
M E M O R A N D U M

DATE: September 2, 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, 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 receive a briefing on the proposed amendments at the Council's September 7 work session. The Council also is scheduled to set a September 21 date for a public hearing at the Council's formal meeting. The work session is scheduled to start about 3 p.m., but the briefing on the proposed ground transportation amendments is scheduled to start about 4:30 p.m.

This memorandum has several attachments including a chronology of the City Council's consideration of ground transportation issues and a *Frequently Asked Questions* sheet that was sent as part of an information package September 1 to about 250 businesses involved in the ground transportation and lodging industries. The businesses are the same ones that received a City Council mailing earlier this year asking them to critique a previous draft of revisions to the proposed ordinances.

POTENTIAL MOTIONS

Except for setting a date for a public hearing by adopting the September 7 consent agenda, no motions are necessary at this stage of the City Council's consideration of the proposed amendments. Council staff plans to prepare motions for after the September 21 public hearing.

OPTIONS

One portion of the current *City Code* (5.72.130.B) reads: "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.”

If the City Council is inclined to continue the practice of awarding companies certificates of public convenience and necessity to operate taxicabs in Salt Lake City, the portion cited above probably should be repealed to avoid confusion. If the City Council is inclined to enact a competitive bid-contract system of permitting the operation of taxicab companies, at least some of the proposed amendments should be adopted.

City Code Section 5.72.130 is only one of a number of sections that would be revised in the proposed amendments. The City Council, then, has the following options:

- Adopting all the proposed amendments.
- Adopting some proposed amendments but not adopting others.
- Including the Council’s own amendments.
- Not adopting any of the proposed amendments.
- Not adopting any of the proposed amendments and declaring the City Council’s intention to deregulate the taxicab industry.

It should be noted that the transmittal from the Administration views the proposed amendments as a whole intended to streamline ordinances affecting ground transportation regulations, including taxicab regulations. The City Attorney’s Office has prepared the proposed amendments by working with the Department of Airports. Mayor Ralph Becker in July assigned the department as the manager of supervision of all ground transportation in the City.

It also should be noted that businesses largely or wholly exempt from the proposed amendments are special transportation vehicles regulated by *City Code* Chapter 5.76 and horse-drawn carriages regulated by *City Code* Chapter 5.37.

KEY POINTS

Perhaps the most significant change in the proposed amendments is a streamlining of ground transportation ordinances by eliminating a variety of regulations established by ordinance and replacing them with language allowing the City Administration to establish rules and regulations.

One potential upside to the proposed ordinances is streamlining would allow the City to respond quickly to any needed changes within the ground transportation industry and market. It should be noted that current City ordinances give the director of the Department of Airports the authority to make rules and regulations governing ground transportation at the Salt Lake City International Airport.

One potential downside is the proposed amendments would shift authority to make many decisions about regulating ground transportation citywide to the City Administration instead of through the deliberative, legislative process required under current ordinances. It should be noted that it is standard for the Administration to administer contracts, and that the Legislative Branch may include specific requirements for minimum standards, public notice and public process.

Here are the top five changes, in City Council staff’s opinion, specific to the ground transportation industry. The proposed ordinances would:

- **Simplify definitions of various vehicles** – Vehicles would be categorized by passenger seating instead of registered weight or wheelbase length.
- **Eliminate six-month vehicle inspections** – A vehicle would be inspected when it first is registered as a ground transportation vehicle. After that, it would be subject to spot inspections by Department of Airports personnel.
- **Establish a maximum age limit of five years or 300,000 miles for vehicles** – Exceptions may be given to buses, minibuses, special transportation vehicles, limousines, and “vehicles that are unique in their design or built for a specific purpose.” Exemptions would be considered on a case-by-case basis upon application to city. Maximum age limit would be phased in over a two-year period.
- **Replace criminal penalties for violations with civil citations carrying fines ranging from \$100 to \$1,000.** Citation amounts are intended to provide meaningful penalties for violating rules and regulations. People who wish to contest citations would appear in Salt Lake City Justice Court.
- **Replace City regulation of taxicab businesses through certificates of public convenience and necessity with a periodic competitive bid process** – Successful bids would lead to a contract between the City and taxicab service providers.

OTHER PROPOSED CHANGES

Chapter 5.71 – Ground Transportation Requirements

- Revises definitions to accommodate contract-based regulations
- Provides definitions and language establishing Airport Shared Ride Service. (Note: A contract for airport shared ride service would not be bid until such time as the Airport Director decides that the ground transportation industry has stabilized from any changes to ordinances and, if adopted, taxicab contracts.)
- Removes the ability for limousines to provide on-demand service.
- Eliminates the requirement to keep and maintain manifests.
- Establishes a Ground Transportation hearing officer to hear and rule on appeals, suspensions, and other matters related to ground transportation in and connected with the City.

Chapter 5.72 – Taxicabs

- Replaces setting fares by ordinance with a flexible fare structure based on justification and need.
- Requires drivers to pick up a person hailing a cab

Chapter 16.60 – Airport Motor Vehicle Operation

- 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 to those penalties.

POTENTIAL CHANGES TO CURRENT PROPOSED AMENDMENTS

After the transmittal of the proposed ordinance amendments to the City Council the following potential revisions or additions to the proposed amendments have been suggested:

- Change the definition of “taxicab” in *City Code* section 5.71.010 from limiting passenger seating to five passengers plus a driver to seven passengers plus a driver. The definition would broaden the scope of taxicab service to include the use of minivans.
- Change *City Code* section 5.71.140 to require ground transportation companies to include Salt Lake City Corporation as an “additional insured” on insurance policies so that it is a requirement of the insurance provider to send the City notification of reductions or cancellations of policies.

A letter from the legal counsel of a taxicab company raised the company’s concern that one proposed amendment that would provide for the City Administration, in particular a department director, to approve the City’s rate structure for taxicabs instead of the process currently in *City Code* raised issues about how authority is delegated in a Council-Mayor form of government.

To address the issue, the following ideas have been suggested as options:

- Delegate to a committee consisting of a department director, the Mayor, and the City Council Chair the authority to change rates.
- Delegate to a department director the authority to change taxi rates, but require the City Council to review the proposals and overrule them, if necessary, within 30 days.
- Delegate to a department director the authority to change taxi rates, but include the ability for a company to appeal to Mayor and also establish either a process, or minimum standards, or a requirement for findings.
- Delegate to a department director the authority to change taxi rates with a requirement that the director have a public comment period of at least 15 days on all proposed changes; that a hearing be held before the citizen advisory board connected to the department led by the director for all fee changes; that 30 days notice be given of all changes to regulations, fees and fares; that the Airport establish a notification procedure for providers and the public.

It should be noted that Salt Lake City’s ordinance structure involves a seven-step process to get a rate increase. Taxicab companies that hold the certificates first must petition the City for the increase, then present evidence to a hearing officer to justify the need for the increase, then receive a positive recommendation from the hearing officer, then have the City Attorney’s Office prepare an ordinance amendment to raise rates, then have the City Council briefed on the proposed rate increase, then have the City Council hold a public hearing on the proposed rate increase, and then wait for the City Council’s decision.

City Councils in the past have suggested that the City should find faster ways to address rate increases, particularly during periods of inflating gasoline prices.

ISSUES/QUESTIONS FOR CONSIDERATION

If the overarching organizing principle for municipal government to evaluate an issue is, “What is best for the City?” there may be three main questions to consider:

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?*

On December 8, 2005, the City Council adopted Ordinance No. 87 of 2005.ⁱ The ordinance contained the language cited earlier in this memorandum that is part of City Code Section 5.72.130. The language is the initial step toward periodically issuing requests for competitive bids to operate a taxicab company in Salt Lake City instead of granting companies certificates of public convenience and necessity.

To review, the main arguments in favor of periodically issuing requests for competitive bids are: they would give the City a chance to test the market from time to time to gauge the interest and ideas available to serve City residents and businesses; they would give businesses a chance to present their products to the City; and they would increase the potential for companies operating taxicabs to respond quickly to the need for improvements identified by users of their service.

The main arguments against periodically issuing requests for competitive bids are: the terms may be too short to attract companies interested in investing long-term in the business; they may favor companies that have more capital to spend over existing businesses; and, given the independent-contractor status of most, if not all, taxicab drivers, awarding a company a contract may not necessarily bring about an improvement in service.

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?*

On August 24, 2004, the City Council adopted Ordinances Nos. 69 and 70 of 2004. The ordinances were forwarded by Mayor Ross C. Anderson's Administration and were designed to clarify how each of the various kinds of ground transportation companies should operate to preserve each company's niche in the ground transportation market.ⁱⁱ The ordinances required, among other things, all ground transportation vehicle drivers in Salt Lake City to obtain a ground transportation driver's license from the City and undergo background checks. Previously, only taxicab drivers were required to obtain an operator's license and undergo the checks. The adopted ordinances were seen as tools to "level the playing field" of competition for all ground transportation businesses.

In subsequent years, organizations such as The Downtown Alliance, and a City board, the Transportation Advisory Board, recommended that any ordinance changing to a contract method of permitting taxicab companies to operate in Salt Lake City be accompanied by ordinance amendments that equalized competition among ground transportation companies.

The proposed amendments would establish a maximum age limit of five years or 300,000 miles for vehicles of all ground transportation businesses in Salt Lake City. An ordinance adopted in 2005 required only taxicab companies to meet vehicle age requirements. Proposed amendments also would eliminate allowing limousines to provide on-demand service; limit courtesy vehicles and ground transportation companies holding contracts with hotels or businesses with which they are contracted to providing on-demand service only to and from the hotel or business; and would significantly increase civil fines for violating ordinances or rules and regulations. According to the Department of Airports, enacting civil fines ranging from \$100 to \$1,000 is one way to encourage all ground transportation companies to comply with City regulations.

III. *Would the proposed amendments help:*

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

The three bullet points are the City Council’s original goals when the Council commissioned the Tennessee Transportation and Logistics Foundation in December 2004 to “evaluate ground transportation data,” and “review and evaluate City provided documents and other data including current and proposed City ordinances regulating taxicab businesses, ground transportation businesses, and special transportation businesses ...” and make recommendations for future ordinances.ⁱⁱⁱ

OTHER CONSIDERATIONS

POTENTIAL CONTRACT TERMS

As first outlined to the City Council on April 27, 2010, potential contract terms include: A contract term of three years with three one-year options to service providers; a limit of about 200 vehicles instead of the 268 vehicles currently authorized under ordinance to holders of certificates of public convenience and necessity; awarding two contracts based on the Department of Airports’ evaluation of responses to the request for proposals prepared by and issued by the department; establishing a rotation plan specifying when authorized taxicabs can serve the Salt Lake City International Airport to provide opportunities for taxicabs that cannot serve the airport on certain days to serve the rest of Salt Lake City; requiring taxicab vehicles be five years old or newer; requiring that 5 percent of taxicab fleets be accessible vehicles that meet the standards of the Americans with Disabilities Act and that a percentage of fleets consist of alternative clean fuel vehicles.

For purposes of comparison, the following is a list of goals adopted by the City Council in Resolution No. 66 of 2005 on December 8 of that year.

BE IT RESOLVED by the City Council of Salt Lake City, Utah:

That the Council does hereby give notice of its intent:

1. To change the taxicab system within Salt Lake City from a certificate of convenience and necessity system to another system to be set forth in detail in an ordinance to be enacted hereafter which system shall include the seeking of bids for contracts with the City to provide taxicab service;
2. That the aforementioned contracts be issued to two to four companies. Each of the companies would be required to operate a minimum of 50 taxicabs. In response to a City request for proposals each company would indicate the maximum number of taxicabs it would operate;
3. That the total number of taxicab permits issued by the City under all of such contracts be approximately 200;
4. That whatever additional steps may be necessary be taken, in addition to legislation already enacted, to insure that no more taxicabs operate at the airport than are appropriate to meet the needs of the traveling public and to insure that cab companies develop new markets and become more available in other parts of Salt Lake City;
5. That a “shared-ride exclusive walkup van concession at the airport” be developed, similar to that available at other U.S. airports; and

6. That City fees be revised to reflect the actual cost of City services with regard to taxicab companies, vehicles and drivers licensure and enforcement.
7. That all taxicabs in operation in the City be no older than five years from the date of manufacture.

Limiting the Number of Taxicabs in Service

People in news stories and in other discussions have questioned why a contract might limit the number of taxicabs available to 200 when the City currently authorizes 268 vehicles for the companies holding certificates of public convenience and necessity.^{iv} Questions center around two things: putting cab drivers out of work, and the seeming skewed logic of cutting the number of taxicabs when taxicabs don't seem to be available.

One answer is, first, a question. If the goal remains to enhance the opportunity for ground transportation workers to earn a reasonable income at or near national levels, is reducing the number of taxicabs a step toward that?

The question might be partially answered through actions initiated by the Director of Airports within the past couple of years. Before instituting the policies detailed below, up to 80 taxicabs would stage or wait at the airport for a customer seeking a ride. The wait times would often exceed three hours. In an effort to reduce the number of taxicabs waiting at the Salt Lake City International Airport, decrease driver wait times at the airport, and encourage excess taxicabs to serve downtown markets, the Airport Director first initiated a program separating the taxicab fleets in half, allowing each half to serve the airport every other day. When taxicab numbers still remained high, and wait times did not go down, the Airport Director limited the number of taxicabs allowed to stage on airport property to 25. This has resulted in taxicabs waiting on airport property an average of about 30 minutes for a fare, with no adverse impact to passenger wait times or services. However, the changes instituted to date still have not significantly improved taxi service in non-airport areas of the City, since taxicabs now wait in holding areas off airport property rather than serve the downtown area. These results indicate that an increase in the numbers of taxicabs would not address the existing problem.

In conjunction with a competitive bid process, the Department of Airports would award taxicab services to two companies with combined fleets totaling about 200 vehicles. The resulting contract would require or incentivize taxicab companies to serve the entire City, and not stage for long periods near the Airport. Additionally, the contract would provide that the number of taxicabs could be increased or decreased, based upon proven need. The performance and services of the companies under the contract would be monitored and enforced, in accordance with the terms of the contract.

According to the 2005 *Ground Transportation Study, Salt Lake City, Utah*, "only one" of the taxicab drivers interviewed either formally or informally for the study "suggested that there was enough business for all current taxi operators. Every other driver stated that there were just too many taxis and drivers in the taxi system for anyone to make a decent living."^v Moreover, the study said, "all three taxi firms' owners agreed that the present structure of taxis in the Salt Lake City market condemns both owners and drivers to anemic incomes. Drivers are not able to achieve sufficient revenue to make driving a cab in Salt Lake an attractive job and present taxi lease fees are unable to generate profit margins to sustain long-term business or attract capital for needed improvements."^{vi}

Generally, it appears that taxis in Salt Lake City average about eight rides per shift. Eight rides is a figure quoted in presentations to the City Council in July 2009.^{vii} Also, of 147 taxicab drivers who responded to a survey by the City Ground Transportation Office between July 24, 2009, and July 27, 2009, about 120 of the drivers indicated that they averaged 7.28 trips per day.^{viii} Salt Lake City consultant

Ray Mundy, Ph.D., indicated in July 2009 that taxicabs should average about 15 rides in a single shift for drivers to make decent wages.^{ix}

More recently, Dr. Mundy wrote the following in response to a City Council staff query:

In modern, well-run taxi dispatch systems today, we would expect to see a minimum of 6 to 7 trips per shift generated by the taxi company's computerized dispatch system. Other trips from hotel stands, personals, and some airport service at busy times would make up the rest.

This would be common for Midwestern and Western cities like Denver, Dallas, Austin, and San Antonio. Of course, this depends upon the number of taxis, length of trip, density of the service area, and aggressiveness of the taxi company. A typical medium sized city with an average fare of \$20 including tips, and a restriction on the number of taxis, might average 12 to 15 trips per day in a single shift mode or between \$250 to \$300 in gross revenue for the driver who in turn has to pay up to \$75 per day in rental fees to the taxi company and purchase gas.^x

The 2009 City survey of taxicab drivers estimated there were 307 drivers who held taxicab operators' licenses. If that is correct, the drivers would be split among the Yellow Cab Drivers Association, Ute Cab, and City Cab. The Yellow Cab Drivers Association is authorized to operate 145 taxicabs in Salt Lake City. Ute Cab is authorized to operate 78 taxicabs, and City Cab is authorized to operate 45 taxicabs.

As has been noted in previous reports and memoranda, taxicab drivers in Salt Lake City are independent contractors. According to the 2009 City's drivers' survey, about 58 percent of those who responded to the survey owned their own vehicles. It should be noted that some taxicab drivers own more than one cab, and lease the cabs to other drivers. However, vehicle ownership alone does not make them independent contractors.

According to an "acknowledgement, waiver, and release," given to City Council staff, to work as an independent contractor for one taxicab company means acknowledging that:

- o In 1982, the cab company obtained a ruling from the U.S. Department of Labor that cab drivers are not employees for the purposes of the Fair Labor Standards Act of 1938.
- o In 1989, the Utah Industrial Commission issued a declaratory order ruling that taxicab drivers were not employees of the cab company for the purposes of excluding the company from providing unemployment benefits.
- o In 1997, the Utah Industrial Commission issued a declaratory order ruling that taxicab drivers are not employees of the cab company for the purposes of excluding the company from providing workers compensation coverage.

In addition the waiver includes the following language:

"I acknowledge my self-employed, independent contractor status with the Cab Company. Except as may be required by Salt Lake City ordinance or other statutory law, or which may be reasonably required for purposes of safety or to promote the Cab Company's good name and its reputation for the prompt and courteous service to the public, the Cab Company does not have the right to direct and control the manner or means of my performance. I can set my own working hours; I am not assigned any routes; I am not required to report or work in any particular location; I have the right to operate without the service of radio dispatch from the Cab Company; I am not paid any salary or wage from the Cab Company; I do not account to the Cab Company for any collections; I am responsible for my own expenses and taxes."

In addition, taxicab operators pay a \$100 base business fee when they apply or renew their vehicle operator's license because each of them is an independent business, according to the City Business Licensing Office.

Here is a breakdown of the number of employees listed by the three taxicab companies that hold certificates of public convenience and necessity on their most recent Salt Lake City businesses licenses: City Cab – 51 employees; Ute Cab – 78 employees; Yellow Cab Drivers Association – 25 employees. It should be noted that Ute Cab also appears to operate the following three companies at its Salt Lake City business address – Murray Cab Company, South Salt Lake Cab, and West Valley City Taxicab Company.

Some also contend that population growth in Salt Lake County over the last decade argues against cutting the number of taxicabs. According to demographic statistics on Salt Lake County Redevelopment Agency website, the county population has grown from 898,387 to 1,053,258 in 2010 – a 17.2 percent increase over 10 years. It should be noted that the Yellow Cab Drivers Association operated between the year 2000 and mid-2005 with 112 authorized taxicabs. Population growth in Salt Lake County between 2005 and 2010 is 82,511 – an 8 percent increase over the 2005 level of 970,748.

A question, then, for the City Council to consider is how many taxicabs are necessary to serve the Salt Lake City market – at least as the primary market for companies?

Moreover, the 200-vehicle limit could be adjusted up or down, depending on the contracting companies' verified use of taxicab vehicles. It might be noted that the 2005 Ground Transportation study suggest using the Salt Lake City International Airport's AVI (Automated Vehicle Identification) system as the primary source for determining the total number of taxicabs to allow. According to the study using the AVI system at the airport is the most neutral and verifiable way of determining the actual use of taxicabs.

“Using the number of permits after franchising ... sets a base from which to work. ... However, with the airport's cooperation in only permitting taxicabs to pick up on a limited number of days, it is assumed that more services would be available for areas residents. While not perfect, use of airport taxi trips as the formulae generator for taxicab permits is very practical and easy to understand,” according to the study.^{xi}

It might also be noted that since the State of Utah deregulated the commercial ground transportation industry in the early 1990s the number of ground transportation companies that have obtained Salt Lake City businesses licenses has grown from about a half-dozen to more than 200.

COMPETITIVE BIDS VERSUS AWARDING CONTRACTS TO EXISTING COMPANIES

There have been suggestions in previous consideration of this issue and now that perhaps one solution would be to award contracts to the current holders of certificates of public convenience and necessity, then leave it to them to fulfill contract terms.

It should be noted that the U.S. Supreme Court has held that under the Commerce Clause of the Constitution, a local government cannot use its regulatory power to favor local businesses unless it can show it has no other neutral means to advance a legitimate local interest. It has been recommended that any process which Salt Lake City uses to regulate ground transportation companies should fairly allow any party an opportunity to respond to a request for proposals for a competitive bid to enter into a contract with the City.

GROUND TRANSPORTATION BOARD

One company has proposed that Salt Lake City “can optimize its use of both regulations and contracts by developing a board structure to regulate ground transportation.”^{xii} The company suggests that the City could create a volunteer board involving ground transportation industry members, citizens, and government participants that is charged with implementing City policy objectives and national industry standards. Under the proposal, the board could implement rules and enforce industry requirements on a day to day basis, and the City could retain its policy and oversight role and intervene to resolve problems. Ground transportation providers could agree to be bound by the board’s requirements as a part of their licensing, and other communities might be willing to help enforce board measures based on interlocal agreements.

The proposal contends that “contracts and ordinances can lead to a rigid system that does not meet the City’s objectives. Both methods can place enforcement burdens on City resources.”

It might be noted that City attempts to develop an advisory board or agreements that involve various facets of the ground transportation industry, including agreements on how to handle potential increased traffic during the 2002 Winter Olympics and an effort by the former Ground Transportation Administrator, ended without result or in disagreement. The City Council might consider first waiting to see if the ground transportation industry organizes a committee within its industry to make recommendations since it is everyone’s right to petition his or her government.

DESIGNATING THE DEPARTMENT OF AIRPORTS TO MANAGE GROUND TRANSPORTATION

It might be noted that the Department of Airports has played an integral role in managing ground transportation since the State of Utah deregulated the commercial ground transportation industry. As noted earlier, the department manages more than 200 ground transportation companies that ply their trade at Salt Lake City International Airport. The Airport also remains the largest single generator of taxicab trips in Utah. The 2005 study estimated the number of taxicab trips at 400 to 500 per day.^{xiii} With the disbanding of the Ground Transportation Administrator’s Office in July, airport personnel are the only City employees with any experience in managing ground transportation. The Department of Airports involvement in managing ground transportation away from the airport dates back to 1992 when then-Director Louis Miller was designated by Mayor Deedee Corradini to lead a committee on ways to improve taxicab and ground transportation service.

ⁱ Please see attached chronology.

ⁱⁱ City Council staff memorandum; Russell Weeks; August 6, 2004; Page 2.

ⁱⁱⁱ City Contract No. 19-1-05-1048, scope of work, paragraphs A and B, December 15, 2004.

^{iv} Please see attached draft term sheet; April 9, 2010; Page 2.

^v *Ground Transportation Study, Salt Lake City, Utah*; July 31, 2005; Page 17.

^{vi} Ibid.

^{vii} SLCTV, City Council fact-finding meeting, July 9, 2009, pertinent comments start at 1:31 minutes of the meeting.

^{viii} Salt Lake City taxicab drivers survey summary, Brent Kovac, August 4, 2009.

^{ix} SLCTV, City Council fact-finding meeting, July 9, 2009, pertinent comments start at 1:31 minutes of the meeting.

^x Electronic Mail, Ray Mundy, August 20, 2010.

^{xi} *Ground Transportation Study, Salt Lake City, Utah*; July 31, 2005, Pages 65 and 66.

^{xii} Please see attached sheet, Alternatives for Ground Transportation Regulation, Jodi Howick, April 27, 2010.

^{xiii} *Ground Transportation Study, Salt Lake City, Utah*, Page 20.

Frequently Asked Questions: Proposed Ground Transportation Ordinances

1.) Why is Salt Lake City doing this?

The proposed revisions to ordinances regulating ground transportation and taxicab businesses actually are the culmination of a process that began in 2004. The goal then was: to provide Salt Lake City residents and visitors to Salt Lake City with reliable, affordable, and consumer-friendly ground transportation and taxi service; to provide the City with enforceable ground transportation regulations; and to enhance the opportunity for ground transportation industry workers in Salt Lake City to earn a reasonable income at or near national averages.

2.) You say this process started in 2004. Why has it taken so long?

The City Council and two administrations have moved carefully to toward changing ordinances regulating ground transportation and taxicab businesses.

Since 2004 the issue of amending the ordinances has been the subject of eight City Council briefings in work sessions, six City Council subcommittee meetings, four public hearings, four surveys – an electronic survey, a telephone survey, a survey of taxicab drivers at the Salt Lake City International Airport, and a mailing to 250 ground transportation businesses and hotel and motel managers – four meetings of the Salt Lake City Transportation Advisory Board, three meetings of The Downtown Alliance Parking and Transportation Committee, three City Council fact-finding discussions, two presentations to the Salt Lake City Airport Board, one presentation to the Salt Lake City Accessibility Services Advisory Council, and one study commissioned by the Salt Lake City Council.

Some ground transportation companies have taken issue with parts of the proposed amendments and may take issue with the proposed revisions. Some taxicab companies that hold certificates of public convenience and necessity may not be successful in securing a contract if the City Council adopts the proposed revisions.

So, no one has taken lightly the way taxicab companies and ground transportation companies may be affected by the change.

3.) Why would Salt Lake City change ground transportation ordinances now, particularly during a down economy?

Again, the primary goal is to create better, safer ground transportation services within Salt Lake City that also serves the City's disabled community at a high standard. The City also has seen a rapid increase in the number of ground transportation companies operating within its boundaries. Streamlining existing ordinances will allow the City more flexibility to react to industry and market conditions and lessen the level of government in companies' operations.

4.) Isn't this really about taxicab service in Salt Lake City? Why doesn't the City deal with that industry first and leave the rest of the ground transportation sector alone?

Ground transportation includes taxicab service. Although three taxicab businesses in Salt Lake City operate under certificates of public convenience and necessity granted by the City, they are part of an

interconnected web of ground transportation services. Many existing ground transportation companies fill market niches that taxicabs do not, and taxicabs often provide services that other ground transportation companies do not. It makes sense to address ground transportation as a whole instead of tinker with its component parts. In addition, two boards – The Downtown Alliance board of directors and the Salt Lake City Transportation Advisory Board – have recommended that any change to the specific ordinance regulating the taxicab industry be accompanied by changes that would “level the playing field” among all ground transportation companies.

5.) Taxicab companies have operated for years under certificates of public convenience and necessity. Why should that change?

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). However, 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 reaching the same goal.

Certificates of public convenience and necessity have their drawbacks. Under Salt Lake City’s structure, to get a rate increase the taxicab companies that hold the certificates must petition the City for the increase, present evidence to a hearing officer to justify the need for the increase, receive a positive recommendation from the hearing officer, have the City Attorney’s Office prepare an ordinance amendment to raise the rates, have the City Council briefed on the proposed rate increase, have the City Council hold a public hearing on the proposed rate increase, and wait for the City Council’s decision.

Similarly, a company that wants to operate a taxicab service in Salt Lake City must prove to a hearing officer at a hearing that there is a public need to increase the number of taxicabs in the City. Like a rate increase, the prospective company must present evidence showing the need for the company’s services. Companies that already hold the certificates can present evidence to the contrary. There hasn’t been new taxicab company in Salt Lake City in several decades under the current structure – possibly one reason why other ground transportation companies, such as limousine and shuttle services, have proliferated.

Given that, and the continued goal to improve ground transportation service in the City, the City Council in 2005 opted to change the current ordinance to end certificates of public convenience and necessity to have the City periodically seek competitive bids for taxicab service. Adoption of a portion of the proposed amendments to City Code Chapter 5.72 would allow the City to issue a request for competitive bids. The goal is to give companies – including the current holders of the existing certificates of public convenience and necessity – the opportunity to show City officials how they would operate taxicab service if they received a contract.

6.) How would other holders of certificates of public convenience and necessity be affected?

If the City Council adopts the proposed amendments to eliminate certificates of public convenience and necessity for taxicab companies, other holders regulated by different ordinances – special transportation vehicles for people with disabilities (City Code Chapter 5.76) and horse-drawn

carriages (City Code Chapter 5.37) would continue to operate under certificates of public convenience and necessity.

7.) How is reducing the number of taxicabs going to improve services?

Taxicab service is not about having an excess of taxicabs waiting for rides, it is about maximizing their use and availability to the public. Too many taxicabs result in low driver wages and vehicles not being maintained to as high a level as the City and the public expect.

Over the past couple of years, the Department of Airports has reduced the numbers of taxicabs that wait at Salt Lake City International Airport in an effort to force taxicab service to the public and to downtown markets. There was a time that up to eighty taxicabs would “stage” or wait empty at the airport to pick up customers after airplanes had landed. These wait times would often exceed three hours. In response, the department initiated a program separating the taxicab fleets in half, allowing each half to service the airport every other day. When the numbers still remained high and the wait times did not go down, the department limited the number of taxicabs allowed to stage on airport property to twenty-five. This has resulted in taxicabs waiting an average of closer to thirty minutes for a fare. From a business perspective, this should equate into the drivers making more money and forcing the remaining taxicabs to compete for customers downtown and, hence, better service and response times for Salt Lake City residents. However, instead of doing that, many drivers now park on streets and in areas owned or leased by taxicab companies near the airport. The number of taxicabs available for Salt Lake City residents is further reduced due to the number of taxicabs that spend most of their time marketing services outside of the City. These practices indicate that the current authorized number of 268 taxicabs is not warranted at this time.

If the City Council adopts a contract method of regulating taxicab businesses, the Department of Airports would bid the services to two companies with combined fleets totaling two hundred vehicles. The contracts would give the department the ability to add or reduce the total number based upon proven need. Further, the performance and services of these companies would be monitored so as to meet the contractual guidelines. These companies will be expected to provide services for the entire City and penalized if they do not.

8.) Why would the Department of Airports administer a taxicab contract for the City?

The majority of taxicab business is associated with the Salt Lake City International Airport, and without it the taxicab industry would not survive. Because of this, the airport is the most central point for all ground transportation and provides the best location for monitoring the vehicles that serve the City. In addition, the Department of Airports currently administers hundreds of contracts and is best suited and educated to bid, award and administer a contract like taxicab service. It is also common practice for airports throughout the nation to contract taxicab service.

9.) Why put a five year age limit on ground transportation vehicle?

The vehicle age restriction is to provide the public (local and visitors) an assurance that they will be provided transportation in a vehicle that is modern and represents the standards that Salt Lake City wishes to present as a destination City. Included in the restrictions is a maximum mileage of 300,000 miles. This mileage restriction will help to assure that the vehicles’ basic safety and performance are to

standard for transportation vehicles. The City also will not allow vehicles that have a branded title (also known as salvage vehicles) to be used as a ground transportation vehicle. In the past vehicles that have been “totaled” or flood damaged, or even caught on fire have been repaired, given a “coat of paint” and put to use. City personnel do not believe that this is a safe practice.

For those who say they cannot afford to buy all new vehicles, the City agrees. The proposed ordinances call for phasing in the five-year restriction, requiring 75% of a fleet to be compliant within one year and 100% compliant within two years. Also, the vehicles do not have to be “new,” they can be anywhere within the five-year range. As an example, this will allow a company to purchase a two-year old vehicle at substantial savings, with say... 30,000 – 50,000 miles on it and drive it for an additional three years and 250,000, or 80,000 miles per year before having to replace it.

10.) Why would the civil fines range between \$100 and \$1,000?

Ground transportation is a business and a lucrative one. The City’s goal is to make companies responsible for managing their fleets and employees. As an example, if a company operates a van transporting passengers from the Airport to Park City and charges \$40 per person, averaging only four persons per trip, they are grossing \$160.00 per trip. Under current ordinance, if that company operates a vehicle without the proper insurance, the fine is only \$60.00 and if they pay the fine within ten days, it is reduced to \$40.00. The current penalties do not deter non-compliance by companies or drivers.

This example is part of the problem the industry is facing. Too often the City receives complaints from companies that “play by the rules,” questioning why they should follow the rules when it would be more profitable to risk violations. These are the companies the City wishes to protect, by penalizing non-compliant companies with meaningful fines that are a true deterrent to violating regulations.

11.) It appears that the proposed ordinances would change vehicle inspection requirements.

Yes, the Department of Airports believes that once a vehicle has proven to have met established standards through inspection, it is up to the company to maintain the vehicle to those standards. Currently all ground transportation vehicles must undergo a vehicle inspection every six months. This is time consuming and cumbersome for companies and drivers and requires the use of personnel that would better serve the City by performing “spot inspections” of vehicles, making sure that the vehicle is within compliance and that the drivers of these vehicles are complying to the required dress and badging requirements. These spot inspections will provide a true look at the vehicle and operator. The current inspections allow companies that allow their vehicles to deteriorate between inspections to “fix up” and “dress up” their vehicles to meet standards before bringing them for inspection.

12.) Why does the City regulate taxi cabs and other transportation services at all?

There are few cities in the United States that have found success with completely deregulating ground transportation businesses. Salt Lake City largely regulates taxi service because the State of Utah no longer does, and the City views it as a beneficial service provided for the public. All government has a duty to protect the public health and welfare.

Issues that are considered in the evaluation of the degree to which the taxicab industry should be regulated include:

- Because taxi service is usually ‘on demand’ passengers do not have the opportunity to “shop around” to predetermine the price that will be charged, whether the vehicle is safe, whether the operator of the vehicle is trained, and whether the vehicle is insured.
- Passengers are in a vehicle alone or in a small group with a driver. The safety of the passengers is enhanced by City regulation of who can drive a ground transportation vehicle. In addition to a criminal background check there is a level of accountability on an on-going basis.
- If vehicles are operated without insurance and there is an accident, the passenger’s medical expenses and damages could not be properly addressed.

13.) Why is the taxi industry “protected” by government from market competition?

- It is in the public’s interest to have transportation services available 24 hours per day throughout the City. If there is no profit in the industry and a low demand for services at night, market forces may lead to the taxi service being limited in its hours. One example is that if taxi service would were not available to get non-life threatening emergency patients to the hospital, it would create a further drain on emergency resources.
- In many cases low income individuals rely upon taxi service when mass transit is not available, or when they need to carry groceries, or get to the doctor. These trips are not necessarily profitable for the industry and may not be a priority for an industry governed only by market forces.
- If there are not at least some regulations in place to assure the taxi business that it has a reasonable opportunity to be profitable, companies cannot be expected to provide the 24 hour service that is necessary for the public good.

14.) Why can’t I hail a taxicab in the City?

The simple answer is that you can! There is nothing that prohibits this and in fact, the City Council addressed this problem in 1999, when it repealed the restriction on “cruising” and required a top light on all taxicabs so that persons hailing a taxicab would know if it was available if the top light was lit. The proposed ordinance amendments make clear that a taxicab in service must pick up a hailed ride.

M E M O R A N D U M

DATE: July 21, 2010
TO: City Council Members
FROM: Russell Weeks
RE: Chronology: Ground Transportation and Taxicab Regulation 1999 to Present
CC: Cindy Gust-Jenson, David Everitt, Frank Gray, Gordon Hoskins, Maureen Riley, Ed Rutan, Randy Berg, Jennifer Bruno, Larry Bowers, John Buckner, Quin Card, Kay Christensen, Barbara Gann, Karen Hale, Lisa Harrison-Smith, Dave Korzep, Marco Kunz, Ray Mundy, Jason Mathis, Bianca Shreeve, Carla Weise

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

December 8, 2005 – After public hearing, City Council adopts *Resolution No. 66 of 2005* and *Ordinance No. 87 2005*. The ordinance begins transition of regulating the taxicab industry from a method of certificates of public convenience and necessity to a contract form of regulation. The resolution outlines the City Council’s reasons for adopting the ordinance. The ordinance declares that certificates of public convenience and necessity are neither franchises nor irrevocable. The ordinance says, “... all such certificates issued under this Chapter shall expire at the same time that the certificate holder’s current business license expires, which shall be no later than January 31, 2006. Future certificates of convenience and necessity under this Chapter will be issued only on a renewal basis to existing certificate holders upon submission of an acceptable renewal application, and shall remain subject to termination.”

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

DRAFT TERM SHEET

**ON-DEMAND TAXICAB SERVICES AT
SALT LAKE CITY INTERNATIONAL AIRPORT**

The Salt Lake City Department of Airports proposes to enter into semi-exclusive concession agreements with two taxicab companies. Only these taxicab companies (concessionaires) would be allowed to provide on-demand taxicab service at the Airport. In return for this semi-exclusive business opportunity, these two taxicab concessionaires would be required to pay certain fees and provide services in accord with standards established by the Department of Airports, including providing high quality taxicab service throughout the City as well as at the Airport. No other company will be allowed to provide on-demand taxicab service within the City.

The following “term sheet” presents key aspects of the terms of the proposed concession contract between the selected taxicab concessionaires and the Department of Airports.

Term	<ul style="list-style-type: none"> • Three years with three, one-year options. The length of term is to be confirmed after further evaluation of the capital investment each taxicab concessionaire will be expected to make in new vehicles, a computerized dispatching system and other equipment, and improved marketing of their services.
Responsibilities of the City	<ul style="list-style-type: none"> • Establishing standards and procedures for the licensing of taxicab companies and the permitting of vehicles and drivers • Provide the legal definition of a taxicab vehicle and driver • Establish taxicab meter rates and adjust these rates from time to time • Issue taxicab drivers permits and conduct background checks on new applicants. This may be conducted by Department of Airports staff on behalf of the City.

<p>Responsibilities of the City <i>(concluded)</i></p>	<ul style="list-style-type: none"> • Reimburse the Department of Airports for the costs it incurs in permitting and inspecting all taxicab vehicles, issuing licenses to all taxicab drivers, and associated administrative and enforcement expenses. The method for determining the amount to be reimbursed to the Department of Airports is to be determined.
<p>Responsibilities of the Department of Airports</p>	<ul style="list-style-type: none"> • Place a “cap” on the number of permitted taxicab vehicles. Tentatively, it is proposed that the Department of Airports would permit up to 200 taxicab vehicles, and that only these vehicles would be allowed to serve the Airport and the City. The number of permitted vehicles is to be reviewed on an annual basis to assure that there are an adequate number of taxicab vehicles available to serve customers at the Airport, and throughout the City, and to achieve other goals of the City including consideration for the economic welfare of taxi drivers. • Allocate the number of authorized taxicab permits between the two taxicab concessionaires based on the proposed minimum annual guarantee amounts submitted with their proposals (described below), or other method to be established by the Department of Airports. On an annual basis, re-allocate the number of authorized taxicab permits between the two concessionaires to reflect the quality of taxicab service provided by each concessionaire as evidenced by mystery shopper surveys, customer complements and complaints, and other metrics to be established by the Department of Airports. • Establish a limit on the number of taxicabs allowed to wait for on-demand customers in the Airport Hold Lot (or elsewhere on Airport-owned property). • Using a competitive solicitation process, award two concession contracts based upon the Department of Airports’ evaluation of the responses to a Request for Proposal (RFP), which is to be prepared and issued by the Department of Airports.

<p>Responsibilities of the Department of Airports <i>(concluded)</i></p>	<ul style="list-style-type: none"> • Establish a rotation plan specifying when authorized taxicabs can serve the Airport. The specifics of the rotation plan are yet to be decided but the plan will specify which days each taxicab concessionaire or vehicle can serve the Airport. It is expected that the vehicles will serve other parts of the City on their “non-Airport” days. • Establish the amount of the activity-based fee to be paid each month by the taxicab concessionaires. Tentatively, it is suggested that this fee would be calculated as a fee per deplaned airline passenger, with each concessionaire paying fees that reflect the percentage of the total number of authorized taxicab permits they are awarded. • Present in the RFP the amount of the fee per deplaned passenger and the volume of deplaned airline passenger at the Airport for the past five years. • Monitor vehicles, drivers, and starters to assure taxicab service is provided in compliance with the standards set forth in Airport rules and regulations which may be modified from time to time.
<p>Responsibilities of the Taxicab Concessionaires</p>	<ul style="list-style-type: none"> • Pay fees as required by their concession contract, which may include a minimum annual guarantee amount, or activity-based fees, or whichever is greater. • Assure that high quality taxicab service is provided at the Airport and elsewhere in the City in accordance with their proposal (which will be incorporated into their contract) • Provide 24-hour computerized dispatching • On a regular basis, provide for the Department of Airports’ to review and inspect documentation based on the computerized dispatching system, indicating the number of non-Airport dispatches made by the concessionaire.

<p>Responsibilities of the Taxicab Concessionaires <i>(concluded)</i></p>	<ul style="list-style-type: none"> • Assure that at least five (5) percent of their vehicles are capable of transporting disabled passengers (i.e., ADA-equipped) and available for service in the City and at the Airport, and that drivers operating these vehicles have been properly trained in accommodating and transporting disabled passengers • Assure that at least ten (10) percent of their vehicles are alternative clean fuel vehicles • Equally share in the costs of providing “starters” at the Airport curbside using either (1) a consortium formed with the two taxicab concessionaires, or (2) a third-party contractor acceptable to the Airport • Assure that all company employees, contractors, and representatives, including the drivers and curbside taxicab starters, comply with the standards, regulations and procedures established by the Department of Airports • Provide for random drug and alcohol testing/screening of their drivers • Provide for mystery shopping service, to be directed by the Department of Airports
<p>Vehicle Standards</p>	<ul style="list-style-type: none"> • Taxicabs operated by the concessionaire shall not be more than five years old, with the age of a vehicle defined by its model year, regardless of when the vehicle was actually manufactured. • All vehicles must be equipped with computerized dispatching equipment with GPS capability, and capable of securely processing payment by major credit cards • Additional standards concerning vehicle appearance and maintenance to be developed

Driver Standards	<ul style="list-style-type: none"> • Driver's appearance • Customer service and communication skills • Knowledge of major local destinations or landmarks • Addition standards concerning driver appearance and behavior to be developed
Information to be Provided by Prospective Taxicab Companies in their Response to the RFP	<ul style="list-style-type: none"> • A proposed minimum annual guarantee amount. The taxicab concession is to awarded to the companies based on the Department of Airports' evaluation of their proposal and their proposed minimum annual guarantee <p>All proposers must submit:</p> <ul style="list-style-type: none"> • A plan to assure that high-quality service is provided throughout the City and at the Airport on a 24/7 basis • A plan to assure that consideration is made for the economic welfare of taxi drivers • A plan for vehicle acquisition that assures compliance with new standards • A plan for marketing and sales of taxicab service to non-Airport customers • A plan for training drivers on a regular basis in customer service, communications with customers, knowledge of major local destinations and landmarks, Airport rules and regulations, and other skills • A plan for providing transportation of disabled passengers and their baggage

<p>Potential changes in City taxicab ordinance</p>	<ul style="list-style-type: none"> • Allow for a late night surcharge • Direct the Department of Airports to conduct safety inspections of taxicab vehicles. The City would be responsible for conducting safety inspections of all other commercial ground transportation vehicles, if it wishes to continue to do so.
<p>Other topics</p>	<ul style="list-style-type: none"> • Use of existing inspection facilities (TBD) • Schedule for implementation (TBD) • Method for calculating and determining the fees to be paid by the City to the Department of Airports for administering, enforcing, permitting and licensing of taxicab service. • Provision and enforcement of taxicab stands (size to be determined) to be located near popular hotels, the Convention Center, and other venues attracting potential taxicab customers within the City. These stands are intended to enhance the ability of drivers to serve customers in the City on the days they are not allowed to serve the Airport. • Each successful concessionaire will be required to disclose, on a quarterly basis, the number and location of non-Airport taxicab dispatches their drivers served during the prior three months. This information is to be used by the Department of Airports in the planning and evaluation of City-wide taxicab service (TBD)

Alternatives for Ground Transportation Regulation

City Objectives. The City has focused on a number of objectives over time when regulating ground transportation, such as increasing transportation options for the public, making those options clean and safe, requiring appropriate fares, enhancing service levels through technology and other means, promoting appropriate management by companies offering the services, and reducing the City's costs to oversee ground transportation.

City Methods. In the past the City has implemented its objectives through City ordinances, and it is currently looking at a contract-based approach. However, both contracts and ordinances can lead to a rigid system that does not meet the City's objectives. Both methods can place enforcement burdens on City resources. Both may focus the industry on fixed City requirements rather than on finding efficient ways to meet changing public demands. Both can create a contentious environment as the City seeks to impose standards and the industry believes those standards to be unworkable or outdated. Both approaches can also lead to gaps in enforcement that undermine the City's objectives since these methods focus on activity within the City's boundaries, but ground transportation operates beyond those boundaries.

Alternative Measures. Other communities have adopted various board structures to oversee ground transportation in an effort to enhance regulatory objectives and minimize regulatory limitations. For example, in Portland, Oregon a city division works with an advisory board composed of ground transportation, public, and government representatives. The board recommends policy to the city council and has specific authority to approve administrative rules and take other actions. Standing committees for drivers and companies help the board with its duties.¹ In San Francisco, a board oversees taxicabs as part of a municipal transportation agency that provides for government and public input.² In Washington D.C., an independent board creates and enforces rules.³

Proposal. The City can optimize its use of both regulations and contracts by developing a board structure to regulate ground transportation. For example, the City could create a volunteer board involving industry, citizen, and government participants that is charged with implementing City policy objectives and national industry standards (such as those available through the TLPA).⁴ The board could implement rules and enforce industry requirements on a day to day basis, and the City could retain its policy and oversight role and intervene to resolve problems. Ground transportation providers could agree to be bound by the board's requirements as a part of their licensing, and other communities might be willing to help enforce board measures based on interlocal agreements. This structure would preserve the City's interests in setting policy and enforcing standards while also reducing City costs, enhancing flexibility to address service needs, and providing for industry self-management with the benefit of public input.

¹ See Portland City Code Chapter 16.40

http://www.portlandonline.com/auditor/index.cfm?c=28593#cid_254370

² See <http://www.sfmta.com/cms/cmta/mtaindx.htm>

³ See <http://www.dctaxi.dc.gov/dctaxi/site/default.asp>

⁴ See the Taxicab, Limousine, and Paratransit Association's standards at <http://tlpa.org/>

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</u> <u>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>-</u>	-	-	<u>\$ 60 .00-</u>	-
<u>ARTICLE II</u> <u>DRIVERS</u> <u>STANDARDS</u> <u>-</u>	<u>Second offense</u> <u>-</u>	-	-	-	<u>80 .00-</u>	-
<u>5.71.070-</u>	<u>\$100.00</u> <u>Third</u> <u>or additional</u> <u>offense-</u>	<u>Driver's</u> <u>appeara</u> <u>nce-</u>	-	-	<u>100 .00-</u>	-
<u>5.71.080-</u>	<u>\$300.00</u>	<u>Driver's conduct</u>				
<u>5.71.090</u> <u>Driver conduct:-</u>		<u>\$300.00-</u>	<u>Unauthorized</u> <u>solicitation of</u>	-	<u>A,B,C,D,E,F,G,I-</u>	

			<u>business5.71.1</u> <u>30-</u>			
<u>ARTICLE III</u> <u>SMOKING-</u>	<u>First offense-</u>	-	-	-	<u>\$-60.00-</u>	-
<u>5.71.100-</u>	<u>\$300.00Second</u> <u>offense-</u>	<u>Smoking</u> <u>in</u> <u>vehicles-</u>	-	-	<u>80.00-</u>	-
<u>ARTICLE IV</u> <u>VEHICLE</u> <u>STANDARDS</u> -	<u>Third or</u> <u>additional</u> <u>offense-</u>	-	-	-	<u>100.00-</u>	-
<u>5.71.120-</u>	<u>\$500.00</u>	<u>Vehicle age</u>				
<u>5.71.130Article</u> <u>III. Smoking-</u>	<u>\$1000.00</u>	<u>Misleading design prohibited</u>				
<u>ARTICLE V</u> <u>INSURANCE</u> <u>AND</u> <u>INSPECTIONS-</u>						
<u>5.71.140Smoking:-</u>		<u>\$1000.00</u> -	<u>Insurance</u> <u>required5.71.1</u> <u>40-</u>	-	-	
<u>5.71.150</u> <u>(A,B,C)-</u>	<u>\$1000.00First</u> <u>offense-</u>	<u>Vehicle</u> <u>inspectio</u> <u>n and</u> <u>Seal</u> <u>required-</u>	-	-	<u>\$-60.00-</u>	-
<u>5.71.150 (D)-</u>	<u>\$500.00Second</u> <u>offense-</u>	<u>Automat</u> <u>ed</u> <u>Vehicle</u> <u>Identifica</u> <u>tion Tag</u>	-	-	<u>80.00-</u>	-

		<u>required-</u>				
<u>5.71.150 (F)-</u>	<u>\$500.00</u> <u>Third offense-</u>	<u>Failure to maintain vehicle inspection standard-</u>	-	-	<u>100.00-</u>	-
<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 (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 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

CITY RECORDER

APPROVED AS TO FORM
Salt Lake City Attorney's Office

Date 8/27/2010

By 

(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: TAXIMETER5.72.345: REQUIRED FOR OPERATION; EXCEPTION:

A. All Taxicabs shall be equipped with Taximeters approved by the Department taxicabs operated under the authority of this chapter, except as specified below, shall be

~~equipped with taximeters which shall conform to the specifications set forth in this chapter and such others as may be adopted from time to time by the mayor.~~

B. It is ~~a violation~~unlawful for any ~~Person~~person to operate or to allow to be operated any ~~Taxicab~~ without an taxicab without such taximeter, with the exception that any taxicab performing car pool services under section 5.72.520 of this chapter, or its successor, need not have such taximeter operative Taximeter during such trip, and any taxicab used exclusively as a car pool vehicle. (Ord. 24-99 § 6, 1999)

~~C. All Taximeters~~**5.72.347: TAXIMETER; METHOD OF PROGRAMMING RATES, FARES:**

~~No meter shall be mounted in locations approved or adopted by the Department.~~city which has rates, fares, or calibrations which are not properly sealed to prevent tampering. (Ord. 24-99 § 6, 1999)

~~D. All Taximeters shall be tested and sealed by the Department every six months and no Taximeter may be used without such seal being in place.~~

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

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

~~G. _____~~

5.72.350: FARES; METHOD OF CALCULATION:

~~Taximeters shall calculate the fares upon the basis of a combination of mileage traveled and time elapsed. When the taximeter is operative with respect to fare registration, the fare registration mechanism shall be actuated by the mileage mechanism and the fare registering mechanism shall be actuated by the time mechanism whenever the taxicab~~

~~is not in motion. Means shall be provided for the driver of the taxicab to maintain the clock mechanism either operative or inoperative with respect to the fare registering mechanism. (Ord. 24-99 § 6, 1999)~~

~~**5.72.355: OPERATION TO BE INDICATED:**~~

~~It shall be shown on the taximeter's face whether the mechanism is set to be operative or inoperative, and, if operative, the character of fare registration for which it is set. While the taximeter is cleared, the indication "not registering" or an equivalent expression shall appear. If a taximeter is set to be operative, the indication "registering" or equivalent expression shall appear. (Ord. 24-99 § 6, 1999)~~

~~**5.72.360: ACCUMULATED FARE TO BE SHOWN:**~~

~~The fare indication shall be identified by the word "fare" or by an equivalent expression. Values shall be defined by suitable words or monetary signs. (Ord. 24-99 § 6, 1999)~~

~~**5.72.365: VISIBILITY OF INDICATIONS:**~~

~~Indications of fare and extras shall never be obscured or covered except when a taximeter is cleared. No decals, stickers or other material may be placed on the face of the taximeter. (Ord. 24-99 § 6, 1999)~~

~~**5.72.370: PROTECTION OF INDICATIONS:**~~

~~Indications shall be displayed through an entirely protected glass or plastic face securely attached to the metal housing of the taximeter. (Ord. 24-99 § 6, 1999)~~

~~**5.72.375: FLAG AND LEVER ARM REQUIREMENTS:**~~

~~(Rep. by Ord. 24-99 § 5, 1999)~~

5.72.378: TOP LIGHT REQUIREMENT:

~~A top light shall be installed on every licensed taxicab. The top light shall be illuminated when said taxicab is available for hire and shall not be illuminated when the taximeter is placed into hire. (Ord. 24-99 § 6, 1999)~~

5.72.380: COMPLETION OF SERVICE:

Upon the completion of the service by the Taxicab, taxicab, it shall be the duty offer the driver to call the attention of the passenger to the amount registered and to clear the Taximeter of all Fare indications so as to start at \$0 upon the next Fare, and to clear the taximeter to the nonregistering position and its dials cleared. Upon completion of each fare, the driver shall give the passenger a printed receipt as required by section 5.72.475 of this chapter, or its successor. (Ord. 24-99 § 6, 1999)

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

I. It is a violation for any driver of a Taxicab or Taxicab Business to charge any Extra that is not approved by the Department, calculated by the Taximeter, and which is not applicable to the current Fare.

J. A top light shall be installed on every licensed Taxicab. The top light

5.72.385: PLACEMENT OF METER IN CAB:

~~When mounted upon a taxicab, a taximeter shall be so placed that its face is in plain view of any passenger seated on the rear seat of the cab. (Ord. 24-99 § 6, 1999)~~

5.72.390: ILLUMINATION:

~~The face of the taximeter shall be artificially illuminated when said Taxicab is available for Hire and after sundown so that it is clearly visible to rear seat passengers. (Ord. 24-99 § 6, 1999)~~

5.72.395: SEALING OF METERS REQUIRED:

~~A. Every taximeter shall not be illuminated when have adequate provisions for the affixing of a lead and wire seal so that no adjustments, alterations or replacements affecting in any way the Taximeter indications, rates or accuracy of the taximeter can be made without mutilating such seal. The seal shall be affixed by the department or the city license office, as hereinafter provided.~~

~~B. It is unlawful for any person to operate any taxicab at any time with the license office's seal of the taximeter broken, mutilated or removed, and any taxicab having a broken, mutilated or removed seal must be inspected by the department or the license office, and a new seal affixed by the office. (Ord. 24-99 § 6, 1999)~~

5.72.400: INSPECTIONS; AUTHORIZED WHEN:

~~All taximeters shall be subject to inspection from time to time by the department and/or the license office of the city. (Ord. 24-99 § 6, 1999)~~

5.72.405: SIX MONTH INSPECTIONS:

~~A. It shall be the duty of the department or the license office to inspect, test and seal with a city seal every taximeter at least once every six (6) months. This inspection shall coincide with the airport and/or the license office inspection required under section 5.71.180 of this title, or its successor.~~

~~B. It is further required that the semiannual meter checks shall be required for every taxicab in which a meter is installed, irrespective of whether or not that particular taxicab is placed into Hire in operation at the time of such inspections. When any department or license office seal has been broken, mutilated or removed, the holder~~

~~shall contact the department or the license office and make arrangements for the replacement of such seal. It is unlawful for any driver of a taxicab or any other person to operate a taximeter in a taxicab unless said meter has been inspected and certified to be operating accurately by the department or the license department for that specific taxicab. (Ord. 24-99 § 6, 1999)~~

5.72.355: TAXIMETER~~**5.72.415: SEALING AFTER INSPECTION:**~~

~~Such taximeters shall be sealed at all points and connections which, if manipulated, would affect their correct reading and recording. (Ord. 24-99 § 6, 1999)~~

5.72.420: INSPECTIONS; RECORD KEEPING:

A. The Department

~~The department and/or the license office shall keep a record of the identification of every Taxicab~~taxicab~~ meter number and date of inspection thereof in its office. (Ord. 24-99 § 6, 1999)~~

~~B. The Department shall inspect, test and seal every operational Taximeter at least every six months. Additionally, the Department may inspect and test any Taximeter upon receipt of a complaint regarding the operations or accuracy of a Taximeter.~~

C. _____

5.72.425: INSPECTION UPON COMPLAINT:

~~It shall be the duty of the department or the license office to make an immediate inspection of any taximeter when complaint is received that the taximeter is registering incorrectly or not in accordance with the rate posted in the taxicab and set forth in this chapter. (Ord. 24-99 § 6, 1999)~~

~~5.72.430: CHANGE IN RATES; IMMEDIATE INSPECTION:~~

In the event a change in rates is made, the ~~Taximeter~~taximeter shall be adjusted to the new rates, and the ~~Taximeter~~taximeter of every ~~Taxicab~~taxicab in which a meter has been installed shall be immediately inspected, tested and sealed by the ~~Department~~.department or the license office. A fee as set by the Department Director to recover costs of the meter inspection shall ~~of five dollars (\$5.00) will~~ be charged by the ~~Department~~department or the license office for each meter reprogrammed and sealed. ~~(Ord. 24-99 § 6, 1999)~~

D.

~~5.72.435: ERROR IN REGISTRATION; REMOVAL FROM SERVICE:~~

No ~~Taximeter~~taximeter which is inaccurate in registration in excess of one and one-half percent (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: ~~Rulesall 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 successors~~its successor~~ shall apply to the Salt Lake City International Airport. The Department Director may enter into contracts~~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 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.

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