

SEATTLE CITY COUNCIL

600 Fourth Ave. 2nd Floor
Seattle, WA 98104



Journal of the Proceedings of the Seattle City Council

Tuesday, December 12, 2023

2:00 PM

Council Chamber, City Hall

600 4th Avenue

Seattle, WA 98104

City Council

Debora Juarez, Council President

Lisa Herbold, Member

Andrew J. Lewis, Member

Tammy J. Morales, Member

Teresa Mosqueda, Member

Sara Nelson, Member

Alex Pedersen, Member

Kshama Sawant, Member

Dan Strauss, Member

Chair Info: 206-684-8805; Debora.Juarez@seattle.gov

A. CALL TO ORDER

The City Council of The City of Seattle met in the Council Chamber in City Hall in Seattle, Washington, on December 12, 2023, pursuant to the provisions of the City Charter. The meeting was called to order at 2:02 p.m., with Council President Juarez presiding.

B. ROLL CALL

Present: 8 - Juarez, Herbold, Lewis, Morales, Mosqueda, Nelson, Pedersen, Strauss

Absent: 1 - Sawant

C. PRESENTATIONS

There were none.

D. PUBLIC COMMENT

The following individuals addressed the Council:

Travis Rosenthal
Rich Voget
Nicole Grant
Michael Gaul
Alice Lockhart
Joshua Welter
Keith Weir
Heidi Morisset
Charlie Anthe
Howard Gale
Joelle Robinson
Steve Hooper
Barbara Phinney
Jess Wallach
Kimberly Huntress Inskeer
Megan Kruse
Todd Carden
Sarah Morningstar
Paul Osher
Wendy Krukauer
Amin Shifow
Gurcharan Dhallwal
Marta Lema
Amara Schermerhorn
Cecelia Black
Tanisha Sepulveda
Anna Zivarts
Katie Garrow
Dawit Tesfaye
Eric Alistair
Alistair Jackson
Dylan Plummer
Kirk Robbins
Jasmine Chiu
Sabrina Bolieu
Jonathan Heller
Colleen McAleer
Rachel Killer
Sam Hem
Brittany Brost
Dylan Young

Christina Ellis
Kurt Winner
David Haines
Kibru Sirna
Margaret McCauley
Ruth Sawyer
Brian DeHart

E. ADOPTION OF INTRODUCTION AND REFERRAL CALENDAR:

[IRC 416](#)

December 12, 2023

ACTION 1:

Motion was made and duly seconded to adopt the proposed Introduction and Referral Calendar.

ACTION 2:

Motion was made by Councilmember Herbold, duly seconded and carried, to amend the proposed Introduction and Referral Calendar by introducing Resolution 32122, and by referring it to the City Council for adoption at today's meeting.

Resolution 32122, A RESOLUTION calling upon the National Highway Traffic Safety Administration to issue a recall of Kia and Hyundai models lacking immobilizer technology that are vulnerable to theft.

ACTION 3:

Motion was made by Councilmember Lewis, duly seconded and carried, to amend the proposed Introduction and Referral Calendar by introducing Appointment 02749, and by referring it to the City Council for confirmation at today's meeting.

Appointment 02749, Appointment of Simha Reddy as member, King County Regional Homelessness Authority Implementation Board, for a term to July 15, 2026.

ACTION 4:

Motion was made and duly seconded to adopt the proposed Introduction and Referral Calendar as amended.

The Motion carried, and the Introduction & Referral Calendar (IRC) was adopted as amended by the following vote:

In Favor: 8 - Juarez, Herbold, Lewis, Morales, Mosqueda, Nelson, Pedersen, Strauss

Opposed: None

F. APPROVAL OF THE AGENDA

Motion was made, duly seconded and carried, to adopt the proposed Agenda.

G. APPROVAL OF CONSENT CALENDAR

Motion was made, duly seconded and carried, to adopt the Consent Calendar.

Journal:

1. [Min 450](#) December 5, 2023

The item was adopted on the Consent Calendar by the following vote, and the President signed the Minutes:

In Favor: 8 - Juarez, Herbold, Lewis, Morales, Mosqueda, Nelson, Pedersen, Strauss

Opposed: None

Bills:

2. [CB 120732](#) **AN ORDINANCE appropriating money to pay certain claims for the week of November 27, 2023 through December 1, 2023 and ordering the payment thereof; and ratifying and confirming certain prior acts.**

The item was passed on the Consent Calendar by the following vote, and the President signed the Council Bill:

In Favor: 8 - Juarez, Herbold, Lewis, Morales, Mosqueda, Nelson, Pedersen, Strauss

Opposed: None

TRANSPORTATION AND SEATTLE PUBLIC UTILITIES COMMITTEE:

3. [CB 120721](#) **AN ORDINANCE accepting various deeds and easements relating to the State Route 99 Alaskan Way Viaduct and Seawall Replacement Program; laying off, opening, widening, extending, and establishing portions of rights-of-way; placing the real property conveyed by said deeds and easements under the jurisdiction of the Seattle Department of Transportation; and ratifying and confirming certain prior acts. (This ordinance concerns the following rights-of-way: portions of the SE 1/4 of Section 6, T24N R4E, W.M.; the NE 1/4 of Section 7, T24N R4E, W.M.; Section 30, T25N R4E, W.M.; Lots 3, 4, 6, and 7, Block 328, Seattle Tide Lands; Lots 1 through 7 and Lots 13 through 19, Block 329, Seattle Tide Lands; Lots 1 through 6, Block 330, Seattle Tide Lands; Lots 1 through 5 and Lot 17, Block 331, Seattle Tide Lands; Lots 1 through 18, Block 367, Seattle Tide Lands; Lots 1 through 19, Block 368, Seattle Tide Lands; Lots 1 through 9, Block 369, Seattle Tide Lands; Lots 1 through 7, Black's Replat of Portions of Lots 18 and 19 of Block 368, Seattle Tide Lands, together with unrecorded plat; Lots 1 through 8, H. H. Dearborn's Replat of part of Blk. 329, Seattle Tide Lands; Lots 1 through 11, Block 72, D. T. Denny's Home Addition to the City of Seattle; Lot 7, Block 74, D. T. Denny's Home Addition to the City of Seattle; Lots 1, 2, 3, 9, 10, 11, and 12, Block 75, D. T. Denny's Home Addition to the City of Seattle; Lots 4 through 6, Block 71, D. T. Denny's Park Addition to North Seattle; D. T. Denny Donation Land Claim No. 38; and Seattle Dock Company's Replat of Lots 10 and 16 inclusive of Blk. 369, Seattle Tide Lands; together with the vacated alleys and streets thereof.)**

The Committee recommends that City Council pass the Council Bill (CB).

In Favor: 4 - Pedersen, Strauss, Herbold, Morales

Opposed: None

The item was passed on the Consent Calendar by the following vote, and the President signed the Council Bill:

In Favor: 8 - Juarez, Herbold, Lewis, Morales, Mosqueda,
Nelson, Pedersen, Strauss

Opposed: None

4. [CB 120723](#) **AN ORDINANCE relating to the East Marginal Way Corridor Improvement project - North Segment under the Heavy Haul Network Program - East Marginal Way; authorizing the Director of the Department of Transportation to acquire, accept, and record a deed for street purposes from King County, a political subdivision of the State of Washington, situated in a portion of vacated South Lander Street, Seattle Tide Lands in the Southeast quarter of Section 7, Township 24 North, Range 4 East, Willamette Meridian and the Northeast quarter of Section 18, Township 24 North, Range 4 East, Willamette Meridian; laying off, opening, widening, extending, and establishing a portion of right-of-way; placing the real property conveyed by said deed under the jurisdiction of the Seattle Department of Transportation; and ratifying and confirming certain prior acts.**

The Committee recommends that City Council pass the Council Bill (CB).

In Favor: 4 - Pedersen, Strauss, Herbold, Morales

Opposed: None

The item was passed on the Consent Calendar by the following vote, and the President signed the Council Bill:

In Favor: 8 - Juarez, Herbold, Lewis, Morales, Mosqueda,
Nelson, Pedersen, Strauss

Opposed: None

5. [CB 120713](#) **AN ORDINANCE relating to the railroad franchise granted to the Oregon and Washington Railroad Company, a corporation organized under the laws of the State of Oregon, its successors and assigns; amending Section 2 of Ordinance 18030, as amended by Ordinances 26254, 30947, 75816, 77271, 92571, 117479, and 118994 to amend the description of certain railroad rights-of-way.**

The Committee recommends that City Council pass as amended the Council Bill (CB).

In Favor: 4 - Pedersen, Strauss, Herbold, Morales

Opposed: None

The item was passed on the Consent Calendar by the following vote, and the President signed the Council Bill:

In Favor: 8 - Juarez, Herbold, Lewis, Morales, Mosqueda, Nelson, Pedersen, Strauss

Opposed: None

6. [CB 120715](#) **AN ORDINANCE relating to the railroad franchise granted to the Chicago, Milwaukee and St. Paul Railway Company of Washington, its successors and assigns; amending Section 2 of Ordinance 13633, as amended by Ordinances 18823 and 92572, to amend the description of certain railroad rights-of-way to reflect the termination of railroad operations north of Whatcom Yard and reconfiguration of Whatcom Yard.**

The Committee recommends that City Council pass as amended the Council Bill (CB).

In Favor: 4 - Pedersen, Strauss, Herbold, Morales

Opposed: None

The item was passed on the Consent Calendar by the following vote, and the President signed the Council Bill:

In Favor: 8 - Juarez, Herbold, Lewis, Morales, Mosqueda, Nelson, Pedersen, Strauss

Opposed: None

7. [CB 120722](#) **AN ORDINANCE** related to street and sidewalk use; expanding the indemnification and hold-harmless requirements, which are currently directed toward permittees, to include all those making use of public place, as use is defined in Seattle Municipal Code 15.02.048; and amending Section 15.04.060 of the Seattle Municipal Code.

The Committee recommends that City Council pass the Council Bill (CB).

In Favor: 4 - Pedersen, Strauss, Herbold, Morales

Opposed: None

The item was passed on the Consent Calendar by the following vote, and the President signed the Council Bill:

In Favor: 8 - Juarez, Herbold, Lewis, Morales, Mosqueda,
Nelson, Pedersen, Strauss

Opposed: None

8. [CB 120724](#) **AN ORDINANCE** vacating a portion of Northeast 48th Street, lying between 24th Avenue Northeast and the Burke Gilman Trail, in the University District, and accepting a Property Use and Development Agreement outlining ongoing Petitioner obligations and responsibilities related to the Burke Gilman Trail connection, on the petition of Trinity Trailside LLC (Clerk File 314380).

The Committee recommends that City Council pass the Council Bill (CB).

In Favor: 4 - Pedersen, Strauss, Herbold, Morales

Opposed: None

The item was passed on the Consent Calendar by the following vote, and the President signed the Council Bill:

In Favor: 8 - Juarez, Herbold, Lewis, Morales, Mosqueda,
Nelson, Pedersen, Strauss

Opposed: None

Appointments:

**NEIGHBORHOODS, EDUCATION, CIVIL RIGHTS, AND CULTURE
COMMITTEE:**

9. [Appt 02527](#) **Appointment of Lorne McConachie as member, Historic Seattle Preservation and Development Authority Governing Council, for a term to November 30, 2026.**

The Committee recommends that City Council confirm the Appointment (Appt).

In Favor: 3 - Morales, Lewis, Strauss

Opposed: None

The item was confirmed on the Consent Calendar by the following vote:

In Favor: 8 - Juarez, Herbold, Lewis, Morales, Mosqueda, Nelson, Pedersen, Strauss

Opposed: None

10. [Appt 02632](#) **Appointment of Bryennah Quander as member, Seattle Human Rights Commission, for a term to July 22, 2025.**

The Committee recommends that City Council confirm the Appointment (Appt).

In Favor: 3 - Morales, Lewis, Strauss

Opposed: None

The item was confirmed on the Consent Calendar by the following vote:

In Favor: 8 - Juarez, Herbold, Lewis, Morales, Mosqueda, Nelson, Pedersen, Strauss

Opposed: None

11. [Appt 02633](#) **Reappointment of Kyla Evans as member, Seattle Women's Commission, for a term to July 1, 2024.**

The Committee recommends that City Council confirm the Appointment (Appt).

In Favor: 3 - Morales, Lewis, Strauss

Opposed: None

The item was confirmed on the Consent Calendar by the following vote:

In Favor: 8 - Juarez, Herbold, Lewis, Morales, Mosqueda,
Nelson, Pedersen, Strauss

Opposed: None

12. [Appt 02634](#) **Reappointment of Vinati Mamidala as member, Seattle Women's Commission, for a term to July 1, 2024.**

The Committee recommends that City Council confirm the Appointment (Appt).

In Favor: 3 - Morales, Lewis, Strauss

Opposed: None

The item was confirmed on the Consent Calendar by the following vote:

In Favor: 8 - Juarez, Herbold, Lewis, Morales, Mosqueda,
Nelson, Pedersen, Strauss

Opposed: None

13. [Appt 02718](#) **Appointment of Mohamed Adel Bonah as member, Seattle Human Rights Commission, for a term to July 22, 2025.**

The Committee recommends that City Council confirm the Appointment (Appt).

In Favor: 3 - Morales, Lewis, Strauss

Opposed: None

The item was confirmed on the Consent Calendar by the following vote:

In Favor: 8 - Juarez, Herbold, Lewis, Morales, Mosqueda,
Nelson, Pedersen, Strauss

Opposed: None

14. [Appt 02719](#) **Appointment of Andre Brown as member, Seattle Human Rights Commission, for a term to July 22, 2025.**

The Committee recommends that City Council confirm the Appointment (Appt).

In Favor: 3 - Morales, Lewis, Strauss

Opposed: None

The item was confirmed on the Consent Calendar by the following vote:

In Favor: 8 - Juarez, Herbold, Lewis, Morales, Mosqueda,
Nelson, Pedersen, Strauss

Opposed: None

15. [Appt 02720](#) **Appointment of Haley R. Miller as member, Seattle Human Rights Commission, for a term to July 22, 2025.**

The Committee recommends that City Council confirm the Appointment (Appt).

In Favor: 3 - Morales, Lewis, Strauss

Opposed: None

The item was confirmed on the Consent Calendar by the following vote:

In Favor: 8 - Juarez, Herbold, Lewis, Morales, Mosqueda,
Nelson, Pedersen, Strauss

Opposed: None

16. [Appt 02721](#) **Reappointment of Ilays A. Aden as member, Seattle Immigrant and Refugee Commission, for a term to July 31, 2024.**

The Committee recommends that City Council confirm the Appointment (Appt).

In Favor: 3 - Morales, Lewis, Strauss

Opposed: None

The item was confirmed on the Consent Calendar by the following vote:

In Favor: 8 - Juarez, Herbold, Lewis, Morales, Mosqueda,
Nelson, Pedersen, Strauss

Opposed: None

17. [Appt 02722](#) **Reappointment of Emmanuel Dolo as member, Seattle Immigrant and Refugee Commission, for a term to January 31, 2024.**

The Committee recommends that City Council confirm the Appointment (Appt).

In Favor: 3 - Morales, Lewis, Strauss

Opposed: None

The item was confirmed on the Consent Calendar by the following vote:

In Favor: 8 - Juarez, Herbold, Lewis, Morales, Mosqueda,
Nelson, Pedersen, Strauss

Opposed: None

18. [Appt 02723](#) **Reappointment of Amanda Sandoval as member, Seattle Immigrant and Refugee Commission, for a term to July 31, 2024.**

The Committee recommends that City Council confirm the Appointment (Appt).

In Favor: 3 - Morales, Lewis, Strauss

Opposed: None

The item was confirmed on the Consent Calendar by the following vote:

In Favor: 8 - Juarez, Herbold, Lewis, Morales, Mosqueda,
Nelson, Pedersen, Strauss

Opposed: None

19. [Appt 02724](#) **Appointment of Afra Mahmood as member, Seattle Immigrant and Refugee Commission, for a term to January 31, 2025.**

The Committee recommends that City Council confirm the Appointment (Appt).

In Favor: 3 - Morales, Lewis, Strauss

Opposed: None

The item was confirmed on the Consent Calendar by the following vote:

In Favor: 8 - Juarez, Herbold, Lewis, Morales, Mosqueda,
Nelson, Pedersen, Strauss

Opposed: None

20. [Appt 02725](#) **Appointment of Ananda Rao as member, Seattle Immigrant and Refugee Commission, for a term to January 31, 2025.**

The Committee recommends that City Council confirm the Appointment (Appt).

In Favor: 3 - Morales, Lewis, Strauss

Opposed: None

The item was confirmed on the Consent Calendar by the following vote:

In Favor: 8 - Juarez, Herbold, Lewis, Morales, Mosqueda,
Nelson, Pedersen, Strauss

Opposed: None

21. [Appt 02726](#) **Reappointment of Jennifer Matter as member, Families, Education, Preschool, and Promise Levy Oversight Committee, for a term to December 31, 2024.**

The Committee recommends that City Council confirm the Appointment (Appt).

In Favor: 3 - Morales, Lewis, Strauss

Opposed: None

The item was confirmed on the Consent Calendar by the following vote:

In Favor: 8 - Juarez, Herbold, Lewis, Morales, Mosqueda,
Nelson, Pedersen, Strauss

Opposed: None

22. [Appt 02727](#) **Appointment of Natalie Beauregard as member, Families, Education, Preschool and Promise Levy Oversight Committee, for a term to December 31, 2025.**

The Committee recommends that City Council confirm the Appointment (Appt).

In Favor: 3 - Morales, Lewis, Strauss

Opposed: None

The item was confirmed on the Consent Calendar by the following vote:

In Favor: 8 - Juarez, Herbold, Lewis, Morales, Mosqueda,
Nelson, Pedersen, Strauss

Opposed: None

23. [Appt 02728](#) Reappointment of Erin Okuno as member, Families, Education, Preschool, and Promise Levy Oversight Committee, for a term to December 31, 2025.

The Committee recommends that City Council confirm the Appointment (Appt).

In Favor: 3 - Morales, Lewis, Strauss

Opposed: None

The item was confirmed on the Consent Calendar by the following vote:

In Favor: 8 - Juarez, Herbold, Lewis, Morales, Mosqueda, Nelson, Pedersen, Strauss

Opposed: None

24. [Appt 02730](#) Appointment of Heidi Morisset as member, Community Involvement Commission, for a term to May 31, 2024.

The Committee recommends that City Council confirm the Appointment (Appt).

In Favor: 3 - Morales, Lewis, Strauss

Opposed: None

The item was confirmed on the Consent Calendar by the following vote:

In Favor: 8 - Juarez, Herbold, Lewis, Morales, Mosqueda, Nelson, Pedersen, Strauss

Opposed: None

25. [Appt 02731](#) Appointment of Fiona Murray as member, Community Involvement Commission, for a term to May 31, 2024.

The Committee recommends that City Council confirm the Appointment (Appt).

In Favor: 3 - Morales, Lewis, Strauss

Opposed: None

The item was confirmed on the Consent Calendar by the following vote:

In Favor: 8 - Juarez, Herbold, Lewis, Morales, Mosqueda, Nelson, Pedersen, Strauss

Opposed: None

26. [Appt 02732](#) **Appointment of Nausheen Rajan as member, Community Involvement Commission, for a term to May 31, 2025.**

The Committee recommends that City Council confirm the Appointment (Appt).

In Favor: 3 - Morales, Lewis, Strauss

Opposed: None

The item was confirmed on the Consent Calendar by the following vote:

In Favor: 8 - Juarez, Herbold, Lewis, Morales, Mosqueda, Nelson, Pedersen, Strauss

Opposed: None

27. [Appt 02733](#) **Appointment of Jessica Reeves as member, Community Involvement Commission, for a term to May 31, 2025.**

The Committee recommends that City Council confirm the Appointment (Appt).

In Favor: 3 - Morales, Lewis, Strauss

Opposed: None

The item was confirmed on the Consent Calendar by the following vote:

In Favor: 8 - Juarez, Herbold, Lewis, Morales, Mosqueda, Nelson, Pedersen, Strauss

Opposed: None

28. [Appt 02735](#) **Appointment of Russell Monroe as member, Pike Place Market Preservation and Development Authority Governing Council, for a term to June 30, 2025.**

The Committee recommends that City Council confirm the Appointment (Appt).

In Favor: 3 - Morales, Lewis, Strauss

Opposed: None

The item was confirmed on the Consent Calendar by the following vote:

In Favor: 8 - Juarez, Herbold, Lewis, Morales, Mosqueda, Nelson, Pedersen, Strauss

Opposed: None

29. [Appt 02736](#) **Appointment of Michele Kauffman as member, Seattle Disability Commission, for a term to April 30, 2025.**

The Committee recommends that City Council confirm the Appointment (Appt).

In Favor: 3 - Morales, Lewis, Strauss

Opposed: None

The item was confirmed on the Consent Calendar by the following vote:

**In Favor: 8 - Juarez, Herbold, Lewis, Morales, Mosqueda,
 Nelson, Pedersen, Strauss**

Opposed: None

PUBLIC ASSETS AND HOMELESSNESS COMMITTEE:

30. [Appt 02687](#) **Reappointment of Eric Berlinberg as member, Seattle Center Advisory Commission, for a term to September 28, 2026.**

The Committee recommends that City Council confirm the Appointment (Appt).

In Favor: 4 - Lewis, Mosqueda, Herbold, Morales

Opposed: None

The item was confirmed on the Consent Calendar by the following vote:

**In Favor: 8 - Juarez, Herbold, Lewis, Morales, Mosqueda,
 Nelson, Pedersen, Strauss**

Opposed: None

31. [Appt 02688](#) **Reappointment of Holly D. Golden as member, Seattle Center Advisory Commission, for a term to September 28, 2026.**

The Committee recommends that City Council confirm the Appointment (Appt).

In Favor: 4 - Lewis, Mosqueda, Herbold, Morales

Opposed: None

The item was confirmed on the Consent Calendar by the following vote:

In Favor: 8 - Juarez, Herbold, Lewis, Morales, Mosqueda,
Nelson, Pedersen, Strauss

Opposed: None

32. [Appt 02689](#) Reappointment of Stacey E. Hutchison as member, Seattle Center Advisory Commission, for a term to September 28, 2026.

The Committee recommends that City Council confirm the Appointment (Appt).

In Favor: 4 - Lewis, Mosqueda, Herbold, Morales

Opposed: None

The item was confirmed on the Consent Calendar by the following vote:

In Favor: 8 - Juarez, Herbold, Lewis, Morales, Mosqueda,
Nelson, Pedersen, Strauss

Opposed: None

33. [Appt 02690](#) Reappointment of John Olensky as member, Seattle Center Advisory Commission, for a term to September 28, 2026.

The Committee recommends that City Council confirm the Appointment (Appt).

In Favor: 4 - Lewis, Mosqueda, Herbold, Morales

Opposed: None

The item was confirmed on the Consent Calendar by the following vote:

In Favor: 8 - Juarez, Herbold, Lewis, Morales, Mosqueda,
Nelson, Pedersen, Strauss

Opposed: None

34. [Appt 02691](#) Reappointment of Sarah C. Rich as member, Seattle Center Advisory Commission, for a term to September 28, 2026.

The Committee recommends that City Council confirm the Appointment (Appt).

In Favor: 4 - Lewis, Mosqueda, Herbold, Morales

Opposed: None

The item was confirmed on the Consent Calendar by the following vote:

In Favor: 8 - Juarez, Herbold, Lewis, Morales, Mosqueda,
Nelson, Pedersen, Strauss

Opposed: None

TRANSPORTATION AND SEATTLE PUBLIC UTILITIES COMMITTEE:

35. [Appt 02694](#) Reappointment of Dennis R. Gathard as member, Levy to Move Seattle Oversight Committee, for a term to December 31, 2027.

The Committee recommends that City Council confirm the Appointment (Appt).

In Favor: 4 - Pedersen, Strauss, Herbold, Morales

Opposed: None

The item was confirmed on the Consent Calendar by the following vote:

In Favor: 8 - Juarez, Herbold, Lewis, Morales, Mosqueda,
Nelson, Pedersen, Strauss

Opposed: None

36. [Appt 02695](#) Reappointment of Inga Manskopf as member, Levy to Move Seattle Oversight Committee, for a term to December 31, 2027.

The Committee recommends that City Council confirm the Appointment (Appt).

In Favor: 4 - Pedersen, Strauss, Herbold, Morales

Opposed: None

The item was confirmed on the Consent Calendar by the following vote:

In Favor: 8 - Juarez, Herbold, Lewis, Morales, Mosqueda,
Nelson, Pedersen, Strauss

Opposed: None

H. COMMITTEE REPORTS

NEIGHBORHOODS, EDUCATION, CIVIL RIGHTS, AND CULTURE COMMITTEE:

1. [Appt 02693](#) **Appointment of Gülgün Kayim as Director of the Office of Arts & Culture.**

The Committee recommends that City Council confirm the Appointment (Appt).

In Favor: 3 - Morales, Lewis, Strauss

Opposed: None

The Appointment (Appt) was confirmed by the following vote:

In Favor: 8 - Juarez, Herbold, Lewis, Morales, Mosqueda, Nelson, Pedersen, Strauss

Opposed: None

2. [Appt 02734](#) **Appointment of Jenifer Chao as Director of the Department of Neighborhoods, for a term to December 31, 2025.**

The Committee recommends that City Council confirm the Appointment (Appt).

In Favor: 3 - Morales, Lewis, Strauss

Opposed: None

The Appointment (Appt) was confirmed by the following vote:

In Favor: 8 - Juarez, Herbold, Lewis, Morales, Mosqueda, Nelson, Pedersen, Strauss

Opposed: None

The Council President invited Jenifer Chao to address the Council.

3. [CB 120729](#) **AN ORDINANCE relating to historic preservation; imposing controls upon the Elephant Car Wash Sign, a landmark designated by the Landmarks Preservation Board under Chapter 25.12 of the Seattle Municipal Code, and adding it to the Table of Historical Landmarks contained in Chapter 25.32 of the Seattle Municipal Code.**

The Committee recommends that City Council pass the Council Bill (CB).

In Favor: 3 - Morales, Lewis, Strauss

Opposed: None

The Council Bill (CB) was passed by the following vote, and the President signed the Council Bill (CB):

In Favor: 8 - Juarez, Herbold, Lewis, Morales, Mosqueda, Nelson, Pedersen, Strauss

Opposed: None

CITY COUNCIL:

4. [CB 120730](#) **AN ORDINANCE relating to City employment; authorizing execution of a collective bargaining agreement between The City of Seattle and the International Association of Fire Fighters, Local 27 AFL-CIO-CLC; and ratifying and confirming certain prior acts.**

Motion was made and duly seconded to pass Council Bill 120730.

The Motion carried, the Council Bill (CB) was passed by the following vote, and the President signed the Council Bill (CB):

In Favor: 8 - Juarez, Herbold, Lewis, Morales, Mosqueda, Nelson, Pedersen, Strauss

Opposed: None

5. [CB 120731](#) **AN ORDINANCE relating to City employment; authorizing the execution of a Memorandum of Agreement between The City of Seattle and the International Brotherhood of Electrical Workers, Local 77; and ratifying and confirming certain prior acts.**

Motion was made and duly seconded to pass Council Bill 120731.

The Motion carried, the Council Bill (CB) was passed by the following vote, and the President signed the Council Bill (CB):

In Favor: 8 - Juarez, Herbold, Lewis, Morales, Mosqueda, Nelson, Pedersen, Strauss

Opposed: None

6. [Res 32120](#) **A RESOLUTION setting forth The City of Seattle's 2024 State Legislative Agenda.**

Motion was made and duly seconded to adopt Resolution 32120.

The Motion carried, the Resolution (Res) was adopted by the following vote, and the President signed the Resolution (Res):

In Favor: 7 - Juarez, Herbold, Lewis, Morales, Mosqueda, Pedersen, Strauss

Opposed: None

Abstain: 1 - Nelson

7. [Appt 02743](#) **Appointment of Parker Ammann as member, Design Review Board, for a term to April 3, 2024.**

Motion was made and duly seconded to confirm Appointment 02743.

The Motion carried, and the Appointment (Appt) was confirmed by the following vote:

In Favor: 8 - Juarez, Herbold, Lewis, Morales, Mosqueda, Nelson, Pedersen, Strauss

Opposed: None

8. [Appt 02604](#) **Appointment of Rob McCulloch as member, Design Review Board, for a term to April 3, 2025.**

Motion was made and duly seconded to confirm Appointment 02604.

The Motion carried, and the Appointment (Appt) was confirmed by the following vote:

In Favor: 8 - Juarez, Herbold, Lewis, Morales, Mosqueda, Nelson, Pedersen, Strauss

Opposed: None

9. [Appt 02605](#) **Appointment of Ryan DiRaimo as member, Design Review Board, for a term to April 3, 2025.**

Motion was made and duly seconded to confirm Appointment 02605.

The Motion carried, and the Appointment (Appt) was confirmed by the following vote:

In Favor: 8 - Juarez, Herbold, Lewis, Morales, Mosqueda, Nelson, Pedersen, Strauss

Opposed: None

10. [Appt 02606](#) **Reappointment of Gina Gage as member, Design Review Board, for a term to April 3, 2025.**

Motion was made and duly seconded to confirm Appointment 02606.

The Motion carried, and the Appointment (Appt) was confirmed by the following vote:

In Favor: 8 - Juarez, Herbold, Lewis, Morales, Mosqueda, Nelson, Pedersen, Strauss

Opposed: None

11. [Appt 02607](#) **Reappointment of Tiffany Rattray as member, Design Review Board, for a term to April 3, 2025.**

Motion was made and duly seconded to confirm Appointment 02607.

The Motion carried, and the Appointment (Appt) was confirmed by the following vote:

In Favor: 8 - Juarez, Herbold, Lewis, Morales, Mosqueda, Nelson, Pedersen, Strauss

Opposed: None

12. [Appt 02696](#) **Appointment of Kayleigh L. Schickler as member, Design Review Board, for a term to April 3, 2025.**

Motion was made and duly seconded to confirm Appointment 02696.

The Motion carried, and the Appointment (Appt) was confirmed by the following vote:

In Favor: 8 - Juarez, Herbold, Lewis, Morales, Mosqueda, Nelson, Pedersen, Strauss

Opposed: None

13. [Appt 02697](#) **Appointment of Todd Lee as member, Design Review Board, for a term to April 3, 2025.**

Motion was made and duly seconded to confirm Appointment 02697.

The Motion carried, and the Appointment (Appt) was confirmed by the following vote:

In Favor: 8 - Juarez, Herbold, Lewis, Morales, Mosqueda, Nelson, Pedersen, Strauss

Opposed: None

14. [Appt 02698](#) **Appointment of Kinsley Ogunmola as member, Design Review Board, for a term to April 3, 2025.**

Motion was made and duly seconded to confirm Appointment 02698.

The Motion carried, and the Appointment (Appt) was confirmed by the following vote:

In Favor: 8 - Juarez, Herbold, Lewis, Morales, Mosqueda, Nelson, Pedersen, Strauss

Opposed: None

15. [Appt 02700](#) **Appointment of Jonas Kuo as member, Design Review Board, for a term to April 3, 2025.**

Motion was made and duly seconded to confirm Appointment 02700.

The Motion carried, and the Appointment (Appt) was confirmed by the following vote:

In Favor: 8 - Juarez, Herbold, Lewis, Morales, Mosqueda, Nelson, Pedersen, Strauss

Opposed: None

16. [Appt 02701](#) **Appointment of Lisa Vasser as member, Design Review Board, for a term to April 3, 2024.**

Motion was made and duly seconded to confirm Appointment 02701.

The Motion carried, and the Appointment (Appt) was confirmed by the following vote:

In Favor: 8 - Juarez, Herbold, Lewis, Morales, Mosqueda, Nelson, Pedersen, Strauss

Opposed: None

17. [Appt 02703](#) **Appointment of Solomon Wagner as member, Design Review Board, for a term to April 3, 2025.**

Motion was made and duly seconded to confirm Appointment 02703.

The Motion carried, and the Appointment (Appt) was confirmed by the following vote:

In Favor: 8 - Juarez, Herbold, Lewis, Morales, Mosqueda, Nelson, Pedersen, Strauss

Opposed: None

18. [Appt 02744](#) **Appointment of Chris Bendix as member, Design Review Board, for a term to April 3, 2025.**

Motion was made and duly seconded to confirm Appointment 02744.

The Motion carried, and the Appointment (Appt) was confirmed by the following vote:

In Favor: 8 - Juarez, Herbold, Lewis, Morales, Mosqueda, Nelson, Pedersen, Strauss

Opposed: None

19. [Appt 02745](#) **Appointment of Jacob Cosman as member, Design Review Board, for a term to April 3, 2025.**

Motion was made and duly seconded to confirm Appointment 02745.

The Motion carried, and the Appointment (Appt) was confirmed by the following vote:

In Favor: 8 - Juarez, Herbold, Lewis, Morales, Mosqueda, Nelson, Pedersen, Strauss

Opposed: None

20. [Appt 02746](#) **Appointment of Adriana Lyn De Giuli as member, Design Review Board, for a term to April 3, 2025.**

Motion was made and duly seconded to confirm Appointment 02746.

The Motion carried, and the Appointment (Appt) was confirmed by the following vote:

In Favor: 8 - Juarez, Herbold, Lewis, Morales, Mosqueda, Nelson, Pedersen, Strauss

Opposed: None

21. [Appt 02747](#) **Appointment of Norie Sato as member, Design Review Board, for a term to April 3, 2025.**

Motion was made and duly seconded to confirm Appointment 02747.

The Motion carried, and the Appointment (Appt) was confirmed by the following vote:

In Favor: 8 - Juarez, Herbold, Lewis, Morales, Mosqueda, Nelson, Pedersen, Strauss

Opposed: None

22. [Appt 02748](#) **Appointment of Zi Zhang as member, Design Review Board, for a term to April 3, 2025.**

Motion was made and duly seconded to confirm Appointment 02748.

The Motion carried, and the Appointment (Appt) was confirmed by the following vote:

In Favor: 8 - Juarez, Herbold, Lewis, Morales, Mosqueda, Nelson, Pedersen, Strauss

Opposed: None

23. [Appt 02740](#) **Appointment of Radia Soulmani as member, Design Review Board, for a term to August 31, 2024.**

Motion was made and duly seconded to confirm Appointment 02740.

The Motion carried, and the Appointment (Appt) was confirmed by the following vote:

In Favor: 8 - Juarez, Herbold, Lewis, Morales, Mosqueda, Nelson, Pedersen, Strauss

Opposed: None

24. [Appt 02741](#) **Reappointment of Marc Schmitt as member, Landmarks Preservation Board, for a term to August 31, 2024.**

Motion was made and duly seconded to confirm Appointment 02741.

The Motion carried, and the Appointment (Appt) was confirmed by the following vote:

In Favor: 8 - Juarez, Herbold, Lewis, Morales, Mosqueda, Nelson, Pedersen, Strauss

Opposed: None

25. [Appt 02742](#) **Appointment of Meral Kandymova as member, Seattle Center Advisory Commission, for a term to August 31, 2024.**

Motion was made and duly seconded to confirm Appointment 02742.

The Motion carried, and the Appointment (Appt) was confirmed by the following vote:

In Favor: 8 - Juarez, Herbold, Lewis, Morales, Mosqueda, Nelson, Pedersen, Strauss

Opposed: None

- [Appt 02749](#) **Appointment of Simha Reddy as member, King County Regional Homelessness Authority Implementation Board, for a term to July 15, 2026.**

Motion was made and duly seconded to confirm Appointment 02749.

The Motion carried, and the Appointment (Appt) was confirmed by the following vote:

In Favor: 8 - Juarez, Herbold, Lewis, Morales, Mosqueda, Nelson, Pedersen, Strauss

Opposed: None

FINANCE AND HOUSING COMMITTEE:

26. [CB 120652](#) **AN ORDINANCE relating to taxicabs and for-hire vehicles; repealing or deleting provisions intended to no longer be in effect in separating the taxicab and transportation network company industries; conforming to changes in state law; adding a new Section 6.310.101 to the Seattle Municipal Code; amending the title of Chapter 6.310 of the Seattle Municipal Code and Sections 6.310.110, 6.310.125, 6.310.130, 6.310.150, 6.310.260, 6.310.270, 6.310.325, 6.310.327, 6.310.400, 6.310.452, 6.310.455, 6.310.470, 6.310.530, 6.310.600, 6.310.605, and 6.310.610 of the Seattle Municipal Code; and repealing Sections 6.310.120, 6.310.135, 6.310.137, 6.310.200, 6.310.210, 6.310.220, 6.310.225, 6.310.230, 6.310.240, 6.310.250, 6.310.255, 6.310.300, 6.310.310, 6.310.315, 6.310.320, 6.310.330, 6.310.340, 6.310.350, 6.310.360, 6.310.370, 6.310.380, 6.310.460, 6.310.475, 6.310.480, 6.310.500, 6.310.510, 6.310.720, and 6.310.730 of the Seattle Municipal Code.**

The Committee recommends that City Council pass the Council Bill (CB).

In Favor: 5 - Mosqueda, Herbold, Pedersen, Nelson, Lewis

Opposed: None

ACTION 1:

Motion was made by Councilmember Mosqueda, duly seconded and carried, to amend Council Bill 120652 as shown in Attachment 1 to the Minutes.

ACTION 2:

Motion was made and duly seconded to pass Council Bill 120652 as amended.

The Motion carried, the Council Bill (CB) was passed as amended by the following vote, and the President signed the Council Bill (CB):

In Favor: 8 - Juarez, Herbold, Lewis, Morales, Mosqueda, Nelson, Pedersen, Strauss

Opposed: None

27. [CB 120653](#) **AN ORDINANCE relating to taxicabs and for-hire vehicles; separating and amending taxicab and for-hire vehicle industry regulations; adding a new Chapter 6.311 to the Seattle Municipal Code; and amending Sections 11.14.235 and 15.17.005 of the Seattle Municipal Code.**

The Committee recommends that City Council pass as amended the Council Bill (CB).

In Favor: 4 - Mosqueda, Herbold, Pedersen, Lewis

Opposed: None

Abstain: 1 - Nelson

ACTION 1:

Motion was made by Councilmember Mosqueda, duly seconded and carried, to amend Council Bill 120653 as shown in Attachment 2 to the Minutes.

ACTION 2:

Motion was made and duly seconded to pass Council Bill 120653 as amended.

The Motion carried, the Council Bill (CB) was passed as amended by the following vote, and the President signed the Council Bill (CB):

In Favor: 7 - Juarez, Herbold, Lewis, Morales, Mosqueda, Pedersen, Strauss

Opposed: 1 - Nelson

28. [CB 120656](#) **AN ORDINANCE relating to for-hire transportation; authorizing the execution of an interlocal agreement between The City of Seattle and King County to regulate for-hire transportation services.**

The Committee recommends that City Council pass the Council Bill (CB).

In Favor: 5 - Mosqueda, Herbold, Pedersen, Nelson, Lewis

Opposed: None

ACTION 1:

Motion was made by Councilmember Mosqueda, duly seconded and carried, to amend Council Bill 120656 as shown in Attachment 3 to the Minutes.

ACTION 2:

Motion was made and duly seconded to pass Council Bill 120656 as amended.

The Motion carried, the Council Bill (CB) was passed as amended by the following vote, and the President signed the Council Bill (CB):

In Favor: 8 - Juarez, Herbold, Lewis, Morales, Mosqueda, Nelson, Pedersen, Strauss

Opposed: None

2023 SELECT COMMITTEE ON CLIMATE ACTION:

29. [CB 120718](#) **AN ORDINANCE relating to regulating greenhouse gas emissions in larger existing nonresidential and multifamily buildings; establishing and imposing greenhouse gas emissions intensity targets and reporting requirements; prescribing penalties; adding a new Chapter 22.925 to the Seattle Municipal Code; amending Sections 22.920.010, 22.920.020, 22.920.030, 22.920.120, 22.920.130, 22.920.170, 22.930.010, 22.930.020, 22.930.040, 22.930.050, 22.930.120, 22.930.140, and 22.930.180 of the Seattle Municipal Code; and repealing Section 22.920.040 of the Seattle Municipal Code.**

The Committee recommends that City Council pass as amended the Council Bill (CB).

In Favor: 7 - Herbold, Juarez, Lewis, Morales, Mosqueda, Pedersen, Strauss

Opposed: None

The Council Bill (CB) was passed by the following vote, and the President signed the Council Bill (CB):

In Favor: 8 - Juarez, Herbold, Lewis, Morales, Mosqueda, Nelson, Pedersen, Strauss

Opposed: None

LAND USE COMMITTEE:

30. [CB 120674](#) **AN ORDINANCE relating to land use and zoning; amending Section 23.76.029 of the Seattle Municipal Code to allow applicants for or holders of certain Master Use Permits approved for issuance between March 1, 2020 and December 31, 2026 to have their Master Use Permits expire in six years; and making other minor amendments to the procedure for expiration and renewal of Master Use Permits.**

The Committee recommends that City Council pass as amended the Council Bill (CB).

In Favor: 4 - Strauss, Morales, Mosqueda, Nelson

Opposed: 1 - Pedersen

The Council Bill (CB) was passed by the following vote, and the President signed the Council Bill (CB):

In Favor: 7 - Juarez, Herbold, Lewis, Morales, Mosqueda, Nelson, Strauss

Opposed: 1 - Pedersen

31. [CB 120675](#) **AN ORDINANCE relating to land use and zoning; amending Section 23.50A.008 of the Seattle Municipal Code to modify the maximum size of use limit for medical services uses in the portion of the Duwamish Manufacturing Industrial Center (MIC) east of Airport Way S.**

The Committee recommends that City Council pass the Council Bill (CB).

In Favor: 4 - Strauss, Morales, Mosqueda, Pedersen

Opposed: None

The Council Bill (CB) was passed by the following vote, and the President signed the Council Bill (CB):

In Favor: 8 - Juarez, Herbold, Lewis, Morales, Mosqueda, Nelson, Pedersen, Strauss

Opposed: None

32. [Res 32097](#) **A RESOLUTION endorsing strategies to improve the movement of people and goods in Seattle's industrial and maritime areas.**

The Committee recommends that City Council adopt as amended the Resolution (Res).

In Favor: 4 - Strauss, Morales, Nelson, Pedersen

Opposed: None

ACTION 1:

Motion was made by Councilmember Strauss, duly seconded and carried, to amend Resolution 32097 as presented on Attachment 4 on the Minutes.

ACTION 2:

Motion was made and duly seconded to adopt Resolution 32097 as amended.

The Motion carried, the Resolution (Res) was adopted as amended by the following vote, and the President signed the Resolution (Res):

In Favor: 8 - Juarez, Herbold, Lewis, Morales, Mosqueda, Nelson, Pedersen, Strauss

Opposed: None

PUBLIC ASSETS AND HOMELESSNESS COMMITTEE:

33. [CB 120719](#) **AN ORDINANCE relating to Seattle Parks and Recreation; authorizing the Superintendent of Parks and Recreation to grant and convey utility easements under portions of Magnolia Park, Magnolia Boulevard, Ursula Judkins Viewpoint Park, and Smith Cove Park to the King County Wastewater Treatment Division for the purposes of operating a Combined Sewer Overflow pipeline, and to accept payment therefor; and finding that the grant of a permanent subsurface easement meets the requirements of Ordinance 118477, adopting Initiative 42.**

The Committee recommends that City Council pass the Council Bill (CB).

In Favor: 4 - Lewis, Mosqueda, Herbold, Morales

Opposed: None

The Council Bill (CB) was passed by the following vote, and the President signed the Council Bill (CB):

In Favor: 8 - Juarez, Herbold, Lewis, Morales, Mosqueda, Nelson, Pedersen, Strauss

Opposed: None

34. [CB 120643](#) **AN ORDINANCE relating to commercial tenancies; establishing limits on the maximum personal guaranty that may be included in or as a condition of commercial leases; and establishing limits on the value of a commercial lease's required security deposit and/or letters of credit; and adding a new Chapter 6.104 to the Seattle Municipal Code.**

The Committee recommends that City Council pass as amended the Council Bill (CB).

In Favor: 4 - Lewis, Mosqueda, Herbold, Morales

Opposed: None

ACTION 1:

Motion was made by Councilmember Morales, duly seconded and carried, to amend Council Bill 120643, Section 3, as shown in the underlined and strike through language below:

Section 3. The Office of Economic Development (OED) and the Department of Finance and Administrative Services (FAS) are requested to convene a stakeholder process to evaluate the impacts and effectiveness of this legislation. The process should include owners and lessors of commercial premises including members of the Building Owners & Managers Association (BOMA) and the Seattle Restaurant Alliance; operators of hotels and restaurants; ~~and~~ representatives of the Downtown Seattle Association, the Chamber of Commerce, and the National Association for Industrial and Office Parks (NAIOP); and neighborhood business owners who may be members of independent local affinity groups. OED and FAS should seek to ensure that stakeholders represent a diversity of racial and economic perspectives. Evaluating the effectiveness of this legislation should include an evaluation of the unique needs of businesses with leases of two years or less in duration and whether additional regulation of personal guaranties may be warranted for the tenant parties to such leases. In addition to evaluating the impacts and effectiveness of the legislation, the stakeholder group should provide feedback on the implementation of the legislation and submit any recommendations for amendments to the legislation, including an explanation of the rationale for those recommendations and their anticipated impacts.

The Executive should provide an initial written report including the evaluation, feedback, and recommendations to the Public Assets and Homelessness Committee, or successor committee, and the Central Staff Director by December 31, 2023 2024. The Executive should provide reports annually thereafter.

ACTION 2:

Motion was made by Councilmember Nelson and duly seconded, to further amend Council Bill 120643 as presented on Attachment 5 to the Minutes with the exception of the July 28, 2024 report date.

The Motion failed by the following vote:

In Favor: 3 - Nelson, Pedersen, Strauss

Opposed: 5 - Juarez, Herbold, Lewis, Morales, Mosqueda

ACTION 3:

Motion was made by Councilmember Nelson and duly seconded, to further amend Council Bill 120643, to amend Section 1 by deleting finding O, as shown in the strike through language below, and relettering subsequent findings accordingly:

Section 1. The City Council finds and declares that:

~~O. Research for a 2016 doctoral dissertation analyzing personal guaranties across five types of loans found that, of respondents who had not met requirements for a personal guaranty or declined to provide one, 53 had to seek funding elsewhere, 36 percent could not pursue products or services, 28 percent had to forgo an expansion project, 27 percent could not hire additional staff, and 27 percent had to lay staff off.~~

The Motion failed by the following vote:

In Favor: 2 - Nelson, Pedersen

Opposed: 6 - Juarez, Herbold, Lewis, Morales, Mosqueda, Strauss

ACTION 4:

Motion was made and duly seconded to pass Council Bill 120643 as amended.

The Motion carried, the Council Bill (CB) was passed as amended by the following vote, and the President signed the Council Bill (CB):

In Favor: 6 - Juarez, Herbold, Lewis, Morales, Mosqueda, Pedersen

Opposed: 2 - Nelson, Strauss

35. [CB 120712](#) **AN ORDINANCE** amending Section 5 of Ordinance 125761 to establish new appointment terms for the Central Waterfront Oversight Committee and create additional positions on the Committee to expand representation.

The Committee recommends that City Council pass the Council Bill (CB).

In Favor: 4 - Lewis, Mosqueda, Herbold, Morales

Opposed: None

The Council Bill (CB) was passed by the following vote, and the President signed the Council Bill (CB):

In Favor: 8 - Juarez, Herbold, Lewis, Morales, Mosqueda, Nelson, Pedersen, Strauss

Opposed: None

TRANSPORTATION AND SEATTLE PUBLIC UTILITIES COMMITTEE:

36. [CB 120658](#) **AN ORDINANCE** relating to sidewalk construction and pedestrian mobility improvements; adding a new Section 15.70.040 to the Seattle Municipal Code.

The Committee recommends that City Council pass as amended the Council Bill (CB).

In Favor: 4 - Pedersen, Strauss, Herbold, Morales

Opposed: None

The Council Bill (CB) was passed by the following vote, and the President signed the Council Bill (CB):

In Favor: 8 - Juarez, Herbold, Lewis, Morales, Mosqueda, Nelson, Pedersen, Strauss

Opposed: None

37. [Res 32119](#) **A RESOLUTION** providing an honorary designation of South Mount Baker Boulevard between 31st Avenue South and 32nd Avenue South as “Cheryl Chow Boulevard.”

The Committee recommends that City Council adopt the Resolution (Res).

In Favor: 4 - Pedersen, Strauss, Herbold, Morales

Opposed: None

The Resolution (Res) was adopted by the following vote, and the President signed the Resolution (Res):

In Favor: 8 - Juarez, Herbold, Lewis, Morales, Mosqueda, Nelson, Pedersen, Strauss

Opposed: None

I. ITEMS REMOVED FROM CONSENT CALENDAR

There were none.

J. ADOPTION OF OTHER RESOLUTIONS

38. [Res 32121](#) **A RESOLUTION retiring introduced and referred Council Bills, Resolutions, Clerk Files, and Appointments that have received no further action.**

Motion was made and duly seconded to adopt Resolution 32121.

The Motion carried, the Resolution (Res) was adopted by the following vote, and the President signed the Resolution (Res):

In Favor: 8 - Juarez, Herbold, Lewis, Morales, Mosqueda, Nelson, Pedersen, Strauss

Opposed: None

39. [Res 32122](#) **A RESOLUTION calling upon the National Highway Traffic Safety Administration to issue a recall of Kia and Hyundai models lacking immobilizer technology that are vulnerable to theft.**

Motion was made and duly seconded to adopt Resolution 32122.

The Motion carried, the Resolution (Res) was adopted by the following vote, and the President signed the Resolution (Res):

In Favor: 8 - Juarez, Herbold, Lewis, Morales, Mosqueda, Nelson, Pedersen, Strauss

Opposed: None

K. OTHER BUSINESS

Motion was made, duly seconded and carried, to amend the adopted Minutes of September 26, 2023, to correctly reflect the vote on Agenda item 9, Council Bill 120632 as follows:

In Favor: Juarez, Herbold, Lewis, Mosqueda, Nelson, Strauss

Opposed: Morales, Pedersen, Sawant

Motion was made, duly seconded and carried, to appoint Councilmember Morales as Council President Pro Tem and the following Councilmembers to serve as Council Pro Tem in the following order of succession, Strauss, Nelson, Mosqueda, Hollingsworth, Kettle, Moore, Rivera, and Saka, to be in effect January 1, 2024, and expire when the Council adopts a 2024-2025 Council Pro Tem Rotation Resolution.

L. ADJOURNMENT

There being no further business to come before the Council, the meeting was adjourned at 5:18 p.m

Jodee Schwinn, Deputy City Clerk

Signed by me in Open Session, upon approval of the Council, on January 2, 2024.

Tammy J. Morales, Council President Pro Tem of the City Council

Attachment: Att 1 to Action 1 of Council Bill 120652

Attachment: Att 2 to Action 1 of Council Bill 120653

Attachment: Att 3 to Action 1 of Council Bill 120656

Attachment: Att 4 to Action 1 of Resolution 32097

Attachment: Att 5 to Action 2 of Council Bill 120643

ATT 1 to Action 1 of CB 120652

Amendment A Version 1 to CB 120652 – TNC Regulations Ordinance

Sponsor: Councilmember Mosqueda

Substitute version 2 of the legislation.

Effect: This amendment would adopt a substitute version 2 of Council Bill (CB) 120652 that would incorporate edits to align with King County’s companion legislation, such as:

- Amending the title of the ordinance to include reference to an amendment in Section 6.310.125,
- Removing reference to taxicab associations and taxicab licensees in Section 6.310.125,
- Cross-referencing certain definitions (i.e., for-hire vehicle, for-hire vehicle company, medallion, medallion system, taxicab, taxicab association, taximeter) to Section 6.311.040,
- Updating provisions to conform with state law (i.e., removing reference to requirement for state-issued driver’s licenses),
- Amending obsolete references to Chapter 6.310,
- Adopting consistent terminology and formatting, and
- Adding a severability clause.

Consistent with Washington State Constitution requirements, these amendments, including the amendment to the title, would not change the scope and object of the ordinance.

Substitute version 2 of Council Bill (CB) 120652, incorporating the proposed amendments shown in the attached version of CB 120652 in double underline and double strike through language.

CITY OF SEATTLE

ORDINANCE _____

COUNCIL BILL _____

..title

AN ORDINANCE relating to taxicabs and for-hire vehicles; repealing or deleting provisions intended to no longer be in effect in separating the taxicab and transportation network company industries; conforming to changes in state law; adding a new Section 6.310.101 to the Seattle Municipal Code; amending the title of Chapter 6.310 of the Seattle Municipal Code and Sections 6.310.110, 6.310.125, 6.310.130, 6.310.150, 6.310.260, 6.310.270, 6.310.325, 6.310.327, 6.310.400, 6.310.452, 6.310.455, 6.310.470, 6.310.530, 6.310.600, 6.310.605, and 6.310.610 of the Seattle Municipal Code; and repealing Sections 6.310.120, 6.310.135, 6.310.137, 6.310.200, 6.310.210, 6.310.220, 6.310.225, 6.310.230, 6.310.240, 6.310.250, 6.310.255, 6.310.300, 6.310.310, 6.310.315, 6.310.320, 6.310.330, 6.310.340, 6.310.350, 6.310.360, 6.310.370, 6.310.380, 6.310.460, 6.310.475, 6.310.480, 6.310.500, 6.310.510, 6.310.720, and 6.310.730 of the Seattle Municipal Code.

..body

WHEREAS, in 2022 Washington regulated the operation of transportation network companies but did not preempt Seattle's existing regulation of transportation network companies; and

WHEREAS, state ~~code~~law constrains Seattle's ability to ~~modify~~amend existing municipal code addressing transportation network companies and their affiliated vehicles and drivers; and

WHEREAS, the City desires to comprehensively regulate transportation network companies and their affiliated drivers and vehicles within the constraints set by state ~~code~~law and to align with state ~~code~~law where appropriate; and

WHEREAS, the City partners with King County to regulate the larger for-hire transportation industry and desires to maintain that partnership in the future under common regulations~~in the future~~; and

WHEREAS, due to changes in state law governing the regulation of transportation network companies, ~~modifying~~amending an existing Seattle Municipal Code chapter to regulate

1 transportation network companies and establishing a new Seattle Municipal Code chapter
2 to regulate taxicabs and for-hire vehicle provide the best ~~articulates~~approach to
3 implement the City's policy objectives for these industries; NOW, THEREFORE,

4 **BE IT ORDAINED BY THE CITY OF SEATTLE AS FOLLOWS:**

5 Section 1. The title of Chapter 6.310 of the Seattle Municipal Code, enacted by
6 Ordinance 118341, is amended as follows:

7 **CHAPTER 6.310 ((TAXICABS AND FOR-HIRE VEHICLES)) FOR-HIRE**
8 **TRANSPORTATION – TRANSPORTATION NETWORK COMPANY VEHICLES AND**
9 **DRIVERS**

10 Section 2. A new Section 6.310.101 is added to the Seattle Municipal Code as follows:

11 **6.310.101 Scope**

12 A. This Chapter 6.310 is not a part of the New License Code (Subtitle IV of Title 6).

13 B. This Chapter 6.310 applies to transportation network companies, transportation
14 network company drivers, and transportation network company endorsed vehicles. Chapter 6.311
15 applies to taxicab associations, for-hire vehicle companies, taxicabs, for-hire vehicles, and
16 drivers of those vehicles. References to taxicab associations, for-hire vehicle companies,
17 taxicabs, for-hire vehicles, and the drivers of those vehicles remain in this Chapter 6.310 because
18 RCW 46.72B.190 constrains The City of Seattle from amending ordinances or regulations
19 related to transportation network companies, transportation network company drivers, or
20 transportation network company endorsed vehicles after January 1, 2022. In the event of a
21 conflict between this Chapter 6.310 related to taxicab associations, for-hire vehicle companies,
22 taxicabs, for-hire vehicles, and drivers of those vehicles, and Chapter 6.311, Chapter 6.311
23 controls.

Section 3. Section 6.310.110 of the Seattle Municipal Code, last amended by Ordinance 125132, is amended as follows:

6.310.110 Definitions

For the purposes of this chapter and unless the context plainly requires otherwise, the following definitions apply:

* * *

~~(("Committed a violation" means that a licensee has been issued a Notice of Violation and either has not contested the violation or did contest the violation but lost.~~

~~"Community Development Financial Institution" means a non-profit loan fund certified by the Community Development Financial Institution Fund of the U.S. Department of the Treasury, that serves economically distressed communities and underserved populations by providing credit, capital and financial services that are normally unavailable from traditional financial institutions.))~~

* * *

~~(("Contract rate" means the rate specified in a written contract signed by both parties before the dispatch of a taxicab or for hire vehicle for the services identified in the contract. Contracts for package delivery may be made on an oral basis.))~~

* * *

~~"For-hire driver" means any person in physical control of, operating or driving a taxicab, for-hire vehicle, or transportation network company endorsed vehicle ((who is required to be licensed under this chapter. The term includes a lease driver, owner/operator, or employee, who drives taxicabs, for hire vehicles, or transportation network company endorsed vehicles)).~~

1 “~~For-hire vehicle~~” (~~((means any motor vehicle used for the transportation of passengers~~
2 ~~for compensation, except:~~

- 3 ~~1. Taxicabs as defined in this chapter;~~
4 ~~2. School buses operating exclusively under a contract to a school district;~~
5 ~~3. Ride-sharing vehicles under Chapter 46.74 RCW;~~
6 ~~4. Limousine carriers licensed under Chapter 46.72A RCW;~~
7 ~~5. Vehicles used by nonprofit transportation providers solely for elderly or~~
8 ~~handicapped persons and their attendants under Chapter 81.66 RCW;~~
9 ~~6. Vehicles used by auto transportation companies licensed under Chapter 81.68~~
10 ~~RCW;~~
11 ~~7. Vehicles used to provide courtesy transportation at no charge to and from~~
12 ~~parking lots, hotels, and rental offices; and~~
13 ~~8. Vehicles licensed under, and used to provide “charter party carrier” and~~
14 ~~“excursion service carrier” services as defined in, and required by, Chapter 81.70 RCW;~~
15 ~~9. Transportation network company endorsed vehicle as defined in this chapter))~~

16 has the same meaning as “for-hire vehicle” in Section 6.311.040.

17 “~~For-hire vehicle company~~” (~~((means a person or entity that represents or owns for hire~~
18 ~~vehicles licensed by the City that use the same color scheme, trade name, and dispatch services))~~)
19 has the same meaning as “for-hire vehicle company” in Section 6.311.040.

20 * * *

21 (~~“Lease driver” means a for-hire driver who is an independent contractor/sole proprietor~~
22 ~~who has leased a taxicab or for-hire vehicle from a taxicab or for-hire vehicle licensee or taxicab~~
23 ~~association.~~

~~((“Lender” means a bank, trust company, mutual savings bank, savings and loan association, or credit union authorized to do business and accept deposits in this state under state or federal law and includes a Community Development Financial Institution qualified and approved by the Director to provide loans to licensees under Section 6.310.380~~

~~“Lessor” means a licensee of a taxicab or for hire vehicle who leases to a lease driver.))~~

“Licensee” means any person or entity licensed under this chapter, including for-hire drivers~~((, taxicab or for hire vehicle owners, taxicab associations,))~~ and transportation network companies.

* * *

~~“Medallion” ((means a certificate issued by the Director as evidence that a taxicab or for hire vehicle license is an intangible property)) has the same meaning as “medallion” in Section 6.311.040.~~

~~“Medallion system” ((means the system which deems a taxicab or for hire vehicle license to be intangible property that may be used as collateral to secure a loan from a bank or any other financial institution)) has the same meaning as “medallion system” in Section 6.311.040.~~

* * *

“Person” means any individual, partnership, association, corporation, firm, institution, or other entity, whether or not operated for profit. “Person” does not include:

1. A government entity of or within the United States;
2. An entity operating exclusively under contract with a government entity; or
3. That portion of an entity that is operating exclusively under contract with a government entity.

1 “Personal vehicle” means a vehicle that is not a taxicab or for-hire vehicle licensed under
2 ~~((this Chapter 6.310))~~ Chapter 6.311. A personal vehicle that is used to provide trips via a
3 transportation network company application dispatch system is subject to regulation under this
4 Chapter 6.310.

5 * * *

6 “Taxicab” ~~((means every motor vehicle:~~
7 ~~1. That is held out to the public as providing transportation to passengers or~~
8 ~~articles for hire;~~
9 ~~2. Where the route traveled or destination is controlled by the customer;~~
10 ~~3. That carries signs or indicia of a taxicab, including the words “taxi,” “taxicab,”~~
11 ~~or “cab”; and~~
12 ~~4. Where the fare is based on an amount recorded and indicated on a taximeter or~~
13 ~~on an application dispatch system linked to a taximeter, or by a special contract rate permitted~~
14 ~~under this chapter. Despite the foregoing, “taxicab” does not include those vehicles listed in~~
15 ~~Section 6.310.110 J2-J8 or for hire vehicles))~~ has the same meaning as “taxicab” in Section
16 6.311.040.

17 “Taxicab association” ~~((means a person or entity licensed under this chapter that~~
18 ~~represents or owns at least 15 taxicabs licensed by the City that use the same color scheme, trade~~
19 ~~name, and dispatch services. An individual person may be a taxicab association as long as that~~
20 ~~individual owns or represents at least 15 taxicabs and otherwise meets the requirements of this~~
21 ~~chapter; provided, that for taxicab associations formed in connection with the wheelchair~~
22 ~~accessible taxicab demonstration project provided for under this chapter, the Director may waive~~
23 ~~the requirement for such taxicab associations to have 15 licensed taxicabs and any taxicab~~

~~association license fee for the duration of the demonstration project))~~ has the same meaning as
“taxicab association” in Section 6.311.040.

~~“Taxicab association representative” means the person or persons that a taxicab~~
~~association has authorized to:~~

~~1. File applications and, if not using application dispatch, special contract rates~~
~~and charges on behalf of the taxicab association and individual owners in the taxicab association;~~
~~and~~

~~2. Receive and accept all correspondence and notices from the City pertaining to~~
~~the taxicab association, or to the taxicabs, taxicab owners and/or for hire drivers operating within~~
~~the taxicab association; and~~

~~3. Forward any correspondence, notices and/or legal process received by the~~
~~association and intended for a taxicab owner and/or taxicab driver operating within the taxicab~~
~~association.))~~

~~“Taximeter” ((means any instrument or device by which the charge for hire of a passenger~~
~~carrying vehicle is measured or calculated either for the distance traveled by such vehicle or for~~
~~waiting time, or for both, and upon which such calculated charges shall be indicated by means of~~
~~figures))~~ has the same meaning as “taximeter” in Section 6.311.040.

* * *

Section 4. Section 6.310.120 of the Seattle Municipal Code, last amended by Ordinance
124524, is repealed:

~~((6.310.120 Scope~~

~~This chapter applies to all taxicab associations, all transportation network companies, all~~
~~taxicabs, all for hire vehicles, all TNC endorsed vehicles, and all for hire drivers operating in~~

1 ~~The City of Seattle. This chapter is not intended to be a part of the New License Code, Chapter~~
2 ~~6.202 et seq.))~~

3 Section 5. Section 6.310.125 of the Seattle Municipal Code, last amended by Ordinance
4 124524, is amended as follows:

5 **6.310.125 Violation classifications**

6 A. Requirements contained within this chapter shall specify violation classifications in
7 parentheses for the purpose of assessing monetary penalties and penalty points. General
8 provisions for penalty enforcement are set forth in Sections 6.310.600, 6.310.605, 6.310.610, and
9 6.310.635. Monetary penalties and penalty points for each violation classification are specifically
10 set forth in Section 6.310.605.

11 B. Violation classifications are as follows:

- 12 1. Class A – violations of administrative or non-safety requirements.
- 13 2. Class B – violations of safety requirements.
- 14 3. Class C – other serious violations.
- 15 4. Suspensions, revocations, and denials of licenses or TNC vehicle endorsements
16 are imposed when ~~((taxicab associations,))~~ transportation network companies~~((, taxicab~~
17 ~~licensees,))~~ or for-hire drivers fail to comply with licensing or endorsement requirements
18 pursuant to this chapter, or there is an immediate safety concern with the taxicab, for-hire
19 vehicle, or TNC endorsed vehicle.

20 Section ~~56~~. Section 6.310.130 of the Seattle Municipal Code, last amended by Ordinance
21 124524, is amended as follows:

22 **6.310.130 Licenses required**

1 A. ~~((It is unlawful to own, lease, drive or otherwise operate within The City of Seattle~~
2 ~~any taxicab or for hire vehicle within the scope of this chapter, unless:~~

- 3 1. ~~The for hire driver has a valid license issued under this chapter;~~
4 2. ~~The for hire vehicle or taxicab has a valid license issued under this chapter;~~
5 3. ~~If the vehicle is a taxicab, the taxicab is affiliated with a taxicab association~~
6 ~~licensed under this chapter;~~
7 4. ~~The for hire driver that operates a taxicab is affiliated with a taxicab association~~
8 ~~licensed under this chapter.)) Reserved.~~

9 B. It is unlawful to operate within The City of Seattle as a transportation network
10 company (TNC) driver, unless:

- 11 1. The driver has a valid for-hire driver's license issued under this chapter;
12 2. The vehicle is either:
13 a. A personal vehicle with a TNC vehicle endorsement, or
14 b. A for-hire vehicle or taxicab licensed under ~~((this chapter))~~ Chapter
15 6.311; and
16 3. The driver is affiliated with a TNC licensed under this chapter.

17 ~~((This section 6.310.130.B shall be effective 120 days from the effective date of this~~
18 ~~ordinance.))~~

19 C. ~~((It is unlawful to operate a taxicab association within The City of Seattle without a~~
20 ~~valid license issued pursuant to this chapter.)) Reserved.~~

21 D. It is unlawful to operate as a transportation network company within The City of
22 Seattle without a valid license issued under this chapter.

1 E. It is unlawful to operate an application dispatch system within The City of Seattle
2 unless:

- 3 1. The person or entity is a licensed transportation network company; or
4 2. The person or entity uses the application dispatch system exclusively for
5 taxicabs and/or for-hire vehicles licensed under ~~((this chapter))~~ Chapter 6.311, consistent with
6 Section 6.310.530.

7 F. The regulatory licenses and vehicle endorsements issued to for-hire drivers, ~~((for hire~~
8 ~~vehicles,))~~ transportation network company drivers, ~~((taxicabs, taxicab associations,))~~ and
9 transportation network companies under this chapter shall be suspended by the Director if the
10 for-hire driver ~~((, for hire vehicle, taxicab, taxicab association,))~~ or transportation network
11 company does not maintain a required current business license issued by The City of Seattle.

12 * * *

13 Section ~~67~~. Sections 6.310.135 and 6.310.137 of the Seattle Municipal Code, enacted by
14 Ordinance 124524, are repealed:

15 ~~((6.310.135 Transition to medallion system~~

16 A. Effective February 1, 2015, City taxicab and for hire vehicle licenses shall transition
17 to a medallion system and all references to taxicab licenses and for hire vehicle licenses in this
18 Chapter shall refer to taxicab medallions and for hire vehicle medallions, respectively. The
19 medallion system deems a taxicab or for hire vehicle license to be intangible property. The
20 owner of a taxicab or for hire vehicle medallion can use the medallion as collateral to secure a
21 loan from a bank or any other financial institution. Medallion owners shall file with the Director
22 the name of any and all lienholders, on forms furnished by the Director.

23 B. Effective February 1, 2015, existing taxicab or for hire vehicle license holders shall
24 receive one medallion for each taxicab or for hire vehicle license upon payment of a one-time

1 ~~administrative fee of \$100.00. Failure to pay this administrative fee shall result in the denial of~~
2 ~~the renewal of a taxicab or for hire vehicle license.~~

3 ~~C. All new taxicab or for hire vehicle licenses issued after the effective date of this~~
4 ~~ordinance shall be issued pursuant to a medallion system by lottery pursuant to subsection~~
5 ~~6.310.500.D.2.~~

6 ~~D. Taxicab and for hire vehicle medallions remain subject to all regulations in this~~
7 ~~Chapter. The interest of a medallion owner may be suspended or revoked for any reason~~
8 ~~enumerated in this Chapter for the suspension or revocation of a taxicab or for hire vehicle~~
9 ~~license. Upon the final order of revocation, a medallion shall be involuntarily transferred~~
10 ~~pursuant to subsection 6.310.137.~~

11 ~~E. Medallion holders waive any and all liability, claims, actions, suits, loss, costs,~~
12 ~~expense judgments, attorneys' fees, or damages of every kind and description resulting directly~~
13 ~~or indirectly from any act or omission of the City, its officials, officers, employees, and agents~~
14 ~~regarding the valuation or devaluation of the medallion.~~

15 ~~F. The City assumes no liability for any devaluation of the medallion due to regulatory~~
16 ~~action or market forces.~~

17 ~~G. Any taxicab or for hire vehicle medallion may only be voluntarily transferred, sold or~~
18 ~~assigned in accordance with this section 6.310.135. For purposes of the sale of a taxicab or for-~~
19 ~~hire vehicle medallion, the following requirements must be satisfied: (i) all outstanding fines and~~
20 ~~penalties against the medallion holder and for hire driver's license, if applicable, must be paid or~~
21 ~~satisfied and all pending administrative matters must be resolved; and (ii) when seller owns two~~
22 ~~or more taxicab or for hire taxicab licenses, all outstanding items/proceedings as stated in (i)~~
23 ~~above shall be paid, satisfied or resolved.~~

1 ~~H. Medallion owners may lease an interest in the medallion as prescribed by Director's~~
2 ~~rule. To assure orderly and rapid transition to the medallion system, the Director shall have such~~
3 ~~rules in place 90 days from February 1, 2015.~~

4 **~~6.310.137 Involuntary transfer of taxicab or for-hire vehicle medallions~~**

5 ~~A. The interest of a medallion owner may be suspended or revoked for any reason~~
6 ~~enumerated in this Chapter for the suspension or revocation of a taxicab or for hire vehicle~~
7 ~~license. Upon a final order of revocation where all appellate proceedings, if any, have been~~
8 ~~concluded, the Director shall coordinate the sale of the medallion at public auction by a licensed~~
9 ~~auctioneer to the highest and best bidder, who shall pay the amount bid by a cashier's check~~
10 ~~within seven business days from the time of sale.~~

11 ~~The proceeds from the sale of such medallions, after deducting the expenses of the sale~~
12 ~~and all costs incurred by the City including, but not limited to, attorney's fees, shall be paid, first,~~
13 ~~to the lienholder or lienholders in the order of date of filing and the balance, if any, shall be paid~~
14 ~~to the person whose interest in the medallion has been revoked, or to the City when the person~~
15 ~~cannot be located.~~

16 ~~B. Any person holding a bona fide lien or security interest in a taxicab or for hire vehicle~~
17 ~~medallion shall have the right to enforcement of a lien against that medallion within thirty days~~
18 ~~after any final order of revocation where all appellate proceedings, if any, have been concluded~~
19 ~~and upon actual notice to any lienholder whose name is on file with the Director.~~

20 ~~C. In order to perfect a lien or security interest in a taxicab or for hire vehicle medallion,~~
21 ~~the party which holds the pledge, lien or security interest, within thirty days of the date of~~
22 ~~creation of the pledge, lien or security interest, shall record the same as required by State law and~~
23 ~~provide a copy of the recording to the Director. The collateral shall be described as "City of~~

1 ~~Seattle taxicab medallion" or "City of Seattle for hire vehicle medallion" and include the~~
2 ~~medallion certificate number.~~

3 ~~D. Any foreclosure of a perfected lien in a taxicab or for hire vehicle medallion shall be~~
4 ~~in the King County Superior Court and the City Finance and Administrative Services~~
5 ~~Department (FAS) shall be joined as an indispensable party. All holders of liens or security~~
6 ~~interests senior to the pledge, lien or security interest being foreclosed shall be joined and~~
7 ~~deemed necessary parties to the foreclosure.~~

8 ~~E. Upon a judgment of foreclosure, the Director shall coordinate the sale of the medallion~~
9 ~~at public auction by a licensed auctioneer to the highest and best bidder, who shall pay the~~
10 ~~amount bid by a cashier's check within seven business days from the time of sale. The proceeds~~
11 ~~from the sale of such medallions, after deducting the expenses of the sale and all costs incurred~~
12 ~~by the City including, but not limited to, attorney's fees, shall be paid, first, to the lienholder or~~
13 ~~lienholders in the order of date of filing and the balance, if any, shall be paid as directed in the~~
14 ~~judgment of foreclosure.~~

15 ~~F. The institution of foreclosure procedures or the judicial transfer of a medallion shall~~
16 ~~not prevent the Director from suspending or imposing a civil penalty or taking other~~
17 ~~administrative action against the medallion owner at the time of the alleged violation.~~

18 ~~G. Distribution from estate to a beneficiary~~

19 ~~1. When a taxicab or for hire vehicle medallion or stock in a corporation owning~~
20 ~~such a medallion is distributed from an estate to a beneficiary by a court of law, the transferee~~
21 ~~shall submit to the Director the court order directing the City to transfer the medallion to the~~
22 ~~beneficiary. The court order shall condition the transfer upon the transferee complying with this~~
23 ~~Chapter.~~

~~2. An executor or administrator may continue the operation of a taxicab or for-hire vehicle only with prior written approval of the Director. The executor or administrator shall apply for such approval within 120 days of his or her appointment. In the event of any delay not caused by the executor or the administrator, the Director may grant additional time to apply for approval for good cause shown.))~~

Section ~~7~~8. Section 6.310.150 of the Seattle Municipal Code, last amended by Ordinance 125975, is amended as follows:

6.310.150 Fees

The following nonrefundable fees shall apply:

A. Reserved. ~~((Taxicab association, taxicab, and for hire vehicle license and for hire driver fees (excluding transportation network company (TNC) for hire drivers) shall be:~~

1. Taxicab Association	
— a. Annual fee	\$1,000
— b. Late renewal fee	\$100
2. Taxicab or for hire vehicle fees	
— a. Annual license fee	\$500
— b. Wheelchair accessible taxicab annual license fee	Waived
— c. Late fee (license renewal)	\$60
— d. Change of vehicle licensee:	
—— i. July — December	\$500
—— ii. January — June (half year)	\$250
—— iii. May 16 — June 30*	
— e. Replace taxicab plate	\$25
— f. Special inspection fee** — \$100/hour (½ hour minimum)	
— g. Inspection rescheduling fee (non-City licensed vehicles only)	\$25
— h. Taxicab change of association affiliation	\$100
— i. Change of licensee corporation, limited liability company, or partnership members	\$100
— j. Taximeter test (when not part of annual inspection)	\$50
* — No change of taxicab licensee or for hire vehicle licensee fee is due if the transfer occurs between May 16 — June 30. During this period, the change of taxicab or for hire vehicle licensee and the annual license renewal are accomplished together and only one fee will be assessed.	

— ** For testing of taxicab meter or taxicab inspections provided to other municipalities.	
3. For hire driver license fees:	
— a. Annual fee	\$50
Late fee	\$15
— b. Replacement license	\$5
— c. Other training and licensing fees (fingerprinting, ID photo, background check): Charge as determined by Director to cover costs.))	

* * *

Section ~~89~~. Sections 6.310.200 through 6.310.255 of the Seattle Municipal Code, last amended or enacted by Ordinances 124524, 121357, and 118341, are repealed:

~~((6.310.200 Taxicab association license application~~

~~A. Any business or individual desiring to operate as a taxicab association within The City of Seattle shall file with the Director a signed and notarized taxicab association application, on forms approved by the Director. The application shall include the following information:~~

~~1. The applicant taxicab association's name, business street address and Post Office box address (if any), business facsimile number, business phone number where the taxicab association representative can generally be reached between nine a.m. (9:00 a.m.) and five p.m. (5:00 p.m.) on all nonholiday weekdays, and FCC licensed frequencies used for dispatch or response;~~

~~2. The form of business entity under which the association will operate (e.g. corporation, partnership, cooperative association);~~

~~a. If the applicant taxicab association is individually owned, the name, business address (or home address if no business address), telephone number and date of birth of the owner, or~~

~~b. If the applicant taxicab association is a corporation, partnership or other business entity, the names, home and business addresses, telephone numbers, and date of birth of~~

1 ~~all officers, directors, general and managing partners, registered agents, and of all other persons~~
2 ~~vested with authority to manage or direct the affairs of the legal entity or to bind the legal entity~~
3 ~~in dealings with third parties, and the entity's true legal name, state of incorporation or~~
4 ~~registration with the Secretary of State of the State of Washington (if any) and State of~~
5 ~~Washington business license number, and any other information that the Director may~~
6 ~~reasonably require;~~

7 ~~3. The color scheme the applicant taxicab association proposes to require for each~~
8 ~~affiliated taxicab, and two (2) two-inch (2") by two-inch (2") sample color chips;~~

9 ~~4. The name, address, phone number and date of birth of the taxicab association~~
10 ~~representative;~~

11 ~~5. The taxicab number (assigned by the City/County) and the name of each~~
12 ~~taxicab vehicle owner that will be affiliated with the taxicab association;~~

13 ~~6. The special and/or contract rates that will be charged by taxicabs affiliated with~~
14 ~~the taxicab association; and~~

15 ~~7. Any other information required by regulations adopted pursuant to this chapter.~~

16 ~~8. The above application and information must be completed for each annual~~
17 ~~license renewal.~~

18 ~~B. All applications submitted to the Director must be accompanied by the license fee set~~
19 ~~forth in SMC Section 6.310.150.~~

20 ~~C. The taxicab association applicant or licensee must inform the Director in writing~~
21 ~~within seven (7) days if any of the information provided pursuant to subsection A of this section~~
22 ~~changes, ceases to be true or is superseded in any way by new information.~~

23 ~~**6.310.210 Taxicab association—Standards for license denial.**~~

1 ~~A. The operation of a taxicab association is a privilege, not a right. The taxicab~~
2 ~~association's ability to satisfy stated criteria for a taxicab association license does not create a~~
3 ~~right to a taxicab association license.~~

4 ~~B. The Director shall deny any taxicab association license application if the Director~~
5 ~~determines that:~~

- 6 ~~1. The applicant does not represent at least fifteen (15) affiliated taxicabs;~~
7 ~~2. The application has a material misstatement or omission;~~
8 ~~3. The application is incomplete; and/or~~
9 ~~4. Within three (3) years of the date of application, the applicant, or any owner,~~
10 ~~officer, director, managing partner, general partner or principal of the applicant, has had a bail~~
11 ~~forfeiture, conviction or other final adverse finding for crimes of fraud, theft, larceny, extortion,~~
12 ~~embezzlement, racketeering, Uniform Controlled Substances Act, prostitution, alcohol and/or~~
13 ~~narcotics where the commission of such crime(s) involved a taxicab association, taxicab or for-~~
14 ~~hire vehicle company, taxicab, for-hire vehicle or limousine.~~

15 ~~C. The Director may deny any taxicab association license application if the Director~~
16 ~~determines that, within five (5) years of the date of application, the taxicab association applicant,~~
17 ~~or if the taxicab association applicant is a business entity, any officer, director, managing partner,~~
18 ~~general partner, registered agent or principal of the taxicab association:~~

- 19 ~~1. Within five (5) years of the date of application, has had a bail forfeiture,~~
20 ~~conviction or other final adverse finding involving crimes directly related to the applicant's~~
21 ~~ability to operate a taxicab association, including but not limited to prostitution, gambling, fraud,~~
22 ~~larceny, extortion, income tax evasion; and/or~~

2. ~~Has exhibited past conduct, as evidenced by a criminal conviction, bail forfeiture or other final adverse finding (including in a civil suit or administrative proceeding) in operating a taxicab association, business or vehicle that would lead the Director to reasonably conclude that the applicant will not fulfill the taxicab association responsibilities and requirements set forth in this chapter.~~

~~6.310.220 Taxicab association—Approval of color scheme and uniform.~~

~~The Director shall have final approval over the taxicab association's color scheme and uniform, in order to ensure that there is no risk of confusion between the colors of different taxicab associations, and to ensure that the uniform meets the standards of SMC Section 6.310.200 A3 and 4.~~

~~6.310.225 Taxicab association—Wearing costume.~~

~~Notwithstanding the uniform requirements of SMC 6.310.200A4, a taxicab association may permit a driver to wear a costume, which may include several color and style variations, upon a written request of a driver and if each of the following requirements is met:~~

~~1. The costume depicts a readily identifiable and generally well known public figure, personality or fictional character.~~

~~2. The costume covers the body at least to the same extent as the regular uniform of the association.~~

~~3. The costume does not include a full or partial mask.~~

~~4. The costume does not include facial make up or other feature that obscures facial characteristics in such a way as to impair matching the driver's face with the picture on the for-hire driver license.~~

1 ~~5. The costume does not depict a police officer, fire officer or any other public safety~~
2 ~~officer.~~

3 ~~6. The costume will not interfere with the driver's ability to provide professional, safe and~~
4 ~~secure transportation to customers.~~

5 ~~7. Other than not being a uniform, the costume will not interfere with the driver's~~
6 ~~responsibilities to comply with for hire driver standards set forth in Sections SMC 6.310.450~~
7 ~~through 475.~~

8 ~~8. The association has provided the Director a brief description of the costume along with~~
9 ~~a photograph of the driver wearing the costume.~~

10 ~~The Director shall provide a report to the Council Transportation Committee by August 1, 2004~~
11 ~~regarding the number and types of costumes allowed pursuant to this section and the impact of~~
12 ~~the use of costumes upon the taxicab industry.~~

13 **~~6.310.230 Taxicab association operating responsibilities~~**

14 ~~In addition to meeting the license application requirements set forth in Section 6.310.200, the~~
15 ~~taxicab association must:~~

16 ~~A. Maintain a business office that:~~

17 ~~1. Is open and personally staffed all business days between 9 a.m. and 5 p.m.~~
18 ~~(Class A),~~

19 ~~2. Has a local Seattle business telephone number and must be answered during all~~
20 ~~hours that affiliated taxicabs are operating (Class A),~~

21 ~~3. Has a mailing address where the taxicab association representative will accept~~
22 ~~mail (Class A),~~

1 4. ~~Stores all records that this chapter requires the taxicab association to maintain~~
2 ~~including, but not limited to, copies of taxicab licenses and for hire drivers licenses, lists of all~~
3 ~~affiliated taxicabs and affiliated drivers, taxicab vehicle repair and service records, passenger~~
4 ~~comment cards, new driver training records, vehicle insurance policies, vehicle registrations,~~
5 ~~taxicab sign out log or equivalent, and radio/computer/application dispatch records (Class A —~~
6 ~~each requirement);~~

7 5. ~~Provides secure storage for all items left in the taxicab by patrons and turned in~~
8 ~~by drivers of affiliated taxicabs (Class A), and~~

9 6. ~~Provides radio or computer dispatch during all hours that affiliated taxicabs are~~
10 ~~operating, and every request for service must be satisfied as long as there are any operating~~
11 ~~taxicabs not in use; except that associations and for hire drivers that refuse service pursuant to~~
12 ~~SMC 6.310.465 L shall not be subject to any penalties by the Director, or, in the case of for hire~~
13 ~~drivers, by the association (Class B — both requirements);~~

14 B. ~~Ensure that each affiliated taxicab is insured as required in SMC Sections 6.310.300~~
15 ~~D5-6 and 6.310.320 D (Class B);~~

16 C. ~~Ensure that each affiliated taxicab maintains the taxicab association's color scheme~~
17 ~~and identification (Class B);~~

18 D. ~~Maintain on file at the taxicab association's place of business proof of insurance~~
19 ~~required by SMC Sections 6.310.300 C5-6 and 6.310.320 D (Class A);~~

20 E. ~~Accept on behalf of any taxicab licensee or driver of an affiliated taxicab all~~
21 ~~correspondence from the Director to that taxicab licensee or driver (Class A);~~

1 ~~F. Send, by first class mail, to the taxicab licensee and for hire driver of an affiliated~~
2 ~~taxicab any correspondence from the Director within five business days after the taxicab~~
3 ~~association receives such correspondence and keeps a written record of the mailings (Class A);~~

4 ~~G. Collect, store, and quarterly provide reporting documents to the Director as outlined in~~
5 ~~Section 6.310.540.~~

6 ~~H. Notify the Director within two working days of the taxicab association having~~
7 ~~knowledge of the following:~~

8 ~~1. A conviction, bail forfeiture or other adverse finding received by the driver or~~
9 ~~the taxicab licensee of an affiliated taxicab for any criminal offense or traffic violation that~~
10 ~~occurs during or arises out of the driver's operation of the taxicab (Class A for traffic violation,~~
11 ~~Class B for any criminal offense);~~

12 ~~2. A conviction, bail forfeiture or other adverse finding received by the driver or~~
13 ~~the taxicab licensee of an affiliated taxicab for any other criminal offense directly bearing on the~~
14 ~~driver's fitness to operate a taxicab or the taxicab licensee's fitness to be licensed, including but~~
15 ~~not limited to theft, fraud, robbery, burglary, assault, sex crimes, alcohol, drugs, or prostitution~~
16 ~~(Class B);~~

17 ~~3. A vehicle accident required to be reported to the State of Washington involving~~
18 ~~any affiliated taxicab (Class B);~~

19 ~~4. Any restriction, suspension or revocation of a State of Washington driver's~~
20 ~~license issued to a driver of an affiliated taxicab (Class B), and/or~~

21 ~~5. Any matter listed in SMC Section 6.310.210 B4 or 6.310.210 C (Class B);~~

22 ~~I. Notify the Director within five working days of any change in the affiliation status of~~
23 ~~any taxicab, including any new taxicab joining the association, any taxicab leaving the~~

1 ~~association, and any suspension, termination, nonrenewal or revocation of a taxicab by the~~
2 ~~taxicab association or by any jurisdiction other than The City of Seattle (Class A);~~

3 ~~J. Continue to affiliate with at least 15 taxicabs licensed under this chapter. If the number~~
4 ~~of taxicabs falls below 15, the taxicab association must increase the number to 15 within six~~
5 ~~months from the date the number falls below 15, or combine with an already existing~~
6 ~~association, or lose its license under this chapter (revocation or nonrenewal);~~

7 ~~K. Comply with all regulations promulgated pursuant to this chapter (see applicable rules~~
8 ~~for penalties or actions);~~

9 ~~L. Permit the Director to carry out inspections without notice of all taxicab records~~
10 ~~required to be kept under this chapter, and all affiliated taxicabs (Class B);~~

11 ~~M. Pay all penalties imposed by the Department that are either not contested or are~~
12 ~~upheld after review (revocation of license);~~

13 ~~N. Provide a supervisor at a taxicab zone whenever such zone is used by affiliated~~
14 ~~taxicabs if the Director determines that it is necessary due to: (1) complaints received from~~
15 ~~passengers and adjacent property owners, or (2) improper use of nearby passenger load zones,~~
16 ~~truck load zones, and charter bus zones. If the taxicab association fails to provide a supervisor as~~
17 ~~required by the Director, the Director may suspend all affiliated taxicabs from using the taxicab~~
18 ~~zone (first offense — Class B violation and fourteen-day suspension from taxicab zone; second~~
19 ~~and subsequent offenses — Class B violation and sixty-day suspension from taxicab zone); and~~

20 ~~O. Determine whether an affiliated driver, who has been the victim of a crime of assault~~
21 ~~or robbery, has reported the crime to 911. If not, the taxicab association shall call 911 and report~~
22 ~~the crime immediately (Class B).~~

1 ~~P. Prior to providing taxicab services and annually thereafter, require every affiliated~~
2 ~~vehicle to undergo a uniform vehicle safety inspection, approved by the Director, that utilizes~~
3 ~~approved mechanics who shall certify in writing that the vehicle is mechanically sound and fit~~
4 ~~for driving. The approved mechanic is responsible for checking that the plates, decals, customer~~
5 ~~notices, and other markings, as required and supplied, if applicable, by the City are legible and~~
6 ~~properly displayed as specified by the Director by rule. Taxicab associations shall maintain~~
7 ~~vehicle inspection records. (revocation and Class C).~~

8 **~~6.310.240 Taxicab association—Transfers in the interest of a taxicab association.~~**

9 ~~A taxicab association license is not transferable. However, an interest in a business entity holding~~
10 ~~a taxicab association license may be transferred, but only after the new owner or principal has~~
11 ~~submitted an application, met the standards and requirements contained in Sections 6.310.200,~~
12 ~~6.310.205, and 6.310.210, and secured written approval of the Director.~~

13 **~~6.310.250 Taxicab association—License renewals.~~**

14 ~~A taxicab association license is valid for no more than one (1) year and expires on December~~
15 ~~31st. No taxicab association license may be renewed unless the renewal fee has been paid and all~~
16 ~~outstanding penalties assessed against the taxicab association, its affiliated taxicabs and the for-~~
17 ~~hire drivers of affiliated taxicabs have been paid to the Director. The Director shall not renew the~~
18 ~~taxicab association license unless the Director determines that the taxicab association's continued~~
19 ~~operation is in the public interest. All denials of renewal applications must be set forth in writing,~~
20 ~~together with the reasons for denial. The written denial shall be delivered either personally or by~~
21 ~~first class mail to the address provided by the applicant on the license renewal application.~~

22 **~~6.310.255 For hire vehicle company operating responsibilities~~**

23 ~~A for hire vehicle company must:~~

1 ~~A. Collect, store, and quarterly provide reporting documents to the Director as outlined in~~
2 ~~Section 6.310.540 (Class C);~~

3 ~~B. Upon the effective date of this ordinance, submit two two-inch by two-inch sample~~
4 ~~color chips of the company's proposed color scheme to the Director. All proposed color schemes~~
5 ~~must be approved by the Director and must be distinct from the orange, yellow or green used by~~
6 ~~taxicabs. The Director must approve any changes in color scheme. (Class C).)~~

7 Section 910. Section 6.310.260 of the Seattle Municipal Code, last amended by
8 Ordinance 125082, is amended as follows:

9 **6.310.260 Transportation network company license eligibility and application**

10 A. Any business or individual desiring to operate as a transportation network company
11 within The City of Seattle shall file with the Director a signed, under penalty of perjury,
12 transportation network company license application on forms provided by the Director.

13 1. To be eligible for a license, the transportation network company is limited to
14 providing application dispatch services to transportation network company drivers meeting the
15 requirements set forth in Section 6.310.452; further, no TNC licensed by the City of Seattle shall
16 own or be owned or controlled, in whole or in part, by any other TNC licensed by the City of
17 Seattle, or be owned or controlled in whole or in part by any party or entity owning or
18 controlling, in whole or in part, another TNC licensed by the City of Seattle; provided that no
19 ownership restrictions shall apply to any publicly-traded company.

20 2. The license application shall include the following information:

21 a. The applicant transportation network company's name, business street
22 address and post office box address (if any), business facsimile number, business phone number

1 and business email address where the transportation network company representative can
2 generally be reached between 9 a.m. and 5 p.m. on all nonholiday weekdays;

3 b. The form of business entity under which the TNC will operate (e.g.
4 corporation, partnership, or cooperative association);

5 i. If the applicant transportation network company is individually
6 owned, the name, business address (or home address if no business address), telephone number,
7 and date of birth of the owner, or

8 ii. If the applicant transportation network company is a
9 corporation, partnership or other business entity, the names, business addresses, telephone
10 numbers, and date of birth of the person or persons vested with authority to manage or direct the
11 affairs of the legal entity in Seattle or to bind the legal entity in dealings with third parties, and
12 the entity's true legal name, state of incorporation or registration with the Secretary of State of
13 the State of Washington (if any) and State of Washington business license number, and any other
14 information that the Director may reasonably require;

15 c. Verification that applicant uses only one application dispatch system, as
16 approved by the Director;

17 d. The trade dress the applicant transportation network company proposes
18 to use, if any, for each affiliated driver's vehicle, with a photo of the trade dress submitted with
19 the application. The trade dress may be placed on the vehicle body, but not on the roof or
20 covering any windows, vehicle lights, or obscuring the view of any mirrors, and cannot exceed
21 four square feet;

22 e. The name, address, phone number, and date of birth of the
23 transportation network company representative;

1 f. The registered owners of vehicles with a transportation network
2 company endorsement, or the transportation network company on behalf of the registered owner
3 must have on file with the City evidence that each vehicle has an insurance policy or binder
4 proving compliance with State insurance requirements effective at that time. The insurance
5 policy, and any related driver contracts if applicable, must be submitted to the Director. The
6 TNC shall provide evidence that each vehicle affiliated with a transportation network company
7 has insurance in an amount no less than required by RCW 46.72.050 and underinsured motorist
8 coverage indicating a minimum coverage of \$100,000 per person, and \$300,000 per accident or
9 in an amount no less than required by ((chapter 48.177)) RCW 46.72B.180, at any time while
10 active on the TNC dispatch system. The insurance policy shall:

11 i. Be issued by an admitted carrier in the State of Washington with
12 an A.M. Best Rating of not less than B VII or show evidence that an exemption has been met
13 allowing for the use of a surplus line insurer; provided however, that the Director may
14 temporarily suspend any or all of these requirements if no other viable insurance options are
15 available to the industry,

16 ii. Name The City of Seattle as an additional insured,

17 iii. Provide that the insurer will notify the Director, in writing, of
18 any cancellation and/or non-renewal at least 30 days before that cancellation and/or non-renewal
19 takes effect, and

20 iv. Not include aggregate limits, or named driver requirements or
21 exclusions. Other limitations or restrictions beyond standard insurance services office (ISO)
22 business auto policy form are subject to approval by the Director.

g. ~~((State ((of Washington)) issued Valid~~ vehicle registration for each vehicle affiliated with the transportation network company.

h. Certificate of a uniform vehicle safety inspection for each vehicle affiliated with the transportation network company as required in subsection 6.310.270.R.

i. Any other information required by regulations adopted pursuant to this Chapter 6.310.

j. The above application and information must be completed for each annual license renewal.

B. The TNC license fee shall be paid as set forth in Section 6.310.150.

C. The transportation network company applicant or licensee must inform the Director in writing within seven days if any of the information provided pursuant to Section 6.310.260.A changes, ceases to be true or is superseded in any way by new information.

D. A transportation network company license is valid for no more than one year. No transportation network company license may be renewed unless all outstanding penalties assessed against the transportation network company and its affiliated drivers have been paid to the Director. The TNC license renewal fee shall be paid as set forth in Section 6.310.150.

Section ~~4011~~. Section 6.310.270 of the Seattle Municipal Code, enacted by Ordinance 124524, is amended as follows:

6.310.270 Transportation network company (TNC) operating responsibilities

In addition to meeting the license application requirements set forth in Section 6.310.260, the TNC must:

* * *

1 K. Notify the Director within two working days of the TNC having knowledge of the
2 following:

3 1. A conviction, bail forfeiture or other adverse finding received by a TNC driver
4 for any criminal offense or traffic violation that occurs during or arises out of the driver's
5 operation of the vehicle while active on any TNC dispatch (Class A for traffic violation, Class B
6 for any criminal offense),

7 2. A conviction, bail forfeiture or other adverse finding received by a TNC driver
8 for any other criminal offense directly bearing on the driver's fitness to operate a vehicle or the
9 affiliated driver's fitness to be licensed, including but not limited to theft, fraud, robbery,
10 burglary, assault, sex crimes, alcohol, drugs, or prostitution (Class B),

11 3. A vehicle accident required by law to be reported to ~~((the State of~~
12 ~~Washington))~~ a state agency ((involving)) that involves any TNC driver (Class B),

13 4. Any restriction, suspension or revocation of a ~~((State of Washington))~~ state
14 issued valid driver's license issued to a TNC driver (Class B), and/or

15 5. Any matter listed in subsections 6.310.265.B.9 or 6.310.265.C (Class B);

16 * * *

17 Section ~~H12~~. Sections 6.310.300 through 6.310.320 of the Seattle Municipal Code, last
18 amended or enacted by Ordinances 125082, 124524, 122763, and 118341, are repealed:

19 ~~((6.310.300 Taxicab and for-hire vehicle license application~~

20 ~~A. A taxicab association representative, on behalf of a taxicab license applicant affiliated~~
21 ~~with the taxicab association, is responsible for filing with the City a taxicab license application,~~
22 ~~on forms approved by the Director, for each taxicab that is, or is proposed to be, affiliated with~~
23 ~~the association. The applicant must be the registered owner of the vehicle to be used as a taxicab~~

1 ~~or for hire vehicle. The taxicab license applicant must sign and swear to the application, which~~
2 ~~shall include the information specified in subsection C of this section.~~

3 ~~B. A for hire vehicle owner must file with the City a for hire vehicle license application~~
4 ~~on forms provided by the Director.~~

5 ~~C. The taxicab or for hire vehicle license application shall include the following~~
6 ~~information:~~

7 ~~1. Applicant type:~~

8 ~~a. If the applicant is an individual, the vehicle owner's full name, home~~
9 ~~address, home and business telephone number, and date of birth (which shall be at least 18 years~~
10 ~~prior to the date of application); or~~

11 ~~b. If the applicant is a corporation, limited liability company, partnership~~
12 ~~or other legal entity, the names, home addresses, telephone numbers and dates of birth (which~~
13 ~~must be at least 18 years before the date of application) for the corporation's or entity's officers,~~
14 ~~directors, general and managing partners, registered agents, and each person vested with~~
15 ~~authority to manage or direct the affairs of the legal entity or to bind the legal entity in dealings~~
16 ~~with third parties; the corporation's, limited liability company's, partnership's, or entity's true~~
17 ~~legal name, state of incorporation or partnership registration (if any), business address and~~
18 ~~telephone and facsimile numbers and State of Washington business license number, and any~~
19 ~~other information that the Director may reasonably require.~~

20 ~~2. Vehicle information, including the name of the taxicab association with which~~
21 ~~a taxicab is or will be affiliated, the taxicab or for hire vehicle number assigned by any~~
22 ~~regulatory agency, the make, model, year, vehicle identification number, Washington State~~

1 ~~vehicle license plate number, and any other vehicle information required by rule or regulation~~
2 ~~promulgated under this Chapter 6.310.~~

3 ~~3. Information as requested by the Department pertaining to any driver's, for hire~~
4 ~~vehicle or taxicab license suspension, denial, nonrenewable or revocation, imposed in connection~~
5 ~~with a taxicab or for hire vehicle owned or leased by the vehicle owner within the last three~~
6 ~~years.~~

7 ~~4. Consent of the vehicle owner, or if the vehicle owner is a business entity, of the~~
8 ~~persons specified in subsection 6.310.C.1.b above, to a criminal background check through~~
9 ~~Washington State Patrol and Federal Bureau of Investigation criminal databases conducted by~~
10 ~~the Director, or have a copy of a criminal background check provided directly from a Director-~~
11 ~~approved third party vendor.~~

12 ~~5. An insurance policy filed with the City proving compliance with chapter 46.72~~
13 ~~RCW, as now or hereafter amended, or Chapter 48.177 RCW as now or hereafter amended if~~
14 ~~approved by the Director for the limited purpose of determining minimum insurance compliance,~~
15 ~~for each taxicab or for hire vehicle for which a license is sought. The insurance policy shall:~~

16 ~~a. Be issued by an admitted carrier in the State of Washington with an~~
17 ~~A.M. Best's Rating of not less than B and be not less than A.M. Best's Financial Size Category~~
18 ~~VII; provided however, that the Director may temporarily suspend any or all of these~~
19 ~~requirements if no other viable insurance options are available to the industry,~~

20 ~~b. Name The City of Seattle as an additional insured,~~

21 ~~c. Provide that the insurer will notify the Director, in writing, of any~~
22 ~~cancellation at least 30 days before that cancellation takes effect, and~~

1 ~~d. Not include aggregate limits, or named driver requirements or~~
2 ~~exclusions. Other limitations or restrictions beyond standard insurance services office (ISO)~~
3 ~~business auto policy form are subject to approval by the Director.~~

4 ~~6. Certificate of underinsured motorist coverage indicating a minimum coverage~~
5 ~~of \$100,000 per person, and \$300,000 per accident.~~

6 ~~7. State of Washington vehicle registration.~~

7 ~~8. Certificate of vehicle safety based on a uniform vehicle safety inspection as~~
8 ~~required in subsection 6.310.320.E.~~

9 ~~9. Certificate of taxicab association membership (if application is for a taxicab~~
10 ~~license).~~

11 ~~10. Any other documents required by regulations promulgated under this Chapter~~
12 ~~6.310.~~

13 ~~11. The above application and information must also be completed and supplied~~
14 ~~during any annual license renewal. The City will not process a taxicab or for hire vehicle license~~
15 ~~application if any required information or documentation is missing or incomplete. Completed~~
16 ~~applications and copies of required documentation shall be provided to the City by the taxicab~~
17 ~~association, for hire vehicle company, or for hire vehicle licensee.~~

18 ~~D. The taxicab association applicant must inform the Director in writing within seven (7)~~
19 ~~days if any of the information provided pursuant to subsection C changes, ceases to be true or is~~
20 ~~superseded in any way by new information.~~

21 **~~6.310.310 Taxicab and for hire vehicle—Standards for license denial.~~**

22 ~~A. The Director shall deny any taxicab or for hire vehicle owner license application if the~~
23 ~~Director determines that:~~

1 1. The applicant has failed to submit a complete, satisfactory application pursuant
2 to SMC Section 6.310.300;

3 2. The applicant taxicab owner has failed to affiliate with a licensed taxicab
4 association;

5 3. The applicant has made any material misstatement or omission in the
6 application for a license;

7 4. The applicant fails to meet one or more of the applicant or vehicle requirements
8 of a taxicab or for hire vehicle owner licensee pursuant to SMC Section 6.310.320; and/or

9 5. Within three (3) years of the date of application, the applicant, or if the
10 applicant is a business entity any officer, director, general partner, managing partner or principal
11 of the applicant, has had a conviction, bail forfeiture or other final adverse finding of criminal
12 fraud, larceny, theft, prostitution, extortion, racketeering, robbery, or violation of the Uniform
13 Controlled Substances Act within three (3) years of the date of application where such crime
14 involved the use of a taxicab, for hire vehicle or limousine.

15 B. The Director may deny any taxicab or for hire vehicle owner license application if the
16 Director determines that:

17 1. Within five (5) years of the date of application, the applicant or, if the applicant
18 is a business entity, any officer, director, general partner, managing partner or principal of the
19 applicant, has had a conviction, bail forfeiture, or other final adverse finding involving crimes
20 reasonably related to the applicant's ability to operate a taxicab or for hire business, including but
21 not limited to prostitution, gambling, fraud, larceny, extortion, income tax evasion;

22 2. Within two (2) years of the date of application, the applicant, or if the applicant
23 is a business entity any officer, director, general partner, managing partner or principal of the

1 applicant, has been found, either through a criminal conviction, bail forfeiture or other final
2 adverse finding (including in a civil suit or administrative proceeding) to have exhibited past
3 conduct in driving or operating a taxicab or for hire vehicle or operating a taxicab or for hire
4 business which would lead the Director to reasonably conclude that the applicant will not comply
5 with the provisions of the chapter related to vehicle requirements and the safe operation of the
6 vehicle;

7 3. Within two (2) years of the date of application, the applicant, or if the applicant
8 is a business entity any officer, director, general partner, managing partner or principal of the
9 applicant, has engaged in the business of operating any taxicab or for hire vehicle within The
10 City of Seattle without a current valid license from The City of Seattle;

11 4. Within twelve (12) months of the date of application, the applicant has violated
12 and/or caused or knowingly permitted a driver to violate, any King County or Port of Seattle
13 ordinance or regulation pertaining to the operation of taxicabs while in those jurisdictions, if
14 such violation would constitute grounds for license revocation or denial if occurring within the
15 City; and/or

16 5. Within twelve (12) months of the date of application, the applicant has had its
17 City of Seattle taxicab or for hire vehicle license revoked.

18 **~~6.310.315 Taxicab and for hire vehicle—Vehicle lease requirements.~~**

19 A. All lease agreements for taxicabs shall be in writing, and the lessor shall file the
20 original lease agreement with the Director prior to the effective date of the lease in a manner
21 specified by rule adopted by the Director.

22 B. The lease amount charged to a driver shall not exceed the maximum amount
23 established by rule adopted by the Director. In determining the maximum lease amount, the

1 ~~Director shall consider vehicle purchase prices, the cost of insurance premiums, fuel costs, and~~
2 ~~variations in the Consumer Price Index evaluated over a twenty four (24) month time period~~
3 ~~preceding the determination of the lease amount, and may consider any other factors that may~~
4 ~~affect the market for taxicab leases or that may affect the provision of taxicab services. Data~~
5 ~~collected to support the creation of this rule shall be provided in a written report to Council prior~~
6 ~~to the effective date of the rule. The report shall include a description of the public outreach~~
7 ~~process used in rule making.~~

8 ~~C. A taxicab lease shall require the driver to pay only the lease charge, and may not~~
9 ~~include any other expenses, including but not limited to:~~

- 10 ~~1. Vehicle purchase,~~
- 11 ~~2. Vehicle repairs or maintenance,~~
- 12 ~~3. Vehicle registration,~~
- 13 ~~4. Vehicle insurance,~~
- 14 ~~5. Taxicab association dispatch fees,~~
- 15 ~~6. Notice of violation monetary penalties for violations of vehicle standards,~~
- 16 ~~7. Vehicle damage deposits, or~~
- 17 ~~8. Any other expense or deposit.~~

18 ~~D. All violations of the requirements under subsections A through C of this section shall~~
19 ~~be Class C violations charged against the lessor. Upon satisfaction of the notice and hearing~~
20 ~~requirements under SMC Section 6.310.635, any lessor who is found to have committed a~~
21 ~~violation shall be subject to a 14 day taxicab license suspension for the first offense, a 60-day~~
22 ~~taxicab license suspension for the second offense, and thereafter, shall be subject to revocation of~~

1 ~~the taxicab license if found to have committed a third offense. The penalties imposed by this~~
2 ~~section shall apply regardless of the time period in which cumulative violations occur.~~

3 ~~E. Subleasing taxicabs is prohibited (14-day for-hire driver license suspension and Class~~
4 ~~B).~~

5 ~~F. By September 1, 2010, the Director shall provide a written report to the City Council~~
6 ~~concerning taxicab leases. The written report shall include an analysis of the effects of~~
7 ~~Subsections A—C on taxicab service and on the business of providing taxicab transportation~~
8 ~~services in Seattle, and shall include the Director's recommendations regarding the ongoing~~
9 ~~regulation of taxicab leases.~~

10 **~~6.310.320 Taxicab and for-hire vehicle vehicle operating requirements~~**

11 ~~No taxicab or for-hire vehicle, unless otherwise specifically provided herein, licensed by the City~~
12 ~~may lawfully operate within The City of Seattle unless the following minimum vehicle~~
13 ~~requirements are met:~~

14 ~~A. All applicable licenses specified in Section 6.310.130 are in force for the taxicab or~~
15 ~~for-hire vehicle (Misdemeanor or Class C);~~

16 ~~B. For taxicabs only, and subject to subsection 6.310.230.C, the vehicle complies with~~
17 ~~the approved color scheme of the taxicab licensee's taxicab association (suspension and Class B);~~

18 ~~C. The vehicle model year can be no more than ten years prior to the license date (denial~~
19 ~~of license);~~

20 ~~D. The vehicle has insurance as required by subsections 6.310.300.C.5 and~~
21 ~~6.310.300.C.6, provided, that if an insurance policy is canceled, or a vehicle is deleted from the~~
22 ~~policy, proof of a new policy including the vehicle must be filed with the Director before the~~
23 ~~vehicle is canceled or deleted from the previous policy (summary suspension);~~

1 ~~E. An approved mechanic has issued a valid certificate of safety based on a uniform~~
2 ~~vehicle safety inspection performed within the last license year. The safety certificate remains~~
3 ~~valid, if the vehicle is sold, until the next renewal date (denial of license), this section~~
4 ~~6.310.320.E shall be effective 90 days from the effective date of this ordinance;~~

5 ~~F. The taxicab or for hire vehicle meets the vehicle and safety standards set forth in~~
6 ~~regulations promulgated by the Director (Class A for vehicle standards, summary suspension and~~
7 ~~Class B for safety standards);~~

8 ~~G. The taxicab or for hire vehicle displays a taxicab or for hire vehicle license with a~~
9 ~~current year decal issued by the Director (suspension and Class B);~~

10 ~~H. All public rates, including discounts or special rates, and all taxicab numbers and~~
11 ~~letters are displayed in the manner prescribed by rule or regulation promulgated pursuant to this~~
12 ~~chapter (Class A);~~

13 ~~I. The vehicle contains the following current documentation: the county and/or city~~
14 ~~taxicab or for hire vehicle license, the vehicle registration, and the proof of insurance card (Class~~
15 ~~A);~~

16 ~~J. The taxicab is equipped to accept credit cards (Class A);~~

17 ~~K. The taxicab is equipped with a properly sealed, working, and accurate receipt issuing~~
18 ~~taximeter or receipt issuing mobile data terminal or receipt issuing application dispatch system,~~
19 ~~as prescribed by the Director (suspension and Class B).~~

20 ~~L. The taxicab or for hire vehicle is equipped with a passenger information decal, the~~
21 ~~size, material, and placement of which is prescribed by the Director by rule. Such decal shall~~
22 ~~include the taxicab or for hire vehicle name and number and the taxi complaint hotline telephone~~
23 ~~number. A passenger information notice in Braille and raised lettering must be installed as~~

1 ~~prescribed by the Director by rule. Passenger survey and complaint cards must be available to~~
2 ~~passengers in the rear passenger seating area (Class A — each);~~

3 ~~M. The taxicab contains no scanner or other type of receiver that is capable of monitoring~~
4 ~~another Taxicab Association's assigned frequency, except as otherwise permitted by the Director~~
5 ~~(suspension and Class B);~~

6 ~~N. The taxicab or for hire vehicle meets the vehicle requirements prescribed by Director's~~
7 ~~rule, including but not limited to vehicle size and standards for fuel efficiency and emissions~~
8 ~~(denial of license);~~

9 ~~O.~~

10 ~~1. As of the first license renewal period after the effective date of this ordinance,~~
11 ~~for hire vehicle owners or companies with a color scheme composed solely of the yellow,~~
12 ~~orange, and/or green, or any combination thereof, used by taxicabs, shall repaint the hood, roof,~~
13 ~~and trunk of those vehicles a color distinct from those used by taxicabs. (summary suspension~~
14 ~~and Class B)~~

15 ~~2. Any for hire vehicle owner or company who obtains a new vehicle shall paint~~
16 ~~the hood, roof, and trunk of that vehicle a color distinct from the yellow, orange, or green used~~
17 ~~by taxicabs. (summary suspension and Class B)~~

18 ~~3. The for hire vehicle company shall submit two two-inch by two-inch sample~~
19 ~~color chips of the proposed color scheme to the Director. All proposed color schemes must be~~
20 ~~approved by the Director. (Class C);~~

21 ~~P. The for hire vehicle must have a vehicle number approved with the Director (summary~~
22 ~~suspension and Class B);~~

1 ~~Q. The for-hire vehicle must be clearly marked as "flat rate" on its exterior (summary~~
2 ~~suspension and Class B);~~

3 ~~R. Signs, including notices, announcements, pictures, advertisements or other messages,~~
4 ~~are allowed in or on taxicabs only as prescribed by this Chapter and by rule promulgated by the~~
5 ~~Director concerning the manner in which such signs may be displayed, including, but not limited~~
6 ~~to, requirements concerning the number of signs per vehicle, placement on or within vehicles,~~
7 ~~size limitations, and devices or mechanisms used to display such signs (Class A);~~

8 ~~S. The taxicab or for-hire vehicle must be equipped with a monitored silent alarm system~~
9 ~~approved by the Director pursuant to specifications provided by rule and adopted by the Director~~
10 ~~(summary suspension and Class B);~~

11 ~~T. The taxicab or for-hire vehicle must be equipped with a monitored Global Positioning~~
12 ~~System (GPS) pursuant to specifications contained in a rule promulgated by the Director~~
13 ~~(summary suspension and Class B);~~

14 ~~U. The taxicab must maintain a continuous connection between the taximeter and the~~
15 ~~computer dispatch system or between the taximeter and the application dispatch system, if such~~
16 ~~system is installed (five-day suspension and Class B);~~

17 ~~V. A top light may only be used by taxicabs;~~

18 ~~W. Any other requirements set forth in regulations adopted pursuant to this chapter~~
19 ~~(safety regulations—Class B; nonsafety regulations—Class A).))~~

20 Section ~~12~~13. Section 6.310.325 of the Seattle Municipal Code, enacted by Ordinance
21 124524, is amended as follows:

22 **6.310.325 Vehicles affiliated with a transportation network company (TNC) vehicle**
23 **operating requirements**

No vehicle affiliated with a TNC shall operate within The City of Seattle to transport passengers for compensation unless the following minimum vehicle requirements are met:

A. The vehicle is a taxicab or for-hire vehicle licensed under ~~((this chapter))~~ Chapter 6.311, or the vehicle has a TNC vehicle endorsement.

* * *

F. The vehicle model year can be no more than ~~((ten))~~ 15 years prior to the license date under RCW 46.72B.070, as amended.

Section ~~13.14~~. Section 6.310.327 of the Seattle Municipal Code, enacted by Ordinance 124524, is amended as follows:

6.310.327 Transportation network company (TNC) vehicle endorsement eligibility and application

* * *

C. To apply for the TNC vehicle endorsement, the applicant shall complete, sign, swear to and file with the Director a TNC vehicle endorsement application on forms provided by the Director to include the following information:

1. Name, aliases, residence and business address, residence and business telephone numbers;

2. Place and date of birth which shall be at least ~~((21))~~ 20 years prior to the date of application, height, weight, color of ~~((hair and))~~ eyes;

3. ~~((Washington)) State))~~ issuedValid driver's license number. Providing the social security number is optional. The applicant must present his/her ~~((Washington State))~~ state issuedvalid driver's license at time of application;

1 ((~~4. Proof that the applicant is authorized to work in the United States;~~))

2 Reserved.

3 5. Evidence of vehicle insurance as required by Section 6.310.260; (denial of
4 endorsement)

5 6. Evidence of for-hire driver's license; (denial of endorsement)

6 7. Proof that applicant's vehicle has passed the uniform vehicle safety inspection
7 as required by subsection 6.310.270.R (denial of endorsement); and

8 8. Proof that applicant's vehicle model year is no more than ~~((ten))~~ 15 years prior
9 to the license date. (denial of endorsement)

10 9. Such other information as may be reasonably required by regulation
11 promulgated under this chapter.

12 10. The above application and information must also be completed and supplied
13 during any annual license renewal. The City will not process a TNC endorsement application if
14 any required information or documentation is missing or incomplete. Completed applications and
15 copies of required documentation shall be provided to the City by the TNC, taxicab association,
16 for-hire vehicle company or by the for-hire vehicle licensee.

17 Failure to meet any of these requirements shall result in the denial of the issuance of the
18 TNC vehicle endorsement. All denials or revocations of TNC vehicle endorsement applications
19 must be set forth in writing, together with the reasons for denial or revocation. The written denial
20 shall be delivered either personally or by first class mail to the address provided by the applicant
21 on the license renewal application.

22 * * *

Section ~~1415~~. Sections 6.310.330 through 6.310.380 of the Seattle Municipal Code, last amended or enacted by Ordinances 124524, 122763, 119872, and 118341, are repealed:

~~((6.310.330 Taxicab licensee and for-hire vehicle licensee responsibilities~~

~~A. The licensee of a taxicab or for-hire vehicle must personally verify that the taxicab or for-hire vehicle is being operated only by a driver who holds a valid for-hire driver's license (suspension (five days) and Class B).~~

~~B. The taxicab or for-hire vehicle licensee must maintain an address where the licensee can accept mail, and a telephone in working order. The taxicab association office or dispatch center may suffice for this requirement (Class A).~~

~~C. The taxicab licensee shall comply with all requirements for taxicabs under the taxicab association requirements listed in Sections 6.310.200—6.310.330 (same Class violation as applied to association for same violation, except that penalty for licensee will be monetary penalty only).~~

~~D. The taxicab or for-hire vehicle licensee must notify the Director within three working days of learning of the following occurrences:~~

~~1. Any conviction, bail forfeiture or other final adverse finding received by the taxicab driver or for-hire vehicle driver, for any criminal offense that occurs during, or arises out of, the driver's operation of a taxicab or for-hire vehicle (Class B);~~

~~2. Any conviction, bail forfeiture or other final adverse finding received by the taxicab or for-hire vehicle driver for any criminal offense involving theft, robbery, burglary, assault, sex crimes, drugs, prostitution, or any related offense (Class B);~~

1 3. ~~Any vehicle accident required to be reported to the State of Washington~~
2 ~~involving any taxicab operated by the taxicab driver or for hire vehicle operated by the for hire~~
3 ~~driver (Class B); or~~

4 4. ~~Any restriction, suspension or revocation of the taxicab or for hire vehicle~~
5 ~~driver's motor vehicle driver's license (Class B).~~

6 E. ~~The taxicab or for hire vehicle licensee must maintain daily trip records, in accordance~~
7 ~~with Section 6.310.540, as prescribed by the Director by rule for all licensed vehicles. A taxicab~~
8 ~~licensee must insure that all original daily trip records are given to the taxicab association~~
9 ~~representative at least weekly. The for hire vehicle licensee must keep daily trip records in~~
10 ~~accordance with SMC Section 6.310.540 for a minimum of two years. The for hire vehicle~~
11 ~~licensee must provide to the Director, through their association representative, quarterly~~
12 ~~reporting information in accordance with Section 6.310.540.~~

13 F. ~~The taxicab or for hire vehicle's licensee and driver shall permit the Department to~~
14 ~~inspect the vehicle without notice, upon request (suspension and Class B).~~

15 G. ~~The licensee of a taxicab or for hire vehicle must ensure that the for hire driver~~
16 ~~complies with operating and conduct standards per SMC Sections 6.310.450—6.310.475 (same~~
17 ~~class of violation as for the for hire driver).~~

18 H. ~~The taxicab or for hire vehicle licensee shall comply with any applicable regulations~~
19 ~~promulgated under this chapter (Class B for safety requirements, otherwise Class A).~~

20 I. ~~The taxicab or for hire vehicle licensee shall ensure that all inspection times scheduled~~
21 ~~by the Director, if applicable, are kept (suspension, \$50 monetary penalty and two (2) penalty~~
22 ~~points).~~

1 ~~J. Prior to providing for hire vehicle services and annually thereafter, require every~~
2 ~~affiliated vehicle to undergo a uniform vehicle safety inspection, approved by the Director, that~~
3 ~~utilizes approved mechanics who shall certify in writing that the vehicle is mechanically sound~~
4 ~~and fit for driving. The approved mechanic is responsible for checking that the plates, decals,~~
5 ~~customer notices, and other markings, as required and supplied, if applicable, by the City are~~
6 ~~legible and properly displayed as specified by the Director by rule. For hire vehicle companies or~~
7 ~~for hire vehicle licensees shall maintain vehicle inspection records (revocation and Class C). The~~
8 ~~taxicab or for hire vehicle licensee shall comply with any written notice of violation issued by~~
9 ~~the Director, including notices suspending or revoking a vehicle license, and notices requiring~~
10 ~~repair (suspension and Class B).~~

11 ~~K. A wheelchair accessible taxicab licensee must personally drive the vehicle a minimum~~
12 ~~of 30 hours per week for at least forty weeks per year for a period of three years following the~~
13 ~~date of issuance of a new wheelchair taxicab license (wheelchair taxicab license revocation). If a~~
14 ~~licensee fails to fulfill the minimum use requirement in any one year period within the three year~~
15 ~~period following the date of issuance, the license shall be subject to revocation. This subsection~~
16 ~~shall take effect and be in force retroactively as of the effective date of this ordinance.~~

17 ~~L. After December 31, 2007, new taxicab licenses shall be issued to single individuals~~
18 ~~only, and no corporation, limited liability company, or partnership shall obtain any license held~~
19 ~~by an individual until the expiration of a period of three years following the original date of~~
20 ~~issuance to the individual licensee currently holding the license; provided, however, that new~~
21 ~~taxicab licenses may be issued to and be held by the following business entities:~~

22 ~~1. Corporations held by a single shareholder provided that the taxicab must be~~
23 ~~personally operated by the single shareholder for a period of three years from the date of~~

1 issuance of the license and the ownership of the shares of the corporation cannot be changed
2 within the three year period. Any change of ownership of shares of the corporation shall result in
3 revocation of the license.

4 ~~2. Limited liability companies comprised of a single member provided that the~~
5 ~~taxicab must be personally operated by the single member for a period of three years from the~~
6 ~~date of issuance of the license and no change of membership may take place within the three-~~
7 ~~year period. Any change of membership of the limited liability company shall result in~~
8 ~~revocation of the license.~~

9 ~~For a period of three years following the date of issuance of a new taxicab license, all~~
10 ~~new taxicab licensees must personally drive the taxicab for a minimum use requirement of 30~~
11 ~~hours per week for a minimum of 40 weeks per year (taxicab license revocation). If a licensee~~
12 ~~fails to fulfill the minimum use requirement in any one year period within the three year period~~
13 ~~following the date of issuance, the license shall be subject to revocation. Taxicab licensees shall~~
14 ~~provide to the Director, directly or through their association representative, quarterly reporting~~
15 ~~information in accordance with Section 6.310.540.~~

16 ~~3. At the time of the transfer of any taxicab license occurring after August 1,~~
17 ~~2008, the transferor(s) and transferee(s) of the license shall report to the Director the amount of~~
18 ~~consideration, if any, paid by the transferee to the transferor in exchange for the transfer of the~~
19 ~~license. The amount of consideration shall be reported in a manner determined by rule~~
20 ~~promulgated by the Director. The failure to report, or the reporting of false information, shall be~~
21 ~~grounds for suspension or revocation of the license. In creating and maintaining records of the~~
22 ~~amount of consideration paid, the Director shall not identify the transferees and transferors, nor~~

1 shall the Director require the submission of any records that identify the transferees and
2 transferors.

3 4. This section 6.310.330 shall take effect and be in force retroactively as of the
4 effective date of this ordinance.

5 M. A taxicab licensee shall not change the totalizer readings on the taximeter (Class A).

6 **~~6.310.340 Taxicab and for hire vehicle license transfer~~**

7 A for hire vehicle or taxicab license may be transferred subject to the following restrictions
8 and/or conditions:

9 A. New taxicab licenses issued after December 31, 2007 are not transferable for a period
10 of three years from the original date of issuance. This subsection shall take effect and be in force
11 retroactively as of the effective date of this ordinance.

12 B. Wheelchair accessible taxicab licenses issued for 2006—2008 demonstration projects
13 are nontransferable.

14 C. No transfer of a for hire vehicle or taxicab license can take effect until all outstanding
15 penalties assessed against the for hire vehicle or taxicab licensee and/or any driver of the for hire
16 vehicle or taxicab are paid in full to the Director.

17 D. The proposed transferee must submit a for hire vehicle or taxicab license application
18 according to the standards set forth in SMC Section 6.310.300. The standards for denial set forth
19 in SMC Section 6.310.310 apply to proposed transfers.

20 E. Transfers shall not become effective, and the proposed transferee may not operate the
21 taxicab or for hire vehicle, until the proposed transferee receives the taxicab or for hire vehicle
22 license.

1 ~~F. For taxicabs or for hire vehicles with both Seattle and King County taxicab licenses,~~
2 ~~both licenses must be transferred together. When a King County taxicab license is transferred but~~
3 ~~not the Seattle taxicab license, the Seattle taxicab license shall be deemed abandoned and void,~~
4 ~~and shall be revoked by the City.~~

5 **~~6.310.350 Taxicab and for hire vehicle — License expiration and renewal.~~**

6 ~~A. All taxicab and for hire licenses shall be issued for a period of one year and shall~~
7 ~~expire on June 30 of the year following issuance of the license.~~

8 ~~B. Each taxicab or for hire vehicle licensee must renew the for hire vehicle or taxicab~~
9 ~~license every year. No taxicab or for hire vehicle license may be renewed unless all outstanding~~
10 ~~penalties assessed against the taxicab or for hire vehicle licensee or the for hire driver of the~~
11 ~~taxicab or for hire vehicle are paid in full to the Director.~~

12 ~~C. The Director shall grant all timely submitted and completed renewal applications of~~
13 ~~qualified licensees; provided, however, that the Director shall deny any renewal application if~~
14 ~~grounds exist for the Director to deny a license pursuant to SMC Section 6.310.310 A. If no such~~
15 ~~grounds exist, the Director shall examine all Department records on the for hire vehicle or~~
16 ~~taxicab and may deny the renewal if grounds exist that would justify denial under SMC Section~~
17 ~~6.310.310 B.~~

18 **~~6.310.360 Destruction, replacement, retirement or inactivity of a taxicab or for hire vehicle.~~**

19 ~~A. The taxicab association and/or taxicab owner shall notify the Director in writing~~
20 ~~within five (5) working days whenever a taxicab is destroyed, rendered permanently inoperable,~~
21 ~~sold or is taken out of service by the owner for any reason.~~

1 ~~B. A for hire vehicle owner shall notify the Director in writing within five (5) working~~
2 ~~days whenever a for hire vehicle is destroyed, rendered permanently inoperable, sold or is taken~~
3 ~~out of service by the owner for any reason.~~

4 ~~C. Any vehicle that, for a period of at least sixty (60) days, is not legally operated as a~~
5 ~~taxicab or for hire vehicle, shall be considered retired, and the license for each retired vehicle~~
6 ~~shall be deemed abandoned and void. The licensee shall immediately surrender the taxicab~~
7 ~~license plate and year decal, or for hire vehicle license plate and year decal, for each such vehicle~~
8 ~~to the Director. Abandoned licenses may not be transferred or reinstated by any means without~~
9 ~~the Director's prior written permission. The Director, in considering whether to grant such~~
10 ~~permission shall consider the following nonexclusive factors:~~

11 ~~1. The licensee must submit a written request for an extension of time that states~~
12 ~~the specific reason additional time is required, identifies a plan and timetable for placing the~~
13 ~~taxicab or for hire vehicle in service within the shortest possible time, and attaches all documents~~
14 ~~substantiating the factual information contained in the request.~~

15 ~~2. The plan and timetable submitted must reflect a reasonable approach for~~
16 ~~placing a taxicab or for hire vehicle in service within the shortest possible time frame.~~

17 ~~3. If the Director determines that the request for an extension of time should be~~
18 ~~granted, the Director may grant the licensee no more than thirty (30) additional calendar days (in~~
19 ~~addition to the original sixty (60) days) to place the taxicab or for hire vehicle back into service.~~

20 ~~4. No extensions will be granted to any licensee who is unable to meet the basic~~
21 ~~operational costs, including liability insurance, regulatory fees, and normal maintenance and~~
22 ~~repairs of operating a taxicab or for hire vehicle.~~

5. No more than one extension will be granted for each vehicle license during its license year (September 1st through August 31st).

~~6.310.370 Taxicab and for hire vehicle — Owner surrender of vehicle license.~~

It is unlawful to operate a taxicab or for hire vehicle whose license has been suspended or revoked. The taxicab association, taxicab owner and taxicab driver are jointly and severally responsible for immediately surrendering the vehicle license plate or decal and taxicab vehicle license to the Director. The for hire vehicle owner and for hire vehicle driver(s) are jointly and severally responsible for immediately surrendering the vehicle license plate or decal and for hire vehicle license to the Director (Class C or misdemeanor).

~~6.310.380 Taxicab and for hire vehicle — Revocation upon loan default.~~

A. Where the taxicab or for hire vehicle licensed by the City is collateral for a loan under a perfected security agreement, upon written notice and proof of default of the loan agreement submitted by a lender to the Department, the licensee, and the taxicab association with whom the licensee is affiliated, the Director shall issue a notice of revocation pursuant to SMC Section 6.310.635. The licensee shall have the opportunity to respond to the notice of revocation by submitting a written request for a hearing to the Department within ten (10) days after the date of the notice of revocation pursuant to SMC Section 6.310.635 B. A licensee who timely files a written request for hearing shall have all rights afforded under SMC Sections 6.310.610 D3 and 6.310.635 as they pertain to the non-summary revocation of a license, including all rights of appeal. During the pendency of appeal procedures brought under this section, the licensee may complete a transfer of the license pursuant to SMC Section 6.310.340 to a person that executes a written agreement with the lender to assume responsibility for repayment of the loan and who complies with all requirements for a transfer under this Chapter.

1 ~~B. Upon the failure of a licensee to timely appeal, or a final order affirming a revocation~~
2 ~~under this Section, if no transfer has been completed, the license shall be deemed revoked and~~
3 ~~Director shall re-issue the license as necessary in accordance with SMC Sections 6.310.300 and~~
4 ~~6.310.500 D.~~

5 ~~C. Any holder of a taxicab license may enter into a loan agreement with a Community~~
6 ~~Development Financial Institution or other lender approved by the Director for the purpose of~~
7 ~~obtaining financing for purchase of an environmentally efficient vehicle that meets the vehicle~~
8 ~~standards pertaining to pollution and energy efficiency established by the Director by rule~~
9 ~~pursuant to SMC Section 6.310.320 P. Where the lender provides timely notice to the~~
10 ~~Department that a loan is in compliance with this subsection, no transfer of the license shall take~~
11 ~~place unless the lender submits written notice that the new licensee has assumed responsibility~~
12 ~~for repayment of the loan. The rights of the lender under the loan agreement shall not be~~
13 ~~assigned, sold or otherwise transferred to any other lender. The Director shall adopt rules setting~~
14 ~~forth the qualifications, standards and procedures for approval of a Community Development~~
15 ~~Financial Institution or other lender.))~~

16 Section ~~1516~~. Section 6.310.400 of the Seattle Municipal Code, last amended by
17 Ordinance 124524, is amended as follows:

18 **6.310.400 For-hire driver's license application**

19 A. For an initial for-hire driver's license and annually thereafter, a for-hire driver, or a
20 taxicab association, for-hire vehicle licensee or company, or transportation network company on
21 behalf of the for-hire driver, must complete, sign, swear to and file with the Director a for-hire
22 driver's license application on forms provided by the Director. Application materials may be
23 submitted online or through email. For-hire driver's licenses approved through applications

1 received online or through email must be picked up directly from the licensing agency,
2 whereupon the licensee applicant must show proof of photo identification. When issued to an
3 applicant affiliated with a TNC, the for-hire license shall read "for-hire permit" on the associated
4 license, but shall remain subject to all for-hire driver licensee duties and obligations in this
5 Chapter. The application shall include the following information:

6 1. Name, aliases, residence and business address, residence and business
7 telephone numbers;

8 2. Place and date of birth (which shall be at least ((24)) 20 years prior to the date
9 of application, height, weight, and color of ((~~hair and~~)) eyes;

10 3. ((Washington)) ~~State issued~~ Valid driver's license number. Providing the social
11 security number is optional. The applicant must present his/her ((Washington State)) ~~state~~
12 ~~issued valid~~ driver's license or a copy thereof of at time of application;

13 ((4. Proof that the applicant is authorized to work in the United States;))

14 Reserved.

15 5. Consent to a criminal background check through Washington State Patrol and
16 Federal Bureau of Investigation criminal databases conducted by the Director, or have a copy of
17 a criminal background check provided directly from a Director-approved third party vendor;

18 6. Information indicating whether or not the applicant has ever had a for-hire or
19 driver's license suspended, revoked, or denied and for what cause;

20 7. A copy of the applicant's driving abstract from the Washington State
21 Department of Licensing or a signed statement authorizing the Director to obtain a current copy
22 of the applicant's driving abstract from the Washington State Department of Licensing;

8. Statement of applicant listing all reportable accidents and all moving violations the applicant was involved in during the previous three years;

9. Completion of a driver education course and associated tests. The driver training program shall include:

a. Completion of the National Safety Council's Defensive Driving Course; and

b. Completion of at least one additional driving training program approved by the Director.

10. On forms provided by the Director, the applicant will provide a statement under penalty of perjury of their physical and mental fitness to act as a for-hire driver.

11. All applications for for-hire driver's licenses become void if the applicant, for any reason other than delay caused by the City, fails or neglects to complete the application process or obtain a license within 60 days of submitting an application.

12. Such other information as may be reasonably required by regulation promulgated under this chapter.

Section ~~16~~17. Section 6.310.425 of the Seattle Municipal Code, last amended by Ordinance 124524, is amended as follows:

6.310.425 –For-hire driver temporary permit

* * *

C. The temporary license shall become void immediately upon (1) suspension, revocation or expiration of the applicant's ((Washington State)) ~~state issued~~valid driver's license, (2) issuance of the for-hire driver's license, or (3) the Director's denial of the for-hire driver's license application, regardless whether the applicant appeals that denial.

Section ~~1718~~. Section 6.310.452 of the Seattle Municipal Code, enacted by Ordinance 124524, is amended as follows:

6.310.452 TNC driver operating, conduct, and passenger relations standards

In addition to meeting the for-hire operating standards set forth in Section 6.310.450, the TNC drivers must meet the following operating, conduct, and passenger relations standards:

A. Drivers operating for a transportation network company shall not transport passengers for compensation without: 1) first obtaining and maintaining a valid for hire driver's license; (first violation, civil penalty; subsequent violation, misdemeanor; both Class C) and 2) using a vehicle that is a for-hire vehicle or taxicab licensed under ~~((this chapter))~~ Chapter 6.311, or a vehicle with a TNC vehicle endorsement. (Class C)

* * *

B. TNC drivers shall not be in control of a for-hire vehicle for more than ~~((12 hours spread over a total of 15 hours))~~ 14 consecutive hours in any 24-hour period. Thereafter, such TNC driver shall not drive any for-hire vehicle until ten consecutive hours have elapsed. For the purposes of this subsection, hours driven in for-hire vehicles in other platforms (taxicabs, for-hire vehicles) are aggregated. (suspension and Class B);

* * *

J. TNC drivers shall have in the driver's possession a valid ~~((Washington State))~~ state ~~issued~~ driver's license, a valid for-hire driver's license, and documentation that they are affiliated with a licensed TNC at any time the TNC driver is active on the TNC dispatch system. (suspension and Class B);

* * *

Section ~~1819~~. Section 6.310.455 of the Seattle Municipal Code, last amended by Ordinance 124525, is amended as follows:

6.310.455 For-hire driver conduct standards

* * *

C. A for-hire driver shall have in the driver's possession a valid for-hire driver's license and valid ((Washington State)) ~~state issued~~ driver's license at any time the for-hire driver is operating the taxicab or for-hire vehicle. An enlargement of the for-hire license shall be displayed in a permanent frame as prescribed by the Director (suspension and Class B);

* * *

~~((G. A for hire driver shall not be in control of a taxicab or for hire vehicle for more than twelve (12) hours spread over a total of fifteen (15) hours in any twenty-four hour period. Thereafter, such for hire driver shall not drive any taxicab until ten (10) consecutive hours have elapsed (suspension and Class B);))~~ Reserved.

* * *

~~((I. A for hire driver shall not drive, be in control of or operate a taxicab or for hire vehicle where the required customer information board is not displayed or does not contain all required information (Class A);))~~ Reserved.

* * *

O. A for-hire driver shall, upon request by the Director or a police officer, provide the City-issued for-hire license and/or ((Washington State)) ~~state issued~~valid driver's license for inspection (suspension and Class B);

* * *

Section ~~1920~~. Section 6.310.460 of the Seattle Municipal Code, last amended by Ordinance 124524, is repealed:

~~((6.310.460 For-hire driver taxicab meter/rates standards.~~

~~A. A for-hire driver shall not operate any taxicab that does not have a sealed taximeter in good working order (suspension and Class B).~~

~~B. A for-hire driver must activate the taximeter at the beginning of each paid trip, whether the fare is computed by the taximeter, contract or flat rate, and deactivate the taximeter upon completion of the trip. Beginning of a trip means the point where the passenger is seated, or materials stowed, and the forward motion of the vehicle begins. The taximeter shall not be engaged unless the taxicab is transporting passengers or materials for compensation (Class A). The taximeter shall be engaged when transporting passengers or materials for a contract trip or an airport flat rate trip (Class A).~~

~~C. A for-hire driver shall assure that the meter reading is visible from a normal passenger position at all times (Class A).~~

~~D. A for-hire driver shall not operate a taxicab or for-hire vehicle that does not have the rate posted as prescribed by the Director (Class A).~~

~~E. A for-hire driver shall not ask, demand or collect any rate or fare other than as specified on the meter, required by ordinance, or pursuant to special rates or contract rates on file with the Director (Class B).~~

~~F. A for-hire driver shall ensure daily trip records are accurate and complete, as prescribed by Section 6.310.540 (Class B).)~~

Section ~~2021~~. Section 6.310.470 of the Seattle Municipal Code, last amended by Ordinance 124524, is amended as follows:

6.310.470 For-hire driver soliciting and cruising standards

A. ~~((Taxicabs~~

~~1. A for hire driver may solicit passengers only from the driver's seat or standing immediately adjacent to the taxicab (within 12 feet), and only when the vehicle is safely and legally parked (Class A).~~

~~2. A for hire driver shall not use any other person to solicit passengers (Class A).~~

~~3. A for hire driver shall not hold out the taxicab for designated destinations (Class A).~~

~~4. A for hire driver shall not park a taxicab and wait for walk up passengers in a marked passenger load zone, truck load zone, or charter bus zone. A for hire driver may drop off passengers or pick up hailed trips in a passenger load zone except as provided by subsections 6.310.475.D and 6.310.475.E (Class A).)~~ Reserved.

B. ~~((For hire vehicles~~

~~1. A for hire driver in a for hire vehicle licensed under this chapter may solicit passengers only from the driver's seat or standing immediately adjacent to vehicle (within 12 feet), and only when the vehicle is safely and legally parked (Class A).~~

~~2. A for hire driver shall not use any other person to solicit passengers (Class A).~~

~~3. A for hire driver in a for hire vehicle licensed by this chapter is prohibited from picking up passengers in a designated taxi zone, including any taxi zone located in front of a hotel (Class B).)~~ Reserved.

C. Transportation network company (TNC) endorsed vehicles

1. TNC endorsed vehicles are prohibited from soliciting passengers, from cruising for passengers, or from picking up passengers in a taxi zone (Class C).

D. Unlicensed vehicles

1. Vehicles providing for-hire transportation services in the City of Seattle without a City for-hire vehicle license, taxicab license, or TNC endorsement are prohibited from soliciting passengers, cruising for passengers, or from picking up passengers in a taxi zone. (First violation, civil infraction, second violation, misdemeanor)

Section ~~21~~22. Sections 6.310.475 and 6.310.480 of the Seattle Municipal Code, last amended or enacted by Ordinances 124524 and 121357, are repealed:

~~((6.310.475 For-hire driver taxi zone standards and number of taxi zones~~

~~A. A for hire driver shall not leave the taxicab unattended in a taxicab zone for more than 15 minutes. Such vehicles will be impounded by order of the Director (Class A).~~

~~B. A for hire driver shall occupy a taxicab zone only when available for hire (Class A).~~

~~C. A for hire driver shall not perform engine maintenance or repairs on the taxicab while in a taxicab zone (Class A).~~

~~D. A for hire driver cannot use a passenger load zone located within 150 feet from a taxicab zone designated by the Director, except for wheelchair accessible taxicabs. Notification of such zone designation will be sent to all taxicab associations ten days prior to the effective date of the designation (Class B and suspended from using the taxicab zone for 14 days).~~

~~E. For hire drivers cannot use a taxicab zone while under suspension from that taxicab zone (Class B and suspended from using the taxicab zone for 60 days).~~

~~F. Within one year of the effective date of this ordinance, the City shall work with industry stakeholders to determine appropriate locations of 10 additional taxi zones and shall establish 10 additional taxi zones.~~

~~6.310.480 For-hire driver—Wearing costume.~~

1 ~~A driver shall not wear a costume unless all provisions of SMC 6.310.225 have been met. When~~
2 ~~wearing a costume, the driver shall display a photograph of the driver dressed in the costume~~
3 ~~along with the driver's for hire license.))~~

4 Section ~~222~~223. Sections 6.310.500 and 6.310.510 of the Seattle Municipal Code, last
5 amended by Ordinances 125082 and 121738, are repealed:

6 ~~((6.310.500 Taxicabs maximum number~~

7 ~~A. The total number of taxicab licenses in effect at any one time shall not exceed 1050.~~
8 ~~The number of taxicab licenses shall be set by the Director at such times and in such manner as~~
9 ~~necessary to meet the demand for efficient and economical taxicab service within the city limits~~
10 ~~and to support a competitive, safe, fair and viable business environment for the taxicab industry;~~
11 ~~however, no more than 100 licenses can be issued within a calendar year. The Director shall~~
12 ~~adopt by rule the procedure for determining when and how many new taxicab licenses will be~~
13 ~~issued. In determining the total number of licenses issued, the Director shall consider factors~~
14 ~~including, but not limited to consumer demand for transportation services, average service~~
15 ~~response times, total number of taxi rides, total paid trips per taxicab, and average operating~~
16 ~~hours per taxicab, and may consider any other factors that may affect the supply and demand for~~
17 ~~taxi service within the city limits. The Director shall adopt by rule any vehicle and safety~~
18 ~~standards required for the issuance of new licenses, including but not limited to vehicle size, fuel~~
19 ~~efficiency, and emissions standards.~~

20 ~~B. The number of for hire vehicle licenses in effect at any one time shall not exceed 200.~~
21 ~~Except that if the State Legislature authorizes cities to regulate executive sedans and executive~~
22 ~~vans, as defined in RCW 46.04.274, then executive sedans and executive vans licensed by the~~
23 ~~Department of Licensing on the authorization date which meet City vehicle standards would be~~

1 ~~allowed to obtain for hire vehicle licenses, and such for hire vehicle licenses shall not be~~
2 ~~included in the calculation of total number of for hire vehicle licenses pursuant to this~~
3 ~~subsection. TNC vehicle endorsements issued per Section 6.310.327 shall not be included in the~~
4 ~~calculation of total number of for hire vehicles licenses pursuant to this subsection.~~

5 ~~C. As an alternative to the license issuance process in subsection 6.310.500.D, the~~
6 ~~Director may, at the Director's discretion, issue wheelchair accessible taxicab or wheelchair~~
7 ~~accessible for hire vehicle licenses to vehicles used to provide transportation to disabled persons~~
8 ~~defined in K.C.C 6.64.010 or to handicapped persons as defined in Section 6.310.110.~~
9 ~~Additionally, the Director may issue City of Seattle wheelchair accessible taxicab licenses to~~
10 ~~applicants selected by King County for issuance of a King County wheelchair accessible taxicab~~
11 ~~license. If a City of Seattle wheelchair accessible taxicab license is awarded to a King County~~
12 ~~wheelchair accessible taxicab, then a dual license is created, allowing the licensee to operate in~~
13 ~~both the City and County. The dual status of the licenses is permanent, and the licenses must be~~
14 ~~transferred or leased together. Licenses issued under this subsection 6.310.500.C shall be non-~~
15 ~~transferable for a period of three years from the date of issuance and shall not be included in~~
16 ~~calculating the maximum number of taxicab licenses allowable pursuant to subsections~~
17 ~~6.310.500.A and 6.310.500.B.~~

18 ~~D. If the Director determines that issuance of additional taxicab licenses is warranted, not~~
19 ~~to exceed the maximum allowable taxicab licenses issued pursuant to subsection A of this~~
20 ~~Section 6.310.500, such licenses shall be issued pursuant to:~~

21 ~~1. A competitive request for proposal and award process under which licenses~~
22 ~~will be issued to applicants whose proposals demonstrate that they are most able to meet the~~

1 ~~needs of the public in providing taxicab service by meeting qualifications prepared by the~~
2 ~~Director that are not in conflict with the general provisions of this chapter; or~~

3 ~~2. Pursuant to a lottery of qualified applicants; or~~

4 ~~3. Pursuant to a combination of both procedures as prescribed by rule adopted by~~
5 ~~the Director. The rule shall include minimum qualifications for taxicab license applicants,~~
6 ~~including but not limited to the driving and conduct records of prospective applicants.~~

7 ~~E. The Director shall issue 35 additional taxicab licenses in 2015. The Director shall issue~~
8 ~~55 additional taxicab licenses each year in 2016, 2017, and 2018. Each of these issuances shall~~
9 ~~be done by lottery pursuant to the methods described in subsection 6.310.500.D.2[.] To be~~
10 ~~eligible for the issuance of these new taxicab licenses, an applicant must either: 1) have no more~~
11 ~~than a 50% ownership interest in a licensed for hire vehicle or licensed taxicab, or 2) relinquish~~
12 ~~any ownership interest beyond 50% in a licensed for hire vehicle or licensed taxicab prior to and~~
13 ~~as a condition of the issuance of the new license. For purposes of this subsection, relinquish~~
14 ~~means to surrender the for hire vehicle or taxicab license to the original licensing agency or~~
15 ~~transfer the interest to another licensed for hire driver whose ownership interest in a licensed for~~
16 ~~hire vehicle or licensed taxicab may not exceed 50%.~~

17 **~~6.310.510 Response times.~~**

18 ~~The Director shall establish a schedule of optimum average taxicab response times to requests~~
19 ~~for taxicab service at selected points within the City. The Director shall periodically thereafter~~
20 ~~survey actual taxicab response times. A comparison of average actual response times to the~~
21 ~~optimum average taxicab response times shall be used as an indicator of taxicab industry~~
22 ~~performance and may be used as one (1) criterion in evaluating and recommending entry~~
23 ~~changes.))~~

Section ~~2324~~. Section 6.310.530 of the Seattle Municipal Code, last amended by Ordinance 124524, is amended as follows:

6.310.530 Rates

A. ~~((Taxicab rates~~

1. ~~The rates for taxicabs licensed to operate in Seattle shall be established by the Director by rule for times while not operating on an application dispatch system.~~

a. ~~In reviewing rates the Director may take into account, among other things, and with the objective of prescribing a just and reasonable rate, the following factors:~~

i. ~~The information in a report prepared by the Director pursuant to SMC Section 6.310.520;~~

ii. ~~The public's need for adequate taxi service at the lowest level of charges consistent with the provision, maintenance and continuation of such service;~~

iii. ~~The rates of other licensees operating in similar areas;~~

iv. ~~The effect of such rates upon transportation of passengers by other modes of transportation;~~

v. ~~The owners' need for revenue of a level that, under honest, efficient and economical management, is sufficient to cover all costs (including all operating expenses and license fees of providing adequate taxi service, plus a reasonable profit to the owner;~~

vi. ~~Consistency of rates with those charged by King County; and~~

vii. ~~The lease drivers' need for revenue, based on a reasonable number of driving hours per shift, sufficient to provide a living income after payment of taxicab~~

1 ~~lease rent (including drivers' contributions to both retail sales tax on the lease amount and to~~
2 ~~Workers' Compensation industrial insurance premiums), fuel costs and any cashier's fees.~~

3 ~~b. No taxicab shall have more than one rate on its meter, except that a~~
4 ~~taxicab licensed by both Seattle and King County shall not have more than two rates on its meter,~~
5 ~~one fixed rate for Seattle and one rate as filed with King County.~~

6 ~~2. Pending a Director's rule establishing new taximeter rates, and while not~~
7 ~~operating on an application dispatch system, the following taximeter rates govern. Except for~~
8 ~~special or contract rates as provided for in this chapter, or any per trip fee established by the Port~~
9 ~~of Seattle and set forth in any operating agreement or tariff, or an airport flat rate defined in this~~
10 ~~section 6.310.520, or a temporary fuel surcharge authorized by the Director pursuant to~~
11 ~~subsection I of this section 6.310.520, or any toll or charge established for roads, bridges, tunnels~~
12 ~~or ferries, it shall be unlawful for anyone operating a taxicab licensed by The City of Seattle to~~
13 ~~advertise, charge, demand or receive any greater or lesser rate than the following:~~

14 ~~Meter rate:~~

15 ~~a. Drop charge: for passengers for first 1/9 mile: \$2.50~~

16 ~~b. Per mile: For each 1/9 mile or fraction thereof after the first 1/9 mile:~~
17 ~~\$0.30~~

18 ~~c. For every one minute of waiting time: \$0.50*~~

19 ~~(charged at \$0.30 per 36 seconds)~~

20 ~~d. Additional per passenger charge for more than two persons, excluding~~
21 ~~children under twelve years of age: \$0.50~~

22 ~~* Waiting time rates are charged when taxicab speed is less than 11 miles~~
23 ~~per hour or when a taxicab driver is asked to wait for the customer.~~

1 ~~3. Application Dispatch, Special Rates, Contract Rates, "Downtown to Airport"~~
2 ~~Flat Rate, and Coupons.~~

3 ~~a. If using an application dispatch system, written documentation~~
4 ~~explaining and/or a physical demonstration on an application showing that the rate structure is~~
5 ~~transparent to the rider prior to confirming the ride shall be provided to the Director. Rates do not~~
6 ~~need to be filed with the Director. The Director shall determine that the rate structure is~~
7 ~~transparent if:~~

8 ~~i. The total fare or fare range is clearly displayed on the application~~
9 ~~upon requesting a ride, but before confirming the ride. Any variables that may result in~~
10 ~~additional or higher charges such as tips, waiting time, demand pricing, or any other surcharges~~
11 ~~shall be clearly articulated on the application before confirming a ride.~~

12 ~~ii. The rate by distance and/or time is clearly displayed on the~~
13 ~~application upon requesting a ride but before confirming the ride. Any variables that may result~~
14 ~~in additional or higher charges such as tips, waiting time, demand pricing, or any other~~
15 ~~surcharges shall be clearly articulated on the application before confirming a ride.~~

16 ~~iii. The cost of the ride is made clear to the passenger prior to~~
17 ~~confirming the ride through an alternative method deemed acceptable by the Director.~~

18 ~~b. Special rates as defined in this chapter shall be calculated as a fraction~~
19 ~~or percentage of the meter rate or a fixed dollar amount per trip.~~

20 ~~c. Unless using application dispatch, the special rates must be filed with~~
21 ~~the Director on forms furnished by the Director.~~

1 ~~d. All special rates and/or contract rates shall be filed once a year at the~~
2 ~~time of application by the taxicab association representative, or by the owner of a for hire vehicle~~
3 ~~which is not a taxicab.~~

4 ~~e. Licensees may change the special rates filed no more than once a year.~~

5 ~~f. Unless using application dispatch, contract rates set during the license~~
6 ~~year shall be filed within two weeks of securing such contract and before implementing the~~
7 ~~contract rate. Contracts must be between taxicab associations and businesses or non-profit~~
8 ~~organizations. Passengers transported under contracts must pay the fares to drivers using~~
9 ~~vouchers issued by the contracting business or non-profit organizations (Class B—each incident).~~

10 ~~g. All taxicabs shall charge a flat rate from the downtown hotel district to~~
11 ~~Seattle Tacoma International Airport except when contract rates are in effect for the trip. The~~
12 ~~downtown hotel district is the area defined by Broad Street to Mercer Street to I-5 on the north,~~
13 ~~Elliot Bay on the west, South Dearborn Street on the south, and Boren Ave, to the I-5 Freeway~~
14 ~~and then the Freeway on the east Unless using application dispatch, the flat rate shall be filed~~
15 ~~with the Director at the time of application on forms furnished by the Director. The flat rate shall~~
16 ~~be conspicuously displayed in the vehicle for the passenger to see. Changes made to the flat rates~~
17 ~~may be adjusted to remain competitive with fee structures used by for hire vehicles and~~
18 ~~transportation network companies and shall be filed with the Director.~~

19 ~~h. Unless using application dispatch, the use of coupons or discounts to~~
20 ~~establish a lower rate, or a rate not provided within this section 6.310.530, is prohibited (Class A~~
21 ~~—each incident).)) Reserved.~~

22 B. ((For hire vehicle rates

1 1. If using an application dispatch system, written documentation explaining
2 and/or a physical demonstration on an application showing that the rate structure is transparent to
3 the rider prior to confirming the ride shall be provided to the Director. Rates do not need to be
4 filed with the Director. The Director shall determine that the rate structure is transparent if:

5 a. The total fare or fare range is clearly displayed on the application upon
6 requesting a ride, but before confirming the ride. Any variables that may result in additional or
7 higher charges such as tips, waiting time, demand pricing, or any other surcharges shall be
8 clearly articulated on the application before confirming a ride.

9 b. The rate by distance and/or time is clearly displayed on the application
10 upon requesting a ride but before confirming the ride. Any variables that may result in additional
11 or higher charges such as tips, waiting time, demand pricing, or any other surcharges shall be
12 clearly articulated on the application before confirming a ride.

13 c. The cost of the ride is made clear to the passenger prior to confirming
14 the ride through an alternative method deemed acceptable by the Director.

15 2. Every for hire vehicle licensee shall also file all non-application dispatch
16 system rates and charges, including rate structures that vary by time of day with the Director. All
17 rates and charges, including any adopted senior citizen discount rate, shall be conspicuously
18 displayed in the interior of the for hire vehicle so as to be readily discernible to the passenger.
19 The Director will prescribe the manner of such posting.

20 3. For hire vehicles must charge for service based on: a written contract; flat rate
21 per trip, by zone; or by an hourly rate with minimum increments of ½ hour. Flat charges by zone
22 or hourly rate may vary by time of day. Zone boundaries shall be set by Director by rule and
23 shall be consistent across all for hire vehicle operators.

1 4. ~~Unless using application dispatch, the use of coupons or discounts to establish a~~
2 ~~lower rate, or a rate not provided within this section 6.310.530, is prohibited (Class A—each~~
3 ~~incident).))~~ Reserved.

4 * * *

5 E. ~~((It is unlawful under the Americans with Disabilities Act to charge a special service~~
6 ~~vehicle rate, except in those instances where the transportation of disabled persons is pursuant to~~
7 ~~a written contract as specified in subsection 6.310.530.D (Class B).))~~ A transportation network
8 company may not impose additional charges for providing services to persons with disabilities
9 because of those disabilities, consistent with RCW 46.72B.110.

10 * * *

11 Section ~~2425~~. Section 6.310.600 of the Seattle Municipal Code, last amended by
12 Ordinance 124524, is amended as follows:

13 **6.310.600 Penalties**

14 A. Each violation of subsections ~~((6.310.130.A,))~~ 6.310.130.B or 6.310.452.A shall be a
15 civil infraction as contemplated by RCW Chapter 7.80 and deemed to be a Class 1 civil
16 infraction under RCW 7.80.120(a), and shall subject the violator to a maximum penalty and
17 default amount of \$1,000, inclusive of statutory assessments.

18 B. The first violation of subsection 6.310.470.D shall be a civil infraction as
19 contemplated by RCW Chapter 7.80 and deemed to be a Class 1 civil infraction under RCW
20 7.80.120(a), and shall subject the violator to a maximum penalty and default amount of \$500,
21 inclusive of statutory assessments.

22 1. As contemplated by RCW 7.80.160, a person who, after receiving a notice of
23 civil infraction that includes a statement of the options provided in RCW Chapter 7.80 for

1 responding to the notice and the procedures necessary for exercising these options, knowingly
2 fails to exercise one of the options within 15 days of the date of the notice is guilty of a
3 misdemeanor subject to the provisions of Chapters 12A.02 and 12A.04, except that absolute
4 liability shall be imposed for such a violation and none of the mental states described in Section
5 12A.04.030 need be proved, regardless of the disposition of the notice of civil infraction. A
6 person who willfully fails to pay a monetary penalty or perform community service as ordered
7 by a court may be found in contempt of court as provided in RCW Chapter 7.21.

8 2. An action for a civil infraction shall be initiated and processed in the manner
9 contemplated by RCW Chapter 7.80 and the Infraction Rules for Courts of Limited Jurisdiction.
10 For purposes of RCW 7.80.040, the "enforcement officer" authorized to enforce the provisions of
11 subsections ((6.310.130.A and)) 6.310.130.B and 6.310.452.A are: (1) the Director of the Seattle
12 Department of Finance and Administrative Services and authorized representatives or assistants
13 of him or her; and (2) a commissioned officer of the Seattle Police Department and a person
14 issued a Special Police Officer Commission by the Chief of Police with authority to enforce this
15 title.

16 C. Each subsequent violation of subsections ((6.310.130.A,)) 6.310.130.B, 6.310.452.A,
17 or 6.310.470.D within five years of the prior violation is a misdemeanor subject to the provisions
18 of Chapters 12A.02 and 12A.04, except that absolute liability shall be imposed for such a
19 violation and none of the mental states described in Section 12A.04.030 need be proved. The
20 Director may request that the City Attorney prosecute such violations criminally as an alternative
21 to the civil infraction procedure outlined in this chapter.

22 D. Each violation of subsections 6.310.130.((C))D ((-)) or 6.310.130.E shall be a civil
23 infraction as contemplated by RCW Chapter 7.80 and deemed to be a Class 1 civil infraction

1 under RCW 7.80.120(a), and shall subject the violator to a maximum penalty and default amount
2 of \$10,000, inclusive of statutory assessments.

3 1. As contemplated by RCW 7.80.160, a person who, after receiving a notice of
4 civil infraction that includes a statement of the options provided in RCW Chapter 7.80 for
5 responding to the notice and the procedures necessary for exercising these options, knowingly
6 fails to exercise one of the options within 15 days of the date of the notice is guilty of a
7 misdemeanor subject to the provisions of Chapters 12A.02 and 12A.04, except that absolute
8 liability shall be imposed for such a violation and none of the mental states described in Section
9 12A.04.030 need be proved, regardless of the disposition of the notice of civil infraction. A
10 person who willfully fails to pay a monetary penalty or perform community service as ordered
11 by a court may be found in contempt of court as provided in RCW Chapter 7.21.

12 2. An action for a civil infraction shall be initiated and processed in the manner
13 contemplated by RCW Chapter 7.80 and the Infraction Rules for Courts of Limited Jurisdiction.
14 For purposes of RCW 7.80.040, the "enforcement officer" authorized to enforce the provisions of
15 subsections ((6.310.130.C and)) 6.310.130.D and 6.310.130.E are: (1) the Director of the Seattle
16 Department of Finance and Administrative Services and authorized representatives or assistants
17 of him or her; and (2) a commissioned officer of the Seattle Police Department and a person
18 issued a Special Police Officer Commission by the Chief of Police with authority to enforce this
19 title.

20 E. Each subsequent violation of subsections ((6.310.130.C;)) 6.310.130.D or 6.310.130.E
21 within five years of the prior violation is a misdemeanor subject to the provisions of Chapters
22 12A.02 and 12A.04, except that absolute liability shall be imposed for such a violation and none
23 of the mental states described in Section 12A.04.030 need be proved. The Director may request

that the City Attorney prosecute such violations criminally as an alternative to the civil infraction procedure outlined in this chapter.

F. For each violation of a provision in this chapter that has a class referenced in parenthesis after the provision, a civil penalty and penalty points shall be imposed by and paid to the Department according to the provisions of Section 6.310.605.

Section ~~2526~~. Section 6.310.605 of the Seattle Municipal Code, last amended by Ordinance 124524, is amended as follows:

6.310.605 Monetary penalties and penalty points

A. For-hire driver, transportation network company driver for-hire vehicle company, or taxicab/ for-hire vehicle violations

Violation	Penalties Against a For-hire Driver, TNC Driver Taxicab Licensee, For-Hire Vehicle Company, or For-hire Vehicle For Each Violation	Penalty Points Attributed to Taxicab Association, For-Hire Vehicle Company, or Transportation Network Company For Each Violation
1. Violations found during a calendar year away from The City of Seattle's inspection facility		
First Class A in one year	\$35	2
Second Class A in one year	\$70	3
Third or more Class A violation in one year	\$120	4
First Class B violation in one year	\$70	4
Second Class B violation in one year	\$175	7
Third or more Class B violation in one year	\$300	10
All Class C violations	\$1,000	20
2. Violations found during inspections at The City of Seattle's inspection facility		
Failure to appear for inspection scheduled by the Director (see ((Section 6.310.330 I and)) paragraph below)	\$50	2 penalty points
Class A violation found during inspection at City's inspection facility	((Vehicle reinspection fee See fee schedule in Section 6.310.150))	2 each violation

Class B violation found during inspection at City's inspection facility	((Vehicle reinspection fee See fee schedule in Section 6.310.150))	4 each violation
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"Failure to appear for inspection scheduled by the Director" includes a late arrival for the inspection. If notification that the vehicle cannot appear is made prior to the close of business on the business day before the scheduled inspection, and the taxicab plates are delivered to the inspection facility prior to the original inspection time, then no penalty will be due.

3. Penalties and penalty points are attributed to the taxicab association or transportation network company with which the taxicab and/or for-hire driver is affiliated at the time the violation occurs.

* * *

Section ~~2627~~. Section 6.310.610 of the Seattle Municipal Code, last amended by Ordinance 124524, is amended as follows:

6.310.610 Suspension or revocation

* * *

C. Revocation standards.

1. Any License. The Director shall revoke a license issued under this chapter if the Director determines that:

- a. The licensee has violated any of the provisions of this chapter that indicate a revocation as a penalty in parentheses after the provision;
- b. The license application contained a material misstatement or omission;
- c. The licensee fails to pay a monetary penalty imposed under this chapter within 90 days after an unappealed notice of violation or final decision or order imposing such monetary penalty is issued.

1 2. ~~((Taxicab Associations.~~

2 a. ~~The Director shall revoke a taxicab association license if during the~~
3 ~~license period the taxicab association, or any owner, officer, director, managing partner, general~~
4 ~~partner or principal of the taxicab association, receives a bail forfeiture, conviction or other final~~
5 ~~adverse finding for crimes of fraud, theft, larceny, extortion, embezzlement, racketeering,~~
6 ~~Uniform Controlled Substances Act, prostitution, alcohol and/or narcotics where the commission~~
7 ~~of such crimes involved or used a taxicab association, taxicab, for hire vehicle or limousine. If an~~
8 ~~owner, officer, director, managing partner, general partner or principal of the taxicab association~~
9 ~~found in violation of this subsection is (i) removed immediately from all operational or~~
10 ~~management duties or authority and (ii) is divested of all ownership in the taxicab association as~~
11 ~~soon as possible, the license may be reinstated.~~

12 b. ~~The Director may revoke a taxicab association license if during the~~
13 ~~license period the taxicab association, or any owner, officer, director, managing partner, general~~
14 ~~partner or principal of the taxicab association, receives a bail forfeiture, conviction or other final~~
15 ~~adverse finding involving crimes directly related to the applicant's ability to operate a taxicab~~
16 ~~association, including but not limited to prostitution, gambling, fraud, larceny, extortion, income~~
17 ~~tax evasion. If an owner, officer, director, managing partner, general partner or principal of the~~
18 ~~taxicab association found in violation of this subsection is (i) removed immediately from all~~
19 ~~operational or management duties or authority and (ii) is divested of all ownership in the taxicab~~
20 ~~association as soon as possible, the license may be reinstated.)) Reserved.~~

21 3. Transportation network companies (TNC)

22 a. The Director shall revoke a TNC license if during the license period:

1 i. The TNC, or any person employed to manage Seattle operations,
2 receives a bail forfeiture, conviction or other final adverse finding for crimes of fraud, theft,
3 larceny, extortion, embezzlement, racketeering, Uniform Controlled Substances Act, prostitution,
4 alcohol and/or narcotics where the commission of such crimes involved or used a TNC or for-
5 hire vehicle. If the employee is (a) removed immediately from all operational or management
6 duties or authority and (b) is divested of all ownership in the TNC as soon as possible, the
7 license may be reinstated;

8 ii. The TNC, or any person employed to manage Seattle
9 operations, receives a bail forfeiture, conviction or other final adverse finding involving crimes
10 directly related to the applicant's ability to operate a TNC, including but not limited to
11 prostitution, gambling, fraud, larceny, extortion, income tax evasion. If the employee of the TNC
12 found in violation of this subsection is (a) removed immediately from all operational or
13 management duties or authority and (b) is divested of all ownership in the TNC as soon as
14 possible, the license may be reinstated;

15 iii. Knowingly permits an affiliated vehicle to be active on the
16 TNC dispatch system that has not undergone a uniform vehicle safety inspection as required by
17 6.310.270;

18 iv. Has failed to meet the insurance requirements outlined in
19 Section 6.310.260;

20 v. An affiliated driver is active on the TNC dispatch system
21 without effective and proper vehicle insurance as required in this chapter;

22 vi. Fails to pay all penalties imposed by the Department that are
23 either not contested or are upheld after review; or

vii. The TNC has committed one Class C violations in any one year period.

b. The Director may revoke a TNC license if during the license period the TNC:

i. Dispatches to an unlicensed or unaffiliated driver;
ii. Dispatches to an unaffiliated vehicle;
iii. Dispatches to a vehicle that is neither a for-hire vehicle or taxicab, nor a vehicle with a TNC vehicle endorsement;

iv. Knowingly permits a third party to use the TNC dispatch system;

v. Knowingly permits a TNC endorsed driver driving a TNC endorsed vehicle to pick up hails, cruise, or otherwise solicit trips;

vi. Knowingly allows a TNC driver driving a TNC endorsed vehicle to take trips not dispatched by the TNC;

vii. Fails to review driving records of TNC drivers and maintain records thereof;

viii. Knowingly permits TNC drivers with any conviction listed in subsection 6.310.270 to continue affiliating with a TNC and/or operating as a TNC driver.

4. ~~((Taxicab and for hire vehicle licenses~~

~~a. The Director shall revoke a taxicab or for hire vehicle owner license if:
i. The licensee, or any officer, director, general partner, managing partner or principal of the licensee, has had a conviction, bail forfeiture or final adverse finding of criminal fraud, larceny, theft, prostitution, extortion, racketeering, robbery or violation of the~~

~~Uniform Controlled Substances Act, where the crime is associated with operating a taxicab or for hire vehicle;~~

~~ii. The licensee has had the license suspended twice within a one year period for lack of a current, valid insurance policy;~~

~~iii. The licensee is not affiliated with a taxicab association licensed under this chapter; or~~

~~iv. The licensee is subject to revocation because of a loan default pursuant to Section 6.310.380.~~

~~b. The Director may revoke a taxicab or for hire vehicle license if:~~

~~i. The licensee, or any officer, director, general partner, managing partner or principal of the licensee, receives a bail forfeiture or conviction involving crimes reasonably related to the applicant's ability to operate a taxicab or for hire business, including but not limited to prostitution, gambling, fraud, larceny, extortion, income tax evasion; or))~~

Reserved.

~~5. ((For hire driver's licenses~~

~~a. The Director shall revoke a for hire driver's license if:~~

~~i. The for hire driver receives a bail forfeiture, conviction, or other final adverse finding for crimes pertaining to hit and run, or for crimes pertaining to driving under the influence of alcohol or controlled substances while operating a taxicab or for hire vehicle; or~~

~~ii. The for hire driver's Washington State driver's license expires or is revoked; or~~

1 ~~iii. The for hire driver has committed one Class C violations in any~~
2 ~~one year period.~~

3 ~~b. The Director may revoke a for hire driver's license if:~~

4 ~~i. The for hire driver is found to be in possession of illegal drugs or~~
5 ~~an open container of alcohol while in control of or while operating any taxicab or for hire~~
6 ~~vehicle; or~~

7 ~~ii. The for hire driver has received a conviction, bail forfeiture, or~~
8 ~~other final adverse finding involving crimes pertaining to prostitution, gambling, physical~~
9 ~~violence, Uniform Controlled Substances Act, fraud, theft, robbery, larceny, burglary, extortion~~
10 ~~and/or crimes directly related to the driver's ability to operate a taxicab.)) Reserved.~~

11 6. Transportation network company (TNC) drivers

12 a. The Director shall revoke the for-hire license of a transportation
13 network company driver, if, while active on the TNC dispatch system:

14 i. The TNC driver receives a bail forfeiture, conviction, or other
15 final adverse finding for crimes pertaining to hit-and-run, or for crimes pertaining to driving
16 under the influence of alcohol or controlled substances while operating a TNC endorsed vehicle;

17 ii. The TNC driver's ((Washington State)) state issued valid driver's
18 license expires or is revoked provided that if the TNC driver's ((Washington State)) state
19 issued valid driver's license expires, the driver may obtain reinstatement upon proof of renewal
20 within 30 days;

21 iii. The TNC driver has committed one Class C violations in any
22 one year period;

iv. The TNC endorsed driver driving a TNC endorsed vehicle picks up a street hail, cruises, or otherwise solicits trips whether active on the TNC dispatch system or not;

v. The TNC driver driving a TNC endorsed vehicle provides a ride that is not booked through the TNC application dispatch system;

vi. Drives a vehicle while on the TNC application that is not affiliated with the TNC;

vii. Drives a vehicle while on the TNC application that is neither a for-hire vehicle nor taxicab licensed under ~~((this chapter))~~ Chapter 6.310311 nor a vehicle with a TNC vehicle endorsement;

b. The Director may revoke the for-hire license of a transportation network company driver if:

i. The TNC driver is found to be in possession of illegal drugs or an open container of alcohol while in control of or while operating any taxicab or for-hire vehicle; or

ii. The TNC driver has received a conviction, bail forfeiture, or other final adverse finding involving crimes pertaining to prostitution, gambling, physical violence, Uniform Controlled Substances Act, fraud, theft, robbery, larceny, burglary, extortion and/or crimes directly related to the driver's ability to operate a for hire vehicle.

* * *

Section ~~2728~~. Sections 6.310.720 and 6.310.730 of the Seattle Municipal Code, enacted by Ordinance 118341, are repealed:

~~((6.310.720 Renewal of license, registration or permit—Late penalty.~~

1 ~~A late penalty shall be charged on all applications for renewal of a license, registration or permit~~
2 ~~received later than ten (10) working days after the expiration date of such license, registration or~~
3 ~~permit as set forth in the respective resolution or ordinance establishing the expiration date of~~
4 ~~such license, registration or permit. The amount of such late penalty is fixed in SMC Section~~
5 ~~6.310.150.~~

6 **~~6.310.730 Plates, tags, etc., property of City.~~**

7 ~~All taxicab or for hire vehicle license plates, year decals shall remain the property of the City.))~~

8 Section 29. The provisions of this ordinance are declared to be separate and severable.
9 The invalidity of any clause, sentence, paragraph, subdivision, section, or portion of this
10 ordinance, or the invalidity of its application to any person or circumstance, does not affect the
11 validity of the remainder of this ordinance or the validity of its application to other persons or
12 circumstances.

Section ~~3028~~. This ordinance shall take effect and be in force 30 days after its approval by the Mayor, but if not approved and returned by the Mayor within ten days after presentation, it shall take effect as provided by Seattle Municipal Code Section 1.04.020.

Passed by the City Council the _____ day of _____, 2023,
and signed by me in open session in authentication of its passage this _____ day of _____, 2023.

President _____ of the City Council

Approved / returned unsigned / vetoed this _____ day of _____, 2023.

Bruce A. Harrell, Mayor

Filed by me this _____ day of _____, 2023.

Scheereen Dedman, City Clerk ~~Anne Frantilla,~~
~~Interim City Clerk~~

1 (Seal)

ATT 2 to Action 1 of CB 120653

Amendment A Version 1 to CB 120653 – Taxicab and For-Hire Vehicle Regulations Ordinance

Sponsor: Councilmember Mosqueda

Substitute version 3 of the legislation.

Effect: This amendment would adopt substitute version 3 of Council Bill (CB) 120653 that would incorporate edits to align with King County’s companion legislation, such as:

- Identifying the Mayor or designee as the signatory to the interlocal agreement for the City,
- Removing unnecessary terms and provisions,
- Adopting consistent terminology and formatting, and
- Clarifying the standard for a misdemeanor as three or more violations in a 12-month period, and
- Adding a severability clause.

Substitute version 3 of Council Bill (CB) 120653, incorporating the proposed amendments shown in the attached version of CB 120653.

CITY OF SEATTLE

ORDINANCE _____

COUNCIL BILL _____

..title

AN ORDINANCE relating to taxicabs and for-hire vehicles; separating and amending taxicab and for-hire vehicle industry regulations; adding a new Chapter 6.311 to the Seattle Municipal Code; and amending Sections 11.14.235 and 15.17.005 of the Seattle Municipal Code.

..body

WHEREAS, Seattle desires to comprehensively regulate for-hire transportation industries, including taxicabs and for-hire vehicles; and

WHEREAS, the City has implemented new policies over the last few years to help the operators of taxicabs and for-hire vehicles navigate the loss of business during the COVID pandemic and subsequent economic recession; and

WHEREAS, industry participants have requested legislation to modernize licensing and operating requirements and align them with the City's values of equity, fairness, shared prosperity, and transparency; and

WHEREAS, the City desires to allow for regional operation of all licensed taxicabs and for-hire vehicles, implement new taximeter technology, offer the option to apply for an enhanced for-hire driver's license, and convert all for-hire vehicles into taxicabs; and

WHEREAS, requiring transitional regional dispatch agencies or regional dispatch agencies to implement new taximeter technology could result in increased deductions for dispatch services that negatively impact a driver's ability to earn a living wage and capping such deductions at ten percent of the fare paid by the passenger could protect driver payments from unrestricted deductions for dispatch services and support a living wage; and

WHEREAS, the City is committed to ensuring that drivers benefit from new regulations and experience equitable opportunities for compensation within the for-hire transportation industry; and

WHEREAS, the City is a leader on establishing practices that support economic security, and contribute to a fair, healthy, and vibrant economy; and

WHEREAS, the City partners with King County to regulate the larger for-hire transportation industry and desires to maintain that partnership under common regulations in the future; and

WHEREAS, due to changes in state law governing the regulation of transportation network companies, establishing a new Seattle Municipal Code chapter to regulate taxicabs and for-hire vehicle and ~~modifying~~amending an existing Seattle Municipal Code chapter to regulate the transportation network ~~companies~~industry provides the best ~~articulates~~ approach to implement the City's objectives for these industries; NOW, THEREFORE,

BE IT ORDAINED BY THE CITY OF SEATTLE AS FOLLOWS:

Section 1. A new Chapter 6.311 is added to the Seattle Municipal Code as follows:

CHAPTER 6.311 FOR-HIRE TRANSPORTATION – TAXICAB AND FOR-HIRE VEHICLES AND DRIVERS

6.311.010 Purpose

A. This Chapter 6.311 is an exercise of The City of Seattle's power to regulate the for-hire transportation industry. That exercise includes the power to license and regulate taxicabs, for-hire vehicles, taxicab and for-hire vehicle drivers, transitional regional dispatch agencies, and regional dispatch agencies. Some of its regulatory purposes are to increase the safety, reliability, cost-effectiveness, and economic viability and stability of privately operated for-hire vehicle and taxicab services within Seattle.

1 B. The obligation of complying with this Chapter 6.311 belongs to the licensee or
2 applicant for a license ~~within its scope.~~ Neither a provision of, nor a term used in, this Chapter
3 6.311 is intended to impose any duty whatsoever upon the City or any of its officers or
4 employees, for whom the implementation or enforcement of this Chapter 6.311 shall be
5 discretionary and not mandatory.

6 C. This Chapter 6.311 is not intended to be and shall not be construed to create or form
7 the basis for any liability on the part of the City or its officers, employees, or agents, for any
8 injury or damage resulting from the failure of a licensee or applicant for license to comply with
9 this Chapter 6.311, or by reason or in consequence of any act or omission in connection with the
10 implementation or enforcement of this Chapter 6.311 on the part of the City by its officers,
11 employees, or agents.

12 D. This Chapter 6.311 is intended to reduce regulatory complexity, promote equity and
13 innovation, improve transportation and integration of the for-hire transportation industry, and
14 ensure consumer protection and public safety. To fulfill these purposes, The City of Seattle:

15 1. Establishes reciprocal licensing privileges for King County medallion owners
16 to operate within Seattle. This reciprocity authorizes medallion owners to operate in both Seattle
17 and King County;

18 2. Establishes regional operating privileges for taxicab and for-hire vehicle drivers
19 licensed by King County to operate within Seattle. This license allows the driver to operate in
20 both Seattle and King County;

21 3. Consolidates the regulatory classifications of taxicabs and for-hire vehicles into
22 a single taxicab standard. When a for-hire vehicle transitions to a taxicab, any reciprocal
23 operating privilege will follow the vehicle;

4. Consolidates the regulatory classifications of taxicab associations and for-hire vehicle companies into a single, regional dispatch agency license that is subject to a common set of operating rules and standards;

5. Establishes regional licensing privileges for taxicab associations and for-hire vehicle companies licensed by King County to operate in Seattle. When a taxicab association or for-hire vehicle company transitions to a regional dispatch agency, the regional license will follow; and

6. Establishes a requirement for each regional dispatch agency to adopt a smart taximeter system.

6.311.020 Scope

A. This Chapter 6.311 applies to taxicab associations, for-hire vehicle companies, taxicabs, for-hire vehicles, and drivers of those vehicles. Chapter 6.310 applies to transportation network companies, transportation network company drivers, and transportation network company vehicles. ~~References to transportation network companies, transportation network company drivers, or transportation network company endorsed vehicles remain in Chapter 6.310 because RCW 46.72B.190 constrains The City of Seattle from amending ordinances or regulations related to transportation network companies, transportation network company drivers, or transportation network company endorsed vehicles after January 1, 2022.~~ In the event of a conflict between this Chapter 6.311 and Chapter 6.310, this Chapter 6.311 controls.

B. This Chapter 6.311 is not intended to regulate limousines and is consistent and compliant with chapter 46.72A RCW.

C. This Chapter 6.311 is not a part of the New License Code (Subtitle IV of Title 6).

6.311.030 Council approval of agreements

~~The Director may enter into agreements with any other city, town, county, or port district for the joint regulation of for hire and taxicab drivers in a manner consistent with the provisions of this Chapter 6.311; however, no such agreement shall be made without prior approval of the City Council by ordinance. Agreements may provide for, but are not limited to, the granting, revocation, and suspension of taxicab and for hire driver licenses, or the sharing of enforcement responsibilities.~~

The Mayor or designee may execute an interlocal agreement with King County for the purposes of coordinating and consolidating the regulation of the for-hire transportation industry under this Chapter 6.311.

6.311.040 Definitions

For the purposes of this Chapter 6.311 and unless the context plainly requires otherwise, the following definitions apply:

"Abnormal disruption of the market" means any change in the market, whether actual or imminently threatened, resulting from stress of weather, convulsion of nature, failure or shortage of electric power or other source of energy, strike, civil disorder, war, military action, national or local emergency, or any other cause.

"Application dispatch system" means technology that allows consumers, via the internet using ~~mobile interfaces~~ devices such as, but not limited to, smartphone and tablet applications, either or both, to:

1. Directly request dispatch of regional for-hire drivers for trips; and
2. Accept payments for those trips.

"Approved mechanic" means a mechanic or technician on a list maintained by the Director. The list shall contain the name of each mechanic or technician that has been approved by Director because they:

1. Have met all requirements of the National Institute for Automotive Service Excellence;
2. Have been awarded a Certificate in Evidence of Competence satisfactory to the Director; and
3. Do not own, lease, or drive a taxicab, for-hire vehicle, or transportation network company endorsed vehicle.

"Automated driving system" means hardware and software that are collectively capable of performing the entire dynamic driving task on a sustained basis, regardless of whether it is limited to a specific operational design domain and regardless of the presence of a driver.

"Autonomous operation" means the performance of the entire dynamic driving task by an automated driving system, beginning upon performance of the entire dynamic driving task by an autonomous driving system and continuing until the autonomous driving system is disengaged.

"Autonomous vehicle" means a vehicle with a level 3, level 4, or level 5 automated driving system as provided in the Society of Automotive Engineering International's J3016 standard.

"Certificate of safety" means a document from an approved mechanic certifying that a particular vehicle meets all vehicle safety standards set forth in this Chapter 6.311, including the vehicle safety inspection, and rules adopted by the Director in accordance with this Chapter 6.311.

"Citation" means an enforcement action taken by the Director that imposes monetary penalties when a person violates a requirement of this Chapter 6.311.

"Commencement date" means a calendar date set by the Director for the purpose of initiating certain processes pursuant to Section 6.311.415 and establishing timelines and deadlines associated with them.

"Contract rate" means the rate specified in a written agreement signed by both parties before the dispatch of a taxicab or for-hire vehicle for the services identified in the contract.

"Department" means the Department of Finance and Administrative Services of The City of Seattle, or any department that succeeds the Department's duties under this Chapter 6.311.

"Director" means the Director of Finance and Administrative Services, or the Director's authorized designee, or the director or authorized designee of any successor department.

"Disability" means the presence of a sensory, mental, or physical impairment that is medically cognizable or diagnosable; exists as a record or history; or is perceived to exist whether or not it exists in fact. A disability exists whether it is temporary or permanent, common or uncommon, mitigated or unmitigated, whether or not it limits the ability to work generally or work at a particular job, or whether or not it limits any other activity within the scope of this Chapter 6.311. For purposes of this definition, "impairment" includes, but is not limited to:

1. Any physiological disorder, or condition, cosmetic disfigurement, or anatomical loss affecting one or more of the following body systems: neurological, musculoskeletal, special sense organs, respiratory, including speech organs, cardiovascular, reproductive, digestive, genitor-urinary, hemic and lymphatic, skin, and endocrine; or

2. Any mental, developmental, traumatic, or psychological disorder, including, but not limited to, cognitive limitation, organic brain syndrome, emotional or mental illness, and specific learning disabilities.

"Dispatch system" means a system that allocates requests for trips to available drivers and that facilitates communication between a dispatcher and driver. A dispatch system may be integrated into a smart taximeter system.

"Driver coordinator" means an entity that hires, contracts with, or partners with for-hire drivers for the purpose of assisting them with, or facilitating them in, providing for-hire services to the public. For the purposes of this definition, "driver coordinator" includes but is not limited to taxicab associations, for-hire vehicle companies, and transportation network companies.

"Egregious" means any moving violation that posed an immediate threat to the safety of the driver, any passengers in the vehicle, or to others.

"Exclusive driver representative" (EDR) means a qualified driver representative, certified by the Director to be the sole and exclusive representative of all for-hire drivers operating within the City for a particular driver coordinator, and authorized to negotiate, obtain, and enter into a contract that sets forth terms and conditions of work applicable to all of the for-hire drivers employed by that driver coordinator.

"Fare" means anything of economic value that is provided, promised, or donated primarily in exchange for services rendered.

"For-hire transportation services" means services provided by licensees under this Chapter 6.311.

"For-hire vehicle" means any motor vehicle used for the transportation of passengers for hire, and not operated exclusively over a fixed and definite route, except:

1. Taxicabs;
 2. School buses operating exclusively under a contract to a school district;
 3. Ride-sharing vehicles under chapter 46.74 RCW;
 4. Limousine carriers licensed under chapter 46.72A RCW;
 5. Vehicles used by nonprofit transportation providers solely for elderly or
6 handicapped persons and their attendants under chapter 81.66 RCW;
 6. Vehicles used by auto transportation companies licensed under chapter 81.68
7 RCW;
 7. Vehicles used to provide courtesy transportation at no charge to and from
8 parking lots, hotels, and rental offices;
 8. Vehicles licensed under, and used to provide “charter party carrier” and
9 “excursion service carrier” services as defined in, and required by, chapter 81.70 RCW; and
 9. Transportation network company endorsed vehicles as defined in Chapter 6.310
10 and transportation network company vehicles as defined in chapter 46.72B RCW.
- 11 "For-hire vehicle company" means a person that represents or owns for-hire vehicles
12 licensed by the City that use the same color scheme, trade name, and dispatch services.
- 13 "Lessee" means a person who has a regional for-hire driver’s license that leases a taxicab
14 or for-hire vehicle required to be licensed under this Chapter 6.311.
- 15 "Lessor" means a person who has leased a taxicab or for-hire vehicle to a lessee.
- 16 "License action" means an enforcement action taken by the Director against a licensee
17 that is a suspension, summary suspension, denial, or revocation of the license.
- 18 "Licensee" means any person required to be licensed under this Chapter 6.311.

"Medallion" means a license issued by the Director as a plate, decal, or other physical representation, that is evidence that a taxicab or for-hire vehicle medallion is intangible property.

"Medallion owner" means a person who owns a taxicab medallion, a wheelchair accessible taxicab medallion, or a for-hire vehicle medallion, issued by the Director.

"Medallion reciprocity endorsement" means a designation on a medallion issued by King County, or alternatively in the Director's record of the medallion owner, which permits a vehicle to operate in Seattle.

"Medallion system" means the system that deems a taxicab or for-hire vehicle medallion to be intangible property that may be used as collateral to secure a loan from a bank or any other financial institution.

"Motor vehicle" means every motorized vehicle by or upon which any person may be transported or carried upon a public street, highway, or alley. Vehicles used exclusively upon stationary rail tracks or propelled by use of overhead electric wires are not considered motor vehicles for purposes of this Chapter 6.311.

"Operate" or "operating" means owning, leasing, advertising, driving, parking in a taxicab zone, having a top light on, occupying, or otherwise being in control of a taxicab or for-hire vehicle that is available to transport, en route to pick up a passenger, or transporting any passenger for a fare from a point in Seattle. A taxicab association, for-hire vehicle company, transitional regional dispatch agency, or regional dispatch agency is operating if it represents or dispatches any taxicab or for-hire vehicle that at any time transports any passenger for a fare from a point within Seattle.

"Person" means any individual, partnership, association, corporation, firm, institution, or other entity, whether or not operated for profit. "Person" does not include:

1. A government entity of or within the United States;
2. An entity operating exclusively under contract with a government entity; or
3. That portion of an entity that is operating exclusively under contract with a government entity.

"Qualifying driver" means a for-hire driver, who drives for a driver coordinator and who satisfies the conditions established by the Director pursuant to Section 6.311.415. In establishing such conditions, the Director shall consider factors such as the length, frequency, total number of trips, and average number of trips per driver completed by all of the drivers who have performed trips in each of the four calendar months immediately preceding the commencement date, for a particular driver coordinator, any other factors that indicate that a driver's work for a driver coordinator is significant enough to affect the safety and reliability of for-hire transportation, and standards established by other jurisdictions for granting persons the right to vote to be represented in negotiations pertaining to the terms and conditions of employment. A for-hire driver may be a qualifying driver for more than one driver coordinator.

"Qualified driver representative" (QDR) means an entity that assists for-hire drivers operating within the City for a particular driver coordinator in reaching consensus on desired terms of work and negotiates those terms on their behalf with driver coordinators.

"Regional dispatch agency" means a person licensed under this Chapter 6.311 who represents or owns ~~taxicabs or~~ for-hire vehicles, until March 31, 2026, or taxicabs licensed by the City that use the same trade name and dispatch services.

"Regional dispatch agency representative" means a person who a transitional regional dispatch agency or regional dispatch agency has authorized to:

1. File applications and other documents on behalf of the agency; and

2. Receive and accept all correspondence and notices from the Director pertaining to the agency or its taxicabs, taxicab owners, for-hire vehicles, for-hire vehicle owners, or regional for-hire drivers affiliated with the regional dispatch agency.

"Regional for-hire driver" means any person in physical control of a taxicab or for-hire vehicle who is required to be licensed under this Chapter 6.311 and includes a ~~lease driver~~lessee, owner/operator, or employee, who drives taxicabs or for-hire vehicles.

"Regional for-hire driver's license" means a license issued to an applicant for a regional for-hire driver's license who meets all criteria under this Chapter 6.311 for a regional for-hire driver's license.

"Regional for-hire driver's license wheelchair accessible vehicle endorsement" means an endorsement applied to a regional for-hire driver's license that demonstrates that the driver has successfully completed required training regarding the special needs of passengers in wheelchairs, including, but not limited to, loading and tie-down procedures and door-to-door service.

"Smart taximeter" means a system of hardware and software that integrates a taximeter and other components together to perform functions required by this Chapter 6.311.

"Smart taximeter system" means the system a regional dispatch agency uses to dispatch trips to, communicate with, and track the location of a affiliated vehicles and drivers through the smart taximeter. A smart taximeter system may include an application dispatch system.

"Taxicab" means every motor vehicle required to have a taxicab medallion to be used for the transportation of passengers for a fare, where the route traveled or destination is controlled by the passenger, and the fare is based on an amount recorded and indicated on a taximeter, smart taximeter, or on an application dispatch system.

"Taxicab association" means a person that represents or owns taxicabs licensed by The City of Seattle that use the same uniform color scheme, trade name, and dispatch services.

"Taximeter" means any instrument or device by which the fare for a trip provided in a taxicab is measured or calculated either for the distance traveled by the taxicab or for waiting time, or for both, and upon which such calculated charges shall be indicated by means of figures.

"Transitional regional dispatch agency" means taxicab associations and for-hire vehicle companies, or other persons that meet the requirements of a transitional regional dispatch agency in this Chapter 6.311, that do not have a regional dispatch agency license.

"Transparent" means the trip fare, the fare range, and other pricing variables, are made readily available to a passenger before the passenger commits to taking the trip.

"Transportation network company" means the same as it is defined in Chapter 6.310.

"Transportation network company endorsed vehicle" means the same as it is defined in Chapter 6.310.

"Transportation network company vehicle endorsement" means the same as it is defined in Chapter 6.310.

"Uniform color scheme" means the color or colors used by vehicles affiliated with a transitional regional dispatch agency or regional dispatch agency, and approved by the Director for exclusive use.

"Voluntarily converted wheelchair accessible vehicle" means a ~~De~~director-inspected and ~~Director~~-approved taxicab or for-hire vehicle that is accessible to passengers in wheelchairs or other mobility devices but that is not required to be so as a condition of the vehicle's medallion.

"Wheelchair accessible taxicab" means a taxicab that is required to be accessible to passengers in wheelchairs or other mobility devices as a condition of its wheelchair accessible taxicab medallion.

"Wheelchair accessible taxicab medallion" means a type of medallion issued by the Director that requires the vehicle operated under the medallion to be accessible to passengers in wheelchairs and other mobility devices.

"Wheelchair accessible vehicle" means a taxicab or for-hire vehicle that has been designed or modified to transport passengers in wheelchairs or other mobility devices, conforms to the accessibility requirements of the regulations of the Americans with Disabilities Act of 1990, as amended, and has been inspected and approved by the Director. "Wheelchair accessible vehicle" includes both voluntarily converted wheelchair accessible vehicles and wheelchair accessible taxicabs.

6.311.050 Fees

A. The following nonrefundable fees shall apply:

1. Taxicab or for-hire vehicle medallion and related fees	
a. Annual medallion fee	\$300
b. Annual medallion reciprocity endorsement fee	\$300
c. Annual wheelchair accessible vehicle medallion fee	\$300 Waived when determined eligible by the Director
d. Annual wheelchair accessible vehicle medallion reciprocity endorsement fee	\$300 Waived when determined eligible by the Director
e. Late medallion renewal and medallion reciprocity endorsement renewal fee	\$30
f. Change of vehicle associated with a medallion fee	\$25
g. Change or transfer of medallion owner corporation, limited liability company, or partnership members fee	\$25
h. Replacement medallion plate or decal fee	\$25
i. Wheelchair accessible vehicle and installed equipment inspection fee	\$0

j. Special inspection fee (for tests and/or inspections conducted on vehicles without a medallion)	\$100 per hour (½ hour minimum)
k. Vehicle inspection rescheduling fee (for vehicles without a medallion)	\$25
l. Taxicab or for-hire vehicle change of agency affiliation fee	\$25
2. Regional for-hire driver fees	
a. Annual regional for-hire driver's license fee*	\$25
b. Late regional for-hire driver's license renewal fee	\$15
c. Driving history report fees	
i. Driving abstract per RCW 46.52.130	Charged as determined by Director to cover costs
ii. Third-party driving history report fee	Charged as determined by Director to cover costs
d. Fingerprinting fee	Charged as determined by Director to cover costs
e. Criminal background check fees	
i. Third-party background check fee (regional for-hire driver's license)	Charged as determined by Director to cover costs
ii. Fingerprint-based background check fee (enhanced regional for-hire driver's license)**	Charged as determined by Director to cover costs
f. Replacement license fee	Charged as determined by Director to cover costs
g. Rescheduling fee (training, testing)	Charged as determined by Director to cover costs
h. Training fees	Charged as determined by Director to cover costs
3. Regional Dispatch Agency License or Transitional Regional Dispatch Agency Fees	
a. Annual regional dispatch agency license fee*	
i. 50 or fewer affiliated vehicles	\$250
ii. 51 or more affiliated vehicles	\$500
b. Late regional dispatch agency license renewal fee	
i. 50 or fewer affiliated vehicles	\$25
ii. 51 or more affiliated vehicles	\$50
c. Annual transitional regional dispatch agency license fee*	
i. 50 or fewer affiliated vehicles	\$250
ii. 51 or more affiliated vehicles	\$500

d. Late transitional regional dispatch agency license renewal fee	\$25
i. 50 or fewer affiliated vehicles	\$50
ii. 51 or more affiliated vehicles	
e. Additional trade names registration fee	\$25
* The fee amount shown is the City's portion of the total amount charged (King County charges a separate fee). Together, the City of Seattle and King County fees comprise the total fee for each particular license type.	

B. The Director may adjust any of the fees in this Section 6.311.050 following consideration of the following nonexclusive factors:

1. The projected costs and annual budget for regulatory and enforcement costs related to taxicabs, for-hire vehicles, and regional for-hire drivers;
2. The need for increased enforcement activities; and
3. The total number of trips across taxicabs and for-hire vehicles.

The purpose of any adjustment is to ensure that the fees cover the Director's enforcement and regulatory costs.

C. Annual medallion and reciprocity endorsement fees for wheelchair accessible vehicles may be waived by the Director. To be eligible for this waiver, the licensee must demonstrate compliance with additional standards established by rule, including, but not limited to, providing a minimum number of trips annually to passengers in wheelchairs.

D. The Director may from time to time declare periods of amnesty in which the Director may waive any penalty imposed under this Chapter 6.311 for delinquent payment of fees. Such periods of amnesty and the terms thereof may be established by the Director upon a finding by the Director that to do so would further the goals of the for-hire transportation industry and be in the public interest. The Director may promulgate rules and procedures to implement the provisions of this section.

E. Any late fee established in this Section 6.311.050 applies when an application for medallion or license renewal is received later than one business day after the expiration date of the prior medallion or license or a scheduled payment for a fee is overdue.

6.311.060 Wheelchair Accessible Services Fund

A. In addition to the fees specified in Section 6.311.050, as part of the license issuance or renewal fee, taxicab and for-hire vehicle licensees shall pay a \$0.10 per ride surcharge for all rides originating in Seattle for each vehicle. As part of the City's taxi, for-hire, and transportation network company regulation, this surcharge shall be used to offset the higher operational costs of wheelchair accessible taxi (WAT) services for owners and operators including, but not limited to: vehicle costs associated with purchasing and retrofitting an accessible vehicle, extra fuel and maintenance costs, and time involved in providing wheelchair accessible trips. Funds shall be distributed by reimbursement for documented, itemized costs. The Director shall adopt by rule the procedure for determining when and how to distribute funds to WAT owners and drivers, including imposing conditions of reimbursement, imposing a maximum amount of reimbursement, and considering timely distribution of reimbursement to WAT drivers and owners. In determining the distribution of funds, the Director shall consider factors including, but not limited to, actual consumer demand for WAT services, total number of WAT rides, total number of WAT rides requested through a TNC application, total paid trips per WAT, and average operating hours per WAT. A WAV is eligible for reimbursement from the Wheelchair Accessible Services Fund as prescribed by the Director by rule.

B. Following the first year of collecting the \$0.10 per ride surcharge, the surcharge rate may be adjusted by the Director based on, but not limited to, consideration of the following factors: reimbursed costs for purchasing and retrofitting accessible vehicles, the actual need for

1 purchasing and retrofitting accessible vehicles in the upcoming year, total number of WAT rides,
2 and may consider any other factors that may affect the supply, demand, and financial viability
3 for WAT service within the City limits.

4 **6.311.070 Regional for-hire driver's license required**

5 A. It is unlawful for a person to operate a taxicab or for-hire vehicle without first having
6 obtained a valid regional for-hire driver's license. A regional for-hire driver's license shall expire
7 one year from the date of application. A regional for-hire driver's license is not transferable or
8 assignable.

9 B. As of the effective date of this ordinance, any valid for-hire driver's license previously
10 issued to a driver under Chapter 6.310, other than a for-hire driver's license that displays as a
11 "for-hire permit," shall become a regional for-hire driver's license and all references to for-hire
12 driver's licenses shall mean regional for-hire driver's licenses. As of the effective date of this
13 ordinance, for-hire drivers with a valid for-hire driver's license issued by King County shall be
14 deemed to also have a corresponding regional for-hire driver's license from The City of Seattle,
15 which shall be valid until the original expiration date.

16 C. Drivers with a for-hire driver's license that displays as a "for-hire permit" may
17 continue to operate a taxicab or for-hire vehicle until the first license expiration date after the
18 effective date of this ordinance, at which time, a regional for-hire driver's license or enhanced
19 regional for-hire driver's license issued under this Chapter 6.311 shall be required to operate a
20 taxicab or for-hire vehicle.

21 **6.311.080 Wheelchair accessible vehicle endorsement**

22 It is unlawful for a driver to operate a wheelchair accessible vehicle without a regional for-hire
23 driver's license wheelchair accessible vehicle endorsement. To obtain such an endorsement, a

driver shall submit proof the driver has successfully completed a director-approved training for providing for-hire transportation services in wheelchair accessible vehicles. Wheelchair accessible vehicle drivers must comply with Section 6.311.290, in addition to the requirements of Sections 6.311.070 through 6.311.180. The Director may take enforcement action against a regional for-hire driver's license wheelchair accessible vehicle endorsement, a regional for-hire driver's license, or both, as consistent with this Chapter 6.311.

6.311.090 Grant of license

The Director shall issue a regional for-hire driver's license to an applicant who:

A. Is at least 20 years old;

B. Possesses a valid driver's license ~~issued by a state or territory in the United States, and has possessed such driver's license, or driver's licenses, for at least one year;~~

C. Completes driver training as approved by the Director before submitting an initial application for a regional for-hire driver's license. Training shall include, but is not limited to:

1. A general for-hire driver training course with information about use of emergency procedures and equipment for the driver's personal safety, risk factors for crimes against for-hire drivers, and ~~eustomer~~passenger service;

2. A defensive driving course provided by the National Safety Council and approved by the Director, or an alternative defensive driving course approved by the Director; and

3. Any other courses if required by the Director after September 1, 2024.

D. Successfully completes a regional for-hire driver license examination or examinations approved by the Director;

E. Submits a complete application, or consents to an application being submitted on the applicant's behalf, for a regional for-hire driver's license annually on a form or in a format approved by the Director;

F. Provides a certification of fitness as a regional for-hire driver on a form or in a format approved by the Director. The Director may at any time require any applicant for, or holder of, a regional for-hire driver's license to be examined by a physician licensed to practice in the state of Washington if it appears that the applicant or licensee has become physically or mentally incapacitated so that the applicant or licensee is unfit as a regional for-hire driver. The Director shall prescribe by rule the scope of the examination and provide a form for the physician to complete. A United States Department of Transportation medical certification meets the requirements of this subsection 6.311.090.F;

G. Consents to a background check, with ongoing monitoring if available, from an entity that is approved by the Director. The Director shall require the third party to demonstrate competency in providing accurate information prior to being approved by the Director, and shall include local, state, and national databases, and access at least five years of database history when performing background checks;

H. Successfully passes a criminal background check, including:

1. No convictions, bail forfeitures, or other final adverse findings, including in civil suits or administrative hearings, pertaining to any of the following within the past five years:

- a. Attempting to elude the police;
- b. Reckless driving;
- c. Hit and run;

d. Any alcohol- or drug-related driving crime;
e. Any class A or B felony, as defined in Title 9A RCW;
f. Any violent offense, or serious violent offense, or most serious offense
as defined in chapter 9.94A RCW;

g. A crime involving physical violence, other than those crimes in
subsection 6.311.090.H.1.e, if the Director determines the circumstances of the crime make the
person unsafe to operate as a regional for-hire driver;

h. A crime that is directly related to the ~~individual's~~applicant's honesty
and integrity including, but not limited to, theft, burglary, and extortion, if the Director
determines the circumstances of the crime make the person incompatible with the duties of a
regional for-hire driver; or

i. Any conviction for any offense committed in another jurisdiction that
includes the elements of any of the offenses listed in this subsection 6.311.090.H.1;

2. No convictions, bail forfeitures, or other final adverse findings, including in a
civil suit or administrative hearing, pertaining to any sex offense as defined in chapter 9.94A
RCW or convictions that include a special allegation of sexual motivation, including convictions
for any offense committed in another jurisdiction that includes the elements of a sex offense as
defined in chapter 9.94A RCW, within the past seven years;

3. Not being listed in the United States Department of Justice national sex
offender public website, and not required to register as a sex offender; and

4. No active arrest warrant for any crime.

I. Authorizes the Director to obtain the applicant's current driving history, and the results
of ongoing monitoring if available, from the Washington State Department of Licensing and

from an entity that is approved by the Director that provides a multistate driving abstract that includes the state of Washington;

J. Successfully passes a check of the applicant's driving record, meaning: (1) the applicant's driving record has no egregious law violations~~that are egregious~~ within the past five years, and (2) the applicant's driving record leads the Director to reasonably conclude that the applicant will operate a vehicle in a safe manner and comply with this Chapter 6.311;

K. Consents to the Director obtaining other information directly concerning the ~~person's~~applicant's past conduct and general qualifications that shows the ~~person's~~applicant's ability and skill as a regional for-hire driver and the ~~person's~~applicant's honesty and integrity for the purposes of determining whether the ~~person~~applicant is suitable to operate as a regional for-hire driver;

L. Agrees to the affiliated transitional regional dispatch agency or regional dispatch agency receiving, ~~as official service on the applicant's or licensee's behalf~~, general correspondence, citations, license actions, and notices of complaints from the Director~~, on the driver's behalf~~; and

M. Meets the criteria necessary for obtaining a regional for-hire driver's license from King County and applies for a regional for-hire driver's license from King County concurrently with applying for a regional for-hire driver's license from The City of Seattle.

6.311.100 Inseparability of regional for-hire driver's licenses

A regional for-hire driver's license issued by The City of Seattle and a regional for-hire driver's license issued by King County to the same individual shall ~~display as a regional for hire driver's license, and shall~~ be considered one~~;~~ inseparable regional for-hire driver's license.

6.311.110 Enhanced regional for-hire driver's license

Effective September 1, 2024, an enhanced regional for-hire driver's license is a type of regional for-hire driver's license that, in addition to meeting the requirements in Section 6.311.090 for a regional for-hire driver's license, requires a driver to consent to and successfully pass a fingerprint-based background check, with ongoing monitoring if available, from an entity that is approved by the Director, consistent with the criteria in subsection 6.311.090.H.

6.311.120 Inseparability of enhanced regional for-hire driver's licenses

An enhanced regional for-hire driver's license issued by The City of Seattle and an enhanced regional for-hire driver's license issued by King County to the same individual shall ~~display as~~ anbe considered one inseparable enhanced regional for-hire driver's ~~license, and shall be~~ considered one, inseparable license.

6.311.130 Temporary license

Pending final action on a regional for-hire driver's license application, the Director may issue a temporary regional for-hire driver's license when the review of an application is anticipated to be longer than two days. A temporary regional for-hire driver's license shall be effective for a period of up to 60 days unless extended by the Director.

6.311.140 Other considerations

In considering an application for a regional for-hire driver's license, the Director may consider any other information that may lead the Director to reasonably conclude that the applicant will not operate a vehicle in a safe manner or comply with this Chapter 6.311. The Director shall reject an application if it has a material misstatement or omission.

6.311.150 Effect of application denial and license revocation

A. An applicant whose application for a regional for-hire driver's license was denied shall:

1. Be ineligible to reapply for a regional for-hire driver's license until the date specified in the final notice of denial; and

2. Not reapply for a regional for-hire driver's license that was denied until correction of the deficiency on which the denial was based is deemed acceptable by the Director.

B. A regional for-hire driver whose regional for-hire driver's license was revoked shall be ineligible to reapply for a regional for-hire driver's license until the date specified in the final notice of revocation.

6.311.160 Regional for-hire driver operation – Requirements

A regional for-hire driver shall:

A. Have in the driver's possession and available upon request of the Director at any time the driver is operating a taxicab or for-hire vehicle:

1. ~~A state issued or United States territory issued~~ A valid driver's license;
2. The vehicle's registration;
3. Proof of insurance as required by this Chapter 6.311; and
4. A valid regional for-hire driver's license, which shall also be ~~posted~~ on display in the vehicle and visible to passengers as prescribed by the Director.

B. Ensure that the vehicle's medallion plate or decal is valid and is displayed as required;

C. Ensure the lights, brakes, tires, steering, seat belts, any system relied on for safe operation, taximeter, and other vehicle equipment are working properly prior to each shift and while operating;

D. Maintain the vehicle interior and exterior, including exterior markings, in clean and good repair;

1 E. Allow the Director to inspect the vehicle without prior notice at any reasonable time or
2 place;

3 F. At all times while operating a taxicab or for-hire vehicle, be signed into at least one
4 dispatch system, smart taximeter system, or application dispatch system provided by the
5 affiliated transitional regional dispatch agency or regional dispatch agency;

6 G. Provide service to passengers in wheelchairs before any other passengers when
7 operating wheelchair accessible vehicles;

8 H. Activate the taximeter or smart taximeter at the beginning of each paid trip, whether
9 the fare is computed by the taximeter, smart taximeter, application dispatch system, contract, or
10 flat rate, and deactivate the taximeter or smart taximeter upon completion of the trip. The
11 beginning of a trip is the point where the passenger is seated, and any materials are stowed, and
12 the forward motion of the vehicle begins;

13 I. Ensure that the taximeter or smart taximeter display is visible to passengers at all times
14 while operating a taxicab;

15 J. If the fare for a trip is an upfront fare or a flat rate fare, confirm the fare with the
16 ~~customer~~passenger before beginning the trip;

17 K. Operate the taxicab or for-hire vehicle with due regard for the safety, comfort, and
18 convenience of passengers and always provide passengers with professional and courteous
19 service. The driver shall not use threatening behavior or offensive language, expressions, or
20 gestures to any person while operating;

21 L. If requested, be willing to assist a passenger entering or exiting the vehicle and placing
22 luggage or packages that are under 50 pounds in and out of the vehicle. Upon request for this

1 assistance, a driver must so assist a passenger or otherwise ensure the passenger's assistance
2 request is fulfilled;

3 M. Use the most direct or most expedient available route on all trips unless the passenger
4 specifically requests to change the route;

5 N. Record all trips, process all payments, and issue a receipt for all payments through a
6 dispatch or payment system provided by the transitional regional dispatch agency or regional
7 dispatch agency;

8 O. Be able to provide a reasonable and prudent amount of change, and, if correct change
9 is not available, no additional charge may be made to the passenger in attempting to secure the
10 change;

11 P. ~~Accept~~ If dispatched by a transportation network company's application dispatch
12 system and allowed by the transportation network company, accept payment of fares via cash
13 payment for any trip dispatched through a transportation network company's application
14 dispatch system ~~if allowed by the transportation network company~~;

15 Q. At the end of each trip, check the vehicle for any article or articles that are left behind
16 by passenger or passengers and promptly secure the article or articles and report the found article
17 or articles to the transitional regional dispatch agency or regional dispatch agency;

18 R. Comply with any license action, citation, or Director order, and pay any penalties
19 issued under this Chapter 6.311 that are either not appealed or are upheld after review;

20 S. Immediately surrender the vehicle medallion plate or decal in a manner approved by
21 the Director when the vehicle medallion is temporarily deactivated or revoked;

T. Comply with policies and procedures established by the transitional regional dispatch agency or regional dispatch agency to meet the requirements of this Chapter 6.311 and to ensure ~~customer~~passenger satisfaction;

U. Comply with applicable business license requirements for any jurisdiction in which the driver operates; and

V. Meet any other requirement as established by the Director by rule ~~as authorized by this Chapter 6.311.~~

6.311.170 Regional for-hire driver operation – Prohibitions generally

A regional for-hire driver shall not:

A. Transport either more passengers than the number of seat belts available ~~nor~~or more luggage than the vehicle capacity will safely and legally allow;

B. Operate a taxicab or for-hire vehicle that does not have the rate posted on display as prescribed by the Director by rule;

C. Operate a taxicab or for-hire vehicle that is unaffiliated with a taxicab association, for-hire vehicle company, transitional regional dispatch agency, or regional dispatch agency;

D. Use a personal electronic device while driving a motor vehicle on a public roadway, unless consistent with RCW 46.61.672, ~~as amended~~;

E. Operate a taxicab or for-hire vehicle under the influence of any alcohol, narcotics, drugs, or prescription or over-the-counter medication that impairs the driver's ability to operate a taxicab or for-hire vehicle or in any way jeopardizes the safety or security of passengers or the public;

F. Knowingly possess illegal substances or open containers of alcohol while operating a taxicab or for-hire vehicle ~~as a regional for-hire driver~~;

1 G. Operate a taxicab or for-hire vehicle for more than 14 hours in any 24-hour period.

2 Thereafter, the regional for-hire driver shall not operate a taxicab or for-hire vehicle until eight
3 consecutive hours have elapsed. Stand-by time does not count towards the 14-hour limit. For the
4 purposes of this subsection 6.311.170.G, “stand-by time” includes any time the regional for-hire
5 driver is available for hire but is not physically in the vehicle;

6 H. Use the taxicab or for-hire vehicle, or allow the taxicab or for-hire vehicle to be used,
7 in the commission of any crime;

8 I. Refuse to transport in the taxicab or for-hire vehicle, cancel a dispatched call, or end a
9 trip in progress because of:

10 1. Any passenger's wheelchair or other mobility device that can be folded and
11 safely placed in either the passenger or trunk compartment of the vehicle;

12 2. A service animal as defined by Section 14.06.020; and

13 3. A passenger's groceries, packages, or luggage;

14 J. Refuse to transport any person except when:

15 1. The driver has already been dispatched on another call;

16 2. The passenger is acting in a disorderly, threatening, or suspicious manner, or
17 otherwise causes the driver to reasonably believe that the driver's health or safety, or that of
18 others, may be endangered;

19 3. The passenger cannot, upon request, show ability to pay the fare;

20 4. The passenger refuses to state a specific destination upon entering the taxicab
21 or for-hire vehicle; or

22 5. The trip covers more than one hundred miles or includes traveling over a
23 mountain pass or on a ferry;

1 K. Smoke or allow passengers to smoke in the vehicle;

2 L. Ask, demand, or collect any rate or fare other than as specified on the taximeter, smart
3 taximeter, or application dispatch system;

4 M. Solicit passengers from anywhere other than the driver's seat or standing within direct
5 view of the taxicab or for-hire vehicle, and never solicit when the taxicab or for-hire vehicle is in
6 motion. The driver of a taxicab or for-hire vehicle shall not use any other person to solicit
7 passengers;

8 N. Park a taxicab or for-hire vehicle in a marked passenger load zone, truck load zone,
9 commercial load zone, or charter bus zone; except that a driver may drop off or pick up
10 passengers in a passenger load zone; and

11 O. Misstate or omit a material fact on any document provided to the Director, or alter any
12 document or record provided to or issued by the Director.

13 **6.311.180 Regional for-hire driver operation – Prohibitions in a taxicab zone**

14 A. Designated taxicab zones are for taxicabs only. A regional for-hire driver shall not do
15 any of the following in a taxicab zone:

- 16 1. Leave the taxicab unattended in a taxicab zone for more than 15 minutes;
- 17 2. Occupy a taxicab zone unless operating a taxicab that is available for hire;
- 18 3. Perform engine maintenance or repairs on the taxicab while in a taxicab zone;
- 19 4. Refuse a request for service because of the driver's position in line at a taxicab
20 zone; a passenger may select any taxicab in the line; or
- 21 5. Use a taxicab zone while under suspension from that taxicab zone.

22 B. A violation of this Section 6.311.180 may result in a suspension from one or more
23 taxicab zones, in addition to penalties as authorized in Section 6.311.430.

6.311.190 Medallion system

A. As of the effective date of this ordinance, every valid taxicab and for-hire vehicle medallion issued by King County shall be issued a City medallion reciprocity endorsement. ~~A medallion reciprocity endorsement is subject to annual renewal.~~ The medallion and medallion reciprocity endorsement shall be inseparable. A medallion cannot be issued, renewed, transferred, or temporarily deactivated separately from the medallion reciprocity endorsement. Any restriction imposed on a medallion through a license action applies with equal force to the corresponding medallion reciprocity endorsement. Any restriction imposed on a medallion reciprocity endorsement through a license action applies with equal force to the corresponding medallion.

B. Effective September 1, 2024, an existing medallion issued by the City and an existing medallion issued by King County, ~~which have been~~ and that were previously required to be used with the same vehicle, may be separated to be used with different vehicles or to be transferred. Such medallions used with the same vehicle in both the City of Seattle and King County may be separated at any time by requesting such separation on a form or in a format established by the Director. This provision applies to all medallion types.

C. The owner of a taxicab or for-hire vehicle medallion may use the medallion as collateral to secure a loan from a bank or any other financial institution. Medallion owners shall file with the Director the name of any and all lienholders, on forms furnished by the Director. The collateral shall be described as "City of Seattle taxicab medallion" or, until March 31, 2026, "City of Seattle for-hire vehicle medallion," and shall include the medallion number. Within 30 days of the date of creation of the pledge, lien, or security interest, the party that holds the

pledge, lien, or security interest, shall record the same as required by ~~State~~state law and provide a copy of the recording to the Director.

D. The interest of a medallion owner may be suspended or revoked for any reason enumerated in this Chapter 6.311 for the suspension or revocation of a medallion.

E. Upon a final order of medallion revocation, ~~where~~when all appellate proceedings, if any, have been concluded, the medallion may only be transferred as prescribed by this Section 6.311.190, Section 6.311.230, and as prescribed by the Director by rule.

F. In accepting a medallion, medallion owners waive any and all liability, claims, actions, suits, loss, costs, expense judgments, attorneys' fees, or damages of every kind and description resulting directly or indirectly from any act or omission of the City, its officials, officers, employees, and agents regarding the valuation or devaluation of the medallion.

G. The City assumes no liability for any devaluation of the medallion, including, but not limited to, any devaluation due to regulatory action or market forces.

H. Except for an owner awarded a new taxicab or for-hire vehicle medallion that is required to meet the minimum operating requirements in subsection 6.311.200.G, a medallion owner may voluntarily transfer or sell a medallion in accordance with this Section 6.311.190, Section 6.311.230, and as prescribed by the Director by rule.

I. Medallion owners may lease an interest in the medallion as prescribed by Director's rule. A leased medallion shall not be subleased to another party.

6.311.200 Medallions – Allowable number

A. Unless adjusted by the Director by rule, the maximum number of taxicab medallions is 1,300. Wheelchair accessible taxicab medallions do not count towards the maximum number.

1 B. On April 1, 2026, all for-hire vehicle medallions shall become taxicab medallions. The
2 medallion system for for-hire vehicles shall no longer be in effect after March 31, 2026.

3 C. The Director may issue ~~new~~additional taxicab medallions only as specified by this
4 Section 6.311.200.

5 D. The Director may adjust by rule the maximum number of taxicab medallions and shall
6 periodically determine the need for additional taxicab service. Factors to be considered to adjust
7 the maximum number of taxicab medallions or to issue ~~new~~additional taxicab medallions
8 include:

9 1. Coordination with King County to promote a regional licensing and regulatory
10 framework for for-hire transportation services;

11 2. Growth in population, tourists, and other visitors to the area;

12 3. The quality of existing taxicab service as indicated by ~~customer~~passenger
13 satisfaction, including wheelchair accessible vehicle service, if applicable;

14 4. A comparison of actual average taxicab response times to optimum average
15 taxicab response times established by the Director;

16 5. Availability and quality of for-hire transportation services in underserved
17 communities, including areas of lower population density;

18 6. Available data ~~for medallions~~of medallion sales on the private market;

19 7. Analysis of drivers' ability to earn a living wage, including the impact of
20 adjusting the number of medallions on driver income; and

21 8. Other indications of market demand.

22 E.

1 1. If the Director determines that issuance of additional taxicab medallions is
2 warranted, such medallions shall be issued as follows:

3 a. A competitive request for proposals and award process under which
4 medallions will be issued to medallion applicants whose proposals demonstrate that they are
5 most able to meet the needs of the public in providing taxicab service by meeting qualifications
6 prepared by the Director that are not in conflict with the general provisions of this Chapter 6.311;

7 b. A lottery of qualified medallion applicants; or

8 c. A combination of both procedures as prescribed by the Director by rule.

9 2. Regardless of the method used, the Director shall consider ~~ana~~ medallion
10 applicant's driving record, driving experience, current or previous medallion ownership, and any
11 additional qualifications required by the Director.

12 3. If issuing a wheelchair accessible taxicab medallion, the Director may
13 additionally consider the medallion applicant's qualifying experience transporting individuals
14 with disabilities who require any type of mobility device, including a manual or motorized
15 wheelchair, and any additional qualifications required by the Director.

16 F. Any ~~new-taxicab~~additional taxicab medallion shall only be issued to a ~~person~~medallion
17 applicant who is an individual. No corporation, limited liability company, or partnership shall
18 obtain any medallion held by an individual until the expiration of three years following the
19 original date of issuance to that individual; however, ~~new~~additional taxicab medallions may be
20 issued to and be held by the following business entities:

21 1. Corporations held by a single shareholder, except that the taxicab must be
22 personally operated by the single shareholder for a period of three years from the date of
23 issuance of the medallion and the ownership of the shares of the corporation cannot be changed

1 within the three-year period. Any change of ownership of shares of the corporation shall result in
2 revocation of the medallion; or

3 2. Limited liability companies comprised of a single member, except that the
4 taxicab must be personally operated by the single member for a period of three years from the
5 date of issuance of the medallion and no change of membership may take place within the three-
6 year period. Any change of membership of the limited liability company shall result in
7 revocation of the medallion.

8 G. For three years following the date of issuance of ~~a new~~an additional taxicab medallion
9 or ~~a new~~an additional wheelchair accessible taxicab medallion in accordance with subsections
10 6.311.200.E and 6.311.200.J, the medallion owner must personally drive the taxicab for at least
11 30 hours per week for a minimum of 40 weeks per year. If the medallion owner fails to fulfill
12 this minimum operating requirement in any one-year period within the three-year period
13 following the date of issuance, the medallion shall be revoked and shall not be eligible for
14 transfer by its original owner. The medallion shall be transferable upon the completion of the
15 three-year operating requirement.

16 H. A medallion plate, medallion decal, or other indicia issued to a medallion owner shall
17 remain the property of the Director.

18 I. A medallion owner may seek Director approval to permanently convert a medallion to
19 a wheelchair accessible taxicab medallion. Such a conversion shall be subject to conditions
20 prescribed by the Director by rule. Conversion of a taxicab medallion to a wheelchair accessible
21 taxicab medallion is not considered the issuance of ~~a new~~an additional medallion. A medallion
22 that has been operated for three or more years that is permanently converted to a wheelchair

accessible taxicab medallion shall be transferrable and not subject to a new three-year operating requirement.

J. As an alternative to the process outlined in subsection 6.311.200.E, the Director may issue City of Seattle medallion reciprocity endorsements to medallion applicants selected by King County to be issued a King County taxicab medallion or a King County wheelchair accessible taxicab medallion, as applicable.

6.311.210 Temporary deactivation and retirement of a taxicab or for-hire vehicle medallion

A. Effective September 1, 2024, any time a medallion is not operating for 60 days or more, the medallion owner, or an authorized representative, shall file a notice of temporary deactivation with the Director in a manner determined by the Director. A temporary deactivation may be for any reason, including, but not limited to, an inoperable or unavailable vehicle, a temporary lack of affiliation with an agency, an extended leave of absence, or owner convenience.

B. When a notice of temporary deactivation is filed with the Director:

1. If the medallion is not expired, the deactivation period shall not exceed 12 consecutive months from the date the temporary deactivation notice is filed with the Director;

2. If the medallion is expired, the deactivation period shall not be more than 12 consecutive months from September 1, 2024 or from the date the medallion expired, whichever is longer; and

3. If the medallion is expired or expires during the temporary deactivation period, the medallion renewal process must be completed before the medallion can be reactivated.

C. The Director may initiate a temporary deactivation when the Director becomes aware that a medallion has not been operating for 60 days or more.

D. For medallions revoked, relinquished, or otherwise held by the Director after January 31, 2015, and before September 1, 2024, the temporary deactivation period shall begin on September 1, 2024. A medallion previously revoked, relinquished, or otherwise held by the Director, must be renewed by September 1, 2025.

E. If a medallion owner fails to reactivate the medallion within 12 months from the effective date of the temporary deactivation, the Director shall issue a notice of retirement to the medallion owner. Within 60 days of the notice of retirement, the medallion owner may reactivate or transfer the medallion. If the medallion is not reactivated or transferred within 60 days of the notice of retirement, the medallion is retired and an order of retirement will be issued by the Director. The medallion owner may appeal the order of retirement in accordance with Section 6.311.450. Failure to appeal means the order of retirement issued by the Director is final. The taxicab or for-hire vehicle medallion plate or decal that has been retired shall be returned to the Director within 15 days of the final order of retirement or, if the order is appealed and affirmed, within 15 days after all appellate proceedings have concluded.

F. Medallions issued via a lottery or request for proposals shall not be transferrable until the obligations under subsection 6.311.200.G have been met.

G. Vehicle insurance is not required if a medallion is temporarily deactivated. The medallion owner must provide proof of vehicle insurance when reactivating the medallion.

6.311.220 Taxicab and for-hire vehicle – Owner surrender of vehicle medallion

It is unlawful to operate a taxicab or for-hire vehicle with a medallion that is suspended or revoked. The operation of the taxicab or for-hire vehicle must cease, and the medallion owner shall immediately surrender the medallion plate or medallion decal to the Director.

6.311.230 Taxicab and for-hire vehicle medallion transfer

1 Except for an owner subject to the minimum operating requirements in subsection 6.311.200.G,
2 a taxicab or for-hire vehicle medallion may be transferred subject to the following restrictions
3 and conditions:

4 A. The medallion and medallion reciprocity endorsement are inseparable and must be
5 transferred together;

6 B. There are no pending enforcement actions or penalties, fees, or surcharges owed, that
7 were issued under this Chapter 6.311, no unexpired vehicle lease agreements, and no unexpired
8 medallion lease agreements;

9 C. Transfers of medallions with liens filed with the Director will not be approved unless
10 the medallion owner provides proof that the lien is paid or the lienholder provides written
11 approval of the transfer. Only liens filed with the Director according to subsection 6.311.190.C
12 will be considered in the transfer review;

13 D. The medallion owner and proposed transferee shall submit a notice of transfer on a
14 form or in a format prescribed by the Director;

15 E. The proposed transferee shall meet all requirements in Section 6.311.260. A transfer
16 shall not become effective, and the proposed transferee may not operate the taxicab or for-hire
17 vehicle, until the proposed transferee receives the medallion plate or medallion decal; and

18 F. Upon the final order of revocation, ~~where~~when all appellate proceedings, if any, have
19 been concluded, a medallion owner shall immediately surrender the taxicab or for-hire vehicle
20 medallion plate or decal to the Director. Effective September 1, 2024, except for revocation
21 according to subsection 6.311.200.G, the medallion owner has 60 days from the final order of
22 revocation to transfer the medallion; however, medallions subject to a lien as evidenced by the
23 filing requirement in subsection 6.311.190.C cannot transfer unless the medallion owner

provides proof that the lien is paid or the lienholder provides written approval of the transfer. If the medallion is not transferred within the 60 days, the medallion shall be deemed permanently retired, the lien, if any, is removed, and the Director shall not reissue the medallion.

6.311.240 Estate distribution of a taxicab or for-hire vehicle medallions

A. When a taxicab or for-hire vehicle medallion or stock in a corporation owning such a medallion is distributed from an estate to a beneficiary by a court of law, the transferee shall submit to the Director the court order directing the City to transfer the medallion to the beneficiary. ~~The Notwithstanding the court order shall condition the, and except as allowed under subsection 6.311.240.B, transfer upon shall not become effective, unless and until the transferee complying with meets all requirements in sSection 6.311.630230 of this Chapter 6.311.ordinance.~~

B. An executor or administrator may continue the operation of a taxicab or for-hire vehicle only with prior written approval of the Director. The executor or administrator shall apply for such approval.

6.311.250 Taxicab and for-hire vehicle – Medallion and medallion reciprocity endorsement expiration and renewal

All medallions ~~and medallion reciprocity endorsements~~ shall expire one year from the date of issuance. Medallions and their associated medallion reciprocity endorsements are inseparable and expire and renew concurrently. Unless an appeal is pending, no medallion may be renewed unless all outstanding penalties owed under this Chapter 6.311 have been paid.

6.311.260 Taxicab and for-hire vehicle initial and annual medallion application requirements

1 A. All for-hire vehicles must be operated as taxicabs using a smart taximeter system and
2 must be affiliated with a regional dispatch agency that has a valid regional dispatch agency
3 license by a date consistent with subsection 6.311.330.D.

4 B. It is unlawful to operate a taxicab or for-hire vehicle without first having obtained, for
5 each and every vehicle so used, a taxicab medallion or for-hire vehicle medallion issued in
6 accordance with this Section 6.311.260.

7 C. The taxicab or for-hire vehicle medallion application shall include the following:

8 1. Applicant type

9 a. If the applicant is an individual, the applicant's full name, business
10 address, primary telephone number, primary email address, and date of birth, which must be at
11 least 18 years before the date of application; or

12 b. If the applicant is a corporation, limited liability company, partnership,
13 or other entity:

14 1) The applicant's name, business address, telephone number,
15 email address, and state of incorporation or partnership registration; and

16 2) The full name, title, date of birth which must be at least 18 years
17 before the date of application, business address, and phone number for each individual
18 representative who is vested with authority to manage or direct the affairs of the legal entity or to
19 bind the legal entity in dealings with third parties;

20 2. Vehicle information including: the make; model; year, which shall be no more
21 than 15 model years before the application date unless otherwise adjusted by the Director by
22 rule; engine type; vehicle identification number; Washington state license plate number;

23 ~~transitional regional dispatch agency or regional dispatch agency with which the vehicle is~~

1 ~~affiliated;~~ and vehicle number if previously assigned by the Director. The vehicle must be a
2 passenger car as defined in RCW 46.04.382;

3 3. Certificate or other proof of affiliation with a transitional regional dispatch
4 agency or regional dispatch agency;

5 4. Insurance policy as required by this Chapter 6.311;

6 5. A copy of the State of Washington vehicle registration or confirmation of
7 vehicle registration on a form or in a format accepted by the Director. The applicant does not
8 need to be the registered owner;

9 6. Certificate of safety based on a vehicle safety inspection conducted annually by
10 an approved mechanic; and

11 7. Any other information the Director may reasonably require to make a licensing
12 decision, take enforcement action, or perform any other duties of the Director authorized by this
13 Chapter 6.311.

14 D. The Director shall reject a medallion application if it has a material misstatement or
15 omission.

16 E. The application and information required in this Section 6.311.260 must also be
17 completed and supplied during each annual medallion renewal. The Director will not process a
18 medallion application if any required information or documentation is missing or incomplete.
19 Completed applications and copies of required documentation shall be provided to the Director
20 by the medallion owner, or the transitional regional dispatch agency or regional dispatch agency
21 on behalf of the medallion owner.

~~EF~~. If any of the information in the application changes, including if it ceases to be true, if or is superseded in any way by new information, the applicant shall within seven days of the change:

1. Inform the Director; or
2. Inform the transitional regional dispatch agency or regional dispatch agency, if the application was submitted on behalf of the applicant.

~~FG~~. A medallion shall not be renewed if the medallion does not have an associated vehicle or if the vehicle to which the medallion is associated is not affiliated with a transitional regional dispatch agency or regional dispatch agency. In such cases, the owner of the medallion shall initiate a temporary deactivation with the Director.

6.311.270 Insurance requirements

A. At all times while operating as a taxicab or for-hire vehicle, there must be valid insurance as described in this Section 6.311.270. All insurance policies shall either comply with chapter 46.72 RCW and have underinsured motorist coverage of at least \$100,000 per person and \$300,000 per accident; or comply with the coverage amounts required by RCW 46.72B.180. All insurance policies that cover a vehicle while operating as a taxicab or for-hire vehicle and for which a medallion is required, shall be filed with the Director. The insurance policy shall:

1. Be issued by an admitted carrier in the state of Washington with an A.M. Best Rating of not less than B- and be not less than A.M. Best Financial Size Category VII or show evidence to the Director of surplus lines from an insurer with an A.M. Best Rating of not less than B and be not less than A.M. Best Financial Size Category VII;
2. Name The City of Seattle, its officers, officials, agents, and employees as an additional insured on the insurance policy;

3. Provide that the insurer will notify the Director, in writing, of cancellation for nonpayment of premium no less than ten days before the cancellation takes effect, or of cancellation for any other reason no less than 30 days before the cancellation or nonrenewal takes effect. If an insurance policy is cancelled or not renewed, proof of a new policy must be filed before the expiration of the policy. The taxicab or for-hire vehicle is automatically suspended and cannot operate until coverage is secured;

4. Not include aggregate limits, named driver requirements or exclusions, or radius restrictions. Other limitations or restrictions beyond standard insurance services office business auto policy form are subject to approval by the Director; and

5. Be in effect at any time the taxicab or for-hire vehicle is operating.

B. When a taxicab or for-hire vehicle is dispatched by a transportation network company, the taxicab's or for-hire vehicle's insurance covers that trip, unless the transportation network company maintains an insurance policy that includes trips provided by a taxicab or for-hire vehicle.

C. The Director may suspend or suspend and modify any requirements of this Section 6.311.270 when no other viable insurance options are available to the industry.

6.311.280 Vehicle safety inspections

A. The vehicle safety inspection and certificate of safety required by subsection 6.311.260.C.6 shall be provided by an approved mechanic and shall certify that the following items on taxicab or for-hire vehicle are mechanically sound and fit for driving:

1. Foot brakes;
2. Emergency brakes;
3. Steering mechanism;

4. Windshield;
5. Rear window and other glass;
6. Windshield wipers;
7. Headlights;
8. Taillights;
9. Turn indicator lights;
10. Stop lights;
11. Front seat adjustment mechanism;
12. Doors, including that the doors properly open, close, and lock;
13. Horn;
14. Speedometer;
15. Bumpers;
16. Muffler and exhaust system, except for where vehicle propulsion systems emit zero emissions such as in battery electric vehicles;
17. Condition of tires, including tread depth;
18. Interior rear view mirror and exterior side view mirrors;
19. Safety belts and air bags for driver and a passenger or passengers; and
20. Other items reasonably required by the Director.

B. If the vehicle is sold, the certificate of safety remains valid until the next medallion renewal date.

C. An approved mechanic who performs vehicle safety inspections must not have a conflict of interest as defined by the Director by rule. The Director may remove an approved mechanic from the list maintained by the Director for a violation of this Chapter 6.311 or rules

prescribed by the Director ~~and authorized by this Chapter 6.311~~ or due to substantiated complaints from drivers.

D. Vehicles shall be maintained consistent with the service standards recommended by the vehicle manufacturer. The vehicle owner and driver shall keep all maintenance and service records for all vehicles owned and used for for-hire transportation services for three years.

E. The vehicle owner and driver shall remedy a vehicle defect in a manner consistent with a vehicle safety recall notice issued by the vehicle manufacturer and/or the National Highway Traffic Safety Administration, after being notified of the recall by the vehicle manufacturer, the driver's affiliated agency or company, or the Director.

F. The vehicle owner and driver shall ensure that all requirements in this Section 6.311.280 are met and continually maintained.

G. A vehicle that has been in a collision and determined by the insurance adjuster to be a total wreck or total loss shall not be placed back in service until an approved mechanic with a current certification in structural analysis and damage repair or airbags has verified that there is no damage to the vehicle frame and that the airbag system is working properly. The inspection is separate from the vehicle safety inspection completed each year.

H. The Director shall summarily suspend a medallion and place a vehicle out of service if the vehicle fails a vehicle safety inspection or the Director determines that a violation of this Section 6.311.280 is an immediate safety hazard and it is necessary to prevent a clear, substantial, and imminent hazard to life, safety, or property.

6.311.290 Wheelchair accessible vehicles

In addition to meeting all vehicle standards established in this Section 6.311.290, the following requirements apply to wheelchair accessible vehicles:

1 A. The vehicle must conform to the vehicle accessibility requirements of the
2 regulations of the Americans with Disabilities Act of 1990, Title 49 C.F.R. Chapter 38,
3 Subpart B, as amended;

4 B. Taxicabs and for-hire vehicles may not convert to wheelchair accessible vehicles
5 without Director approval. The Director may approve applications for conversion consistent
6 with criteria prescribed by rule;

7 C. A vehicle operating with a wheelchair accessible taxicab medallion must be a
8 wheelchair accessible vehicle; and

9 D. Before being placed into service and annually thereafter, a separate inspection of the
10 vehicle and any installed accessibility equipment must occur. In addition to checking for
11 conformance with vehicle accessibility requirements in accordance with subsection
12 6.311.290.A, the vehicle driver or drivers may be required to pass a practical demonstration of
13 proper wheelchair securement techniques during this inspection. If a driver of the vehicle is
14 unable to demonstrate proper securement techniques during this inspection, the Director shall
15 suspend the driver's regional for-hire driver's license wheelchair accessible vehicle
16 endorsement and may require the driver to undergo additional training before returning to try
17 the practical demonstration again. A wheelchair accessible vehicle shall not pass the inspection
18 unless the driver is able to pass a practical demonstration of proper wheelchair securement
19 techniques. Upon passing the practical demonstration of proper wheelchair securement
20 techniques, the driver's regional for-hire driver's license wheelchair accessible vehicle
21 endorsement will no longer be suspended and is effective.

22 E. If prescribed by the Director by rule, affiliated wheelchair accessible vehicles shall
23 participate in a Director-approved dispatch system for wheelchair accessible trips.

6.311.300 Electrification of taxicabs and for-hire vehicles

A. The Director may establish a rule to determine the viability of electric vehicles for taxicab and for-hire vehicle owners and regional for-hire drivers and, if viable, create incentives to promote the use of electric vehicles. When determining electric vehicle viability for for-hire transportation services, the Director shall consider, but not be limited to, the following factors:

1. The price of new or used electric vehicles compared to new or used nonelectric vehicles;
2. If the mileage range for new and used electric vehicles meets the needs of full-time for-hire transportation services;
3. The availability of recharging infrastructure in locations and at times that are convenient for regional for-hire drivers, and if recharging time conflicts with the regional for-hire driver's need to operate the vehicle; and
4. If the vehicle life cycle for existing and new electric vehicles creates an undue burden for the vehicle owner or regional for-hire driver.

B. Nothing in this Chapter 6.311 shall be construed to require or restrict a regional for-hire driver's use of electric vehicles for for-hire transportation services.

6.311.310 Taxicab and for-hire vehicle operation – Requirements

A. A taxicab or for-hire vehicle with a valid medallion may operate if the taxicab or for-hire vehicle:

1. Is operated by a driver with a valid regional for-hire driver's license issued under this Chapter 6.311;
2. Has insurance as required by this Chapter 6.311;

3. Displays, in a location specified by the Director, a current taxicab or for-hire vehicle medallion plate or decal issued by the Director; however, a licensed taxicab or for-hire vehicle does not require a transportation network company endorsement decal when dispatched by a transportation network company;

4. Displays the vehicle medallion number and name of the affiliated transitional regional dispatch agency or regional dispatch agency on the exterior of the vehicle and displays any rates that apply to a trip not requested via an application dispatch system, as prescribed by the Director by rule;

5. Is equipped to accept electronic payment of fares and issue receipts;

6. When operating with a taxicab medallion, is equipped with an approved and properly functioning taximeter or smart taximeter and is connected to a mobile data terminal to accept electronic payment of fares and issue receipts;

7. Displays any passenger information prescribed by the Director by rule;

8. Displays on or in the vehicle signs, including notices, announcements, pictures, advertisements, or other messages, that do not create a visible distraction or safety hazard for the driver of the vehicle or for other vehicles on the road. The Director may prescribe by rule the manner in which the signs may be displayed, including, but not limited to, requirements concerning the number of signs per vehicle, placement on or within vehicles, size limitations, and devices or mechanisms used to display the signs;

9. Is equipped with a monitored duress alarm approved by the Director in accordance with specifications prescribed by the Director by rule;

10. Is equipped with a monitored vehicle tracking system, which may be part of an approved smart taximeter system or application dispatch system, in accordance with specifications prescribed by the Director by rule;

11. Maintains a continuous connection between the taximeter and the dispatch system or between the taximeter and the application dispatch system;

12. Operates on a dispatch system of the affiliated transitional regional dispatch agency or regional dispatch agency and may also operate on one or more approved application dispatch systems, including those operated by a licensed transportation network company;

13. Is affiliated with a transitional regional dispatch agency or regional dispatch agency and adopts the uniform color scheme of that transitional regional dispatch agency or regional dispatch agency unless otherwise authorized by the Director. The Director may prescribe by rule any additional criteria for vehicle colors and markings;

14. Meets current taximeter standards and has installed and uses a smart taximeter when a smart taximeter system is implemented by the affiliated regional dispatch agency;

15. Is compliant with policies and procedures established by the transitional regional dispatch agency or regional dispatch agency to meet the requirements of this Chapter 6.311 and ensure ~~customer~~passenger satisfaction; and

16. Meets any other requirement as established by the Director by rule, ~~as authorized by this Chapter 6.311.~~

B. To operate a taxicab or for-hire vehicle, the medallion owner or vehicle owner shall:

1. Not have any outstanding monetary penalties issued under this Chapter 6.311; and

~~2. Inform the Director within five business days if the vehicle is no longer operating; and~~

~~3.~~ 2. Inform the Director and prior transitional regional dispatch agency or regional dispatch agency within five business days of the vehicle affiliating with a new transitional regional dispatch agency or regional dispatch agency.

C. A citation, license action, or both issued for a violation of this Section 6.311.310 shall be issued to the medallion owner, medallion lessee, person operating the vehicle, or any combination thereof, as appropriate.

6.311.320 Taxicab and for-hire vehicle – Vehicle lease requirements

A. All lease agreements for taxicabs and for-hire vehicles shall be in writing, and the lessor shall file the original lease agreement with the Director prior to the effective date of the lease in a manner specified by rule adopted by the Director.

B. If a change of transitional regional dispatch agency or regional dispatch agency is made, any existing vehicle lease must be filed with the new agency at the time of the change.

C. The lease amount charged to a lessee shall not exceed the maximum amount established by rule adopted by the Director. In determining the maximum lease amount, if any, the Director shall consider vehicle purchase prices, the cost of insurance premiums, fuel costs, and variations in the U.S. Bureau of Labor Statistics Consumer Price Index for All Urban Consumers (CPI-U), for the Seattle area, evaluated over a 24-month time period preceding the determination of the lease amount, and may consider any other factors that may affect the market for taxicab or for-hire vehicle leases or that may affect the provision of for-hire transportation services. Costs already factored into the lease amount shall not be charged to the driver as an additional amount.

D. A vehicle lessee shall not sublease a taxicab or for-hire vehicle.

6.311.330 Transition of taxicab associations and for-hire vehicle companies to regional dispatch agencies

A. Taxicab associations and for-hire vehicle companies must transition to become regional dispatch agencies by March 31, 2026.

B. As of the effective date of this ordinance, a valid City of Seattle taxicab association license or for-hire vehicle company recognition shall automatically become a transitional regional dispatch agency license and shall expire on March 31, 2024. As of the effective date of this ordinance, every taxicab association with a valid license issued by King County and every for-hire vehicle company registered by King County shall be issued a transitional regional dispatch agency license by The City of Seattle and shall expire on March 31, 2024. A transitional regional dispatch agency license or a regional dispatch agency license permits the licensee to operate in Seattle and King County. New taxicab association licenses shall not be issued and new for-hire vehicle companies shall not be recognized after the effective date of this ordinance.

C. Upon initial license renewal, a transitional regional dispatch agency shall submit for Director approval a transition plan on a form provided by the Director for adopting a smart taximeter system. The transition plan must include a clear process for adopting a smart taximeter system by no later than March 31, 2026. The Director may grant an extension of the deadline for implementing a smart taximeter system for up to 12 months based upon consideration of the following nonexclusive factors:

1. Previous efforts of a transitional regional dispatch agency to implement a smart taximeter system in its fleet of affiliated vehicles;

2. Costs and availability of a smart taximeter system; and

3. Economic viability of operating a taxicab.

D. Transitional regional dispatch agencies seeking to continue operating beyond March 31, 2026, shall apply for a regional dispatch agency license. Unless the Director approves an extension for adopting a smart taximeter system, a valid regional dispatch agency license is required to operate after March 31, 2026.

6.311.340 Transitional regional dispatch agency or regional dispatch agency license required

A. It is unlawful for a person to operate as a regional dispatch agency without a valid regional dispatch agency license. A regional dispatch agency license is valid for one year and is not transferable. To be licensed as a regional dispatch agency, all regional dispatch agencies shall meet the criteria necessary for obtaining a regional dispatch agency license from King County and shall apply for a regional dispatch agency license from King County concurrently with applying for a regional dispatch agency license from The City of Seattle, and shall:

1. Apply for a license on a form approved by the Director;
2. Have an identified representative authorized to make business decisions on behalf of the agency or company;
3. Adopt a zero-tolerance policy for alcohol and drug use while operating a taxicab or for-hire vehicle licensed under this Chapter 6.311;
4. Adopt a policy that prohibits the agency or company, including their affiliated drivers, from discriminating against passengers or potential passengers on the basis of race; color; national origin; religious belief or affiliation; sex; disability; age; use of a service animal; sexual orientation; gender identity; or geographic beginning or endpoints of the ride, unless the trip covers more than 100 or includes traveling over a mountain pass or on a ferry;

5. Have a process for receiving, tracking, and resolving passenger complaints;

6. Have and maintain a secure process for passengers to retrieve items left behind in an affiliated vehicle as soon as possible but no longer than two calendar days following the date of the trip. Such policy shall be in writing and readily accessible to passengers;

7. Have a system that enables each passenger to receive an electronic or paper receipt upon payment of the fare. A receipt shall include at least the following information:

a. The date and time the trip began and ended;

b. The medallion number for a taxicab or for-hire vehicle trip;

c. The driver's regional for-hire driver's license number or unique driver identification number;

d. The fare charged and any tip paid;

e. The transitional regional dispatch agency or regional dispatch agency with which the vehicle is affiliated; and

f. A phone number, email address, or website to submit passenger feedback and inquiries to the transitional regional dispatch agency or regional dispatch agency;

8. Have an approved smart taximeter system that includes the following functions:

a. Is capable of metering a trip using an onboard diagnostic connection to the vehicle or the use of location tracking technology, or some combination of the two, to measure time and distance traveled;

b. Has an integrated payment and receipting system that accepts credit cards and other electronic payments such as electronic taxi scrip, promotional codes, and alternative payment channels;

c. Has an integrated dispatch system that:

- 1) Supports two-way communication between the dispatcher and the driver;
 - 2) Is equipped with monitored vehicle tracking technology and be able to track vehicle location in real time;
 - 3) Does not exclusively dispatch calls by phone or radio; and
 - 4) Provides a duress alarm for the driver.
- d. Supports pricing based on static and dynamic market conditions;
 - e. Has the ability to calculate an upfront fare to present to a passenger before the passenger accepts the ride;
 - f. Is capable of notifying a passenger if a convenience fee for electronic payment, or other known fees, will be added to the fare;
 - g. Includes driver authentication and system security features;
 - h. Automates data collection and reporting;
 - i. Provides geographic location information;
 - j. Incorporates a Director-approved mobility data standard for on-demand for-hire vehicles to support external integration;
 - k. Can be used and configured for one or more regional dispatch agencies and can dispatch vehicles from one or more registered trade names;
 - l. If required by the Director by rule, is connected to a Director-approved external dispatch system for the purpose of dispatching wheelchair accessible vehicles; and
 - m. Meets any other requirement prescribed by the Director by rule; and
9. Have a driver training program, for for-hire drivers, approved by the Director.

B. Prior to obtaining a regional dispatch agency license, transitional regional dispatch agencies shall comply with regional dispatch agency licensing and operating requirements in this Section 6.311.340, except that:

1. A transitional regional dispatch agency shall not be required to have a smart taximeter system; and

2. A transitional regional dispatch agency that is affiliated with taxicabs at the time of being issued a transitional regional dispatch agency license that does not have a smart taximeter system approved by the Director, shall provide a dispatch system integrated with the vehicle's taximeter for all affiliated vehicles.

6.311.350 Inseparable licenses

A transitional regional dispatch agency license or regional dispatch agency license issued by The City of Seattle and a corresponding regional dispatch agency license or transitional regional dispatch agency license issued by King County shall be considered one inseparable license.

6.311.360 Transitional regional dispatch agency or regional dispatch agency operation – Requirements

A. At all times, a transitional regional dispatch agency or regional dispatch agency shall:

1. Operate with a valid transitional regional dispatch agency or regional dispatch agency license;

2. Ensure all information provided to the Director does not misstate or omit material facts;

3. Inform the Director in writing within seven days if any of the information provided in the transitional regional dispatch agency or regional dispatch agency license

1 application changes, including if it ceases to be true, or is superseded in any way by new
2 information;

3 4. Ensure any driver of an affiliated vehicle possesses a valid regional for-hire
4 driver's license, enhanced regional for-hire driver's license, or regional for-hire driver's license
5 wheelchair accessible vehicle endorsement, or any combination thereof, as applicable to either
6 the ride type or the vehicle type, or both;

7 5. Require affiliated vehicles to meet all requirements of this Chapter 6.311,
8 including, but not limited to, passing an annual vehicle safety inspection and being licensed,
9 endorsed, and insured;

10 6. Notify the Director in writing within seven days upon adding or removing an
11 affiliated vehicle;

12 7. Require affiliated vehicles to be fully equipped as required by this Chapter
13 6.311 whenever operating as a taxicab or for-hire vehicle;

14 8. Accept service of general correspondence, license actions, citations, and notices
15 of complaints on behalf of an affiliated driver or vehicle owner and forward such to the
16 respective affiliated driver or vehicle owner;

17 9. Prioritize dispatch services to passengers in wheelchairs or other mobility
18 devices when dispatching affiliated wheelchair accessible vehicles;

19 10. Allow passengers to indicate whether they require a wheelchair-accessible
20 vehicle and connect passengers to those services either directly or via a weblink, application, or
21 phone number, if no wheelchair accessible vehicles are available on the agency's application
22 dispatch system. The Director may suspend or alter this requirement by rule if a Director-
23 approved dispatch system is established for wheelchair accessible trips;

11. Maintain a phone number, mailing address, and email address for ~~eustomer~~passenger service;
12. Record all trips, process all payments, and issue a receipt for all payments through the dispatch system, a smart taximeter system, or an application dispatch system provided to affiliated drivers;
13. Comply with the data reporting requirements established in this Chapter 6.311;
14. Operate only Director--approved application dispatch systems;
15. Require affiliated vehicles to comply with applicable rate structures defined in this Chapter 6.311;
16. Have, maintain, and monitor, while one or more affiliated vehicles are active, a duress alarm for the driver;
17. Establish and enforce operating standards for affiliated drivers and vehicles to ensure code compliance and ~~eustomer~~passenger satisfaction;
18. Satisfy every request for service as long as there are affiliated taxicabs or for-hire vehicles available; except that transitional regional dispatch agencies, regional dispatch agencies, and regional for-hire drivers that refuse service within the meaning of subsection 6.311.170.H, shall not be subject to any penalties by the Director, and, in the case of regional for-hire drivers, by the transitional regional dispatch agency or regional dispatch agency;
19. Require affiliated vehicles to use a uniform color scheme or any associated graphics, or both, approved by the Director;
20. Provide a supervisor at a taxicab zone whenever such zone is used by affiliated taxicabs if the Director determines that it is necessary due to complaints received from

passengers and adjacent property owners or improper use of nearby passenger load zones, truck load zones, and charter bus zones. If the transitional regional dispatch agency or regional dispatch agency fails to provide a supervisor as required by the Director, the Director may prohibit all affiliated taxicabs from using the taxicab zone;

21. Require affiliated vehicles to operate on an approved taximeter, smart taximeter system, or application dispatch system as required in this Chapter 6.311;

22. Remit fares made via electronic payment to regional for-hire drivers within two business days after the ride was completed;

23. Remit fares made via electronic payment through the smart taximeter system to regional for-hire drivers in amounts not less than the full fare paid by the passenger, excluding deductions for fees agreed to in accordance with Section 6.311.370;

24. Comply with applicable business license requirements for any jurisdiction in which the transitional regional dispatch agency or regional dispatch operates; and

25. Meet any other requirement as established by the Director by rule ~~as authorized by this Chapter 6.311.~~

B. A transitional regional dispatch agency that is not affiliated with taxicabs at the time of being issued a transitional regional dispatch agency license does not need to:

1. Affiliate with taxicabs;
2. Have or operate a taximeter;
3. Comply with taximeter rates; or
4. Provide a supervisor at a taxicab zone because for-hire vehicles are not permitted to operate at a taxicab zone.

C. Persons not previously licensed as a taxicab association or recognized as a for-hire vehicle company may apply for a transitional regional dispatch agency license in a manner determined by the Director.

D.

1. Transitional regional dispatch agencies and regional dispatch agencies shall maintain accurate and complete operational records for all affiliated vehicles and shall submit quarterly reports, in an electronic format approved by the Director.

2. Reports shall include the following:

- a. A total count of rides per origination ZIP Code;
- b. A total count of rides per destination ZIP Code;
- c. A total count of unfulfilled ride requests by ZIP Code;
- d. A total count of rides provided by a wheelchair accessible vehicle by ZIP Code;
- e. A total count of unfulfilled ride requests for a wheelchair accessible vehicle by ZIP Code;
- f. A list of vehicle collisions, including the vehicle medallion number, regional for-hire driver's license number, and if known, whether the collision was the fault of the regional for-hire driver; and whether the collision resulted in any injuries;
- g. A list of crimes committed against drivers;
- h. A list of passenger complaints; and
- i. Any other data required by the Director to ensure compliance.

3. Transitional regional dispatch agencies and regional dispatch agencies shall retain records related to the reports required under this subsection 6.311.360.D for the current year and at least the two prior calendar years. Records may be maintained electronically.

4. If a public records request is made of the City for documents that have been designated by a licensee as confidential or proprietary, the City may provide third party notice to the providing party prior to disclosure.

E. A transitional regional dispatch agency and regional dispatch agency shall store, and upon request permit the Director to review, all records required by this Chapter 6.311 for affiliated drivers and vehicles including, but not limited to, copies of regional for-hire driver's licenses, taxicab and for-hire vehicle medallions, lists of all affiliated drivers and their affiliated vehicles, passenger feedback, new driver training records, dispatch records, and proof of vehicle insurance and vehicle registration. In addition, the transitional regional dispatch agency or regional dispatch agency shall:

1. Retain records, electronically or otherwise, for the current year and at least the prior two calendar years;

2. Provide the Director with any other information the Director may reasonably require upon request; and

3. Timely respond to the Director's request for information.

F. The Director may authorize a transitional regional dispatch agency or regional dispatch agency to submit regional for-hire driver's license applications on behalf of its affiliated drivers, in a manner approved by the Director.

G. A transitional regional dispatch agency or regional dispatch agency may maintain a rating system for drivers and passengers to rate each other following a trip.

6.311.370 Dispatch agency, vehicle owner, medallion owner, and regional for-hire driver relations

A. A transitional regional dispatch agency and regional dispatch agency shall put in writing all policies that affect affiliated medallion owners, vehicle owners, and regional for-hire drivers.

B. Prior to implementing or changing a policy, the transitional regional dispatch agency or regional dispatch agency shall provide a copy of the draft policy to the affiliated medallion owner, vehicle owner, or regional for-hire driver, ~~or~~and post a copy of the draft policy in the transitional regional dispatch agency or regional dispatch agency office, and send via electronic transmittal a copy of the draft policy to the affiliated medallion owners, vehicle owners and regional for-hire drivers. Affiliated medallion owners, vehicle owners and regional for-hire drivers shall have a minimum of 20 days to review and provide input on the draft policy before the policy takes effect. Notwithstanding this 20-day timeline, a policy proposed for purposes of addressing an emergent issue may be temporarily established for up to 30 days. After 30 days, medallion owners, vehicle owners, and regional for-hire drivers shall be given an opportunity to provide input before the policy may be permanently adopted.

C. A transitional regional dispatch agency and regional dispatch agency shall make known to the regional for-hire driver the amount of the fare for each trip provided by that driver. If the amount remitted to the driver is less than the full fare paid by the passenger, the remittance to the driver shall include a description detailing the deductions made. With the exception of any fees that are authorized in Section 6.311.380, a transitional regional dispatch agency or regional dispatch agency may only make a deduction on trips dispatched by the agency, and the

maximum allowable amount of such deduction shall be ten percent of the fare paid by the passenger.

D. A transitional regional dispatch agency or regional dispatch agency shall establish a written policy governing an owner's or driver's access to the smart taximeter system, application dispatch system, the ability to work on any contracted accounts, and affiliation with the dispatch agency. The policy must include written notice of impending deactivation with sufficient information for the driver to understand the reason for deactivation, an opportunity for the owner or driver to be heard, and a period for the owner or driver to cure the violation before deactivation begins, unless the deactivation is ordered by the Director or is an immediate threat to public safety.

6.311.380 Rates

A. Regional taximeter rates ~~are in this subsection 6.311.380.A~~ and the requirements for taximeter rates are as follows.

1. Unless specified elsewhere in this Section 6.311.380 or prescribed by the Director by rule, it shall be unlawful for anyone operating a taxicab licensed by The City of Seattle to advertise, charge, demand, or receive any greater or lesser rate than the following regional taximeter rates:

- a. Drop charge: for passengers for first 1/9 mile: \$2.60;
- b. Per mile: For each 1/9 mile or fraction thereof after the first 1/9 mile: \$0.30;
- c. For every one minute of waiting time: \$0.50, charged at \$0.30 per 36 seconds. Waiting time rates are charged when taxicab speed is less than 11 miles per hour or when a taxicab driver is asked to wait for the ~~customer~~ passenger; and

d. Additional per passenger charge for more than two persons, excluding children under 12 years of age: \$0.50;

2. The Director may adjust or prescribe new regional taximeter rates and other rates, such as minimum fares for trips, or both, by rule. In determining new regional taximeter rates, the Director may consider, among other things, the following factors:

a. Operational data supplied by a regional dispatch agency or data obtained by the Director through other sources, including, but not limited to, regional consumer price index data;

b. The public's need for adequate for-hire transportation services at reasonable rates consistent with the provision, maintenance, and continuation of such services;

c. The rates of other for-hire transportation providers operating in similar areas;

d. Rates paid by passengers using other modes of transportation;

e. The ability of a driver to earn a living wage after covering all operating costs incurred by the owner and driver;

f. Other regulatory, access, or similar fees paid by drivers to serve the transportation needs of the region; and

g. Alignment with rates established by King County.

3. Regional taximeter rates are exclusive of any per-trip fee established by the Port of Seattle and set forth in any operating agreement or tariff, a temporary fuel surcharge authorized by the Director, a technology fee authorized by the Director, a convenience fee for electronic payment of fares, the wheelchair accessible surcharge, or any toll or charge established for roads, bridges, tunnels, or ferries;

4. A regional dispatch agency's affiliated taxicabs shall have regional taximeter rates programmed into its smart taximeter system. Variations from regional taximeter rates are permitted, as follows:

a. Variations from regional taximeter rates may be applied to contract trips, upfront fares, dynamic pricing, fare splitting, trip bidding, and unless prohibited by the Director by rule, for flat-rate fares, minimum trip fares, or when operating on an application dispatch system;

b. The Director may prescribe by rule variations from regional taximeter rates;

c. Unless prescribed otherwise by the Director by rule, any variation from regional taximeter rates shall be established by a regional dispatch agency and not by an individual driver. A regional dispatch agency shall not vary a rate so that it results in a higher dispatch fee or other fee to be paid by an affiliated driver;

d. Variations from regional taximeter rates shall be applied in a manner that does not discriminate on the basis of a protected class within the scope of discrimination as defined in Chapter 14.06.020, or on the basis of the ride's geographic beginning or endpoints;

e. Unless a trip is dispatched via an application dispatch system, an upfront fare shall be based on the estimated time and distance calculated by the smart taximeter and multiplied by the regional taximeter rate. If the passenger rejects the upfront fare, the regional taximeter rates apply; and

f. If a flat rate between two defined points has been established, the flat rate shall be made available to the passenger prior to accepting a ride. Regional dispatch agencies

1 must maintain a list of all established flat rates, including their defined origin and destination
2 points, and make such list available for inspection upon request of the Director;

3 5. Contract rates shall be in writing, be retained by the regional dispatch agency,
4 and be available for inspection upon request of the Director; ~~and~~.

5 6. Before a licensee may use a smart taximeter system that is integrated with an
6 application dispatch system, the Director must first determine the application dispatch system
7 rates are transparent under subsection 6.311.380.B.

8 B. ~~Application~~ The requirements for application dispatch system rates are ~~in this~~
9 ~~subsection 6.311.380.B.~~ as follows:

10 1. Before using an application dispatch system, or using a smart taximeter system
11 as an application dispatch system, the transitional regional dispatch agency or regional dispatch
12 agency shall provide to the Director either written documentation or a physical demonstration, or
13 both, that the application dispatch system rate structure is transparent to the passenger prior to
14 confirming the ride. Application dispatch system rates do not need to be filed with the Director
15 unless ~~this Chapter 6.311 specifies otherwise requested by the Director.~~ The Director shall
16 determine that the rate structure is transparent if:

17 a. One of the following methodologies is used:

18 1) The rate by either distance or time, or a combination of distance
19 and time, and the total fare or fare range is clearly displayed on the application dispatch system
20 to the passenger upon requesting a ride, but before confirming the ride; or

21 2) The fare for the ride is made clear to the passenger prior to
22 confirming the ride through an alternative method deemed acceptable by the Director; and

b. Any additional or higher charges such as tips, waiting time, tolls, or any other charges not included in subsections 6.311.380.B.1.a.1 and 6.311.380.B.1.a.2 shall be clearly identified by specific amount, if known, or by category, on the application dispatch system before confirming a ride; and

c. The receipt showing all charges paid by the ~~customer~~passenger is available to the regional for-hire driver in the application dispatch system; ~~and-~~

2. During an abnormal disruption of the market, lasting for no longer than 12 consecutive hours in Seattle, a transitional regional dispatch agency or regional dispatch agency shall not raise its normal range of fare more than two times the fare that would otherwise be applicable.

C. ~~For~~The requirements for for-hire vehicle rates are in this subsection 6.311.380.C as follows:

1. For-hire vehicles must charge for service based on: a written contract; flat rate per trip or by zone; or by an hourly rate with minimum increments of 30 minutes. Flat charges by zone or hourly rate may vary by time of day. Zone boundaries shall be set by Director by rule and shall be consistent across all for-hire vehicle operators; ~~;~~

2. Records of all for-hire vehicle rates in place prior to implementing a smart taximeter system shall be maintained by the for-hire vehicle company and be made available for inspection upon request by the Director. All rates and charges shall be conspicuously available in the interior of the for-hire vehicle; ~~;~~

3. The for-hire vehicle rate structure shall remain in effect until the vehicle transitions to a taxicab or March 31, 2026, whichever occurs sooner. After March 31, 2026, all

for-hire vehicles shall have transitioned to taxicabs and are subject to the regional taximeter rates and application dispatch system rate requirements under this Chapter 6.311; ~~and~~.

4. If using an application dispatch system, the Director must first determine that the rates are transparent to the passenger under subsection 6.311.380.B.

D. If the Director establishes a minimum fare, ~~or~~ flat rate from one location to another location, or other rates, based on the factors identified in subsection 6.311.380.A.2, such minimum fare ~~or~~, flat rate, or other rate shall apply whether the trip originated via a taximeter, a smart taximeter, or, if specified by the Director, an application dispatch system.

E. Other rate and fare requirements are ~~in this subsection 6.311.380.E~~ as follows:

1. It is unlawful to charge additional fees for carrying individuals with disabilities and their equipment or to charge rates higher to passengers with a disability than are charged to other persons. To promote equitable access to for-hire transportation for persons with disabilities, and to ensure that wheelchair accessible vehicle service is reliably available at reasonable and predictable rates, the Director may prescribe by rule fares for wheelchair accessible trips or other conditions on the rates, fares, fees, and other surcharges, or both, for providing wheelchair accessible transportation services to persons with disabilities; ~~;~~

2. The Director is authorized to establish a fuel surcharge to the regional taximeter rate, ~~or~~ that can be added as an amount to the passenger's total fare; any time the price of fuel, as published by the American Automobile Association for the local area, exceeds a fuel surcharge trigger price established in accordance with a rule adopted by the Director. The surcharge shall be an amount necessary to recoup the increased fuel costs; ~~;~~

3. A toll or charge established for roads, bridges, tunnels, or ferries while passengers are being transported may be added to the passenger's total fare, if such charges are not already included in the calculation of the fare;

4. Discriminatory charges are prohibited. For the purposes of this subsection 6.311.380.E.4, "discriminatory charges" means policies or practices that result in higher charges or rates being applied to passengers belonging to a protected class within the scope of discrimination as defined in Section 14.06.020 compared to other passengers; and.

5. The Director may establish by rule the process and criteria associated with the Director's review and approval of a technology fee that is intended to help offset the cost of implementing, operating, and maintaining a smart taximeter system and that may be added to the fare for all trips subject to the regional taximeter rates in subsection 6.311.380.A.

6.311.390 Emerging for-hire transportation models

A. The Director may prescribe by rule the implementation of a discrete licensing program for emerging for-hire transportation models that do not fit within the parameters of this Chapter 6.311 or Chapter 6.310.

B. The Director shall determine whether a proposed business activity is an emerging ~~business type or a nontraditional business activity~~for-hire transportation model that falls outside the parameters of any existing license under this Chapter 6.311 or Chapter 6.310, and whether the proposed business activity presents potential risks to the public health, safety, and welfare such that, for the protection of the public, the activity must be regulated and licensed.

C. The Director may grant the applicant an emerging for-hire transportation license to operate in the proposed business activity on a pilot basis.

1 D. The emerging for-hire transportation license shall be renewed annually for a
2 maximum of two years, after which the license shall expire. The emerging for-hire transportation
3 license shall be a personal privilege and not property. The emerging for-hire transportation
4 license shall not be transferrable to another location, person, or business entity.

5 E. The Director may attach conditions to the emerging for-hire transportation license as
6 are reasonably required to protect the public health, safety, labor harmony, and welfare from
7 risks including, but not limited to: adverse impact on public health; public safety; increased
8 demand on government services; increased environmental impacts; or increased traffic or
9 congestion in the public way. The Director may attach any such conditions when the emerging
10 for-hire transportation license is issued, or the Director may attach, remove, or modify conditions
11 at any time during the term of the ~~permit~~license, upon reasonable notice to the licensee.

12 F. The Director may determine at any time during the term of the emerging for-hire
13 transportation license that the licensed business activity as conducted presents an unreasonable
14 risk to public health and safety that cannot be mitigated, and may revoke the license, with or
15 without prior notice. If a license is revoked, the licensee shall be given the opportunity to appear
16 before the Director for an informal hearing to introduce any evidence to appeal the revocation
17 before the revocation is effective or no later than ten days after the revocation is effective. The
18 Director shall render a decision affirming or reversing the revocation within three business days
19 after conclusion of the hearing. The decision of the Director is final.

20 G. If the Director determines that ~~a type of an~~ emerging ~~business~~for-hire transportation
21 model that has been issued an emerging for-hire transportation license under a pilot program,
22 should be regulated by ordinance, the Director shall convey the determination to the City
23 Council prior to the expiration of the license. The license shall not be extended beyond two years

1 unless an ordinance regulating the emerging businessfor-hire transportation model is effective
2 and the emerging business-for-hire transportation model has obtained anythe necessary license
3 licenses required under that ordinance.

4 **6.311.400 ~~Consumer~~Passenger feedback**

5 The Director may establish, in conjunction with King County and the Port of Seattle, a shared
6 process to receive and, when appropriate, resolve consumerpassenger feedback and may
7 communicate the process to consumerspasseengers.

8 **6.311.410 For-hire transportation services complaint process**

9 A. Upon receiving a written complaint involving the conduct of a licensee, where the
10 conduct may be a violation of this Chapter 6.311, the Director shall review the complaint, and if
11 appropriate:

12 1. Issue a notice of complaint to the licensee, and if applicable, the affiliated
13 transitional regional dispatch agency or regional dispatch agency, advising them of the
14 allegations or allegations made in the complaint;

15 2. Require the licensee, and if applicable, the affiliated transitional regional
16 dispatch agency or regional dispatch agency, to respond in writing or by contacting the issuing
17 inspector to provide a response to the allegations or allegations in the notice of complaint within
18 15 calendar days from the date the notice of complaint was issued;

19 3. Investigate the allegations in the written complaint and the response submitted
20 by the licensee and if applicable, the response submitted by the transitional regional dispatch
21 agency or regional dispatch agency representative; and

4. Make a finding as to the validity of the allegations in the written complaint. If the complaint is found to be valid, the Director may take enforcement action consistent with this Chapter 6.311.

B. Failure to respond to a notice of complaint, either in writing or by contacting the issuing inspector, within 15 calendar days shall constitute a waiver of the licensee's and, if applicable, the affiliated agency's right to respond to the allegations in the written complaint and shall be prima facie evidence that the allegations are valid.

6.311.415 Exclusive driver representatives

A. The Director shall promulgate a commencement date no later than January 17, 2017.

B. The process of designating a QDR shall be prescribed by Director's rule. The designation of a QDR shall be based on, but not limited to, consideration of the following factors:

1. Registration with the Washington Secretary of State as a not-for-profit entity;
2. Organizational bylaws that give drivers the right to be members of the organization and participate in the democratic control of the organization; and
3. Experience in and/or a demonstrated commitment to assisting stakeholders in reaching consensus agreements with, or related to, employers and contractors.

C. An entity wishing to be considered as a QDR for for-hire drivers operating within the City must submit a request to the Director within 30 days of the commencement date or at a later date as provided in subsection 6.311.415.G. Within 14 days of the receipt of such a request, the Director will notify the applicant in writing of the determination. Applicants who dispute the Director's determination may appeal to the Hearing Examiner within ten days of receiving the determination. The Director shall provide a list of all QDRs to all driver coordinators.

1. An entity that has been designated as a QDR shall be required to establish annually that it continues to satisfy the requirements for designation as a QDR.

2. An entity that has been designated as a QDR and that seeks to represent the drivers of a driver coordinator shall notify the driver coordinator of its intent to represent those drivers within 14 days of its designation as a QDR. That notice may be provided by any means reasonably calculated to reach the driver coordinator, including by written notice mailed or delivered to a transportation network company or taxicab association representative at the mailing address listed with the City.

D. Driver coordinators who have hired, contracted with, partnered with, or maintained a contractual relationship or partnership with, 50 or more for-hire drivers in the 30 days prior to the commencement date, other than in the context of an employer-employee relationship, must, within 75 days of the commencement date, provide all QDRs that have given the notice specified in subsection 6.311.415.C.2 the names, addresses, email addresses (if available), and phone number (if available) of all qualifying drivers they hire, contract with, or partner with.

E. QDRs shall use driver contact information for the sole purpose of contacting drivers to solicit their interest in being represented by the QDR. The QDR may not sell, publish, or otherwise disseminate the driver contact information outside the entity/organization.

F. The Director shall certify a QDR as the EDR for all drivers contracted with a particular driver coordinator, according to the following:

1. Within 120 days of receiving the driver contact information, a QDR will submit statements of interest to the Director from a majority of qualifying drivers from the list described in subsection 6.311.415.D. Each statement of interest shall be signed, dated, and clearly state that the driver wants to be represented by the QDR for the purpose of negotiations with the driver

1 coordinator. A qualifying driver's signature may be provided by electronic signature or other
2 electronic means. The Director shall determine by rule the standards and procedures for
3 submitting and verifying statements of interest by qualifying drivers choosing an EDR.

4 a. The methods for submitting and verifying statements of interest by
5 qualifying drivers choosing an EDR may include, but not be limited to, signature verification,
6 unique personal identification number verification, statistical methods, or third party verification.

7 2. Within 30 days of receiving such statements of interest, the Director shall
8 determine if they are sufficient to designate the QDR as the EDR for all drivers for that particular
9 driver coordinator, and if so, shall so designate the QDR to be the EDR, except that, if more than
10 one QDR establishes that a majority of qualifying drivers have expressed interest in being
11 represented by that QDR, the Director shall designate the QDR that received the largest number
12 of verified affirmative statements of interest to be the EDR.

13 3. Within 30 days of receiving submissions from all QDRs for a particular driver
14 coordinator, the Director shall either certify one to be the EDR or announce that no QDR met the
15 majority threshold for certification.

16 G. If no EDR is certified for a driver coordinator, the Director shall, upon the written
17 request from a designated QDR or from an entity that seeks to be designated as a QDR,
18 promulgate a new commencement date applicable to that driver coordinator that is no later than
19 90 days after the request, provided that no driver coordinator shall be subject to the requirements
20 of this Section 6.311.415 more than once in any 12-month period. The QDR, any other entity
21 that seeks to be designated as a QDR, and the driver coordinator shall then repeat the processes
22 in subsections 6.311.415.C, 6.311.415.D, and 6.311.415.F.

23 H.

1 1. Upon certification of the EDR by the Director, the driver coordinator and the
2 EDR shall meet and negotiate in good faith certain subjects to be specified in rules or regulations
3 promulgated by the Director, including, but not limited to, best practices regarding vehicle
4 equipment standards; safe driving practices; the manner in which the driver coordinator will
5 conduct criminal background checks of all prospective drivers; minimum hours of work,
6 conditions of work, and applicable rules. The subjects to be specified in rules or regulations
7 promulgated by the Director shall not include the nature or amount of payments to be made by,
8 or withheld from, a driver coordinator to or by its drivers. If the driver coordinator and the EDR
9 reach agreement on terms, their agreement shall be reduced to a written agreement. The term of
10 such an agreement shall be agreed upon by the EDR and the driver coordinator, but in no case
11 shall the term of such an agreement exceed four years.

12 2. After reaching agreement, the parties shall transmit the written agreement to the
13 Director. The Director shall review the agreement for compliance with the provisions of Chapter
14 6.311, and to ensure that the substance of the agreement promotes the provision of safe, reliable,
15 and economical for-hire transportation services and otherwise advance the public policy goals set
16 forth in this Chapter 6.311 and in the Preamble to and Section 1 of Ordinance 124968. In
17 conducting that review, the record shall not be limited to the submissions of the EDR and driver
18 coordinator nor to the terms of the proposed agreement. The Director shall have the right to
19 gather and consider any necessary additional evidence, including by conducting public hearings
20 and requesting additional information from the EDR and driver coordinator. Following this
21 review, the Director shall notify the parties of the determination in writing, and shall include in
22 the notification a written explanation of all conclusions. Absent good cause, the Director shall
23 issue the determination of compliance within 60 days of the receipt of an agreement.

1 a. If the Director finds the agreement compliant, the agreement is final and
2 binding on all parties.

3 b. If the Director finds it fails to comply, the Director shall remand it to
4 the parties with a written explanation of the failure(s) and, at the Director's discretion,
5 recommendations to remedy the failure(s).

6 c. The agreement shall not go into effect until the Director affirmatively
7 determines its adherence to the provisions of Chapter 6.311 and that the agreement furthers the
8 provision of safe, reliable, and economical for-hire transportation services and the public policy
9 goals set forth in the Preamble to and Section 1 of Ordinance 124968.

10 3. Unless the EDR has been decertified pursuant to subsection 6.311.415.L or has
11 lost its designation as a QDR, the EDR and the driver coordinator shall, at least 90 days before
12 the expiration of an existing agreement approved pursuant to subsections 6.311.415.H.2.c or
13 6.311.415.I.4.c, meet to negotiate a successor agreement. Any such agreement shall be subject to
14 approval by the Director pursuant to subsection 6.311.415.H.2. If the parties are unable to reach
15 agreement on a successor agreement within 90 days after the expiration of an existing agreement,
16 either party must submit to interest arbitration upon the request of the other pursuant to
17 subsection 6.311.415.I, and the interest arbitrator's proposed successor agreement shall be
18 subject to review by the Director pursuant to subsections 6.311.415.I.3 and 6.311.415.I.4.

19 4. Nothing in this Section 6.311.415 shall require or preclude a driver coordinator
20 from making an agreement with an EDR to require membership of for-hire drivers in the EDR's
21 entity/organization within 14 days of being hired, contracted with, or partnered with by the driver
22 coordinator to provide for-hire transportation services to the public.

I. If a driver coordinator and the EDR fail to reach an agreement within 90 days of the certification of the EDR by the Director, either party must submit to interest arbitration upon the request of the other.

1. The interest arbitrator may be selected by mutual agreement of the parties. If the parties cannot agree, then the arbitrator shall be determined as follows: from a list of seven arbitrators with experience in labor disputes and/or interest arbitration designated by the American Arbitration Association, the party requesting arbitration shall strike a name. Thereafter the other party shall strike a name. The process will continue until one name remains, who shall be the arbitrator. The cost of the interest arbitration shall be divided equally between the parties.

2. The interest arbitrator shall propose the most fair and reasonable agreement concerning subjects specified in rules or regulations promulgated by the Director as set forth in subsection 6.311.415.H.1 that furthers the provision of safe, reliable, and economical for-hire transportation services and the public policy goals set forth in the Preamble to and Section 1 of Ordinance 124968. The term of any agreement proposed by the interest arbitrator shall not exceed two years. In proposing that agreement, the interest arbitrator shall consider the following criteria:

- a. Any stipulations of the parties;
- b. The cost of expenses incurred by drivers (e.g., fuel, wear and tear on vehicles, and insurance);
- c. The safety and equipment standards and rules applicable to other persons, whether employees or independent contractors, employed as for-hire or taxicab drivers in Seattle and its environs, as well as other comparably sized urban areas;

d. The hours and conditions of employment of other persons, whether employees or independent contractors, employed as for-hire or taxicab drivers in Seattle and its environs, as well as other comparably sized urban areas;

e. If raised by the driver coordinator, the driver coordinator's financial condition and need to ensure a reasonable return on investment and/or profit;

f. Any other factors that are normally or traditionally taken into consideration in the determination of hours, safety and equipment standards, rules, and conditions of employment; and

g. The City's interest in promoting the provision of safe, reliable, and economical for-hire transportation services and otherwise advancing the public policy goals set forth in Chapter 6.311 and in the Preamble to and Section 1 of Ordinance 124968.

3. The arbitrator shall transmit the proposed agreement to the Director for review in accordance with the procedures and standards set forth in subsection 6.311.415.H.2. With the proposed agreement, the arbitrator shall transmit a report that sets forth the basis for the arbitrator's resolution of any disputed issues. The Director shall review the agreement as provided in subsection 6.311.415.H.2.

4. In addition to the review provided for in subsection 6.311.415.I.3, a driver coordinator or EDR may challenge the proposed agreement on the following grounds: that the interest arbitrator was biased, that the interest arbitrator exceeded the authority granted by subsection 6.311.415.H and this subsection 6.311.415.I, and/or that a provision of the proposed agreement is arbitrary and capricious. In the event of such a challenge, the Director will provide notice to the driver coordinator and the EDR, allow the driver coordinator and the EDR the

1 opportunity to be heard, and make a determination as to whether any of the challenges asserted
2 should be sustained.

3 a. If the Director finds the agreement fulfills the requirements of
4 subsection 6.311.415.H.2, and that no challenges raised under this subsection 6.311.415.I.4
5 should be sustained, the Director will provide written notice of that finding to the parties and the
6 agreement will be deemed final and binding on all parties.

7 b. If the Director finds that the agreement fails to fulfill the requirements
8 of subsection 6.311.415.H.2, or that any challenge asserted under this subsection 6.311.415.I.4
9 should be sustained, the Director shall remand the agreement to the interest arbitrator with a
10 written explanation of the failure(s) and, at the Director's discretion, recommendations to remedy
11 the failure(s).

12 c. The agreement shall not go into effect until the Director affirmatively
13 deems the agreement final and binding pursuant to subsections 6.311.415.I.3 and 6.311.415.I.4.a.

14 d. A driver coordinator or EDR may obtain judicial review of the
15 Director's final determination rendered pursuant to this subsection 6.311.415.I.4 by applying for
16 a Writ of Review in the King County Superior Court within 14 days from the date of the
17 Director's determination, in accordance with the procedure set forth in chapter 7.16 RCW, other
18 applicable law, and court rules. The Director's final determination shall not be stayed pending
19 judicial review unless a stay is ordered by the court. If review is not sought in compliance with
20 this subsection 6.311.415.I.4.d, the determination of the Director shall be final and conclusive.

21 5. If either party refuses to enter interest arbitration, upon the request of the other,
22 either party may pursue all available judicial remedies.

J. During the term of an agreement approved by the Director under subsection 6.311.415.H or 6.311.415.I, the parties may discuss additional terms and, if agreement on any amendments to the agreement are reached, shall submit proposed amendments to the Director, who shall consider the proposed amendment in accordance with the procedures and standards in subsection 6.311.415.H.2. Any proposed amendment shall not go into effect until the Director affirmatively determines its adherence to the provisions of Chapter 6.311 and that it furthers the provision of safe, reliable and economical for-hire transportation services and the public policy goals set forth in the Preamble to and Section 1 of Ordinance 124968.

1. During the term of an agreement approved by the Director under subsection 6.311.415.H or 6.311.415.I, the Director shall have the authority to withdraw approval of the agreement if the Director determines that the agreement no longer adheres to the provisions of Chapter 6.311 or that it no longer promotes the provision of safe, reliable, and economical for-hire transportation services and the public policy goals set forth in the Preamble to and Section 1 of Ordinance 124968. The Director shall withdraw such approval only after providing the parties with written notice of the proposed withdrawal of approval and the grounds therefor and an opportunity to be heard regarding the proposed withdrawal. The Director's withdrawal of approval shall be effective only upon the issuance of a written explanation of the reasons why the agreement no longer adheres to the provisions of Chapter 6.311 or no longer furthers the provision of safe, reliable, and economical for-hire transportation services or the public policy goals set forth in the Preamble to and Section 1 of Ordinance 124968.

2. The Director shall have the authority to gather and consider any necessary evidence in exercising the authority provided by this subsection 6.311.415.J.

3. A driver coordinator shall not make changes to subjects set forth in subsection 6.311.415.H or specified in rules or regulations promulgated by the Director without meeting and discussing those changes in good faith with the EDR, even if the driver coordinator and EDR have not included terms concerning such subjects in their agreement.

K. A driver coordinator shall not retaliate against any for-hire driver for exercising the right to participate in the representative process provided by this Section 6.311.415, or provide or offer to provide money or anything of value to any for-hire driver with the intent of encouraging the for-hire driver to exercise, or to refrain from exercising, that right. It shall be a violation for a driver coordinator or its agent, designee, employee, or any person or group of persons acting directly or indirectly in the interest of the driver coordinator in relation to the for-hire driver to:

1. Interfere with, restrain, or deny the exercise of, or the attempt to exercise, any right protected under this Section 6.311.415; or

2. Take adverse action, including, but not limited to, threatening, harassing, penalizing, or in any other manner discriminating or retaliating against a driver, because the driver has exercised the rights protected under this Section 6.311.415.

L. Decertification. An Exclusive Driver Representative may be decertified according to the following:

1. The Director receives a petition to decertify an EDR no more than 30 days before the expiration of an agreement reached pursuant to this Section 6.311.415 or no less than three years after the agreement's effective date, whichever is earlier.

a. A decertification petition must be signed by ten or more qualifying drivers. The Director shall determine by rule the standards and procedures for submitting the decertification petition.

2. Once a petition has been accepted by the Director, the Director shall issue notice to the driver coordinator and the EDR of the decertification petition and promulgate a decertification date.

3. The driver coordinator shall have 14 days from the decertification date to transmit the list of qualifying drivers to the petitioners and the EDR.

4. Within 120 days of receiving the driver contact information, petitioners for a decertification will submit to the Director statements of interest from a majority of qualifying drivers from the list described in subsection 6.311.415.K.3. The statements of interest shall be signed and dated and shall clearly indicate that the driver no longer wants to be represented by the EDR for the purpose of collective bargaining with the driver coordinator. The Director shall determine by rule the standards and procedures for submitting and verifying the statements of interest of qualifying drivers.

5. Within 30 days of receiving such statements of interest, the Director shall determine if they are sufficient to decertify the EDR for that particular driver coordinator. The Director shall either decertify the EDR, or declare that the decertification petition did not meet the majority threshold and reaffirm that the EDR shall continue representing all drivers for that particular driver coordinator.

a. If an EDR is decertified for a particular driver coordinator, the process of selecting a new EDR may start according to the process outlined in subsection 6.311.415.G.

M. Enforcement

1. Powers and duties of Director

a. The Director is authorized to enforce and administer this Section 6.311.415. The Director shall exercise all responsibilities under this Section 6.311.415 pursuant

1 to rules and regulations developed under Chapter 3.02. The Director is authorized to promulgate,
2 revise, or rescind rules and regulations deemed necessary, appropriate, or convenient to
3 administer the provisions of this Section 6.311.415, providing affected entities with due process
4 of law and in conformity with the intent and purpose of this Section 6.311.415.

5 b. The Director shall investigate alleged violations of subsections
6 6.311.415.D and 6.311.415.H.1, and if the Director determines that a violation has occurred, the
7 Director shall issue a written notice of the violation. The Director may investigate alleged
8 violations of other subsections of this Section 6.311.415, and if the Director determines that a
9 violation has occurred, the Director shall issue a written notice of the violation. The notice shall:

10 1) Require the person or entity in violation to comply with the
11 requirement;

12 2) Include notice that the person or entity in violation is entitled to
13 a hearing before the Hearing Examiner to respond to the notice and introduce any evidence to
14 refute or mitigate the violation, in accordance with Chapter 3.02; and

15 3) Inform the person or entity in violation that a daily penalty of up
16 to \$10,000 for every day the violator fails to cure the violation will accrue if the violation is
17 uncontested or found committed.

18 c. The person or entity named on the notice of violation must file with the
19 Hearing Examiner's Office the request for a hearing within ten calendar days after the date of the
20 notice of violation. The Hearing Examiner may affirm, modify, or reverse the Director's notice of
21 violation.

d. If the person or entity named on the notice of violation fails to timely request a hearing, the notice of violation shall be final and the daily penalty of up to \$10,000 will accrue until the violation is cured.

e. Nothing in this Section 6.311.415 shall be construed as creating liability or imposing liability on the City for any non-compliance with this Section 6.311.415.

2. Judicial review. After receipt of the decision of the Hearing Examiner, an aggrieved party may pursue all available judicial remedies.

3. Private right of action. Subsections 6.311.415.D, 6.311.415.E, 6.311.415.H, and 6.311.415.K may be enforced through a private right of action. Any aggrieved party, including, but not limited to, an EDR, may bring an action in court, and shall be entitled to all remedies available at law or in equity appropriate to remedy any violation of this Section 6.311.415. A plaintiff who prevails in any action against a private party to enforce this section 6.311.415 may be awarded reasonable attorney's fees and costs.

4. Contractual remedies. Nothing in this Section 6.311.415 shall be construed as preventing the parties to an agreement approved by the Director from pursuing otherwise available remedies for violation of such agreement.

6.311.420 Violations and penalties – Generally

A. It is a violation for any person to not meet or maintain compliance with any requirement of this Chapter 6.311 or rule issued by the Director. If the Director determines that any of this Chapter 6.311's requirements or rules have been violated, the Director may issue:

1. A citation;
2. A license action, including denial, revocation, suspension, or summary suspension; or

3. A citation and a license action.

~~B. The Director shall reject a license or medallion application if it has any material misstatement or omission.~~

~~EB.~~ In determining a monetary penalty, the Director shall consider the gravity of the violation; the number of past violations committed; the size of the business of the violator; the deterrent effect of monetary penalties; and the good faith of the violator in attempting to achieve compliance after notification of the violation.

~~DC.~~ A person shall pay all fees, surcharges, and monetary penalties that are owed under this Chapter 6.311. If the person cited fails to pay a monetary penalty imposed under this Chapter 6.311, the monetary penalty may be referred to a collection agency. The cost ~~to the Director~~ for the collection services will be added to the penalty. Alternatively, the Director may pursue collection in any other manner allowed by law. The Director shall refuse to issue a license, endorsement, or medallion at the time of renewal if the person has outstanding fees, surcharges, or monetary penalties issued under this Chapter 6.311.

~~ED.~~ Each day a person violates or fails to comply with one of the requirements of this Chapter 6.311 may be considered a separate violation for which a citation, license action, or both, may be issued.

~~FE.~~ It is a misdemeanor for any person to violate the operating standards established in this Chapter 6.311 ~~if the violation demonstrates a habitual disregard for the standards in this Chapter 6.311 three or more times in a 12-month period.~~ The Director may refer such a person for prosecution as an alternative to the citation and license action procedures outlined in this Chapter 6.311.

~~GF~~. The Director may seek legal or equitable relief to enjoin any acts or practices when necessary to achieve compliance.

~~HG~~. Nothing in this Section 6.311.420 limits or precludes any action or proceeding to enforce this Chapter 6.311, and nothing obligates or requires the Director to issue a citation or license action prior to the imposition of criminal penalties.

6.311.430 Violations and penalties

Except where otherwise noted in this Chapter 6.311, the following monetary penalties shall be assessed or license action taken for violations of the listed sections or subsections.

A. The Director shall assess a Class A penalty, which is a \$35 civil penalty for a first offense, a \$70 civil penalty for a second offense, or a \$120 civil penalty for a third or subsequent offense:

1. 6.311.160.A, B, D, L, N, Q, and U;
2. 6.311.170.B, M, and N;
3. 6.311.180.A.1, 2, and 3;
4. 6.311.280.D, E, and F; and
5. 6.311.310.A.4, 5, 6, 7, and 8;

B. The Director shall assess a Class B penalty, which is a \$70 civil penalty for a first offense, a \$175 civil penalty for a second offense, or a \$300 civil penalty for a third or subsequent offense:

1. 6.311.160.C, E, F, G, H, I, J, K, and M;
2. 6.311.170.A, D, G, I, J, K, and L;
3. 6.311.180.A.4 and 5;
4. 6.311.310.A.3, 9, 10, 11, 12, 13, 14, and 15; and

5. 6.311.310.B.2 and 3;

C. The Director shall assess a Class C penalty, which is a \$1,000 civil penalty for an offense:

1. 6.311.170.F;

2. 6.311.360.A.1, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, and 23; and

3. 6.311.370.A, B, C, and D;

D. The Director shall assess a \$1,000 civil penalty for the first offense and suspend the license or medallion for the second and subsequent offenses:

1. 6.311.320.A and C;

2. 6.311.360.D and E; and

3. 6.311.380.A.4;

E. The Director shall assess a \$1,000 civil penalty for each offense. It is a criminal misdemeanor for the second and subsequent offenses, which the Director may refer for prosecution:

1. 6.311.070.A;

2. 6.311.220; and

3. 6.311.260.B;

F. ~~The Director shall act as listed on a license or medallion for~~For offenses violating the following, the Director shall take the listed action:

1. 6.311.090.A, B, C, D, E, F, G, H, I, J, K, L, and M, denial;

2. 6.311.160.O, R, and S, revocation;

3. 6.311.170.C, E, and H, suspension;

4. 6.311.200.G, revocation;

5. 6.311.230.E, denial;

6. 6.311.260.A, revocation;

7. 6.311.260.C, denial;

8. 6.311.280.A, G, and H, summary suspension;

9. 6.311.290.C, suspension;

10. 6.311.290.D, suspension of the regional for-hire driver's license wheelchair
accessible vehicle endorsement;

11. 6.311.310.A.1 and 2, summary suspension;

12. 6.311.330.A, revocation;

13. 6.311.340.A, denial; and

14. 6.311.360.A.24, suspension;

G. The Director shall suspend a license or medallion, or shall deny a license or medallion
application at renewal:

1. 6.311.260.~~EF~~;

2. 6.311.270.A;

3. 6.311.310.B.1; and

4. 6.311.360.A.2;

H. The Director shall assess a \$70 civil penalty for the first offense and a \$1,000 civil
penalty for the second and subsequent offenses of Section 6.311.080;

I. The Director shall revoke a license or deny a license application at renewal for an
offense of subsection 6.311.170.O;

J. For rules promulgated in accordance with subsections 6.311.160.V, 6.311.310.A.16, and 6.311.360.A.25, the Director shall specify any applicable civil penalty or license action in the rule itself; and

K. Any violation not enumerated in this Section 6.311.430 that does not pose a threat or hazard to life, safety, or property shall have a civil penalty of up to \$120. Any violation not enumerated in this Section 6.311.430 that poses a threat or hazard to life, safety, or property shall have a civil penalty of up to \$300.

6.311.440 Citations and license actions

A. The Director may issue citations and suspend, summarily suspend, deny, or revoke any license, endorsement, or medallion of any person for violating or failing to comply with any applicable provision of this Chapter 6.311.

B. Notwithstanding any other provision of this Chapter 6.311, the Director may summarily suspend a license, endorsement, or medallion issued under this Chapter 6.311, with the suspension to take effect immediately by order of the Director prior to any hearing upon finding that:

1. There is reasonable cause to believe that the licensee has engaged in activity that causes or will cause a clear, substantial, and imminent hazard to life, safety, property, or privacy of the driver, passenger, or public, or any combination thereof; or

2. There is a lapse in coverage or the coverage of any surety bond or public liability insurance policy required to be filed with the Director is less than the minimum requirements of Section 6.311.270.

C. The following applies to license actions:

1.

1 a. Whenever any license, endorsement, or medallion is revoked or
2 summarily suspended the revocation or summary suspension is effective upon issuance of the
3 notice. Such notice may be appealed in accordance with the procedures of Section 6.311.450. If a
4 timely appeal is not filed by the licensee, the notice of revocation or summary suspension shall
5 be final.

6 b. A final order of revocation shall extend for 12 months, except for a final
7 medallion revocation. Upon the final order of revocation of a medallion, where all appellate
8 proceedings, if any, have been concluded, a medallion owner shall immediately surrender the
9 taxicab or for-hire vehicle medallion plate or decal to the Director and has 60 days to transfer the
10 medallion as prescribed by Section 6.311.230.

11 c. A final order of summary suspension shall extend until the license,
12 endorsement, or medallion expires or until evidence satisfactory to the Director is produced
13 showing that the violation is cured, whichever occurs first;

14 2. If the licensee does not file a timely appeal in accordance with Section
15 6.311.450, the notice of suspension shall be final. Suspensions are effective upon the date
16 included in the notice of suspension or if timely appealed under Section 6.311.450, when an
17 order on appeal affirming such notice becomes final. Suspensions shall extend until the license
18 or endorsement expires or until evidence satisfactory to the Director is produced showing that the
19 violation is cured, whichever occurs first; and

20 3. Except in the case of revocation or summary suspension, whenever a timely
21 appeal is filed in accordance with Section 6.311.450, a licensee may continue to operate pending
22 a final decision on appeal; ~~however, an.~~ Any applicant not licensed in the preceding license year

may not engage in the activity for which the license is required pending a final decision on appeal.

6.311.450 Notice and hearing for citations, denials, suspensions, summary suspensions, and revocations

A. A citation or license action shall include the following:

1. The name and address of the person to whom the citation or license action is issued;
2. The address of the location, if relevant, where the violation occurred;
3. A separate statement of each provision violated;
4. The date of the violation;
5. The applicable monetary penalty or license action;
6. A statement that the person cited must respond to the citation or license action within 24 calendar days after service;
7. A statement that a response must be sent to the Hearing Examiner and received not later than 4:30 p.m. on the day the response is due;
8. Contact information for where the response to the citation or license action is to be filed;
9. A statement that the citation or license action represents a determination that a violation has been committed by the person named in the citation or license action and that the determination shall be final unless appealed in accordance with this Chapter 6.311; and
10. A statement certified under penalty of perjury by the Director's representative issuing the citation or license action setting forth facts supporting issuance of the citation or license action.

B. The citation or license action shall be addressed to the person allegedly responsible for the violation, and be served by first-class mail, electronically, or in person. Service by first-class mail shall be deemed complete three days after the mailing. If a citation or license action sent either electronically or by first class mail -, and is returned as undeliverable, the citation or license action may be served in person. The Director shall respond to inquiries concerning the facts and process of the decision and requests for any files that detail the facts on which the Director based the ruling.

C. A person cited must respond to a citation in one of the following ways:

1. Pay the amount of the monetary penalty specified in the citation within 30 calendar days of issuance, in which case the record shall show a finding that the person cited committed the violation;

2. Timely request in writing a hearing to mitigate, by explaining the circumstances surrounding the commission of the violation, and providing an address to which notice of the hearing may be sent; or

3. Timely request in writing a hearing to appeal, by disputing the commission of the violation, and providing an address to which notice of the hearing may be sent.

D. The Director's license action is final unless the person cited timely requests in writing a hearing to appeal the license action and provides an address to which notice of such hearing may be sent.

E. If requesting a hearing, a response to a citation or license action must be received by the Hearing Examiner no later than 24 calendar days after the date the citation is served. When the last day of the appeal period so computed is a Saturday, Sunday, or holiday, the period shall run until 4:30 p.m. on the next business day. If a person fails to respond to a citation or license

action within 24 calendar days of service, the citation and monetary penalty or license action shall become the final order of the Director and is unreviewable by the Hearing Examiner.

F.

~~1.~~ Appeals of license actions shall be heard by the Hearing Examiner of the jurisdiction issuing the license action. The presiding Hearing Examiner shall decide the appeal under the applicable portions of both the Seattle Municipal Code and the King County Code. The City Hearing Examiner is bound by any interpretation of the applicable King County Code by the King County Hearing Examiner in a license action appeal. The City Hearing Examiner shall forward all decisions made under this subsection F to the King County Hearing Examiner within ten business days of issuing the decision.

2. Appeals of citations shall be heard by the Hearing Examiner of the jurisdiction issuing the citation, and the City Hearing Examiner shall decide the appeal under the Seattle Municipal Code.

3. The hearing for either a license action or a citation shall be held within 45 calendar days after written response is received by the Hearing Examiner, except that hearings for summary suspension shall be held within ten business days of the request, unless a later date is agreed to by the person issued the license action. With the exception of summary suspension hearings, notice of the time, place, and date of the hearing shall be sent to the address specified in the request for hearing not less than ten calendar days before the hearing.

G. Hearings to appeal the citation or license action shall be conducted in accordance with the procedures and rules of the Hearing Examiner. The issues heard at the hearing shall be limited to those that are raised in writing in the response to the citation or license action and that are within the jurisdiction of the Hearing Examiner. The Hearing Examiner may issue subpoenas

1 for the attendance of witnesses and the production of documents. The Director shall have the
2 burden of proving by a preponderance of the evidence both that the violation occurred and the
3 appropriateness of the remedy the Director has imposed.

4 H. A citation or license action shall not be deemed insufficient for failure to contain a
5 detailed statement of the facts constituting the specific violation that the person is alleged to have
6 committed or by reason of defects or imperfections, but only if the lack of detail, or the defects
7 or imperfections, do not prejudice substantial rights of the person. A citation or license action
8 may be amended before the conclusion of the hearing to conform to the evidence presented if
9 substantial rights of the affected person are not thereby prejudiced.

10 I. The certified statement or declaration authorized by chapter 5.50 RCW shall be prima
11 facie evidence that a violation occurred and that the person listed on the citation or license action
12 is responsible. The certified statement or declaration authorized under penalty of perjury and any
13 other evidence accompanying the report shall be admissible without further evidentiary
14 foundation. In cases where the person seeks to mitigate the citation, the person may explain the
15 circumstances surrounding the commission of the violation.

16 J. In cases where the person disputes the citation or license action, the person may rebut
17 the Director's evidence and establish that the violation or violations preceding the citation or
18 license action did not occur or that the person appealing the citation or license action is not
19 responsible for the violation.

20 JK. In a mitigation hearing, the Hearing Examiner shall determine whether the person's
21 explanation justifies reduction of the monetary penalty. However, the monetary penalty may not
22 be reduced unless the Director affirms or certifies that the violation has been corrected prior to
23 the mitigation hearing. Factors that may be considered in whether to reduce the penalty include:

whether the violation was caused by the act, neglect, or abuse of another; or whether correction of the violation was commenced before the issuance of the citation but full compliance was prevented by a condition or circumstance beyond the control of the person cited. The Hearing Examiner shall enter an order finding that the person cited committed the violation and assess a monetary penalty.

~~KL~~. If the citation or license action is sustained at the hearing, the Hearing Examiner shall enter an order finding that the person committed the violation and impose the applicable monetary penalty or enter an order affirming the license action. The Hearing Examiner may reduce the monetary penalty of a citation in accordance with subsection 6.311.450.~~JK~~. If the Hearing Examiner determines that the violation did not occur, the Hearing Examiner shall enter an order dismissing the citation or denying the license action.

~~LM~~. Failure to appear for a requested hearing will result in the Hearing Examiner entering an order finding that the person committed the violation and assessing the penalty specified in the citation or finding that the person committed the violation and affirming the license action. For good cause shown and upon terms the Hearing Examiner deems just, the Hearing Examiner may set aside an order entered upon a failure to appear and schedule a new hearing date.

~~MN~~. If a license action involving a vehicle is upheld, and the vehicle is to be temporarily or permanently placed out of service, the Director shall initiate the temporary deactivation process authorized under this Chapter 6.311 and the licensee shall immediately surrender all applicable vehicle medallion plates or decals to the Director.

~~NO~~. The decision of the Hearing Examiner shall be final and conclusive unless judicial review is timely filed with the appropriate court.

1 ~~OP~~. The Hearing Examiner may affirm, modify, or reverse the decisions of the Director.

2 ~~PQ~~. The Director may contract with a third party to serve as the Hearing Examiner for
3 purposes of this Chapter 6.311, if done in conjunction with King County.

4 **6.311.460 Director's reports**

5 The Director shall issue a joint annual report with King County on the state of for-hire
6 transportation in the region on or before April 30 of each year, and the Director shall make the
7 annual report, for the previous calendar year, publicly available on the Director's website. The
8 report may include but is not limited to the following:

9 A. The number of licensed vehicles providing for-hire transportation services in Seattle
10 and King County during the reporting period and during the preceding year;

11 B. The number of licensed regional for-hire drivers in Seattle and King County during the
12 reporting period and during the preceding year;

13 C. The numbers and nature of complaints;

14 D. The results of any survey of taxicab response times and any changes in response times
15 from the previous year;

16 E. What, if any, organizations have been authorized to operate as an emerging for-hire
17 transportation model; and

18 F. Any other information or recommendations deemed appropriate by the Director.

19 **6.311.470 Rulemaking authority**

20 A. The Director is authorized to implement, enforce, and administer this Chapter 6.311.
21 The Director is authorized to adopt, revise, or rescind rules, and regulations deemed necessary,
22 appropriate, convenient, or efficient to implement, enforce, and administer the provisions of this
23 Chapter 6.311, providing affected entities with due process of law and in conformity with the

intent and purpose of this Chapter 6.311. Rules shall be adopted in accordance with Chapter 3.02.

B. The Director may suspend or suspend and modify requirements of this Chapter 6.311 by rule related to licensing and operating standards, fees, and rates. In suspending or suspending and modifying requirements of this Chapter 6.311, the Director shall analyze one or more of the following nonexclusive factors:

1. Whether the action would serve the public interest, including the public's need for safe, reliable, and effective for-hire transportation;

2. Whether technology has changed such that the requirements are no longer necessary;

3. Whether such action would improve the economic viability for drivers and vehicle owners; and

4. Whether such action would encourage and enable companies and agencies to innovate and improve customer service and increase access to for-hire transportation options.

C. The Director may establish rules either for taxicabs or for-hire vehicles or for both to operate when equipped with an automated driving system and may establish associated penalties.

Unless granted such authority by the Director by rule, ~~an autonomous~~ vehicle equipped with an automated driving system providing for-hire transportation services is prohibited from autonomous operation. A Director's rule granting such authority is subject to the following conditions:

1. The Director must obtain written concurrence in advance from the Directors of the Community Safety and Communications Center (CSCC), Seattle Department of Transportation

(SDOT), Seattle Fire Department (SFD), and Seattle Police Department (SPD) to authorize autonomous operation of an autonomous vehicle providing for-hire transportation services; and

2. The Director must establish safety and regulatory requirements for autonomous operation of an autonomous vehicle providing for-hire transportation services, including but not limited to requiring the following items before deployment: advanced notification of deployment; notice of contact information and public outreach events; first responder interaction information with CSCC, SFD, and SPD; proof of insurance acceptable to the City; indemnification acceptable to the City; notification of collisions, moving violations, or other reportable events as required by state law; and demonstrated compliance with Washington State Department of Licensing requirements, including but not limited to self-certification; and any other requirements from state law.

6.311.480 Additional remedies

Notwithstanding the existence or use of any other remedy, the City Attorney may seek legal or equitable relief to enjoin an act or practice that constitutes or will constitute a violation of this Chapter 6.311 or an applicable rule adopted under this Chapter 6.311.

Section 2. Section 11.14.235 of the Seattle Municipal Code, enacted by Ordinance 108200, is amended as follows:

11.14.235 For-hire car

"For-hire car" means for-hire vehicles as defined by ~~((the Seattle License Code))~~ Chapter 6.311.

Section 3. Section 15.17.005 of the Seattle Municipal Code, last amended by Ordinance 126732, is amended as follows:

15.17.005 Authorized vending in the public place

No person shall vend in a public place unless authorized as described below:

A. The vending activity occurs in an area that is permitted for that type of an activity, for example: as part of a Street Use temporary activation permit which authorizes vending; Chapter 11.25, parade permits; Chapter 15.08, areaways; Chapter 15.16, cafe Street Use permits; street areas within the Pike Place Market Historical District Chapter 25.24) that are being administered by the Pike Place Market Preservation and Development Authority; Chapter 15.35, filming permits; Chapter 15.52, Special Event permits; ((or)) Chapter 6.310(~~Taxis and For Hire Vehicles~~); or Chapter 6.311.

* * *

Section 4. After any transition to a new type of entity or driver has been completed, the Director may notify the Code Reviser regarding that transition and which portions of Seattle Municipal Code Chapter 6.311 will no longer have any application to future situations. After receiving and verifying that information, the Code Reviser shall decodify those obsolete portions pursuant to Seattle Municipal Code subsection 1.03.030.J. Reuse of those obsolete portions' Seattle Municipal Code section or subsection numbers has no legal relevance in interpreting those obsolete portions.

Section 5. The provisions of this ordinance are declared to be separate and severable. The invalidity of any clause, sentence, paragraph, subdivision, section, or portion of this ordinance, or the invalidity of its application to any person or circumstance, does not affect the validity of the remainder of this ordinance or the validity of its application to other persons or circumstances.

Section ~~5~~6. This ordinance shall take effect and be in force 30 days after its approval by the Mayor, but if not approved and returned by the Mayor within ten days after presentation, it shall take effect as provided by Seattle Municipal Code Section 1.04.020.

Passed by the City Council the _____ day of _____, 2023,
and signed by me in open session in authentication of its passage this _____ day of _____, 2023.

President _____ of the City Council

Approved / returned unsigned / vetoed this _____ day of _____, 2023.

Bruce A. Harrell, Mayor

Filed by me this _____ day of _____, 2023.

Scheereen Dedman, City Clerk

(Seal)

ATT 3 to Action 1 of CB 120656

Amendment A Version 1 to CB 120656 – For-Hire Interlocal Agreement

Sponsor: Councilmember Mosqueda

Substitute version 2 of the legislation and Attachment 1.

Effect: This amendment would adopt a substitute version 2 of Council Bill (CB) 120656 and Attachment 1 that would incorporate edits to align with King County’s companion legislation, such as:

- Amending the title of the ordinance to remove the Department of Finance and Administrative Services Director as the signatory to the agreement,
- Identifying the Mayor or designee as the signatory to the interlocal agreement for the City in the body of the ordinance and Attachment 1,
- Identifying the King County Executive or designee as the signatory to the interlocal agreement for the County in Attachment 1,
- Clarifying that the City and County will not enforce provisions in the other jurisdiction’s code that do have a corresponding provision in the respective City or County code,
- Removing unnecessary terms and provisions,
- Adopting consistent terminology and formatting.

Consistent with Washington State Constitution requirements, these amendments, including the amendment to the title, would not change the scope and object of the ordinance.

Substitute version 2 of Council Bill (CB) 120656 and Attachment 1, incorporating the proposed amendments shown in the attached versions of CB 120656 and Attachment 1.

CITY OF SEATTLE

ORDINANCE _____

COUNCIL BILL _____

..title

AN ORDINANCE relating to ~~the Department of Finance and Administrative Services;~~
~~authorizing the Director of Finance and Administrative Services or designee to execute~~
~~for-hire transportation; authorizing the execution of~~ an interlocal agreement ~~with~~ between
The City of Seattle and King County to regulate for-hire transportation services.

..body

WHEREAS, due to changes in state law governing the regulation of transportation network
companies, modifying an existing Seattle Municipal Code chapter to regulate
transportation network companies and establishing a new Seattle Municipal Code chapter
to regulate taxicabs and for-hire vehicles best articulates the City's objectives for these
industries; and

WHEREAS, the City partners with King County through an interlocal agreement to regulate the
for-hire transportation industry and desires to maintain that partnership under common
regulations in the future; and

WHEREAS, the City and County last updated the interlocal agreement concerning for-hire
transportation in August 1995; NOW, THEREFORE,

BE IT ORDAINED BY THE CITY OF SEATTLE AS FOLLOWS:

Section 1. The ~~Director of the Department of Finance and Administrative Services, or~~
~~designee, Mayor or designee~~ is authorized on behalf of The City of Seattle to execute the
Interlocal Agreement for For-Hire Transportation with King County, attached to this ordinance
as Attachment 1.

Section 2. This ordinance shall take effect and be in force 30 days after its approval by the Mayor, but if not approved and returned by the Mayor within ten days after presentation, it shall take effect as provided by Seattle Municipal Code Section 1.04.020.

Passed by the City Council the _____ day of _____, 2023,
and signed by me in open session in authentication of its passage this _____ day of _____, 2023.

President _____ of the City Council

Approved / returned unsigned / vetoed this _____ day of _____, 2023.

Bruce A. Harrell, Mayor

Filed by me this _____ day of _____, 2023.

Scheereen Dedman, City Clerk

(Seal)

Attachments:
Attachment 1 – Interlocal Agreement Between The City of Seattle and King County: For-Hire Transportation

**INTERLOCAL AGREEMENT BETWEEN THE CITY OF SEATTLE AND KING COUNTY
FOR-HIRE TRANSPORTATION
APRIL 7, 2023**

THIS AGREEMENT is made by and between THE CITY OF SEATTLE, acting through its Department of Finance and Administrative Services, hereinafter referred to as "Seattle," and KING COUNTY, acting through its Department of Executive Services, hereinafter referred to as "King County," and collectively referred to as "Parties."

WHEREAS King County and Seattle both have jurisdiction to license and regulate for-hire transportation services including issuing vehicle medallions, transportation network company vehicle endorsements (~~TNC-endorsed vehicles~~ hereinafter referred to as "vehicle endorsements"), for-hire driver's licenses and for hire driver's permits, transportation network company licenses (hereinafter referred to as "company licenses"), and transitional regional dispatch agency and regional dispatch agency licenses (hereinafter referred to as "agency licenses"), and the enforcement of laws and regulations concerning the same; and

WHEREAS King County and Seattle both have established code to comprehensively regulate for-hire transportation and its various components within the framework of State ~~code~~law; and

WHEREAS King County and Seattle desire to simplify and facilitate the ease of obtaining vehicle medallions and endorsements, for-hire driver's licenses and permits, and company and agency licenses from a single source; and

WHEREAS Seattle desires to appoint King County as its non-exclusive agent to have joint authority to regulate and enforce Seattle Municipal Code Chapters 6.310 and 6.311, as now or hereafter amended, within the City of Seattle's boundaries in accordance with the terms of this Agreement; and

WHEREAS King County desires to appoint Seattle as its non-exclusive agent to have joint authority to regulate and enforce King County Code Chapters 6.64 and 6.65, as now or hereafter amended, within King County's boundaries in accordance with the terms of this Agreement; and

WHEREAS the Parties to this Agreement have determined it to be in the public's best interest to execute this Agreement to allocate and delineate responsibility for licensing and regulating vehicle medallions and endorsements, for-hire driver licenses and permits, company and agency licenses, and the enforcement of the same; and

NOW, THEREFORE, pursuant to and consistent with the provisions of Chapter 46.72 RCW, Chapter 46.72B RCW, Chapter 81.72 RCW, Chapter 39.34 RCW, King County Code, as now or hereafter amended, and Seattle Municipal Code, as now or hereafter amended, the Parties hereto agree as follows:

SECTION 1. TERM OF AGREEMENT

This Agreement shall be effective upon its execution by both Parties hereto, and shall automatically renew on the 1st day of August of each succeeding year unless otherwise modified or terminated pursuant to the provisions hereof.

SECTION 2. GENERAL RESPONSIBILITIES

- A. King County hereby appoints Seattle (through its Director of the Department of Finance and Administrative Services or its successor department), as its non-exclusive agent to jointly, with King County, enforce the provisions of King County Code Chapters 6.64 and 6.65, as now or hereafter amended.
- B. Seattle hereby appoints King County (through its Director of the King County Records and Licensing Services Division or its successor division), as its non-exclusive agent to jointly, with Seattle, enforce the provisions of Seattle Municipal Code Chapters 6.310 and 6.311, as now or hereafter amended.
- C. Any fees charged by King County on behalf of Seattle, or any fees charged by Seattle on behalf of King County, shall be pursuant to the Ceode of the respective party, as now or hereafter amended. Such fees collected by either party on behalf of the other party shall be remitted to the respective party at agreed upon intervals.

SECTION 3. ~~KING COUNTY RESPONSIBILITIES~~

~~Seattle hereby appoints King County as its non-exclusive agent for determining eligibility for for-hire driver's licenses and permits, and company licenses issued under the terms of the Seattle Municipal Code, as now or hereafter amended.~~

SECTION 4. ~~SEATTLE RESPONSIBILITIES~~

~~King County hereby appoints Seattle as its non-exclusive agent for determining eligibility for vehicle medallions and endorsements, and agency licenses, issued under the terms of the King County Code, as now or hereafter amended.~~

SECTION 53. RESPONSIBILITIES OF THE PARTIES RELATING TO SEATTLE MUNICIPAL CODE CHAPTER 6.310 AND KING COUNTY CODE CHAPTER 6.64, INCLUDING ISSUING FOR-HIRE DRIVER'S LICENSES AND PERMITS, COMPANY LICENSES, AND VEHICLE ENDORSEMENTS; AND ENFORCEMENT ACTIONS AND APPEALS REGARDING THE SAME PURSUANT TO SEATTLE MUNICIPAL CODE CHAPTER 6.310 AND KING COUNTY CODE CHAPTER 6.64

- A. King County hereby appoints Seattle as its non-exclusive agent to jointly, with King County, enforce provisions of King County Code Chapter 6.64, as now or hereafter amended, including the power to issue, deny, suspend, or revoke vehicle endorsements ~~issued thereunder~~ and to take enforcement action as allowed by the King County Code.
- B. Any enforcement actions by Seattle concerning provisions of King County Code Chapter 6.64 ~~County's vehicle endorsements and company licenses~~ that result in suspensions, revocations, denials, or other administrative actions will be subject to the review power of the King County Hearing Examiner. Following any of the above enumerated results from Seattle enforcement actions, Seattle shall provide written notice to the applicant or licensee that their right to appeal shall be to the King County Hearing Examiner pursuant to the King County Code, as now or hereafter amended.
- C. Criminal citations regarding vehicle endorsements ~~or company licenses~~ issued by Seattle, as agent for King County, will be filed with the King County District Court on

citation forms provided by King County.

- D. Seattle hereby appoints King County as its non-exclusive agent to jointly, with Seattle, enforce provisions of Seattle Municipal Code Chapter 6.310 pursuant to the Seattle Municipal Code, as now or hereafter amended, including the power to issue, deny, suspend, or revoke for-hire driver's licenses and permits and company licenses issued thereunder and to take enforcement action as allowed by the Seattle Municipal Code.
- E. Any enforcement actions by King County concerning ~~provisions of Seattle's for-hire~~ Seattle Municipal Code Chapter 6.310 driver's licenses and permits and company licenses that result in suspensions, revocations, denials, or other administrative actions will be subject to the review power of the City of Seattle Hearing Examiner. Following any of the above enumerated results from King County enforcement actions, King County shall provide written notice to the applicant or licensee that their right to appeal shall be to the City of Seattle Hearing Examiner pursuant to the Seattle Municipal Code.
- F. Criminal citations regarding for-hire driver's licenses or permits or company licenses issued by King County, as agent for Seattle, will be filed with the Seattle Municipal Court on citation forms provided by Seattle.
- G. The provisions of this Section 3 comport with Chapter 46.72B RCW. The Parties agree that an interpretation of RCW 46.72B.190, This Section 5 aligns with Chapter 46.72B-RCW, which constrains ~~may constrain~~ Seattle and King County from amending ordinances or regulations related to transportation network companies, transportation network company drivers, or vehicle endorsements transportation network company-endorsed vehicles after January 1, 2022 to allow the enforcement action and appeals process in Section 4 to apply to transportation network companies, transportation network company drivers, and vehicle endorsements. ~~If~~ However, if in the future, the Parties determine that Seattle Municipal Code Chapter 6.310 and King County Code Chapter 6.64 may be amended, it is the intent of the Parties, and contingent on each amending their respective Codes, that the enforcement action and appeals process in Section 4 shall apply to transportation network companies, transportation network company drivers, and vehicle endorsements without further need to amend this Agreement. ~~are amended to align with Seattle Municipal Code Chapter 6.311 and King County Code Chapter 6.65, the enforcement action and appeals process in Section 6 shall apply for affected drivers, vehicles, and companies.~~

SECTION 46. RESPONSIBILITIES OF THE PARTIES RELATING TO SEATTLE MUNICIPAL CODE CHAPTER 6.311 AND KING COUNTY CODE CHAPTER 6.65, INCLUDING ISSUING REGIONAL FOR-HIRE DRIVER'S LICENSES, AGENCY LICENSES, AND VEHICLE MEDALLIONS; AND ENFORCEMENT ACTIONS AND APPEALS REGARDING THE SAME. ENFORCEMENT ACTIONS AND APPEALS PURSUANT TO SEATTLE MUNICIPAL CODE CHAPTER 6.311 AND KING COUNTY CODE CHAPTER 6.65

- A. King County hereby appoints Seattle as its non-exclusive agent to jointly, with King County, enforce provisions of King County Code Chapter 6.65, as now or hereafter amended, including the power to issue, deny, suspend, or revoke vehicle medallions and agency licenses and to take enforcement action as allowed by the King County Code.

- i. The Parties acknowledge that King County Code Chapter 6.65 has regulatory provisions that do not have a corresponding provision in Seattle Municipal Code Chapter 6.311.
 - ii. The Parties agree Seattle will not enforce provisions in the King County Code Chapter 6.65 for which there is not a corresponding provision in the Seattle Municipal Code Chapter 6.311.
- B. Seattle hereby appoints King County as its non-exclusive agent to jointly, with King County, enforce provisions of Seattle Municipal Code Chapter 6.311, as now or hereafter amended, including the power to issue, deny, suspend, or revoke regional for-hire driver's licenses and to take enforcement action as allowed by the Seattle Municipal Code.
 - i. The Parties acknowledge that Seattle Municipal Code Chapter 6.311 has regulatory provisions that do not have a corresponding provision in the King County Code Chapter 6.65.
 - ii. The Parties agree King County will not enforce provisions in the Seattle Municipal Code Chapter 6.311 for which there is not a corresponding provision in the King County Code Chapter 6.65.
- C. Pursuant to King County Code Chapter 6.65 and Seattle Municipal Code Chapter 6.311, as now or hereafter amended, any enforcement actions by Seattle concerning King County Code Chapter 6.65 will be subject to the review power of the Seattle Hearing Examiner. Following such enforcement action, Seattle shall provide written notice to the applicant or licensee that their right to appeal shall be to the Seattle Hearing Examiner pursuant to the King County Code and the Seattle Municipal Code.
- ~~A.D.~~ Pursuant to Seattle Municipal Code ~~chapter~~ Chapter 6.311 and King County Code ~~chapter~~ Chapter 6.65, as now or hereafter amended, any enforcement actions by King County concerning ~~Seattle's Seattle Municipal Code Chapter 6.311 for hire-transportation licensing and enforcement ordinance(s),~~ will be subject to the review power of the King County Hearing Examiner. Following such enforcement action, King County shall provide written notice to the applicant or licensee that their right to appeal shall be to the King County Hearing Examiner pursuant to the King County Code and the Seattle Municipal Code.
- ~~B.~~ ~~Pursuant to King County Code chapter 6.65 and Seattle Municipal Code chapter 6.311, as now or hereafter amended, any enforcement actions by Seattle concerning King County's for hire transportation licensing and enforcement ordinance(s), will be subject to the review power of the Seattle Hearing Examiner. Following such enforcement action, Seattle shall provide written notice to the applicant or licensee that their right to appeal shall be to the Seattle Hearing Examiner pursuant to the King County Code and the Seattle Municipal Code.~~

SECTION 75. APPLICABLE STANDARDS, PROCEDURES

- A. The Parties will review the amounts of license fees collected and operational and enforcement costs via their biennial budget processes, and may seek to adjust fees accordingly.
- B. The Parties will periodically meet to review joint enforcement policies, issues, operations,

emerging for-hire transportation models, and administration of this Agreement to adjust practices to promote efficiency.

- C. Any enforcement action, including but not limited to citations, notices, license actions, and monetary penalties shall be filed on the forms applicable to each jurisdiction. Where possible, these forms shall be similar in content.

SECTION 86. COSTS

Each party will bear the operating costs for which it has responsibility under this Agreement and will support such operating costs to the extent of their respective authority under each party's codes and ordinances.

SECTION 97. TERMINATION

- A. For Default.

In the event either party fails to comply with any provision of this Agreement ("Default"), which Default shall not have been cured by the defaulting party within thirty (30) days after receiving from the non-defaulting party notice specifying such Default, then the non-defaulting party may immediately terminate this Agreement by delivering written notice of such termination to the defaulting party.

- B. Without Cause.

This Agreement may be terminated without cause, in whole or in part, prior to the expiration date of this Agreement by either party's providing to the other ninety (90) days' prior written notice of such termination.

- C. Notwithstanding the above, if either party desires to terminate this Agreement, the ~~two-parties~~Parties shall meet to determine a transition plan and timeline that does not interrupt either party's ongoing operations, or responsibilities under this Agreement.

SECTION 108. INDEMNIFICATION

- A. It is agreed that this Agreement is solely for the benefit of the Parties hereto and confers no right on any other person or entity.
- B. To the maximum extent permitted by law, including, but not limited to, RCW 35.32A.090, each party hereto agrees to be responsible and assumes liability for any act or omission of any of its employees while performing work pursuant to this Agreement and agrees to save, indemnify, defend, and hold the other party harmless from any such liability. In the case of negligence, or other basis for liability of both Parties, any damages allowed shall be assessed in proportion to the percentage of negligence or other basis of liability attributable to each party, and each pParty shall have the right to seek contribution from the other party in proportion to the percentage of negligence or other basis of liability attributable to the other party.
- C. Each party shall promptly notify the other party of every claim subject to indemnification hereunder and a party who is or may be entitled to indemnification shall not pay, settle,

or otherwise compromise such claim without prior written consent of the indemnifying party, which shall not be unreasonably withheld.

SECTION 914. AMENDMENTS

No modification or amendment of the provisions hereof shall be effective unless in writing and signed by an authorized representative of each of the Parties hereto. The Parties hereto expressly reserve the right to modify this Agreement by mutual agreement.

SECTION 1042. EXECUTORY AGREEMENT

This ~~agreement~~ Agreement will not be considered valid until executed for Seattle by the ~~Director of the Department of Finance and Administrative Services, or successor department,~~ Mayor and for King County by the ~~Director of the Department of Executive Services, or successor department, executive or designee.~~

SECTION 1143. INVALIDITY OF PARTICULAR PROVISIONS

A judicial determination that any term provision, condition or other portion of this Agreement or its application is inoperative, invalid, or unenforceable shall not affect the remaining portions of this Agreement.

SECTION 1244. DISPUTE RESOLUTION

In the event of an unresolved dispute between the Parties as to respective discretionary decisions and/or actions taken, the dispute shall be submitted for review to a three-member panel composed of a City of Seattle representative, a King County representative, and a third member of their choosing who shall not be an officer or employee of either King County or Seattle. A decision or determination agreed upon by a majority of the panel shall be final and conclusive in all respects between the Parties.

IN WITNESS WHEREOF, the Parties hereto have executed this Agreement on the dates indicated below:

THE CITY OF SEATTLE

KING COUNTY

By: _____

By: _____

Title: _____

Title: _____

Date: _____

Date: _____

ATT 4 to Action 1 of Res 32097

Amendment A Version 3 to Resolution 32097 - LEG Industrial Transportation RES

Sponsor: Councilmember Strauss

Emphasize importance of designing for safer streets and consulting with SDOT's Advisory Committees

Effect: Resolution 32097 includes requests that the Seattle Department of Transportation (SDOT) consult with the Seattle Freight Advisory Board on issues related to industrial area transportation, and that they brief the Seattle Freight Advisory Board and the Seattle City Council when considering changes to Major Truck Streets that could result in reductions in the width or number of lanes along the truck street.

This amendment would ask SDOT to consult with all four of its modal advisory boards (the Seattle Freight Advisory Board, the Transit Advisory Board, Seattle Pedestrian Advisory Board, and Seattle Bicycle Advisory Board) on issues related to transportation in industrial areas. It would also clarify that when SDOT is developing plans for Major Truck Streets in industrial areas, or that connect Port facilities to highways, that those projects should be designed with safety as the top priority, and ensure safe, predictable and reliable travel for all modes, while not compromising freight mobility between the Port and highways. References to through traffic are removed.

Amend Section 1 of Resolution 32097, as follows:

Section 1. The Seattle Department of Transportation (SDOT), Department of Construction and Inspections (SDCI), Office of Planning and Community Development (OPCD), and Office of Economic Development (OED) are requested to work collaboratively with the City's regional transportation partners including Sound Transit, the Port of Seattle and the Northwest Seaport Alliance, Seattle Freight, Bicycle, Pedestrian, and Transit Advisory Boards, railroads, industrial trade unions, representatives of major Washington State agricultural commodities, property owners, and other stakeholders in the industrial areas of the City to:

* * *

B. When a transportation project may result in the reduction in the number or width of lanes along a Major Truck Street within industrial zones or connecting Port facilities to highways, the Council requests that SDOT offers a briefing to the Seattle Freight, Bicycle, Pedestrian, and Transit Advisory Boards and the Seattle City Council's Transportation and Seattle Public Utilities Committee, or successor committee with purview over transportation issues, with a goal of demonstrating that adjacent land uses ~~and through traffic~~ will not be compromised. Transportation projects should be designed with safety as the top priority, ensuring predictable, reliable travel for all modes, and support Vision Zero while freight mobility between the Port and highways should not be compromised. All projects must improve safety for all, in accordance with Vision Zero best practices.

* * *

ATT 5 to Action 2 of CB 120643

Amendment B to CB 120643 – Commercial Lease Requirements

Sponsor: Councilmember Nelson

Delaying the bill's implementation date, changing reporting dates, correcting a drafting error, and clarifying the intended substance of reports

Effect: This amendment would delay CB 120643's implementation date until January 1, 2025, allowing for additional stakeholder engagement about its anticipated impacts. It would change the dates by which (1) the initial written report on the bill's implementation is requested, so that Council may consider making legislative changes based on stakeholder recommendations, and (2) the bill's requirements will be reviewed. It also inserts an acronym that was inadvertently omitted and clarifies that the initial report should be more substantive than subsequent annual reports.

* * *

1. Amend Section 3 as follows:

Section 3. The Office of Economic Development (OED) and the Department of Finance and Administrative Services (FAS) are requested to convene a stakeholder process to evaluate the impacts and effectiveness of this legislation.

* * *

The Executive should provide an initial written report including the evaluation, feedback, and recommendations including any recommended legislative changes to the Public Assets and Homelessness Committee, or successor committee, and the Central Staff Director by ~~((December 31, 2023))~~ July 28, 2024. The Executive should provide evaluative reports annually thereafter.

* * *

2. Amend Section 4 as follows:

Section 4. These commercial lease requirements shall be reviewed in ~~((2026))~~ 2027.

* * *

3. Add a new Section 5 as follows and renumber subsequent sections:

Section 5. Section 1 of this ordinance shall take effect and be in force on January 1, 2025.