taximeter may be used
220 without such seal being in place.

221 E. Nothing that could shield or conceal the indications and metered ~~Fare~~fare
222 of the ~~Taximeter~~taximeter from passengers may be placed so as to block the ~~Face~~face
223 of the ~~Taximeter~~taximeter.

224 F. Taximeters shall have illuminated ~~Faces~~faces so as to provide visible
225 indications of the meters status and ~~Fare~~fare to the passenger in low light or after
226 sundown.

227 G. Upon the completion of the service by the ~~Taxicab~~taxicab, it shall be the
228 duty of the driver to call the attention of the passenger to the amount registered and to
229 clear the ~~Taximeter~~taximeter of all ~~Fare~~fare indications so as to start at \$zero dollars
230 (\$0) upon the next ~~Fare~~fare.

231 H. Except as otherwise provided herein, it is a violation for any driver of a
232 ~~Taxicab~~taxicab or ~~Taxicab~~taxicab business to charge a ~~Fare~~fare other than as
233 calculated by the ~~Taximeter~~taximeter.

234 _____ I. _____ It is a violation for any driver of a ~~Taxicab~~taxicab or ~~Taxicab~~
235 ~~Business~~taxicab ~~Business~~ to charge any ~~Extra~~extra that is not approved by the
236 ~~Department~~department, calculated by the ~~Taximeter~~taximeter, and which is not
237 applicable to the current ~~Fare~~fare.

238 _____ J. _____ A top light shall be installed on every licensed ~~Taxicab~~taxicab. The top
239 light shall be illuminated when ~~said Taxicab~~a taxicab is available for ~~Hire~~hire and shall
240 not be illuminated when the ~~Taximeter~~taximeter is placed into ~~Hire~~hire.

241 **5.72.355: TAXIMETER INSPECTIONS; RECORD KEEPING:**

242 _____ A. _____ The ~~Department~~department shall keep a record of the identification of
243 every ~~Taxicab~~taxicab meter number and date of inspection thereof in its office. ~~(Ord. 24-~~
244 ~~99 § 6, 1999)~~

245 _____ B. _____ The ~~Department~~department shall inspect, test, and seal every operational
246 ~~Taximeter~~taximeter at least every six ~~(6)~~(6) months. Additionally, the
247 ~~Department~~department may inspect and test any ~~Taximeter~~taximeter upon receipt of a
248 complaint regarding the operations or accuracy of a ~~Taximeter~~taximeter.

249 _____ C. _____ In the event a change in rates is made, the ~~Taximeter~~taximeter shall be
250 adjusted to the new rates, and the ~~Taximeter~~taximeter of every ~~Taxicab~~taxicab in which
251 a meter has been installed shall be immediately inspected, tested, and sealed by the
252 ~~Department~~department. A fee ~~as set by the Department Director~~ to recover costs of the
253 meter inspection shall be charged by the ~~Department~~department for each meter
254 reprogrammed and sealed.

255 _____ D. _____ No ~~Taximeter~~taximeter which is inaccurate in registration in excess of one
256 and one-half percent (1½%) shall be allowed to operate in any ~~Taxicab~~taxicab, and

257 | when an inaccuracy is discovered, such ~~Taxicab~~taxicab involved shall immediately
258 | cease operation and be kept out of operation until the meter is repaired and in proper
259 | working condition.

260 | E. ~~—~~ No owner, driver or ~~Business~~business shall perform or permit or allow any
261 | alterations to a ~~Taxicab~~taxicab that will affect the ~~Taximeter~~taximeter pulse setting
262 | without said ~~Taximeter~~taximeter being inspected and recertified by the
263 | ~~Department~~department. Said alterations shall include, but are not limited to,
264 | transmission replacement or remanufacturing, differential replacement or
265 | remanufacturing, speedometer cable replacement, speed sensor replacement, repair or
266 | replacement of the ~~Taxicab's~~taxicab's onboard computer, or change of tire size on the
267 | drive axle.

268 | **Article IV. Rates**

269 | **5.72.405: RATES:**

270 | ~~A. Unless otherwise provided~~ A. The rates charged by a ground transportation
271 | company for in Department Contract, the Department will~~taxicab service shall be set by~~
272 | the City Council. The department shall review submittals by ~~Taxicab~~taxicab companies
273 | for ~~Taxicab~~taxicab rates and the ~~Department Director will approved~~department director
274 | shall recommend to the City Council the rate structure and ~~Extras~~extras allowed to be
275 | charged for ~~Taxicab~~taxicab service.

276 | ~~B.~~ 1. Unless otherwise provided for in ~~Department Contracta~~
277 | department contract, each ~~Taxicab Business~~taxicab business may file with the
278 | ~~Department~~department periodically, but no more often than every six (6) months,
279 | a statement regarding the adequacy of the existing maximum rates ~~as set by the~~

280 ~~Department Director.~~ Said statement shall state whether, in the opinion of the
281 ~~Person~~ person submitting the statement, the existing maximum rates are at an
282 appropriate level, or whether such rates should be increased or decreased. If the
283 statement indicates ~~that the said existing~~ rates should be increased, the
284 ~~Person~~ person submitting the statement shall supplement the statement with
285 documentation in support of such increase, such as evidence of increased
286 operating costs, insurance costs, costs of living, fares charged ~~by~~ for competing
287 ground transportation services, and any other relevant information.

288 2. Upon receipt of a statement regarding the adequacy of existing rates,
289 the department director may authorize a temporary increase in rates, not to
290 exceed six (6) months, to account for increased operating costs, insurance costs,
291 costs of living, fares charged for competing ground transportation services, or
292 other factors documented in a rate statement.

293 3. If the department director authorizes a temporary rate increase, the
294 statement and other information justifying the increase shall be submitted to the
295 City Council for review and consideration of a permanent rate increase.

296 ~~C.~~ B. Every ~~Taxicab~~ taxicab shall have printed on the outside of the cab, in a
297 conspicuous place ~~on the cab~~ and of sufficient size, legibility, and in such manner as to
298 be plainly visible to all prospective passengers, all rates and ~~Extras~~ extras in effect for
299 such ~~Taxicab~~ taxicab. All such rates and ~~Extras~~ extras shall also be posted on the inside
300 of the ~~Taxicab~~ taxicab in such a manner as to be plainly visible to all passengers.

301 ~~D.~~ C. No ~~Taxicab~~ taxicab or ~~Taxicab Business~~ taxicab business shall charge
302 any fee or payment for the use of a ~~Taxicab~~ taxicab within the City without the prior

303 approval of the ~~Department Director~~City Council or department director, as provided in
304 this chapter.

305 ~~E.~~ D. The driver of any ~~Taxicab~~taxicab shall render to every passenger a
306 receipt for the amount charged, on which shall be the name of the ~~Taxicab Business,~~
307 ~~Taxicab~~taxicab business, taxicab number, the date and time the ~~Fare~~fare was initiated
308 and completed, the miles charged, ~~Extras~~extras added to the ~~Fare~~fare, and the total
309 amount of meter reading or charges.

310 Article V. Service Regulations

311 5.72.455: GENERAL SERVICE REQUIREMENTS:

312 ~~_____ A. _____~~ Taxicab companies shall maintain all service requirements ~~stipulated~~set
313 forth in ~~the Department Contract~~a department contract and other requirements as
314 ~~called for~~provided by applicable law ~~or Rules~~ and ~~Regulations, or as may~~department
315 rules and regulations.

316 ~~_____ B.~~ Taxicab services shall be ~~required by the Department Director~~available
317 twenty-four (24) hours per day, seven (7) days per week.

318 ~~B. _____~~ C. Unless otherwise provided in ~~the Department Contract~~a department
319 contract, it is a violation for any ~~Taxicab Business~~taxicab business to refuse to accept a
320 call for service to or from any point within the corporate limits of the City at any time
321 when such ~~Business~~business has available ~~Taxicab~~taxicabs, and it is a violation for
322 any ~~Business~~business to fail or refuse to provide all or any service required by this title.

323 ~~C. _____~~ D. Any driver employed to carry a passenger to a definite point shall take
324 the most direct or expeditious route possible that will carry the passenger safely and
325 expeditiously to his or her destination, unless otherwise directed by the passenger.

326 ~~D. _____~~ E. The ~~mayer~~Mayor or ~~the Mayor's~~ designee is authorized ~~and~~
327 ~~empowered~~ to establish ~~Open Stands~~open stands in such place or places upon the
328 streets of the City as the ~~mayer~~Mayor deems necessary for the use of ~~Taxicab~~taxicabs
329 operated in the City. The ~~mayer~~Mayor shall not create an ~~Open Stand~~open stand
330 without taking into consideration the need for such ~~Stands~~stands by the ~~Taxicab~~taxicab
331 industry, the convenience to the general public, and the recommendation of the City
332 ~~Traffic Engineer~~traffic engineer. The ~~mayer~~Mayor shall not create an ~~Open Stand~~open
333 stand where such ~~Stand~~stand would tend to create a traffic hazard.

334 ~~E. _____~~ F. Open ~~Stands~~stands shall be used only by ~~Taxicab~~taxicab drivers and
335 their boarding passengers, who shall use them on a first come, first served basis. The
336 driver shall enter the ~~Open Stand~~open stand from the rear and shall advance forward as
337 the ~~Taxicab~~taxicabs exit. Drivers shall stay within ten feet (10') of their
338 ~~Taxicab~~taxicabs. Nothing in this chapter shall be construed to prevent a passenger
339 from boarding the cab of his or her choice that is parked at any position in an ~~Open~~
340 Standopen stand. The ~~mayer~~Mayor or ~~the Mayor's~~ designee shall prescribe the
341 maximum number of cabs that shall occupy such ~~Open Stands~~open stands.

342 ~~F. _____~~ G. Private or other vehicles for hire, and ~~Persons~~persons not waiting for or
343 boarding ~~Taxicab~~taxicabs shall not occupy ~~the any~~ space upon the streets that has
344 been established as an ~~Open Stand~~open stand during any times specified by the
345 ~~mayer~~Mayor or ~~the Mayor's~~ designee for use by ~~Taxicab~~taxicabs.

346 ~~G. _____~~ H. The driver of any ~~Taxicab~~taxicab shall remain in the driver's
347 compartment or immediately adjacent to his or her vehicle at all times when such
348 vehicle is upon the public street, except that, when necessary, a driver may be absent

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349 | from his or her ~~Taxicab~~taxicab for not more than twenty (20) consecutive minutes; and
350 | provided further, that nothing herein contained shall be held to prohibit any driver from
351 | alighting to the street or sidewalk for the purpose of assisting passengers into or out of
352 | such vehicle or to load their baggage into the ~~Taxicab~~taxicab.

353 | ~~H.~~ ~~_____~~ ~~I.~~ No driver shall permit more ~~Persons~~persons to be carried in a
354 | ~~Taxicab~~taxicab as passengers than the rated seating capacity rated by the vehicle
355 | manufacturer of his or her ~~Taxicab~~taxicab, Child seating shall be in accordance with
356 | Utah and federal law.

357 | ~~I.~~ ~~_____~~ ~~J.~~ After a ~~Taxicab~~taxicab has been ~~Hired~~hired by a passenger or group of
358 | passengers, no driver shall permit any other ~~Person~~person to occupy or ride in the
359 | ~~Taxicab~~taxicab without the consent of the original passenger or group.

360 | ~~J.~~ ~~_____~~ ~~K.~~ No driver shall solicit passengers for a ~~Taxicab~~taxicab except when
361 | sitting in the driver's compartment of such ~~Taxicab~~taxicab, while standing within ten feet
362 | (10') of such ~~Taxicab~~taxicab, or at any authorized ~~Open Stand~~open stand.

363 | ~~K.~~ ~~_____~~ ~~L.~~ No driver shall refuse or neglect to convey any orderly and sober
364 | ~~Person~~person or ~~Persons~~persons, or their luggage upon request, unless previously
365 | engaged or unable or forbidden by the provisions of this chapter to do so. No driver
366 | shall refuse to transport a service animal accompanying a person or persons in the
367 | passenger compartment of the ~~Taxicab~~taxicab.

368 | ~~L.~~ ~~_____~~ ~~M.~~ Any ~~Person~~person may ~~Hail~~hail a ~~Taxicab~~taxicab for service within the
369 | City, except that in locations of an ~~Open Stand~~open stand for ~~Taxicab~~taxicabs the
370 | ~~Person~~person should proceed to the ~~Taxicab~~taxicab that is “headset” at the stand for

371 service. However, nothing shall prohibit the ~~Person~~person from hiring the

372 ~~Taxicab~~taxicab of ~~their~~the person's choice.

373 **5.72.505: REQUIREMENT TO PROVIDE SERVICE TO HAILING PUBLIC:**

374 _____ It is a violation for any ~~Taxicab~~taxicab driver to pass by or refuse service to a

375 ~~Person Hailing~~person hailing a ~~Taxicab~~taxicab for service unless the ~~Taxicab~~taxicab

376 being ~~Hailed~~hailed is already in route to a dispatched ~~Fare~~fare, is already ~~Hired~~hired or

377 is not ~~In Service.~~ in service.

378 **5.72.530: ADVERTISING MATERIAL ON CABS PERMITTED:**

379 _____ In accordance with an applicable ~~Department Contract~~department contract, it

380 shall be permitted for any ~~Person~~person owning or operating a ~~Taxicab~~taxicab to allow

381 advertising matter to be affixed to or installed in or on such ~~Taxicabs. (Ord. 24-99 § 6,~~

382 ~~1999)~~taxicabs.

383 **Article VIII. Enforcement and Penalties**

384 **5.72.705: DEPARTMENT AUTHORITY:**

385 _____ The ~~Department is hereby given~~department shall enforce the authority provisions

386 of this chapter and ~~is instructed to~~ govern the conduct of companies and drivers

387 operating under this chapter. ~~(Ord. 24-99 § 6, 1999)~~

388 **5.72.805: ISSUANCE OF A CIVIL NOTICE OF GROUND TRANSPORTATION**

389 **VIOLATION:**

390 _____ A. —Every notice issued under this chapter shall be issued in the form of a

391 written ~~Civil Notice~~civil notice and shall contain a statement that the named party may

392 appeal the imposition of the penalty and provide information regarding how to appeal.

393 ~~_____~~ B. ~~_____~~ Any ~~Concessionaire~~concessionaire, driver, vehicle owner, or ~~Authorized~~
394 ~~Ground Transportation Business~~authorized ground transportation business that violates
395 any provision of this chapter may be named in a ~~Civil Notice~~civil notice issued by the
396 City. A violation of any provision of this chapter by any driver or vehicle owner shall also
397 constitute a violation of such provision by the ~~Ground Transportation Business~~ground
398 transportation business or concessionaire under whose authority such driver or owner
399 was operating at the time of the violation.

400 **5.72.855: CIVIL PENALTIES AND ENFORCEMENT:**

401 ~~_____~~ A. ~~_____~~ The City may ~~impose revocation, suspension and nonrenewal of~~revoke,
402 suspend, or deny renewal of a City business license to operate a ~~Ground Transportation~~
403 ~~Business~~ground transportation business for violations of ~~applicable laws, policies,~~
404 ~~procedures, any provision of this title, department~~ rules, ~~or and~~ regulations ~~as provided~~
405 ~~under chapter 5.02 of this title,~~ or other applicable law.

406 ~~_____~~ B. ~~_____~~ The ~~Department~~department may revoke, suspend, or deny renewal of an
407 ~~Operator's Badge, Department Automated Vehicle Identification~~operator's badge,
408 department automated vehicle identification tag or ~~Department Inspection~~
409 ~~Seal~~department inspection seal for violations of ~~applicable laws, policies,~~
410 ~~procedures, any provision of this title, department~~ rules, ~~or and~~ regulations, or other
411 applicable law. The person or business affected may request, in writing filed with the
412 ~~Department~~department, an appeal hearing before the ~~Ground Transportation Appeal~~
413 ~~Committee~~ground transportation appeal committee. Any such revocation, suspension,
414 or denial of renewal shall remain in effect until the party against whom such action is

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415 taken requests reinstatement and the ~~Ground Transportation Appeal Committee~~ground
416 transportation appeal committee determines that reinstatement is appropriate.

417 C. If any ~~Named Party~~named party fails to comply with civil penalties

418 imposed under this chapter, such party may be subject to suspension, revocation or

419 nonrenewal of a City license to operate a ~~Ground Transportation Business, Operator's~~

420 ~~Badge, Department Automated Vehicle Identification Tag and Department Inspection~~

421 ~~Seal. (Ord. 24-99 § 4, 1999)~~ground transportation business, operator's badge,

422 department automated vehicle identification tag and department inspection seal.

423 D. Civil penalties may be imposed as set forth below. The ~~Named~~

424 ~~Party~~named party in the ~~Civil Notice~~civil notice shall be liable for a civil penalty. Any

425 penalty assessed in connection with this section may be in addition to any other penalty

426 that may be imposed by law, ~~rule, regulation, suspension, revocation or other~~

427 ~~restrictions as may be imposed by the Department Director~~ or department rules and

428 regulations.

ARTICLE II.		
AUTHORITY TO OPERATE		
5.72.155 (A,B)	\$1000.00	Authority to operate Taxicabs
5.72.205	\$1000.00	ADA vehicle service required
ARTICLE III.		
TAXIMETERS		
5.72.305 (A,B,D)	\$1000.00	Certified meter required
5.72.305 (G)	\$300.00	Clearing of metered Fare

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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
ARTICLE IV		
RATES		
5.72.405 (C,E)	\$100.00	Posting of rates and receipt required
5.72.405 (D)	\$1000.00	Charge of approved Fares only
ARTICLE V		
SERVICE REGULATIONS		
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

429

430

431 **5.72.890: ENFORCEMENT PROCEDURES; CIVIL NOTICE OF GROUND**

432 **TRANSPORTATION VIOLATION:**

433 A. Civil ~~Notices~~notices under this chapter, other than those involving revocations,

434 suspensions, denials, or approvals of a business license, ~~Operators' Badge,~~

435 ~~Department Automated Vehicle Identification Tags~~operators' badge, department

436 automated vehicle identification tags and ~~Department Inspection Seal~~department

437 inspection seal shall be heard by the Salt Lake City Justice Court. Any ~~Named~~

438 | Partynamed party may appear before a Hearing Officerhearing officer and present and
439 | contest an alleged violation as provided in ~~title 2, chapter 2.75~~Title 2, Chapter 2.75 of this
440 | code, or its successor.

441 | _____ B. The burden to prove any defense shall be upon the Personperson raising such
442 | defense. Nothing herein shall affect the City's burden to prove each element of the
443 | underlying charge by a preponderance of evidence.

444 | _____ C. If the Hearing Officerhearing officer finds that no violation of this chapter
445 | occurred, or that a violation occurred but one (1) or more of the defenses set forth in this
446 | section is applicable, the Hearing Officerhearing officer may dismiss the Civil Noticecivil
447 | notice and release the Named Partynamed party from liability thereunder, or may
448 | reduce the penalty associated therewith as he or she shall determine. Such defenses
449 | are:

450 | 1. The Civil Noticecivil notice does not contain the information required by this
451 | chapter;

452 | _____ 2. Compliance with the subject ordinances would have presented an imminent
453 | and irreparable injury to persons or property; or

454 | _____ 3. Such other mitigating circumstances as may be approved by the City
455 | Attorney's Office.

456

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459 | **5.72.900: EXPEDITED APPEAL OF EXCLUSION:**

460 _____ Any ~~Named Party~~named party who is excluded from pursuing commercial
461 activities under this chapter, and has not had a hearing before the ~~Ground~~
462 ~~Transportation Appeal Committee~~ground transportation appeal committee regarding
463 such exclusion as provided for in this chapter, such party may request an expedited
464 appeal of the action that resulted in such exclusion. Such appeal shall be requested in
465 writing by the party so excluded to the ~~Department~~department. The
466 ~~Department~~department shall promptly investigate the facts relating to such exclusion. If
467 the evidence indicates such exclusion is improper under this chapter, the ~~Department~~
468 ~~Director~~department director may reverse the action that resulted in such exclusion. If
469 the ~~Department Director~~department director does not reverse such action, the action
470 resulting in such exclusion shall be heard and determined by the ~~Ground Transportation~~
471 ~~Appeal Committee~~ground transportation appeal committee in accordance with the
472 provisions of this chapter. If a preponderance of the evidence indicates such exclusion
473 is proper under this chapter the ~~Ground Transportation Hearing Committee~~ground
474 transportation hearing committee shall uphold such exclusion.

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

477 Passed by the City Council of Salt Lake City, Utah this _____ day of
478 _____, 2010.

479

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481

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483

CHAIRPERSON

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(Compared to the draft considered at the October 5, 2010 Council meeting)

484

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488 CITY RECORDER

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490

491 Transmitted to Mayor on _____.

492

493 Mayor's Action: _____ Approved. _____ Vetoed.

494

495

496

497

498 _____ MAYOR

499

500

501 CITY RECORDER

502

503

504 (SEAL)

505 Bill No. _____ of 2010

506 Published: _____

507

508

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.

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

30 SECTION 1. That Chapter 5.72, *Salt Lake City Code*, pertaining to taxicabs, be,
31 and the same hereby is, amended to read as follows:

32 **Chapter 5.72**

33 **Taxicabs**

34 **Article I. Definitions and General Regulations**

35 **5.72.005: DEFINITIONS:**

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

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

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

42 **CITY:** The governmental institution and landmass contained within the boundaries of
43 Salt Lake City, Utah.

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

46 **CLEARED:** That condition of a taximeter when it is inoperative with respect to all fare
47 registration and all cumulative fare and extras charges have been set to zero dollars
48 (\$0).

49 **CONCESSIONAIRE:** A person or entity with whom the Department of Airports has
50 contracted to provide taxicab services.

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

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

57 **DEPARTMENT CONTRACT:** A valid, existing, and current contract negotiated and
58 approved by the department for providing taxicab or other services within the corporate
59 boundaries of Salt Lake City, including the airport.

60 **DEPARTMENT RULES AND REGULATIONS:** Rules and regulations developed and
61 adopted by the department director to govern ground transportation service and
62 businesses within the City.

63 **EXTRAS:** Charges to be paid by a customer or passenger in addition to the fare.

64 **FACE:** That side of a taximeter upon which passenger or customer charges for hire of
65 a taxicab are indicated.

66 **FARE:** That portion of the charge for hire of a taxicab which is automatically calculated
67 by the taximeter through the operation of the mileage and time mechanism.

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

71 **HAIL A TAXICAB:** The act of a person to call out for, or to signal for, an in-service
72 taxicab that is not already engaged in transport of passengers to respond to the
73 person's location for hiring and transport of persons or property.

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74 **HIRED:** The button on the face of a taximeter, which when activated places the
75 taximeter in operation, signifying the start of a billing process for the person(s) engaging
76 the use of the taxicab.

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

79 **IN-SERVICE:** A taxicab that is in use on the streets of the City, with a driver, and
80 available for the transportation of passengers for hire.

81 **OPEN STAND:** A public place alongside the curb of a street, or elsewhere in the City,
82 which has been designated by the Mayor or the Mayor's designee as reserved for the
83 use of taxicabs available for hire by passengers, including places otherwise marked as
84 freight zones or other parking restricted zones if designated for use of taxicabs during
85 specified times.

86 **PERSON:** An individual, a corporation or other legal entity, a partnership, and any
87 incorporated association.

88 **TAXICAB:** A motor vehicle with a seating capacity of five (5) passengers or less, not
89 including the driver, or a van with a passenger seating capacity of six (6) to twelve (12),
90 not including the driver, used in the on demand, for hire transportation of passengers or
91 baggage over the public streets and not operated over a fixed route or upon a fixed
92 schedule, but which is subject for contract hire by persons desiring special trips from
93 one point to another and authorized to operate in Salt Lake City by contract with the
94 department.

95 **TAXIMETER:** A meter instrument or electronic device attached to a taxicab which
96 measures mileage by the distance driven and the waiting time upon which the fare is

97 based, and which automatically calculates, at a predetermined rate or rates, and
98 registers, the charge for hire of a taxicab.

99 **WAITING TIME:** The time when a taxicab is not in motion, from the time of hiring by a
100 passenger to the time of discharge of passenger(s).

101 **5.72.105: AUTHORITY TO ESTABLISH RULES AND REGULATIONS:**

102 A. To the extent authorized by the provisions of this chapter and other applicable
103 provisions of this code, the department director, under guidance and direction from the
104 Mayor, may enter into contracts deemed necessary or desirable and may establish
105 rules and regulations necessary to administer the provisions of this chapter.

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

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

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

112 3. The basis for any such proposed rule.

113 **Article II. Authority To Operate**

114 **5.72.125: COMPLIANCE RESPONSIBILITY:**

115 A. All persons shall comply with and operate under requirements of applicable
116 law, including without limitation Federal, State, County and City laws and ordinances,
117 including but not limited to, Chapters 5.72, 5.71, and 16.60 of the Salt Lake City Code,
118 and department rules and regulations.

119 B. A concessionaire shall not be relieved of any responsibility for compliance with
120 the provisions of this chapter, whether the concessionaire leases or rents taxicabs to
121 drivers, or whether the concessionaire pays salary, wages, or any other form of
122 compensation.

123 **5.72.155: DEPARTMENT CONTRACT REQUIRED FOR OPERATION:**

124 A. No person shall operate or permit a taxicab owned or controlled by such
125 person to be operated as a vehicle for hire upon the streets of Salt Lake City unless
126 such person is authorized to do so under a department contract.

127 B. No person may operate a taxicab business in the City unless the person is
128 authorized to do so under a department contract. Nothing in the department contract
129 shall relieve a concessionaire of the requirements of applicable laws, including but not
130 limited to Titles 5.71, 5.72, and 16.60 of the Salt Lake City Code, and department rules
131 and regulations.

132 C. The term "operate for hire upon the streets of Salt Lake City" means and shall
133 include the soliciting or picking up of a passenger or passengers within the corporate
134 limits of the City, whether the destination is within or outside of the corporate limits of
135 the City. For the purpose of this section, the term "operate for hire upon the streets of
136 Salt Lake City" shall not include the transporting, by a taxicab properly licensed in a
137 jurisdiction outside the corporate limits of the City, of a passenger or passengers for hire
138 where a trip originates with the passenger or passengers being picked up outside of the
139 corporate limits of the City and where the destination is either within or beyond the City
140 corporate limits.

141 **5.72.165: CONTRACT-BASED SYSTEM FOR PROVISION OF TAXI SERVICES:**

142 A. The City hereby adopts a contract-based system for provision of taxicab
143 services. Only taxicab providers selected pursuant to a competitive request for
144 proposals (RFP) process and who have entered into a department contract, as defined
145 in Section 5.72.005, may operate taxicab services upon Salt Lake City streets.

146 1. Following the RFP procedure, at least two (2) and not more than four
147 (4) taxicab businesses shall be awarded a department contract.

148 2. The total number of taxicabs authorized to operate in the City under all
149 such contracts shall be at least two hundred (200) and not more than two
150 hundred sixty- eight (268).

151 B. Existing certificates of public convenience and necessity issued by the City for
152 taxicab services shall expire no sooner than one-hundred eighty (180) days from the
153 effective date of this ordinance. The City may elect, in the City's sole discretion, to
154 continue the expiration date up to an additional one-hundred eighty (180) days. Upon
155 expiration, a pro rata refund of that portion of the certificate fee shall be given to those
156 persons whose certificates have expired prior to the portion of the year remaining at the
157 time of expiration.

158 **5.72.170 FEES:**

159 No certificate shall continue in operation prior to the expiration as set forth in
160 Section 5.72.165 unless the holder thereof has paid the annual business regulatory fee
161 as set forth in Section 5.04.070 of this title, or its successor section, each year for each
162 vehicle authorized under a certificate. Such fees shall be in addition to any other fees or
163 charges established by proper authority and applicable to the holder of the vehicle or
164 vehicles under the holder's operation and control.

165 **5.72.175 EXISTING HOLDERS' CERTIFICATES:**

166 All holders of existing taxicab certificates on the effective date of this ordinance
167 shall retain such certificates, allowing them to operate the same number of vehicles as
168 they are presently authorized to operate, without the hearing provided in this article, the
169 public convenience and necessity having heretofore been demonstrated, until such
170 certificate expires as provided in Section 5.72.165B of this chapter.

171 **5.72.185: CERTIFICATE NOT A FRANCHISE AND NOT IRREVOCABLE:**

172 No certificate issued in accordance with this chapter, or its successor section,
173 shall be construed to be either a franchise or irrevocable.

174 **5.72.205: MANDATORY ADA ACCESSIBLE VEHICLE:**

175 At least five (5) percent of the vehicle fleet of each taxicab concessionaire shall
176 be available and equipped, consistent with requirements of the Americans with
177 Disabilities Act (ADA), for the use and convenience of persons with disabilities.

178 **Article III. Taximeters**

179 **5.72.305: TAXIMETER REQUIRED**

180 A. All taxicabs shall be equipped with taximeters approved by the department.

181 B. It is a violation for any person to operate or to allow to be operated any taxicab
182 without an operative taximeter.

183 C. All taximeters shall be mounted in locations approved by the department.

184 D. All taximeters shall be tested and sealed by the department every six (6)
185 months and no taximeter may be used without such seal being in place.

186 E. Nothing that could shield or conceal the indications and metered fare of the
187 taximeter from passengers may be placed so as to block the face of the taximeter.

188 F. Taximeters shall have illuminated faces so as to provide visible indications of
189 the meters status and fare to the passenger in low light or after sundown.

190 G. Upon the completion of the service by the taxicab, it shall be the duty of the
191 driver to call the attention of the passenger to the amount registered and to clear the
192 taximeter of all fare indications so as to start at zero dollars (\$0) upon the next fare.

193 H. Except as otherwise provided herein, it is a violation for any driver of a taxicab
194 or taxicab business to charge a fare other than as calculated by the taximeter.

195 I. It is a violation for any driver of a taxicab or taxicab bBusiness to charge any
196 extra that is not approved by the department, calculated by the taximeter, and which is
197 not applicable to the current fare.

198 J. A top light shall be installed on every licensed taxicab. The top light shall be
199 illuminated when a taxicab is available for hire and shall not be illuminated when the
200 taximeter is placed into hire.

201 **5.72.355: TAXIMETER INSPECTIONS; RECORD KEEPING:**

202 A. The department shall keep a record of the identification of every taxicab meter
203 number and date of inspection thereof in its office.

204 B. The department shall inspect, test, and seal every operational taximeter at
205 least every six (6) months. Additionally, the department may inspect and test any
206 taximeter upon receipt of a complaint regarding the operations or accuracy of a
207 taximeter.

208 C. In the event a change in rates is made, the taximeter shall be adjusted to the
209 new rates, and the taximeter of every taxicab in which a meter has been installed shall
210 be immediately inspected, tested, and sealed by the department. A fee to recover costs

211 of the meter inspection shall be charged by the department for each meter
212 reprogrammed and sealed.

213 D. No taximeter which is inaccurate in registration in excess of one and one-half
214 percent (1¹/₂%) shall be allowed to operate in any taxicab, and when an inaccuracy is
215 discovered, such taxicab involved shall immediately cease operation and be kept out of
216 operation until the meter is repaired and in proper working condition.

217 E. No owner, driver or business shall perform or permit or allow any alterations to
218 a taxicab that will affect the taximeter pulse setting without said taximeter being
219 inspected and recertified by the department. Said alterations shall include, but are not
220 limited to, transmission replacement or remanufacturing, differential replacement or
221 remanufacturing, speedometer cable replacement, speed sensor replacement, repair or
222 replacement of the taxicab's onboard computer, or change of tire size on the drive axle.

223 **Article IV. Rates**

224 **5.72.405: RATES:**

225 A. The rates charged by a ground transportation company for taxicab service
226 shall be set by the City Council. The department shall review submittals by taxicab
227 companies for taxicab rates and the department director shall recommend to the City
228 Council the rate structure and extras allowed to be charged for taxicab service.

229 1. Unless otherwise provided for in a department contract, each taxicab
230 business may file with the department periodically, but no more often than every
231 six (6) months, a statement regarding the adequacy of the existing maximum
232 rates. Said statement shall state whether, in the opinion of the person submitting
233 the statement, the existing maximum rates are at an appropriate level, or whether

234 such rates should be increased or decreased. If the statement indicates existing
235 rates should be increased, the person submitting the statement shall supplement
236 the statement with documentation in support of such increase, such as evidence
237 of increased operating costs, insurance costs, costs of living, fares charged for
238 competing ground transportation services, and any other relevant information.

239 2. Upon receipt of a statement regarding the adequacy of existing rates,
240 the department director may authorize a temporary increase in rates, not to
241 exceed six (6) months, to account for increased operating costs, insurance costs,
242 costs of living, fares charged for competing ground transportation services, or
243 other factors documented in a rate statement.

244 3. If the department director authorizes a temporary rate increase, the
245 statement and other information justifying the increase shall be submitted to the
246 City Council for review and consideration of a permanent rate increase.

247 B. Every taxicab shall have printed on the outside of the cab, in a conspicuous
248 place and of sufficient size, legibility, and in such manner as to be plainly visible to all
249 prospective passengers, all rates and extras in effect for such taxicab. All such rates
250 and extras shall also be posted on the inside of the taxicab in such a manner as to be
251 plainly visible to all passengers.

252 C. No taxicab or taxicab business shall charge any fee or payment for the use of
253 a taxicab within the City without the prior approval of the City Council or department
254 director, as provided in this chapter.

255 D. The driver of any taxicab shall render to every passenger a receipt for the
256 amount charged, on which shall be the name of the taxicab business, taxicab number,

257 the date and time the fare was initiated and completed, the miles charged, extras added
258 to the fare, and the total amount of meter reading or charges.

259 **Article V. Service Regulations**

260 **5.72.455: GENERAL SERVICE REQUIREMENTS:**

261 A. Taxicab companies shall maintain all service requirements set forth in a
262 department contract and other requirements as provided by applicable law and
263 department rules and regulations.

264 B. Taxicab services shall be available twenty-four (24) hours per day, seven (7)
265 days per week.

266 C. Unless otherwise provided in a department contract, it is a violation for any
267 taxicab business to refuse to accept a call for service to or from any point within the
268 corporate limits of the City at any time when such business has available taxicabs, and
269 it is a violation for any business to fail or refuse to provide all or any service required by
270 this title.

271 D. Any driver employed to carry a passenger to a definite point shall take the
272 most direct or expeditious route possible that will carry the passenger safely and
273 expeditiously to his or her destination, unless otherwise directed by the passenger.

274 E. The Mayor or the Mayor's designee is authorized to establish open stands in
275 such place or places upon the streets of the City as the Mayor deems necessary for the
276 use of taxicabs operated in the City. The Mayor shall not create an open stand without
277 taking into consideration the need for such stands by the taxicab industry, the
278 convenience to the general public, and the recommendation of the City traffic engineer.

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279 The Mayor shall not create an open stand where such stand would tend to create a
280 traffic hazard.

281 F. Open stands shall be used only by taxicab drivers and their boarding
282 passengers, who shall use them on a first come, first served basis. The driver shall
283 enter the open stand from the rear and shall advance forward as the taxicabs exit.
284 Drivers shall stay within ten feet (10') of their taxicabs. Nothing in this chapter shall be
285 construed to prevent a passenger from boarding the cab of his or her choice that is
286 parked at any position in an open stand. The Mayor or the Mayor's designee shall
287 prescribe the maximum number of cabs that shall occupy such open stands.

288 G. Private or other vehicles for hire, and persons not waiting for or boarding
289 taxicabs shall not occupy any space upon the streets that has been established as an
290 open stand during any times specified by the Mayor or the Mayor's designee for use by
291 taxicabs.

292 H. The driver of any taxicab shall remain in the driver's compartment or
293 immediately adjacent to his or her vehicle at all times when such vehicle is upon the
294 public street, except that, when necessary, a driver may be absent from his or her
295 taxicab for not more than twenty (20) consecutive minutes; and provided further, that
296 nothing herein contained shall be held to prohibit any driver from alighting to the street
297 or sidewalk for the purpose of assisting passengers into or out of such vehicle or to load
298 their baggage into the taxicab.

299 I. No driver shall permit more persons to be carried in a taxicab as passengers
300 than the rated seating capacity rated by the vehicle manufacturer of his or her taxicab,
301 Child seating shall be in accordance with Utah and federal law.

302 J. After a taxicab has been hired by a passenger or group of passengers, no
303 driver shall permit any other person to occupy or ride in the taxicab without the consent
304 of the original passenger or group.

305 K. No driver shall solicit passengers for a taxicab except when sitting in the
306 driver's compartment of such taxicab, while standing within ten feet (10') of such
307 taxicab, or at any authorized open stand.

308 L. No driver shall refuse or neglect to convey any orderly and sober person or
309 persons, or their luggage upon request, unless previously engaged or unable or
310 forbidden by the provisions of this chapter to do so. No driver shall refuse to transport a
311 service animal accompanying a person or persons in the passenger compartment of the
312 taxicab.

313 M. Any person may hail a taxicab for service within the City, except that in
314 locations of an open stand for taxicabs the person should proceed to the taxicab that is
315 "headset" at the stand for service. However, nothing shall prohibit the person from
316 hiring the taxicab of the person's choice.

317 **5.72.505: REQUIREMENT TO PROVIDE SERVICE TO HAILING PUBLIC:**

318 It is a violation for any taxicab driver to pass by or refuse service to a person
319 hailing a taxicab for service unless the taxicab being hailed is already in route to a
320 dispatched fare, is already hired or is not in service.

321 **5.72.530: ADVERTISING MATERIAL ON CABS PERMITTED:**

322 In accordance with an applicable department contract, it shall be permitted for
323 any person owning or operating a taxicab to allow advertising matter to be affixed to or
324 installed in or on such taxicabs.

325 **Article VIII. Enforcement and Penalties**

326 **5.72.705: DEPARTMENT AUTHORITY:**

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

329 **5.72.805: ISSUANCE OF A CIVIL NOTICE OF GROUND TRANSPORTATION**

330 **VIOLATION:**

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

334 B. Any concessionaire, driver, vehicle owner, or authorized ground
335 transportation business that violates any provision of this chapter may be named in a
336 civil notice issued by the City. A violation of any provision of this chapter by any driver or
337 vehicle owner shall also constitute a violation of such provision by the ground
338 transportation business or concessionaire under whose authority such driver or owner
339 was operating at the time of the violation.

340 **5.72.855: CIVIL PENALTIES AND ENFORCEMENT:**

341 A. The City may revoke, suspend, or deny renewal of a City business license to
342 operate a ground transportation business for violations of any provision of this title,
343 department rules and regulations, or other applicable law.

344 B. The department may revoke, suspend, or deny renewal of an operator's
345 badge, department automated vehicle identification tag or department inspection seal
346 for violations of any provision of this title, department rules and regulations, or other
347 applicable law. The person or business affected may request, in writing filed with the

348 department, an appeal hearing before the ground transportation appeal committee. Any
349 such revocation, suspension, or denial of renewal shall remain in effect until the party
350 against whom such action is taken requests reinstatement and the ground
351 transportation appeal committee determines that reinstatement is appropriate.

352 C. If any named party fails to comply with civil penalties imposed under this
353 chapter, such party may be subject to suspension, revocation or nonrenewal of a City
354 license to operate a ground transportation business, operator's badge, department
355 automated vehicle identification tag and department inspection seal.

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

ARTICLE II.		
AUTHORITY TO OPERATE		
5.72.155 (A,B)	\$1000.00	Authority to operate Taxicabs
5.72.205	\$1000.00	ADA vehicle service required
ARTICLE III.		
TAXIMETERS		
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

ARTICLE IV		
RATES		
5.72.405 (C,E)	\$100.00	Posting of rates and receipt required
5.72.405 (D)	\$1000.00	Charge of approved Fares only
ARTICLE V		
SERVICE REGULATIONS		
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

360

361 **5.72.890: ENFORCEMENT PROCEDURES; CIVIL NOTICE OF GROUND**

362 **TRANSPORTATION VIOLATION:**

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

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

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

377 1. The civil notice does not contain the information required by this chapter;

378 2. Compliance with the subject ordinances would have presented an imminent
379 and irreparable injury to persons or property; or

380 3. Such other mitigating circumstances as may be approved by the City
381 Attorney's Office.

382 **5.72.900: EXPEDITED APPEAL OF EXCLUSION:**

383 Any named party who is excluded from pursuing commercial activities under this
384 chapter, and has not had a hearing before the ground transportation appeal committee
385 regarding such exclusion as provided for in this chapter, such party may request an
386 expedited appeal of the action that resulted in such exclusion. Such appeal shall be
387 requested in writing by the party so excluded to the department. The department shall
388 promptly investigate the facts relating to such exclusion. If the evidence indicates such
389 exclusion is improper under this chapter, the department director may reverse the action
390 that resulted in such exclusion. If the department director does not reverse such action,
391 the action resulting in such exclusion shall be heard and determined by the ground
392 transportation appeal committee in accordance with the provisions of this chapter. If a
393 preponderance of the evidence indicates such exclusion is proper under this chapter the
394 ground transportation hearing committee shall uphold such exclusion.

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

397 Passed by the City Council of Salt Lake City, Utah this _____ day of
398 _____, 2010.

399 _____
400 CHAIRPERSON

401
402
403
404 _____
405 CITY RECORDER

406
407
408 Transmitted to Mayor on _____.

409
410 Mayor's Action: _____ Approved. _____ Vetoed.

411
412 _____
413 MAYOR

414
415 _____
416 CITY RECORDER
417

418
419 (SEAL)

420 Bill No. _____ of 2010
421 Published: _____
422

423

SALT LAKE CITY ORDINANCE

No. _____ of 2010

(~~Amending Title 16, Salt Lake City Code, section 16.60, regarding motor~~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~~Chapters 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~~Chapters 5.71, ~~and 5.72, and 5.76~~, *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, ~~the~~ City Council has amended ~~sections~~Chapters 5.71, ~~5.72~~ and ~~5.76~~~~72~~, *Salt Lake City Code*, pertaining to ground transportation, ~~and~~ taxicabs ~~and special transportation vehicles~~; and

WHEREAS, the City Council has determined ~~that the following~~this ordinance corresponds with and supports ~~the~~ amendments to ~~sections~~Chapters 5.71, ~~5.72~~ and ~~5.76~~~~72~~, *Salt Lake City Code*; and

WHEREAS, after a duly noticed public hearing before the City Council, the ~~City~~ Council has determined ~~that the following~~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:

29

30

Chapter 16.60

31

MOTOR VEHICLE OPERATION

32

Article I. General Regulations

33

16.60.001: AUTHORITY TO ESTABLISH RULES /AND REGULATIONS ~~AND~~

34

PROCEDURES:

35

~~The Department Director~~To the extent authorized by the provisions of this

36

chapter and other applicable provisions of this code, the department director, under

37

guidance ~~or~~and direction from the ~~mayor and in accordance with applicable law, shall~~

38

~~have authority to establish fees,~~Mayor, may enter into contracts deemed ~~as~~ necessary

39

or desirable and ~~to create standards,~~may establish rules /and regulations and

40

procedures, ~~as~~ necessary to administer the requirements~~provisions~~ of this chapter and

41

any security or operating requirements applicable to the Salt Lake City International

42

Airport ~~and the City or that are deemed to be in the best interest of the City and the~~

43

~~public.~~.

44

16.60.005: EXEMPTIONS FROM REQUIREMENTS OF THIS CHAPTER:

45

Vehicles licensed and operated by ~~governmental agencies, universities and~~

46

government agency, a university or school ~~districts~~district, the Utah Transit Authority,

47

ambulancesan ambulance service, and others ~~that,~~as may be designated in

48

department rules and regulations, and others as may be designated by the ~~Department~~

49

Director,director are exempt from the requirements of this chapter.

50

16.60.010: COMPLIANCE WITH STATE AND OTHER REGULATIONS:

51 | A. No person shall operate a motor vehicle on the Airportairport except in strict
52 | compliance with applicable laws of the state ~~and the, City~~ ordinances ~~of the City, and~~
53 | department rules and ~~Department of Airports Rules and Regulations, standards and~~
54 | proceduresregulations.

55 | B. No ~~Person~~person or owner shall drive, or permit to be driven, stopped or
56 | parked on any street, parking lot, alleyway or driveway within the Airportairport, any
57 | vehicle which is required under the laws of the state to be inspected and registered
58 | unless such vehicle has been inspected and registered, and has attached thereto in
59 | proper position a valid and unexpired certificate of inspection as required by the laws of
60 | the state.

61 | C. All vehicles operated on Departmentairport property, including ramp areas,
62 | shall be maintained in a safe operating condition. ~~(Ord. 42-87 § 8, 1987: prior code § 2-~~
63 | ~~15-1)~~

64 | **16.60.020: DRIVING ON LOADING AREAS; RESTRICTIONS:**

65 | A. —Any motorized vehicle being used on the ramp as a service vehicle
66 | ~~mustshall~~ display the ~~Department~~department-issued identification sticker. Each such
67 | vehicle ~~mustshall~~ also bear company identification visible from fifty feet (50') on both
68 | sides of the vehicle.

69 | B. —No ~~Person~~person or vehicle is permitted in, on, or around any secured
70 | area, such as, but not limited to, any hangar, landing field, runway, apron or taxi strip,
71 | without prior permission from the ~~Department Director~~department director.

72 | C. —Automobiles, trucks and other equipment (including Airportairport
73 | maintenance and emergency vehicles) being driven on any landing area, runway, taxi

74 strip, or apron mustshall display a standard checkered flag or flashing amber or red
75 light, as appropriate, if operated during the nighttime, or, when applicable, be marked in
76 accordance with FAA Federal Aviation Administration regulations or as directed by the
77 Department Director department director, and mustshall not be operated without prior
78 permission of the control tower. (~~Ord. 42-87 § 8, 1987: prior code § 2-15-3~~)

79 **16.60.030: VEHICLE RAMP OPERATIONS:**

80 A. —Speed Limits: Motor vehicles shall be operated on established streets and
81 roadways within the Airport airport in strict compliance with speed limits posted on traffic
82 signs. They shall also be maintained and operated in conformity with all motor vehicle
83 regulations and laws of the state and City. Motor vehicles being operated on any
84 passenger loading ramp, aircraft parking ramp, or in any area immediately adjacent to
85 the terminals or hangars, shall be driven cautiously and at a safe and reasonable
86 speed, but not to exceed twenty (20) miles per hour.

87 B. —Use Of of Ramp Roadways: Vehicles shall only be operated within the
88 limits of the designated painted roadways on the air operations areas, except as
89 required to perform aircraft servicing and airfield inspections.

90 C. Traffic Markings On on Paved Surfaces: Vehicle operators shall observe all
91 traffic markings painted on pavement surfaces of the aircraft operations area.

92 D. Yield Right Of of Way To Aircraft: All vehicles shall yield right of of way to any
93 aircraft when the aircraft is under tow or has its engines operating. No vehicle shall
94 proceed past such aircraft until the vehicle's progress will not impede the aircraft's
95 movement. This section does not preclude the establishment of agreements to the

96 | contrary between the City and the ~~federal aviation administration. (Ord. 86-98 § 13,~~
97 | ~~1998: Ord. 42-87 § 8, 1987: prior code § 2-15-4)~~Federal Aviation Administration.

98 | **16.60.040: COMMON CARRIERS:**

99 | No common carrier, vehicle for hire, or "~~Ground Transportation Vehicle~~"ground
100 | transportation vehicle shall load or unload passengers at the ~~Airport~~airport at any place
101 | or in any manner other than that designated by the ~~Department Director. (Ord. 70-04~~
102 | ~~§ 2, 2004: prior code § 2-15-8)~~department director.

103 | **16.60.050: ACCIDENTS TO BE REPORTED:**

104 | Any person involved in an accident resulting in personal injury or damage to
105 | property on the ~~Airport~~airport shall report such accident promptly to the office of the
106 | ~~Department Director. (Prior code § 2-15-6)~~department director.

107 |

108 |

109 | **16.60.060: PROHIBITED VEHICLES AND ANIMALS:**

110 | No go-cart, motorbike, bicycle, house trailer, or similar vehicle, or horse, shall be
111 | permitted on any landing area, ramp, taxiway, or hangar area without ~~the~~ approval of
112 | the ~~Department Director~~department director, except for bicycles that are secured and
113 | delivered to an aircraft for transport, or motorcycles used for surface transportation in a
114 | hangar area. ~~(Ord. 77-04 § 47, 2004: prior code § 2-15-5)~~

115 | **16.60.065: PARKING AREAS:**

116 | A. Parking areas for motor vehicles shall be set aside for ~~Airport~~airport
117 | employees and the general public. No person shall park a motor vehicle or a trailer in
118 | any place on the ~~Airport~~airport other than those areas designated by the ~~Department~~

119 | ~~Director~~department director or as expressly set forth in this title. No person shall park a
120 | vehicle in an area designated as an employee parking lot unless ~~the Person~~such person
121 | has complied with all rules, and regulations, and other requirements for employee
122 | parking as established by the ~~Department~~department.

123 | B. Tenants of T-hangars and shade hangars may park their motor vehicles in
124 | their own hangars when the aircraft is being flown or in front of their hangar if they are
125 | present. Service or delivery vehicles may park next to a tenant's hangar long enough for
126 | delivery. All others shall park in public lots.

127 | C. No ~~Person~~person shall park a motor vehicle on the ~~Airport~~airport in excess of
128 | seventy-~~two~~ (72) consecutive hours unless it is parked in the public parking area or with
129 | the authorization of the airport.

130 | D. No ~~Person~~person shall park a motor vehicle in an area designated as a public
131 | parking lot unless such person pays the authorized rate for such parking lots. A
132 | schedule of parking rates shall be available in the ~~Airport~~airport Office of Finance and
133 | Administration. (~~Ord. 77-04 § 48, 2004; Ord. 86-98 § 14, 1998; Ord. 42-87 § 8, 1987;~~
134 | ~~prior code § 2-15-2)~~

135 | **16.60.067: PARKING VEHICLES:**

136 | No ~~Person~~person shall park a vehicle on the ~~Airport~~airport other than in the
137 | manner and at locations indicated by posted traffic signs and markings. Each hour a
138 | vehicle remains parked in violation of this section shall be a separate offense. (~~Ord. 42-~~
139 | ~~87 § 8, 1987; prior code § 2-15-7)~~

140 | **16.60.070: IMPOUNDMENT AUTHORIZED WHEN:**

141 Any vehicle parked in violation of ~~Department Rules~~department rules and
142 ~~Regulations~~regulations may be impounded or relocated by a certified peace officer. The
143 owner thereof shall pay for the tow charge, regular parking fees, and other penalties
144 and related charges. (~~Ord. 70-04 § 3, 2004; Ord. 42-87 § 8, 1987; prior code § 2-15-9~~)

145 **16.60.075: PASSENGER COURTESY CARTS:**

146 A. No ~~Person~~person may operate any vehicle inside a City--owned building at the
147 ~~Airport~~airport without proper authority. The owner of any such authorized vehicle shall
148 install and maintain a speed governor on each such vehicle which will prevent the
149 vehicle from exceeding five (5) miles per hour--. Vehicles at all times shall be
150 maintained in a safe operating condition. Any ~~Person~~person operating such vehicle
151 shall yield to pedestrians, not pass pedestrians unless there is enough space to leave
152 an eighteen inch (18") clearance between vehicle and pedestrian, and otherwise
153 operate the vehicle in a safe manner.

154 B. The ~~Department Director~~department director may prohibit the operation of
155 such vehicles at the Airport or limit their use at any time. (~~Ord. 42-87 § 2, 1987; prior~~
156 ~~code § 2-2-40~~)

157 **Article II. Ground Transportation Businesses**

158 **16.60.080: PURPOSE OF ARTICLE II PROVISIONS:**

159 The provisions set out in this article are enacted for the purpose of:

160 A. Requiring ~~these Persons~~persons who conduct business at the ~~Airport~~airport
161 by providing ~~Ground Transportation Service~~ground transportation service to assist the
162 City in defraying the expense of providing certain facilities and services provided for

163 ~~Ground Transportation Vehicles~~ground transportation vehicles and services using the

164 ~~Airport~~airport, and to create an equitable assessment of fees for its use; and

165 B. Requiring such ~~Persons~~persons to adhere to ~~Rules~~department rules and

166 ~~Regulations, standards and other requirements~~regulations regarding the

167 ~~operations~~operation of ~~Ground Transportation~~ground transportation vehicles to ensure

168 that such are conducted in a safe ~~and~~, efficient₁, and cost effective manner for the public

169 benefit. (~~Ord. 70-04 § 4, 2004; Ord. 15-89 § 1, 1989; Ord. 3-89 § 1, 1989; prior code~~

170 ~~§ 2-15-10~~)

171 **16.60.090: DEFINITIONS FOR ARTICLE II.:**

172 The following words and phrases, ~~whenever~~when used in this ~~article~~chapter,

173 shall ~~behave the meanings~~ defined ~~as provided and set forth~~ in this section, ~~unless a~~

174 ~~different meaning is specifically or more particularly described.~~

175 **AIRPORT SHARED RIDE SERVICE:** Ground transportation provided by an ~~Authorized~~

176 ~~Ground Transportation Business~~authorized ground transportation business contracted

177 through the Department of Airports to provide ~~On Demand Shared Ride Service~~on -

178 demand shared ride service to and from the Salt Lake City International Airport.

179 **AIRPORT SHARED RIDE VEHICLE:** Any authorized ~~Ground Transportation~~

180 ~~Vehicle~~ground transportation vehicle operating under contract with the ~~Salt Lake City~~

181 Department of Airports to provide ~~Airport Shared Ride Service~~airport shared ride

182 service.

183 **AUTHORIZED GROUND TRANSPORTATION BUSINESS:** Any ~~Business~~business

184 operating any ~~Ground Transportation Vehicle~~ground transportation vehicle, which has a

185 current, valid business license as required by the City and which-;

186 | A) ~~registers.~~ Registers the Business~~business~~ in accordance with the

187 | requirements established by the Department~~department~~, and

188 | B) ~~is.~~ Is current with all fees or charges imposed by the Department or City.

189 | **AUTOMOBILE:** Any motor vehicle with passenger seating for five (5) persons or less
190 | not including the driver.

191 |

192 | **BUS:** Any motor vehicle with a seating capacity of twenty-five (25) passengers or more,
193 | not including the driver.

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

197 | **CIVIL NOTICE:** The written notice of a ground transportation violation.

198 |

199 | **COURTESY VEHICLE:** Any motor vehicle ~~which is~~ regularly operated on Salt Lake City
200 | streets for transportation of customers and/or baggage without making a specific
201 | separate charge to the passenger for such transportation. ~~All contracts providing for~~
202 | ~~operating a Courtesy Vehicle shall be filed with the Department.~~

203 | **DEPARTMENT:** The Salt Lake City Department of Airports.

204 | **DEPARTMENT DIRECTOR:** The Director~~director~~ of the Department~~department~~
205 | designated by the mayor~~Mayor~~ to have responsibility for the enforcement of this chapter
206 | or the authorized designee of such Director~~director~~.

207 | **DEPARTMENT RULES AND REGULATIONS:** Rules and regulations developed and

208 | adopted by the Department~~Director~~department director to govern Ground

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(Compared to the draft considered at the October 5, 2010 Council meeting)

209 ~~Transportation Service~~ground transportation service and ~~Businesses within~~businesses
210 at the City~~airport~~.

211 **FIXED SCHEDULE:** Ground ~~Transportation Service~~transportation service operating on
212 a regular time schedule previously announced as to time of departure and arrival
213 between the ~~Airport~~airport and definitely established and previously announced points
214 along definitely established and previously announced routes regardless of whether
215 there are passengers or freight to be carried.

216 **GROUND TRANSPORTATION BUSINESS:** Any business operating any ~~Ground~~
217 ~~Transportation Vehicle~~ground transportation vehicle.

218 **GROUND TRANSPORTATION SERVICE:** The transportation of passengers by a
219 ~~Ground Transportation Business~~ground transportation business.

220 **GROUND TRANSPORTATION APPEAL COMMITTEE:** A committee established by
221 the ~~Department Director~~department director to hear and rule on appeals, suspensions,
222 and other matters related to ground transportation in and connected with the City.

223 **GROUND TRANSPORTATION VEHICLE:** Any motor vehicle used for the
224 transportation of persons using Salt Lake City streets for commercial purposes
225 regardless of whether a fee or fare is collected, which includes, but is not limited to, any
226 ~~Airport Shared Ride Vehicle, Automobile, Bus, Courtesy Vehicle, Hotel Vehicle,~~
227 ~~Limousine, Minibus, Special Transportation Vehicle, Taxicab, Van, or Trailer being~~
228 ~~towed by a Ground Transportation Vehicle~~airport shared ride vehicle, automobile, bus,
229 courtesy vehicle, hotel vehicle, limousine, minibus, special transportation vehicle,
230 taxicab, van, or trailer being towed by a ground transportation vehicle.

231 **HOTEL VEHICLE:** Any motor vehicle ~~which is~~ regularly operated by a Ground
232 ~~Transportation Business~~ground transportation business under contract to or directly by
233 a motel ~~or~~ hotel ~~or~~ other lodging ~~Business,~~business to provide transportation of
234 customers and/or baggage for the contracted establishment ~~and,~~ for which
235 transportation the customer is charged a separate fee or fare. ~~All contracts, and which is~~
236 subject to a contract filed with the department providing for operating ~~a Hotel Vehicle~~
237 ~~shall be filed with the Department.~~the vehicle.

238 **LIMOUSINE:** Any vehicle described by its manufacturer or aftermarket manufacturer as
239 a ~~Limousine~~limousine or luxury vehicle, with a driver furnished, who is dressed in
240 professional business attire or a chauffeur's uniform.

241 **MINIBUS:** Any motor vehicle with a seating capacity of thirteen (13) to twenty-four (24)
242 passengers, not including the driver.

243 **ON DEMAND AIRPORT SERVICE OR ON DEMAND SERVICE:** Transportation
244 provided by an authorized ~~Airport Ground Transportation Business~~airport ground
245 transportation business which is not ~~Scheduled Services~~scheduled service nor
246 ~~Prearranged Service From The Airport~~prearranged service from the airport as defined in
247 this section.

248 **PREARRANGED SERVICE FROM THE AIRPORT:** Transportation from the
249 ~~Airport~~airport to points within the corporate limits of Salt Lake City provided by an
250 ~~Authorized Ground Transportation Business~~authorized ground transportation business
251 which is contracted for between such business and the ~~Person~~person to be transported,
252 or by an agent of the ~~Person~~person, prior to the arrival of the ~~Person~~person at the Salt
253 Lake City International Airport. Prearranged ~~Service From The Airport~~service from the

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254 | airport shall include ~~Airport~~airport ground transportation contracted for by an airline
255 | company on behalf of its own passengers whose regular air travel may have been
256 | disrupted in some manner. An agent may include a travel agent, family member,
257 | employee, business or meeting planner, but excludes an ~~Authorized Ground~~
258 | ~~Transportation Business~~authorized ground transportation business. Prearranged
259 | service to the ~~Airport~~airport shall be provided on the same basis as permitted under
260 | ~~Title 5, Chapter 5.71~~Title 5, Chapter 5.71 of this code.

261 | **SCHEDULED SERVICE:** Transportation provided by an ~~Authorized Ground~~
262 | ~~Transportation Business~~authorized ground transportation business on a ~~Fixed~~
263 | ~~Schedule~~fixed schedule posted with the ~~Department~~department in advance of such
264 | transportation.

265 | **TAXICAB:** A motor vehicle with a seating capacity of five (5) passengers or less, not
266 | including the driver, or a van with a passenger seating capacity of six (6) to twelve (12),
267 | not including the driver, used in the on demand for hire transportation of passengers or
268 | baggage over the public streets and not operated over a fixed route or upon a ~~Fixed~~
269 | ~~Schedule~~fixed schedule, but which is subject for contract hire by ~~Persons~~persons
270 | desiring special trips from one point to another, as provided under ~~chapter 5.72~~Chapter
271 | 5.72 of this title, or its successor chapter, and authorized to operate in Salt Lake City by
272 | contract with the ~~Department~~department.

273 | **VAN:** Any licensed motor vehicle other than those designated as a ~~Limousine~~limousine
274 | with a passenger seating capacity of six (6) to twelve, (12), not including the driver.
275 | ~~(Ord. 20-06 § 1, 2006; Ord. 87-05 § 2, 2005; Ord. 45-05 § 1, 2005; Ord. 70-04 § 5,~~

276 ~~2004: Ord. 24-99 § 7, 1999: Ord. 15-89 § 1, 1989: Ord. 3-89 § 1, 1989: prior code § 2-~~
277 ~~15-11)~~

278 **16.60.095: BUSINESSES AUTHORIZED TO PROVIDE GROUND**

279 **TRANSPORTATION:**

280 It shall be a violation to operate a ~~Ground Transportation Vehicle~~ground
281 transportation vehicle at the ~~Airport~~airport, unless such vehicle is part of is an
282 ~~Authorized Ground Transportation Business~~authorized ground transportation business.

283 **16.60.097: GROUND TRANSPORTATION DESTINATIONS:**

284 A. All ~~Authorized Ground Transportation Businesses~~authorized ground
285 transportation businesses may provide ~~Scheduled Services~~scheduled service or
286 ~~Prearranged Service~~prearranged service from the ~~Airport~~airport.

287 B. Only authorized ~~Airport Shared Ride Service Vehicles, Taxicabs, Courtesy~~
288 aircraft shared ride service vehicles, taxicabs, courtesy vehicles, and ~~Hotel~~
289 vehicleshotel vehicles may provide ~~On-Demand Service~~on-demand service at the
290 ~~Airport~~airport, except that: ~~Courtesy Vehicles~~ courtesy vehicles and ~~Hotel Vehicles~~hotel
291 vehicles may provide ~~On-Demand Service~~on-demand service only to and from the hotel
292 ~~/, motel,~~ or other lodging Businessbusiness with whom they hold a current contract for
293 transportation services. The ~~Department Director~~department director may waive these
294 restrictions if ~~it is determined~~the director determines that circumstances at the
295 ~~Airport~~airport exist that create congestion, security concerns, emergency conditions, or
296 other operational problems, and that a temporary suspension of this limitation is in the
297 best interests of the City to address such circumstances.

298 C. ~~All Authorized Ground Transportation Businesses~~authorized ground
299 transportation businesses may provide ~~On-Demand, Scheduled Service~~on-demand,
300 scheduled service and ~~Prearranged Service~~prearranged service from the ~~Airport~~airport
301 to destinations outside of the corporate limits of Salt Lake City.

302 **16.60.100: PASSENGER PICK UP ZONES:**

303 All persons operating a ~~Ground Transportation Vehicle~~ground transportation vehicle on
304 the premises of the ~~Airport~~airport shall pick up passengers only in areas as designated
305 by the ~~Department Director~~department director. ~~Ground Transportation~~
306 ~~Vehicles~~transportation vehicles may occupy such area only for the period of time
307 established by the ~~Department Director. (Ord. 70-04 § 8, 2004: prior code § 2-15-~~
308 ~~12)~~department director.

309 **16.60.110: COMMERCIAL CHARGES:**

310 ~~The Department Director may impose commercial~~Commercial charges may be
311 imposed by the City for the use of ~~Airport~~airport facilities and services. ~~Businesses~~
312 must ~~Any business located at, or doing business on, the airport shall~~ pay all fees
313 established ~~by the Department Director. (Ord. 87-05 § 12, 2005: Ord. 86-98 § 15, 1998:~~
314 ~~Ord. 52-96 § 1, 1996: Ord. 28-94 § 1, 1994: Ord. 91-91 § 1, 1991: Ord. 3-89 § 1, 1989:~~
315 ~~prior code § 2-15-13)~~fees applicable to such business.

316 **16.60.120: CHARGESGROUND TRANSPORTATION FEES REQUIRED:**

317 No ~~Ground Transportation Vehicle or Business~~ground transportation vehicle or
318 business shall use the ~~Airport's~~airport's roadways or facilities without paying ~~the~~required
319 fees established ~~by the Department Director~~under Section 16.60.110 of this chapter.

320 **16.60.130: PAYMENT OF FEE BY GROUND TRANSPORTATION VEHICLESFEES:**

321 Payment of ~~the~~ required fees shall be made in the manner prescribed by the
322 ~~Department Director~~ department director consistent with department rules and
323 regulations and applicable provisions of this code.

324 **16.60.140: CITY ORDINANCES APPLICABLE TO AIRPORT:**

325 All applicable ordinances ~~contained~~ set forth in the Salt Lake City Code, including
326 without limitation ~~title 5, chapter 5.71 and 5.72~~ Chapters 5.71 and 5.72 of Title 5 or their
327 successors, shall apply to the ~~Salt Lake City International Airport. The Department~~
328 ~~Director~~ airport. Pursuant to applicable provisions of this code, the department director
329 may enter into contracts and establish ~~Rules~~ rules and ~~Regulations~~ regulations for
330 ~~Taxicab~~ taxicab operations specific to the ~~Airport~~ airport.

331 **16.60.180: GROUND TRANSPORTATION BOOTHS:**

332 There may be established within the terminal buildings at the ~~Airport~~ airport one
333 (1) or more ground transportation booths for the exclusive use of ~~Authorized Ground~~
334 ~~Transportation Businesses~~ authorized ground transportation businesses to assist the
335 public to arrange for transportation, including travel reservations and ticket sales. These
336 booths may be made available to ~~Businesses~~ businesses in accordance with applicable
337 contracts and/or ~~Department Rules~~ department rules and ~~Regulations~~ regulations.

338 ~~A.~~ A. No ~~Authorized Ground Transportation Business~~ authorized ground
339 transportation business may solicit passengers at the ~~Airport~~ airport except at a bona
340 fide ground transportation booth established by the ~~Department Director~~ department
341 director and operated by the ~~Authorized Ground Transportation Business~~ authorized
342 ground transportation business.

343 B. ~~B.~~ No ~~Person~~person or ~~Business~~business including any ~~Ground~~
344 ~~Transportation-Business~~ground transportation business may contract for passenger
345 meet and greet services on behalf of any ~~Ground-Transportation-Business~~ground
346 transportation business without ~~the~~-written permission of the ~~Department~~
347 ~~Director~~department director.

348 C. In addition to civil penalties, any violation of these solicitation restrictions by any
349 driver or representative of any ~~Authorized-Ground-Transportation~~
350 ~~Business~~authorized ground transportation business may result, ~~at the Department~~
351 ~~Director's sole option~~, in such driver or ~~Business~~business being barred from any
352 further entry to an ~~Airport~~airport terminal as a driver or ~~Authorized-Ground~~
353 ~~Transportation-Business~~authorized ground transportation business employee.

354 D. No representative of any ~~Authorized-Ground-Transportation~~
355 ~~Business~~authorized ground transportation business shall transport baggage or cargo in
356 behalf of a customer to or from the ~~Airport~~airport without documentation such as
357 baggage claim tickets or transfer documents clearly indicating the authority of such
358 representative to transport such baggage. Said representative shall produce such
359 documentation for inspection upon request by an authorized official of the ~~Department~~.
360 ~~(Ord. 70-04 § 13, 2004; Ord. 91-91 § 1, 1991; Ord. 89-91 § 1, 1991; Ord. 15-89 § 1,~~
361 ~~1989; Ord. 3-89 § 1, 1989)~~department.

362 **16.60.190: STAGING AND PARKING OF GROUND TRANSPORTATION VEHICLES:**

363 Any use of ~~the~~a staging area, parking facilities, ~~taxi stand~~taxi stands, parking
364 areas, traffic lanes or other areas and facilities used by ~~Authorized-Ground~~
365 ~~Transportation-Vehicles~~authorized ground transportation vehicles are subject to

366 ~~Department Rules~~department rules and ~~Regulations.~~ (Ord. 70-04 § 14, 2004: Ord. 86-
367 ~~98 § 16, 1998: Ord. 91-91 § 1, 1991: Ord. 15-89 § 1, 1989: Ord. 3-89 § 1,~~
368 ~~1989)~~regulations.

369 **16.60.200: SIGNS:**

370 Signs may be posted at the ~~Airport~~airport by ~~Authorized Ground Transportation~~
371 ~~Businesses~~authorized ground transportation businesses if such signs are in accordance
372 with applicable City ordinances, department contracts, ~~Department Rules~~department
373 rules and ~~Regulations~~regulations, and have been approved by the ~~Department Director.~~
374 (~~Ord. 70-04 § 15, 2004: Ord. 86-98 § 17, 1998: Ord. 91-91 § 1, 1991: Ord. 15-89 § 1,~~
375 ~~1989: Ord. 3-89 § 1, 1989)~~

376

377

378 ~~SECTION 3. Effective Date. This ordinance shall become effective on the date of~~
379 ~~its first publication.~~

380 _____ Passed by the City Council of Salt Lake City, Utah this _____ day of
381 _____, 2010.

382

383

384 _____
CHAIRPERSON

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389 _____
CITY RECORDER

390

391

392 Transmitted to Mayor on _____.

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(Compared to the draft considered at the October 5, 2010 Council meeting)

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Mayor's Action: _____ Approved. _____ Vetoed.

MAYOR

CITY RECORDER

(SEAL)

Bill No. _____ of 2010

Published: _____

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 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

28 rules and regulations necessary to administer the provisions of this chapter and any
29 security or operating 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
32 district, the Utah Transit Authority, an ambulance service, and others, as may be
33 designated in department rules and regulations, and others as may be designated by
34 the director are exempt 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
37 compliance with applicable laws of the state, City ordinances, and department rules and
38 regulations.

39 B. No person or owner shall drive, or permit to be driven, stopped or parked on
40 any street, parking lot, alleyway or driveway within the airport, any vehicle which is
41 required under the laws of the state to be inspected and registered unless such vehicle
42 has been inspected and registered, and has attached thereto in proper position a valid
43 and unexpired certificate of inspection as required by the laws of the state.

44 C. All vehicles operated on airport property, including ramp areas, shall be
45 maintained in a safe operating condition.

46 **16.60.020: DRIVING ON LOADING AREAS; RESTRICTIONS:**

47 A. Any motorized vehicle being used on the ramp as a service vehicle shall
48 display the department-issued identification sticker. Each such vehicle shall also bear
49 company identification visible from fifty feet (50') on both sides of the vehicle.

50 B. No person or vehicle is permitted in, on, or around any secured area, such as,
51 but not limited to, any hangar, landing field, runway, apron or taxi strip, without prior
52 permission from the department director.

53 C. Automobiles, trucks and other equipment (including airport maintenance and
54 emergency vehicles) being driven on any landing area, runway, taxi strip, or apron shall
55 display a standard checkered flag or flashing amber or red light, as appropriate, if
56 operated during the nighttime, or, when applicable, be marked in accordance with
57 Federal Aviation Administration regulations or as directed by the department director,
58 and shall not be operated without prior permission of the control tower.

59 **16.60.030: VEHICLE RAMP OPERATIONS:**

60 A. Speed Limits: Motor vehicles shall be operated on established streets and
61 roadways within the airport in strict compliance with speed limits posted on traffic signs.
62 They shall also be maintained and operated in conformity with all motor vehicle
63 regulations and laws of the state and City. Motor vehicles being operated on any
64 passenger loading ramp, aircraft parking ramp, or in any area immediately adjacent to
65 the terminals or hangars, shall be driven cautiously and at a safe and reasonable
66 speed, but not to exceed twenty (20) miles per hour.

67 B. Use of Ramp Roadways: Vehicles shall only be operated within the limits of
68 the designated painted roadways on the air operations areas, except as required to
69 perform aircraft servicing and airfield inspections.

70 C. Traffic Markings 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-Way To Aircraft: All vehicles shall yield right-of-way to any
73 aircraft when the aircraft is under tow or has its engines operating. No vehicle shall
74 proceed past such aircraft until the vehicle's progress will not impede the aircraft's
75 movement. This section does not preclude the establishment of agreements to the
76 contrary between the City and the Federal Aviation Administration.

77 **16.60.040: COMMON CARRIERS:**

78 No common carrier, vehicle for hire, or ground transportation vehicle shall load or
79 unload passengers at the airport at any place or in any manner other than that
80 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
83 property on the airport shall report such accident promptly to the office of the
84 department director.

85 **16.60.060: PROHIBITED VEHICLES AND ANIMALS:**

86 No go-cart, motorbike, bicycle, house trailer, or similar vehicle, or horse, shall be
87 permitted on any landing area, ramp, taxiway, or hangar area without approval of the
88 department director, except for bicycles that are secured and delivered to an aircraft for
89 transport, or motorcycles used for surface transportation in a hangar area.

90 **16.60.065: PARKING AREAS:**

91 A. Parking areas for motor vehicles shall be set aside for airport employees and
92 the general public. No person shall park a motor vehicle or a trailer in any place on the
93 airport other than those areas designated by the department director or as expressly set
94 forth in this title. No person shall park a vehicle in an area designated as an employee

95 parking lot unless such person has complied with all rules and regulations, and other
96 requirements for employee parking as established by the department.

97 B. Tenants of T-hangars and shade hangars may park their motor vehicles in
98 their own hangars when the aircraft is being flown or in front of their hangar if they are
99 present. Service or delivery vehicles may park next to a tenant's hangar long enough for
100 delivery. All others shall park in public lots.

101 C. No person shall park a motor vehicle on the airport in excess of seventy-two
102 (72) consecutive hours unless it is parked in the public parking area or with the
103 authorization of the airport.

104 D. No person shall park a motor vehicle in an area designated as a public
105 parking lot unless such person pays the authorized rate for such parking lots. A
106 schedule of parking rates shall be available in the airport Office of Finance and
107 Administration.

108 **16.60.067: PARKING VEHICLES:**

109 No person shall park a vehicle on the airport other than in the manner and at
110 locations indicated by posted traffic signs and markings. Each hour a vehicle remains
111 parked in violation of this section shall be a separate offense.

112 **16.60.070: IMPOUNDMENT AUTHORIZED WHEN:**

113 Any vehicle parked in violation of department rules and regulations may be
114 impounded or relocated by a certified peace officer. The owner thereof shall pay for the
115 tow charge, regular 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-owned building at the airport
118 without proper authority. The owner of any such authorized vehicle shall install and
119 maintain a speed governor on each such vehicle which will prevent the vehicle from
120 exceeding five (5) miles per hour. Vehicles at all times shall be maintained in a safe
121 operating condition. Any person operating such vehicle shall yield to pedestrians, not
122 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
124 manner.

125 B. The department director may prohibit the operation of such vehicles at the
126 Airport or limit their use at any time.

127 **Article II. Ground Transportation Businesses**

128 **16.60.080: PURPOSE OF ARTICLE II PROVISIONS:**

129 The provisions set out in this article are enacted for the purpose of:

130 A. Requiring persons who conduct business at the airport by providing ground
131 transportation service to assist the City in defraying the expense of providing certain
132 facilities and services provided for ground transportation vehicles and services using the
133 airport, and to create an equitable assessment of fees for its use; and

134 B. Requiring such persons to adhere to department rules and regulations
135 regarding the operation of ground transportation vehicles to ensure that such are
136 conducted in a safe, efficient, and cost effective manner for the public benefit.

137 **16.60.090: DEFINITIONS:**

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

140 **AIRPORT SHARED RIDE SERVICE:** Ground transportation provided by an authorized
141 ground transportation business contracted through the Department of Airports to
142 provide on -demand shared ride service to and from the Salt Lake City International
143 Airport.

144 **AIRPORT SHARED RIDE VEHICLE:** Any authorized ground transportation vehicle
145 operating under contract with the Department of Airports to provide airport shared ride
146 service.

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

150 A. Registers the business in accordance with the requirements established by
151 the department, and

152 B. Is current with all fees or charges imposed by the Department or City.

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

155 **BUS:** Any motor vehicle with a seating capacity of twenty-five (25) passengers or more,
156 not including the driver.

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

160 **CIVIL NOTICE:** The written notice of a ground transportation violation.

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

164 **DEPARTMENT:** The Salt Lake City Department of Airports.

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

168 **DEPARTMENT RULES AND REGULATIONS:** Rules and regulations developed and
169 adopted by the department director to govern ground transportation service and
170 businesses at the airport.

171 **FIXED SCHEDULE:** Ground transportation service operating on a regular time
172 schedule previously announced as to time of departure and arrival between the airport
173 and definitely established and previously announced points along definitely established
174 and previously announced routes regardless of whether there are passengers or freight
175 to be carried.

176 **GROUND TRANSPORTATION BUSINESS:** Any business operating any ground
177 transportation vehicle.

178 **GROUND TRANSPORTATION SERVICE:** The transportation of passengers by a
179 ground transportation business.

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

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

189 **HOTEL VEHICLE:** Any motor vehicle regularly operated by a ground transportation
190 business under contract to or directly by a motel, hotel, or other lodging business to
191 provide transportation of customers and/or baggage for the contracted establishment,
192 for which transportation the customer is charged a separate fee or fare, and which is
193 subject to a contract filed with the department providing for operating the vehicle.

194 **LIMOUSINE:** Any vehicle described by its manufacturer or aftermarket manufacturer as
195 a limousine or luxury vehicle, with a driver furnished, who is dressed in professional
196 business attire or a chauffeur's uniform.

197 **MINIBUS:** Any motor vehicle with a seating capacity of thirteen (13) to twenty-four (24)
198 passengers, not including the driver.

199 **ON DEMAND AIRPORT SERVICE OR ON DEMAND SERVICE:** Transportation
200 provided by an authorized airport ground transportation business which is not scheduled
201 service nor prearranged service from the airport as defined in this section.

202 **PREARRANGED SERVICE FROM THE AIRPORT:** Transportation from the airport to
203 points within the corporate limits of Salt Lake City provided by an authorized ground
204 transportation business which is contracted for between such business and the person
205 to be transported, or by an agent of the person, prior to the arrival of the person at the

206 Salt Lake City International Airport. Prearranged service from the airport shall include
207 airport ground transportation contracted for by an airline company on behalf of its own
208 passengers whose regular air travel may have been disrupted in some manner. An
209 agent may include a travel agent, family member, employee, business or meeting
210 planner, but excludes an authorized ground transportation business. Prearranged
211 service to the airport shall be provided on the same basis as permitted under Title 5,
212 Chapter 5.71 of this code.

213 **SCHEDULED SERVICE:** Transportation provided by an authorized ground
214 transportation business on a fixed schedule posted with the department in advance of
215 such transportation.

216 **TAXICAB:** A motor vehicle with a seating capacity of five (5) passengers or less, not
217 including the driver, or a van with a passenger seating capacity of six (6) to twelve (12),
218 not including the driver, used in the on demand for hire transportation of passengers or
219 baggage over the public streets and not operated over a fixed route or upon a fixed
220 schedule, but which is subject for contract hire by persons desiring special trips from
221 one point to another, as provided under Chapter 5.72 of this title, or its successor
222 chapter, and authorized to operate in Salt Lake City by contract with the department.

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

225 **16.60.095: BUSINESSES AUTHORIZED TO PROVIDE GROUND**

226 **TRANSPORTATION:**

227 It shall be a violation to operate a ground transportation vehicle at the airport,
228 unless such vehicle is part of is an authorized ground transportation business.

229 **16.60.097: GROUND TRANSPORTATION DESTINATIONS:**

230 A. All authorized ground transportation businesses may provide scheduled
231 service or prearranged service from the airport.

232 B. Only authorized airport shared ride service vehicles, taxicabs, courtesy
233 vehicles, and hotel vehicles may provide on-demand service at the airport, except that
234 courtesy vehicles and hotel vehicles may provide on-demand service only to and from
235 the hotel, motel, or other lodging business with whom they hold a current contract for
236 transportation services. The department director may waive these restrictions if the
237 director determines that circumstances at the airport exist that create congestion,
238 security concerns, emergency conditions, or other operational problems, and that a
239 temporary suspension of this limitation is in the best interests of the City to address
240 such circumstances.

241 C. All authorized ground transportation businesses may provide on-demand,
242 scheduled service and prearranged service from the airport to destinations outside of
243 the corporate limits of Salt Lake City.

244 **16.60.100: PASSENGER PICK UP ZONES:**

245 All persons operating a ground transportation vehicle on the premises of the airport
246 shall pick up passengers only in areas as designated by the department director.

247 Ground transportation vehicles may occupy such area only for the period of time
248 established by the department director.

249 **16.60.110: COMMERCIAL CHARGES:**

250 Commercial charges may be imposed by the City for the use of airport facilities
251 and services. Any business located at, or doing business on, the airport shall pay all
252 established fees applicable to such business.

253 **16.60.120: GROUND TRANSPORTATION FEES REQUIRED:**

254 No ground transportation vehicle or business shall use the airport's roadways or
255 facilities without paying required fees established under Section 16.60.110 of this
256 chapter.

257 **16.60.130: PAYMENT OF FEES:**

258 Payment of required fees shall be made in the manner prescribed by the
259 department director consistent with department rules and regulations and applicable
260 provisions of this code.

261 **16.60.140: CITY ORDINANCES APPLICABLE TO AIRPORT:**

262 All applicable ordinances set forth in the Salt Lake City Code, including without
263 limitation Chapters 5.71 and 5.72 of Title 5 or their successors, shall apply to the airport.
264 Pursuant to applicable provisions of this code, the department director may enter into
265 contracts and establish rules and regulations for taxicab operations specific to the
266 airport.

267 **16.60.180: GROUND TRANSPORTATION BOOTHS:**

268 There may be established within the terminal buildings at the airport one (1) or
269 more ground transportation booths for the exclusive use of authorized ground
270 transportation businesses to assist the public to arrange for transportation, including
271 travel reservations and ticket sales. These booths may be made available to businesses
272 in accordance with applicable contracts and/or department rules and regulations.

273 A. No authorized ground transportation business may solicit passengers at the
274 airport except at a bona fide ground transportation booth established by the department
275 director and operated by the authorized ground transportation business.

276 B. No person or business including any ground transportation business may
277 contract for passenger meet and greet services on behalf of any ground transportation
278 business without written permission of the department director.

279 C. In addition to civil penalties, any violation of these solicitation restrictions by
280 any driver or representative of any authorized ground transportation business may
281 result in such driver or business being barred from any further entry to an airport
282 terminal as a driver or authorized ground transportation business employee.D. No
283 representative of any authorized ground transportation business shall transport
284 baggage or cargo in behalf of a customer to or from the airport without documentation
285 such as baggage claim tickets or transfer documents clearly indicating the authority of
286 such representative to transport such baggage. Said representative shall produce such
287 documentation for inspection upon request by an authorized official of the department.

288 **16.60.190: STAGING AND PARKING OF GROUND TRANSPORTATION VEHICLES:**

289 Any use of a staging area, parking facilities, taxi stands, parking areas, traffic
290 lanes or other areas and facilities used by authorized ground transportation vehicles are
291 subject to department rules and regulations.

292 **16.60.200: SIGNS:**

293 Signs may be posted at the airport by authorized ground transportation
294 businesses if such signs are in accordance with applicable City ordinances, department

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295 contracts, department rules and regulations, and have been approved by the
296 department director.

1 SECTION 2. That Chapter 16.64, *Salt Lake City Code*, pertaining to violations,
2 ~~penalty~~penalties, and enforcement ~~at the Salt Lake City International Airport; be,~~ and
3 the same hereby is, amended 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 a violation for any ~~Person~~person to do any act prohibited by law, to fail or
8 refuse to do any act required by law, to operate any vehicle or aircraft in violation of any
9 provisions of this title or ~~Department Rules~~department rules and ~~Regulations~~regulations,
10 or to operate any vehicle or aircraft unless such vehicle or aircraft is equipped and
11 maintained as provided in this title or other applicable law. ~~(Prior code § 2-16-1)~~

12 **16.64.020: REMOVAL AUTHORIZED WHEN:**

13 Any ~~Person~~person using ~~Airport~~airport property, operating any vehicle or
14 handling any aircraft in violation of this title or other applicable law, or by refusing to
15 comply therewith, may be removed or ejected from the ~~Airport~~airport, and may be
16 deprived of the further use of the ~~Airport~~airport and its facilities for such length of time
17 as may be deemed necessary by the ~~Department Director~~department director to ensure
18 the safeguarding of the same and the public and its interest therein. ~~(Ord.77-04 § 49,~~
19 ~~2004: prior code § 2-16-3)~~

20 **16.64.025: VIOLATION; PENALTY:**

21 Any ~~Person~~person guilty of violating any ~~of the provisions~~provision of this title
22 shall be deemed guilty of a class B misdemeanor, except the violation of certain

23 | sections of this Title 16 as set forth in ~~section~~Section 16.64.030 below, which shall
24 | constitute civil violations.

25 | **16.64.030: CIVIL PENALTIES AND ENFORCEMENT:**

26 | A. ~~—All persons~~ Any person in violation of this ~~Title, or Department Rule~~title,
27 | department rules and ~~Regulations~~regulations, or other applicable law are subject to ~~Civil~~
28 | Penaltiescivil penalties and any other ~~actions~~lawful action as may be taken by the
29 | ~~Airport Director~~department director to ensure the safe and effective operations of the
30 | ~~Airport~~airport.

31 | B. -The City may ~~impose revocation, suspension and nonrenewal of~~ revoke,
32 | suspend, or deny renewal of a City business license to operate a ~~Ground Transportation~~
33 | Business ground transportation business for ~~violations~~violation of ~~applicable laws,~~
34 | ~~policies, procedures, any provision of this title, department~~ rules, ~~or and~~ regulations, or
35 | other applicable law as provided under ~~chapter~~Chapter 5.02 of this ~~title~~ code.

36 | C. ~~—The Department~~ department may revoke, suspend or deny renewal of an
37 | ~~Operator's Badge, Department Automated Vehicle Identification~~ operator's badge,
38 | department automated vehicle identification tag, or ~~Department Inspection~~
39 | Seal department inspection seal for ~~violations of applicable laws, policies,~~
40 | ~~procedures, violation of any provision of this title, department~~ rules, ~~or and~~ regulations,
41 | or other applicable law. The person or business affected may request, in writing filed
42 | with the ~~Department~~ department, an appeal hearing before the ~~Ground Transportation~~
43 | Appeal Committee ground transportation appeal committee. Any such revocation,
44 | suspension or denial of renewal shall remain in effect until the party against whom such
45 | action is taken requests reinstatement, and the ~~Ground Transportation Appeal~~

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(Compared to the draft considered at the October 5, 2010 Council meeting)

46 | ~~Committee~~ground transportation appeal committee determines that reinstatement is
47 | appropriate.

48 | D. — If any ~~Named Party~~named party fails to comply with civil penalties
49 | imposed under this chapter, such party may be subject to suspension, revocation, or
50 | nonrenewal of a City license to operate a ~~Ground Transportation Business, Operator's~~
51 | ~~Badge, Department Automated Vehicle Identification Tag~~ground transportation
52 | business, operator's badge, department automated vehicle identification tag and
53 | ~~Department Inspection Seal. (Ord. 24-99 § 4, 1999)~~department inspection seal.

54 | E. — Civil penalties may be imposed as set forth below. The ~~Named~~
55 | ~~Party~~named party in the ~~Civil Notice~~civil notice shall be liable for a civil penalty. Any
56 | penalty assessed in connection with this section may be in addition to any other penalty
57 | that may be imposed by law, ~~rule, regulation, suspension, revocation or other~~
58 | ~~restrictions as may be imposed by the Department Director~~ or department rules and
59 | regulations.

60 | F.- Violations of the following ordinances shall constitute ~~Civil~~civil violations and
61 | be subject to the following penalties:

CODE	AMOUNT OF PENALTY	VIOLATION
ARTICLE I		
GENERAL REGULATIONS		
16.60.010	\$500.00	Vehicle operations on Airport
16.60.020	\$1000.00	Secured area vehicle operations

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(Compared to the draft considered at the October 5, 2010 Council meeting)

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
ARTICLE II		
GROUND TRANSPORTATION BUSINESSES		
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

62

63 **16.64.050: ENFORCEMENT PROCEDURES; CIVIL NOTICE OF GROUND**

64 **TRANSPORTATION VIOLATION:**

65 A. Civil [Notices](#) under this chapter, other than those involving
66 revocations, suspensions, denials or approvals of a business license, [Operators' Badge](#),
67 [Department Automated Vehicle Identification Tags](#) [operators' badge](#), [department](#)

68 | ~~automated vehicle identification tags~~ and ~~Department Inspection Seal~~~~department~~
69 | ~~inspection seals~~ shall be heard by the Salt Lake City Justice Court. Any ~~Named~~
70 | ~~Party~~~~named party~~ may appear before a ~~Hearing Officer~~~~hearing officer~~ and present and
71 | contest an alleged violation as provided in ~~title 2, chapter 2.75~~~~Title 2, Chapter 2.75~~ of this
72 | code, or its successor.

73 | B. The burden to prove any defense shall be upon the ~~Person~~~~person~~ raising
74 | such defense. Nothing herein shall affect the City's burden to prove each element of the
75 | underlying charge by a preponderance of evidence.

76 | C. If the ~~Hearing Officer~~~~hearing officer~~ finds that no violation of this chapter
77 | occurred, or that a violation occurred but one or more of the defenses set forth in this
78 | section is applicable, the ~~Hearing Officer~~~~hearing officer~~ may dismiss the ~~Civil Notice~~~~civil~~
79 | ~~notice~~ and release the ~~Named Party~~~~named party~~ from liability thereunder, or may
80 | reduce the penalty associated therewith as he or she shall determine. Such defenses
81 | are:

82 | 1. The ~~Civil Notice~~~~civil notice~~ does not contain the information required by
83 | this chapter;

84 | 2. Compliance with the subject ordinances would have presented an
85 | imminent and -irreparable injury to persons or property; or

86 | ~~3. Such other mitigating circumstances as may be approved by the City Attorney's~~
87 | ~~Office. Civil Notices under this chapter, other than those involving business license~~
88 | ~~revocations, suspensions, denials or approvals, and or Operators' Badge,~~

89 | ~~Department Automated Vehicle Identification Tags and Department Inspection Seal~~
90 | ~~revocations, shall be heard by the Salt Lake City Justice Court. Any Named Party~~

91 ~~may appear before a Hearing Officer and present and contest an alleged violation as~~
92 ~~provided in title 2, chapter 2.75 of this code, or its successor.~~

93 3. Such other mitigating circumstances as may be approved by the City
94 Attorney's Office.

95 **16.64.060: EXPEDITED APPEAL OF EXCLUSION:**

96 Any ~~Named Party~~named party who is excluded from pursuing commercial
97 activities under this chapter, and has not had a hearing before the ~~Ground~~
98 ~~Transportation Appeal Committee~~ground transportation appeal committee regarding
99 such exclusion as provided for in this chapter, ~~such party~~ may request an expedited
100 appeal of the action that resulted in such exclusion. Such appeal shall be requested in
101 writing by the party so excluded to the ~~Department~~department. The
102 ~~Department~~department shall promptly investigate the facts relating to such exclusion. If
103 the evidence indicates such exclusion is improper under this chapter, the ~~Department~~
104 ~~Director~~department director may reverse the action that resulted in such exclusion. If
105 the ~~Department Director~~department director does not reverse such action, the action
106 resulting in such exclusion shall be heard and determined by the ~~Ground Transportation~~
107 ~~Appeal Committee~~ground transportation appeal committee in accordance with the
108 provisions of this chapter. If a preponderance of the evidence indicates such exclusion
109 is proper under this chapter the ~~Ground Transportation Hearing Committee shall uphold~~
110 ~~such exclusion. (Ord. 29-02 § 7, 2002; Ord. 24-99, § 4, 1999)~~ground transportation
111 hearing committee shall uphold such exclusion.

112 SECTION 3. Effective Date. This ordinance shall become effective on the date of its first
113 publication.

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(Compared to the draft considered at the October 5, 2010 Council meeting)

114 | Passed by the City Council of Salt Lake City, Utah this _____ day of
115 | _____, 2010.

116 |

117 |

118 |

119 |

CHAIRPERSON

120 |

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122 |

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124 |

CITY RECORDER

125 |

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Transmitted to Mayor on _____.

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129 |

Mayor's Action: _____ Approved. _____ Vetoed.

130 |

131 |

132 |

MAYOR

133 |

134 |

135 |

CITY RECORDER

136 |

137 | (SEAL)

138 |

139 |

Bill No. _____ of 2010

140 |

Published: _____

141 |

1 SECTION 2. That Chapter 16.64, *Salt Lake City Code*, pertaining to violations,
2 penalties, and enforcement at the Salt Lake City International Airport be, and the same
3 hereby is, amended 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
8 do any act required by 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
10 aircraft unless such vehicle or aircraft is equipped and maintained as provided in this
11 title or other applicable law.

12 **16.64.020: REMOVAL AUTHORIZED WHEN:**

13 Any person using airport property, operating any vehicle or handling any aircraft
14 in violation of this title or other applicable law, or by refusing to comply therewith, may
15 be removed or ejected from the airport, and may be deprived of the further use of the
16 airport and its facilities for such length of time as may be deemed necessary by the
17 department director to ensure the safeguarding of the same and the public and its
18 interest therein.

19 **16.64.025: VIOLATION; PENALTY:**

20 Any person guilty of violating any provision of this title shall be deemed guilty of a
21 class B misdemeanor, except the violation of certain sections of this Title 16 as set forth
22 in Section 16.64.030 below, which shall constitute civil violations.

23 **16.64.030: CIVIL PENALTIES AND ENFORCEMENT:**

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24 A. Any person in violation of this title, department rules and regulations, or other
25 applicable law are subject to civil penalties and any other lawful action as may be taken
26 by the department director to ensure the safe and effective operations of the airport.

27 B. The City may revoke, suspend, or deny renewal of a City business license to
28 operate a ground transportation business for violation of any provision of this title,
29 department rules and regulations, or other applicable law as provided under Chapter
30 5.02 of this code.

31 C. The department may revoke, suspend or deny renewal of an operator's
32 badge, department automated vehicle identification tag, or department inspection seal
33 for violation of any provision of this title, department rules and regulations, or other
34 applicable law. The person or business affected may request, in writing filed with the
35 department, an appeal hearing before the ground transportation appeal committee. Any
36 such revocation, suspension or denial of renewal shall remain in effect until the party
37 against whom such action is taken requests reinstatement, and the ground
38 transportation appeal committee determines that reinstatement is appropriate.

39 D. If any named party fails to comply with civil penalties imposed under this
40 chapter, such party may be subject to suspension, revocation, or nonrenewal of a City
41 license to operate a ground transportation business, operator's badge, department
42 automated vehicle identification tag and department inspection seal.

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

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47 F. Violations of the following ordinances shall constitute civil violations and be
 48 subject to the following penalties:

CODE	AMOUNT OF PENALTY	VIOLATION
ARTICLE I		
GENERAL REGULATIONS		
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
ARTICLE II		
GROUND TRANSPORTATION BUSINESSES		
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

49

50 **16.64.050: ENFORCEMENT PROCEDURES; CIVIL NOTICE OF GROUND**

51 **TRANSPORTATION VIOLATION:**

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

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

61 C. If the hearing officer finds that no violation of this chapter occurred, or that a
62 violation occurred but one or more of the defenses set forth in this section is applicable,
63 the hearing officer may dismiss the civil notice and release the named party from liability
64 thereunder, or may reduce the penalty associated therewith as he or she shall
65 determine. Such defenses are:

66 1. The civil notice does not contain the information required by this
67 chapter;

68 2. Compliance with the subject ordinances would have presented an
69 imminent and irreparable injury to persons or property; or

70 3. Such other mitigating circumstances as may be approved by the City
71 Attorney's Office.

72 **16.64.060: EXPEDITED APPEAL OF EXCLUSION:**

73 Any named party who is excluded from pursuing commercial activities under this
74 chapter, and has not had a hearing before the ground transportation appeal committee
75 regarding such exclusion as provided for in this chapter, may request an expedited
76 appeal of the action that resulted in such exclusion. Such appeal shall be requested in
77 writing by the party so excluded to the department. The department shall promptly
78 investigate the facts relating to such exclusion. If the evidence indicates such exclusion
79 is improper under this chapter, the department director may reverse the action that
80 resulted in such exclusion. If the department director does not reverse such action, the
81 action resulting in such exclusion shall be heard and determined by the ground
82 transportation appeal committee in accordance with the provisions of this chapter. If a
83 preponderance of the evidence indicates such exclusion is proper under this chapter the
84 ground transportation hearing committee shall uphold such exclusion.

85 SECTION 3. Effective Date. This ordinance shall become effective on the date of its first
86 publication.

87 Passed by the City Council of Salt Lake City, Utah this _____ day of
88 _____, 2010.

89 _____
90 CHAIRPERSON

91
92
93
94 _____
95 CITY RECORDER

96

DRAFT - OCTOBER 14, 2010

97

98 Transmitted to Mayor on _____.

99 Mayor's Action: _____ Approved. _____ Vetoed.

100

101

102

MAYOR

103

104

105 _____
CITY RECORDER

106

107 (SEAL)

108

109 Bill No. _____ of 2010

110 Published: _____

111

DATE: 8/26/2010
SCANNED BY: [Signature]
SCANNED TO: [Signature]

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.

CODE	AMOUNT OF PENALTY	VIOLATION	
ARTICLE I GENERAL REGULATIONS			
5.71.050		\$1000.00	Business license required
5.71.060 (B)	\$500.00	Violation of passenger transport	
ARTICLE II DRIVERS STANDARDS			
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
ARTICLE III SMOKING			
5.71.100	\$300.00	Smoking in vehicles	
ARTICLE IV VEHICLE			

STANDARDS		
5.71.120	\$500.00	Vehicle age
5.71.130	\$1000.00	Misleading design prohibited
ARTICLE V		
INSURANCE AND INSPECTIONS		
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
ARTICLE VI		
VEHICLE OPERATORS BADGE		
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
ARTICLE VII		
PAYMENT FOR FURNISHING OF PASSENGERS		
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:	5.71.120	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:	5.71.130	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:	5.71.140		
First offense		\$ 60 .00	
Second offense		80 .00	
Third offense		100 .00	
<u>Article IV. Vehicle Standards</u>			
Vehicle exterior:	5.71.150	A,B,C,D,E,F,G,H	
First offense		\$ 60 .00	
Second offense		80 .00	
Third offense		100 .00	

Vehicle interior:	5.71.160	A,B,C,D,E,F	
First offense		\$ 60 .00	
Second offense		80 .00	
Third offense		100 .00	
Vehicle signage:	5.71.170	A,B	
First offense		\$ 60 .00	
Second offense		80 .00	
Third offense		100 .00	
Vehicle insurance:	5.71.175	A,B	
First offense		\$ 60 .00	
Second offense		80 .00	
Third offense		100 .00	
<u>Article V. Inspections</u>			
Removal of inspection sticker	5.71.205	\$125 .00	
Failure to obtain vehicle inspection	5.71.180	125 .00	
Failure to obtain meter inspection	5.71.180C , 5.72.405	350 .00	
Failure to take best route	5.71.130H , 5.72.515	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, 2002²; 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, 2002³; 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 (1¹/₂") 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 PASSENGERS⁴:

(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~~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>			
<u>ARTICLE I GENERAL REGULATIONS-</u>		-	-	-	-
<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>\$ 60 .00-</u> -
<u>ARTICLE II</u> <u>DRIVERS</u> <u>STANDARDS</u> -	<u>Second offense</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>	-
<u>ARTICLE VI</u>						
<u>VEHICLE OPERATORS BADGE-</u>						
<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>	-
<u>ARTICLE VII</u>	<u>First offense-</u>	-	-	-	<u>\$ 60.00-</u>	-
<u>PAYMENT FOR FURNISHING OF PASSENGERS-</u>						
<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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Vehicle interior:-	-	<u>5.71.160</u>	- A,B,C,D,E,F-
- First offense-	-	-	- \$ 60 .00- -
- Second offense-	-	-	- 80 .00- -
- Third offense-	-	-	- 100 .00- -
-			
Vehicle signage:-	-	<u>5.71.170</u>	- A,B-
- First offense-	-	-	- \$ 60 .00- -
- Second offense-	-	-	- 80 .00- -
- Third offense-	-	-	- 100 .00- -
-			
Vehicle insurance:-	-	<u>5.71.175</u>	- A,B-
- First offense-	-	-	- \$ 60 .00- -
- Second offense-	-	-	- 80 .00- -
- Third offense-	-	-	- 100 .00- -
-			
<u>Article V. Inspections</u>			
-			
Removal of inspection sticker-	-	<u>5.71.205</u>	- \$125 .00- -
-	-	-	- - -
Failure to obtain vehicle inspection-	-	<u>5.71.180</u>	- 125 .00- -

-	-	-	-
Failure to obtain meter inspection	5.71.180C, 5.72.405	350.00	-
-	-	-	-
Failure to take best route	5.71.130H, 5.72.515	150.00	-

~~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.~~ ~~department responsible for enforcement.~~ The ~~Department~~ ~~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 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 (1½") 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 PASSENGERS⁴:

(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.

ARTICLE II. AUTHORITY TO OPERATE		
5.72.155 (A,B)	\$1000.00	Authority to operate Taxicabs
5.72.205	\$1000.00	ADA vehicle service required
ARTICLE III. TAXIMETERS		
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
ARTICLE IV RATES		
5.72.405 (C,E)	\$100.00	Posting of rates and receipt required
5.72.405 (D)	\$1000.00	Charge of approved Fares only
ARTICLE V SERVICE REGULATIONS		
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.

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 

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^{1/2}) 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^{1/2}) 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: TAXIMETER~~5.72.345: 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 (1¹/₂%) 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~~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.

<u>ARTICLE II.</u>		
<u>AUTHORITY TO OPERATE</u>		
<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>
<u>ARTICLE III.</u>		
<u>TAXIMETERS</u>		
<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 & 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>
<u>ARTICLE IV</u>		
<u>RATES</u>		
<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>
<u>ARTICLE V</u>		
<u>SERVICE REGULATIONS</u>		
<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

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:

CODE	AMOUNT OF PENALTY	VIOLATION
ARTICLE I GENERAL REGULATIONS		
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
ARTICLE II GROUND TRANSPORTATION BUSINESSES		

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 ~~. Vehicle~~~~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 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: 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 Rules the 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 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 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>
<u>ARTICLE II</u>		
<u>GROUND TRANSPORTATION BUSINESSES</u>		
<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