



Legislation Details (With Text)

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**Final Action:** 12/28/2023    **Ord. No.** Ord 126977

**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.

**Sponsors:** Teresa Mosqueda

**Indexes:**

**Attachments:** 1. Summary and Fiscal Note, 2. Presentation, 3. Amendment 1- Substitute, 4. Amendment 2, 5. Central Staff Memo, 6. Central Staff Memo Attachment A, 7. Central Staff Memo Attachment B, 8. FAS Presentation (added 12/6/23), 9. Central Staff Memo (CBs 120652, 120653, 120656; 12/12/23), 10. Amendment A, 11. Signed Ordinance 126977, 12. Affidavit of Publication

Date	Ver.	Action By	Action	Result
12/28/2023	3	City Clerk	attested by City Clerk	
12/28/2023	3	Mayor	returned	
12/28/2023	3	Mayor	Signed	
12/18/2023	3	City Clerk	submitted for Mayor's signature	
12/12/2023	2	City Council	passed as amended	Pass
9/20/2023	1	Finance and Housing Committee	pass as amended	Pass
9/14/2023	1	Finance and Housing Committee	discussed	
9/12/2023	1	City Council	referred	
7/6/2023	1	Council President's Office	sent for review	
6/28/2023	1	City Clerk	sent for review	
6/28/2023	1	Mayor	Mayor's leg transmitted to Council	

CITY OF SEATTLE

ORDINANCE \_\_\_\_\_

COUNCIL BILL \_\_\_\_\_

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.

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 amending an existing Seattle Municipal Code chapter to regulate the transportation network industry provides the best 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.

B. The obligation of complying with this Chapter 6.311 belongs to the licensee or applicant for a license. Neither a provision of, nor a term used in, this Chapter 6.311 is intended to impose any duty whatsoever upon the City or any of its officers or employees, for whom the implementation or enforcement of this Chapter 6.311 shall be discretionary and not mandatory.

C. This Chapter 6.311 is not intended to be and shall not be construed to create or form the basis for any liability on the part of the City or its officers, employees, or agents, for any injury or damage resulting from the failure of a licensee or applicant for license to comply with this Chapter 6.311, or by reason or in consequence of any act or omission in connection with the implementation or enforcement of this Chapter 6.311 on the part of the City by its officers, employees, or agents.

D. This Chapter 6.311 is intended to reduce regulatory complexity, promote equity and innovation, improve transportation and integration of the for-hire transportation industry, and ensure consumer protection and public safety. To fulfill these purposes, The City of Seattle:

1. Establishes reciprocal licensing privileges for King County medallion owners to operate within Seattle. This reciprocity authorizes medallion owners to operate in both Seattle and King County;

2. Establishes regional operating privileges for taxicab and for-hire vehicle drivers licensed by King County to operate within Seattle. This license allows the driver to operate in both Seattle and King County;

3. Consolidates the regulatory classifications of taxicabs and for-hire vehicles into a single taxicab standard. When a for-hire vehicle transitions to a taxicab, any reciprocal 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. 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 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 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 handicapped persons and their attendants under chapter 81.66 RCW;

6. Vehicles used by auto transportation companies licensed under chapter 81.68 RCW;

7. Vehicles used to provide courtesy transportation at no charge to and from parking lots, hotels, and rental offices;

8. Vehicles licensed under, and used to provide “charter party carrier” and “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 and transportation network company vehicles as defined in chapter 46.72B RCW.

"For-hire vehicle company" means a person that represents or owns for-hire vehicles licensed by the City that use the same color scheme, trade name, and dispatch services.

"Lessee" means a person who has a regional for-hire driver’s license that leases a taxicab or for-hire vehicle required to be licensed under this Chapter 6.311.

"Lessor" means a person who has leased a taxicab or for-hire vehicle to a lessee.

"License action" means an enforcement action taken by the Director against a licensee that is a suspension, summary suspension, denial, or revocation of the license.

"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 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 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, 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 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:

<b>1. Taxicab or for-hire vehicle medallion and related fees</b>	
a. Annual medallion fee	\$300
b. Annual medallion reciprocity endorsement fee	\$300
c. Annual wheelchair accessible vehicle medallion	\$300 Waived when determined eligible by the Director
d. Annual wheelchair accessible vehicle medallion endorsement fee	\$300 Waived when determined eligible by the Director
e. Late medallion renewal and medallion reciprocity renewal fee	\$30
f. Change of vehicle associated with a medallion	\$25
g. Change or transfer of medallion owner corporation, liability company, or partnership members fee	\$25
h. Replacement medallion plate or decal fee	\$25
i. Wheelchair accessible vehicle and installed equipment fee	\$0

j. Special inspection fee (for tests and/or inspect vehicles without a medallion)	\$100 per hour (½ hour minimum)
k. Vehicle inspection rescheduling fee (for vehicle medallion)	\$25
l. Taxicab or for-hire vehicle change of agency	\$25
<b>2. Regional for-hire driver fees</b>	
a. Annual regional for-hire driver’s license fee	\$25
b. Late regional for-hire driver’s license renewal	\$15
c. Driving history report fees i. Driving abstract ii. Third-party driving history report fee	Charged as determined by Director to cover costs 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 fee (regional for-hire driver’s license) ii. Fingerprint background check fee (enhanced regional for-hire)	Charged as determined by Director to cover costs 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
<b>3. Regional Dispatch Agency License or Transitional Regional Dispatch Agency Fees</b>	
a. Annual regional dispatch agency license fee i. 50 or fewer affiliated vehicles ii. 51 or more affiliated vehicles	\$250 \$500
b. Late regional dispatch agency license renewal i. 50 or fewer affiliated vehicles ii. 51 or more affiliated vehicles	\$25 \$50
c. Annual transitional regional dispatch agency license fee i. 50 or fewer affiliated vehicles ii. 51 or more affiliated vehicles	\$250 \$500
d. Late transitional regional dispatch agency license fee i. 50 or fewer affiliated vehicles ii. 51 or more affiliated vehicles	\$25 \$50
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 portion of the fee for each license type. 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 purchasing and retrofitting accessible vehicles in the upcoming year, total number of WAT rides, and may consider any other factors that may affect the supply, demand, and financial viability for WAT service within the City limits.

#### **6.311.070 Regional for-hire driver's license required**

A. It is unlawful for a person to operate a taxicab or for-hire vehicle without first having obtained a valid regional for-hire driver's license. A regional for-hire driver's license shall expire one year from the date of application. A regional for-hire driver's license is not transferable or assignable.

B. As of the effective date of this ordinance, any valid for-hire driver's license previously issued to a driver under Chapter 6.310, other than a for-hire driver's license that displays as a "for-hire permit," shall become a regional for-hire driver's license and all references to for-hire driver's licenses shall mean regional for-hire driver's licenses. As of the effective date of this ordinance, for-hire drivers with a valid for-hire driver's license issued by King County shall be deemed to also have a corresponding regional for-hire driver's license

from The City of Seattle, which shall be valid until the original expiration date.

C. Drivers with a for-hire driver's license that displays as a "for-hire permit" may continue to operate a taxicab or for-hire vehicle until the first license expiration date after the effective date of this ordinance, at which time, a regional for-hire driver's license or enhanced regional for-hire driver's license issued under this Chapter 6.311 shall be required to operate a taxicab or for-hire vehicle.

#### **6.311.080 Wheelchair accessible vehicle endorsement**

It is unlawful for a driver to operate a wheelchair accessible vehicle without a regional for-hire 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;

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 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 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 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 applicant's past conduct and general qualifications that shows the applicant's ability and skill as a regional for-hire driver and the applicant's honesty and integrity for the purposes of determining whether the 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, on the applicant's or licensee's behalf, general correspondence, citations, license actions, and notices of complaints from the Director; 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 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 be considered one inseparable enhanced regional for-hire driver's 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 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 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;

E. Allow the Director to inspect the vehicle without prior notice at any reasonable time or place;

F. At all times while operating a taxicab or for-hire vehicle, be signed into at least one dispatch system, smart taximeter system, or application dispatch system provided by the affiliated transitional regional dispatch agency or regional dispatch agency;

G. Provide service to passengers in wheelchairs before any other passengers when operating wheelchair accessible vehicles;

H. Activate the taximeter or smart taximeter at the beginning of each paid trip, whether the fare is computed by the taximeter, smart taximeter, application dispatch system, contract, or flat rate, and deactivate the taximeter or smart taximeter upon completion of the trip. The beginning of a trip is the point where the passenger is seated, and any materials are stowed, and the forward motion of the vehicle begins;

I. Ensure that the taximeter or smart taximeter display is visible to passengers at all times while operating a taxicab;

J. If the fare for a trip is an upfront fare or a flat rate fare, confirm the fare with the passenger before beginning the trip;

K. Operate the taxicab or for-hire vehicle with due regard for the safety, comfort, and convenience of passengers and always provide passengers with professional and courteous service. The driver shall not use threatening behavior or offensive language, expressions, or gestures to any person while operating;

L. If requested, be willing to assist a passenger entering or exiting the vehicle and placing luggage or packages that are under 50 pounds in and out of the vehicle. Upon request for this assistance, a driver must so assist a passenger or otherwise ensure the passenger's assistance request is fulfilled;

M. Use the most direct or most expedient available route on all trips unless the passenger specifically requests to change the route;

N. Record all trips, process all payments, and issue a receipt for all payments through a dispatch or payment system provided by the transitional regional dispatch agency or regional dispatch agency;

O. Be able to provide a reasonable and prudent amount of change, and, if correct change is not available, no additional charge may be made to the passenger in attempting to secure the change;

P. If dispatched by a transportation network company's application dispatch system and allowed by the transportation network company, accept payment of fares via cash payment for any trip dispatched through a transportation network company's application dispatch system;

Q. At the end of each trip, check the vehicle for any article or articles that are left behind by passenger or passengers and promptly secure the article or articles and report the found article or articles to the transitional regional dispatch agency or regional dispatch agency;

R. Comply with any license action, citation, or Director order, and pay any penalties issued under this Chapter 6.311 that are either not appealed or are upheld after review;

S. Immediately surrender the vehicle medallion plate or decal in a manner approved by 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 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.

### 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 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 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;
- 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;
- G. Operate a taxicab or for-hire vehicle for more than 14 hours in any 24-hour period. Thereafter, the regional for-hire driver shall not operate a taxicab or for-hire vehicle until eight consecutive hours have elapsed. Stand-by time does not count towards the 14-hour limit. For the purposes of this subsection 6.311.170.G, “stand-by time” includes any time the regional for-hire driver is available for hire but is not physically in the vehicle;
- H. Use the taxicab or for-hire vehicle, or allow the taxicab or for-hire vehicle to be used, in the commission of any crime;
- I. Refuse to transport in the taxicab or for-hire vehicle, cancel a dispatched call, or end a trip in progress because of:
  - 1. Any passenger's wheelchair or other mobility device that can be folded and safely placed in

either the passenger or trunk compartment of the vehicle;

2. A service animal as defined by Section 14.06.020; and

3. A passenger's groceries, packages, or luggage;

J. Refuse to transport any person except when:

1. The driver has already been dispatched on another call;

2. The passenger is acting in a disorderly, threatening, or suspicious, manner, or otherwise

causes the driver to reasonably believe that the driver's health or safety, or that of others, may be endangered;

3. The passenger cannot, upon request, show ability to pay the fare;

4. The passenger refuses to state a specific destination upon entering the taxicab or for-hire

vehicle; or

5. The trip covers more than one hundred miles or includes traveling over a mountain pass or on

a ferry;

K. Smoke or allow passengers to smoke in the vehicle;

L. Ask, demand, or collect any rate or fare other than as specified on the taximeter, smart taximeter, or application dispatch system;

M. Solicit passengers from anywhere other than the driver's seat or standing within direct view of the taxicab or for-hire vehicle, and never solicit when the taxicab or for-hire vehicle is in motion. The driver of a taxicab or for-hire vehicle shall not use any other person to solicit passengers;

N. Park a taxicab or for-hire vehicle in a marked passenger load zone, truck load zone, commercial load zone, or charter bus zone; except that a driver may drop off or pick up passengers in a passenger load zone; and

O. Misstate or omit a material fact on any document provided to the Director, or alter any document or record provided to or issued by the Director.

### **6.311.180 Regional for-hire driver operation - Prohibitions in a taxicab zone**

A. Designated taxicab zones are for taxicabs only. A regional for-hire driver shall not do any of the

following in a taxicab zone:

1. Leave the taxicab unattended in a taxicab zone for more than 15 minutes;
2. Occupy a taxicab zone unless operating a taxicab that is available for hire;
3. Perform engine maintenance or repairs on the taxicab while in a taxicab zone;
4. Refuse a request for service because of the driver's position in line at a taxicab zone; a

passenger may select any taxicab in the line; or

5. Use a taxicab zone while under suspension from that taxicab zone.

B. A violation of this Section 6.311.180 may result in a suspension from one or more 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. 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, 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 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, 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.

B. On April 1, 2026, all for-hire vehicle medallions shall become taxicab medallions. The medallion system for for-hire vehicles shall no longer be in effect after March 31, 2026.

C. The Director may issue additional taxicab medallions only as specified by this Section 6.311.200.

D. The Director may adjust by rule the maximum number of taxicab medallions and shall periodically determine the need for additional taxicab service. Factors to be considered to adjust the maximum number of taxicab medallions or to issue additional taxicab medallions include:

1. Coordination with King County to promote a regional licensing and regulatory framework for for-hire transportation services;
2. Growth in population, tourists, and other visitors to the area;
3. The quality of existing taxicab service as indicated by passenger satisfaction, including wheelchair accessible vehicle service, if applicable;
4. A comparison of actual average taxicab response times to optimum average taxicab response times established by the Director;
5. Availability and quality of for-hire transportation services in underserved communities, including areas of lower population density;
6. Available data of medallion sales on the private market;
7. Analysis of drivers' ability to earn a living wage, including the impact of adjusting the number of medallions on driver income; and
8. Other indications of market demand.

E.

1. If the Director determines that issuance of additional taxicab medallions is warranted, such medallions shall be issued as follows:

- a. A competitive request for proposals and award process under which medallions will be

issued to medallion applicants whose proposals demonstrate that they are most able to meet the needs of the public in providing taxicab service by meeting qualifications prepared by the Director that are not in conflict with the general provisions of this Chapter 6.311;

- b. A lottery of qualified medallion applicants; or
- c. A combination of both procedures as prescribed by the Director by rule.

2. Regardless of the method used, the Director shall consider a medallion applicant's driving record, driving experience, current or previous medallion ownership, and any additional qualifications required by the Director.

3. If issuing a wheelchair accessible taxicab medallion, the Director may additionally consider the medallion applicant's qualifying experience transporting individuals with disabilities who require any type of mobility device, including a manual or motorized wheelchair, and any additional qualifications required by the Director.

F. Any additional taxicab medallion shall only be issued to a medallion applicant who is an individual. No corporation, limited liability company, or partnership shall obtain any medallion held by an individual until the expiration of three years following the original date of issuance to that individual; however, additional taxicab medallions may be issued to and be held by the following business entities:

1. Corporations held by a single shareholder, except that the taxicab must be personally operated by the single shareholder for a period of three years from the date of issuance of the medallion and the ownership of the shares of the corporation cannot be changed within the three-year period. Any change of ownership of shares of the corporation shall result in revocation of the medallion; or

2. Limited liability companies comprised of a single member, except that the taxicab must be personally operated by the single member for a period of three years from the date of issuance of the medallion and no change of membership may take place within the three-year period. Any change of membership of the limited liability company shall result in revocation of the medallion.

G. For three years following the date of issuance of an additional taxicab medallion or an additional wheelchair accessible taxicab medallion in accordance with subsections 6.311.200.E and 6.311.200.J, the medallion owner must personally drive the taxicab for at least 30 hours per week for a minimum of 40 weeks per year. If the medallion owner fails to fulfill this minimum operating requirement in any one-year period within the three-year period following the date of issuance, the medallion shall be revoked and shall not be eligible for transfer by its original owner. The medallion shall be transferable upon the completion of the three-year operating requirement.

H. A medallion plate, medallion decal, or other indicia issued to a medallion owner shall remain the property of the Director.

I. A medallion owner may seek Director approval to permanently convert a medallion to a wheelchair accessible taxicab medallion. Such a conversion shall be subject to conditions prescribed by the Director by rule. Conversion of a taxicab medallion to a wheelchair accessible taxicab medallion is not considered the issuance of an additional medallion. A medallion 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**

Except for an owner subject to the minimum operating requirements in subsection 6.311.200.G, a taxicab or for-hire vehicle medallion may be transferred subject to the following restrictions and conditions:

- A. The medallion and medallion reciprocity endorsement are inseparable and must be transferred together;
- B. There are no pending enforcement actions or penalties, fees, or surcharges owed, that were issued under this Chapter 6.311, no unexpired vehicle lease agreements, and no unexpired medallion lease agreements;
- C. Transfers of medallions with liens filed with the Director will not be approved unless the medallion owner provides proof that the lien is paid or the lienholder provides written approval of the transfer. Only liens filed with the Director according to subsection 6.311.190.C will be considered in the transfer review;
- D. The medallion owner and proposed transferee shall submit a notice of transfer on a form or in a format prescribed by the Director;
- E. The proposed transferee shall meet all requirements in Section 6.311.260. A transfer shall not become effective, and the proposed transferee may not operate the taxicab or for-hire vehicle, until the proposed transferee receives the medallion plate or medallion decal; and
- F. Upon the final order of revocation, when all appellate proceedings, if any, have been concluded, a medallion owner shall immediately surrender the taxicab or for-hire vehicle medallion plate or decal to the Director. Effective September 1, 2024, except for revocation according to subsection 6.311.200.G, the medallion owner has 60 days from the final order of revocation to transfer the medallion; however, medallions

subject to a lien as evidenced by the 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. Notwithstanding the court order, and except as allowed under subsection 6.311.240.B, transfer shall not become effective, unless and until the transferee meets all requirements in Section 6.311.230.

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 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**

A. All for-hire vehicles must be operated as taxicabs using a smart taximeter system and must be affiliated with a regional dispatch agency that has a valid regional dispatch agency license by a date consistent with subsection 6.311.330.D.

B. It is unlawful to operate a taxicab or for-hire vehicle without first having obtained, for each and every vehicle so used, a taxicab medallion or for-hire vehicle medallion issued in accordance with this Section 6.311.260.

C. The taxicab or for-hire vehicle medallion application shall include the following:

1. Applicant type

a. If the applicant is an individual, the applicant's full name, business address, primary telephone number, primary email address, and date of birth, which must be at least 18 years before the date of application; or

b. If the applicant is a corporation, limited liability company, partnership, or other entity:

1) The applicant's name, business address, telephone number, email address, and state of incorporation or partnership registration; and

2) The full name, title, date of birth which must be at least 18 years before the date of application, business address, and phone number for each individual representative who is vested with authority to manage or direct the affairs of the legal entity or to bind the legal entity in dealings with third parties;

2. Vehicle information including: the make; model; year, which shall be no more than 15 model years before the application date unless otherwise adjusted by the Director by rule; engine type; vehicle identification number; Washington state license plate number; and vehicle number if previously assigned by the Director. The vehicle must be a passenger car as defined in RCW 46.04.382;

3. Certificate or other proof of affiliation with a transitional regional dispatch agency or regional dispatch agency;

4. Insurance policy as required by this Chapter 6.311;

5. A copy of the State of Washington vehicle registration or confirmation of vehicle registration on a form or in a format accepted by the Director. The applicant does not need to be the registered owner;

6. Certificate of safety based on a vehicle safety inspection conducted annually by an approved mechanic; and

7. Any other information the Director may reasonably require to make a licensing decision, take

enforcement action, or perform any other duties of the Director authorized by this Chapter 6.311.

D. The Director shall reject a medallion application if it has a material misstatement or omission.

E. The application and information required in this Section 6.311.260 must also be completed and supplied during each annual medallion renewal. The Director will not process a medallion application if any required information or documentation is missing or incomplete. Completed applications and copies of required documentation shall be provided to the Director by the medallion owner, or the transitional regional dispatch agency or regional dispatch agency on behalf of the medallion owner.

F. If any of the information in the application changes, including if it ceases to be true 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.

G. 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 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:

A. The vehicle must conform to the vehicle accessibility requirements of the regulations of the Americans with Disabilities Act of 1990, Title 49 C.F.R. Chapter 38, Subpart B, as amended;

B. Taxicabs and for-hire vehicles may not convert to wheelchair accessible vehicles without Director approval. The Director may approve applications for conversion consistent with criteria prescribed by rule;

C. A vehicle operating with a wheelchair accessible taxicab medallion must be a wheelchair accessible vehicle; and

D. Before being placed into service and annually thereafter, a separate inspection of the vehicle and any installed accessibility equipment must occur. In addition to checking for conformance with vehicle accessibility requirements in accordance with subsection 6.311.290.A, the vehicle driver or drivers may be required to pass a practical demonstration of proper wheelchair securement techniques during this inspection. If a driver of the vehicle is unable to demonstrate proper securement techniques during this inspection, the Director shall suspend the driver's regional for-hire driver's license wheelchair accessible vehicle endorsement and may require the driver to undergo additional training before returning to try the practical demonstration again. A wheelchair accessible vehicle shall not pass the inspection unless the driver is able to pass a practical demonstration of proper wheelchair securement techniques. Upon passing the practical demonstration of proper wheelchair securement techniques, the driver's regional for-hire driver's license wheelchair accessible vehicle endorsement will no longer be suspended and is effective.

E. If prescribed by the Director by rule, affiliated wheelchair accessible vehicles shall 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 passenger satisfaction; and

16. Meets any other requirement as established by the Director by rule.

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 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 application changes, including if it ceases to be true or is superseded in any way by new information;
4. Ensure any driver of an affiliated vehicle possesses a valid regional for-hire driver's license, enhanced regional for-hire driver's license, or regional for-hire driver's license wheelchair accessible vehicle endorsement, or any combination thereof, as applicable to either the ride type or the vehicle type, or both;
5. Require affiliated vehicles to meet all requirements of this Chapter 6.311, including, but not limited to, passing an annual vehicle safety inspection and being licensed, endorsed, and insured;
6. Notify the Director in writing within seven days upon adding or removing an affiliated vehicle;
7. Require affiliated vehicles to be fully equipped as required by this Chapter 6.311 whenever operating as a taxicab or for-hire vehicle;
8. Accept service of general correspondence, license actions, citations, and notices of complaints on behalf of an affiliated driver or vehicle owner and forward such to the respective affiliated driver or vehicle owner;
9. Prioritize dispatch services to passengers in wheelchairs or other mobility devices when dispatching affiliated wheelchair accessible vehicles;
10. Allow passengers to indicate whether they require a wheelchair-accessible vehicle and connect passengers to those services either directly or via a weblink, application, or phone number, if no wheelchair accessible vehicles are available on the agency's application dispatch system. The Director may suspend or alter this requirement by rule if a Director-approved dispatch system is established for wheelchair accessible trips;

11. Maintain a phone number, mailing address, and email address for 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 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.J, 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.

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, 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 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 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 must maintain a list of all established flat rates, including their defined origin and destination points, and make such list available for inspection upon request of the Director;

5. Contract rates shall be in writing, be retained by the regional dispatch agency, and be available for inspection upon request of the Director; and

6. Before a licensee may use a smart taximeter system that is integrated with an application dispatch system, the Director must first determine the application dispatch system rates are transparent under subsection 6.311.380.B.

B. The requirements for application dispatch system rates are as follows:

1. Before using an application dispatch system, or using a smart taximeter system as an application dispatch system, the transitional regional dispatch agency or regional dispatch agency shall provide to the Director either written documentation or a physical demonstration, or both, that the application dispatch system rate structure is transparent to the passenger prior to confirming the ride. Application dispatch system

rates do not need to be filed with the Director unless requested by the Director. The Director shall determine that the rate structure is transparent if:

a. One of the following methodologies is used:

1) The rate by either distance or time, or a combination of distance and time, and the total fare or fare range is clearly displayed on the application dispatch system to the passenger upon requesting a ride, but before confirming the ride; or

2) The fare for the ride is made clear to the passenger prior to 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 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. The requirements for for-hire vehicle rates are 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, 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, 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 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, 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 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.

D. The emerging for-hire transportation license shall be renewed annually for a maximum of two years, after which the license shall expire. The emerging for-hire transportation license shall be a personal privilege and not property. The emerging for-hire transportation license shall not be transferrable to another location, person, or business entity.

E. The Director may attach conditions to the emerging for-hire transportation license as are reasonably required to protect the public health, safety, labor harmony, and welfare from risks including, but not limited to: adverse impact on public health; public safety; increased demand on government services; increased

environmental impacts; or increased traffic or congestion in the public way. The Director may attach any such conditions when the emerging for-hire transportation license is issued, or the Director may attach, remove, or modify conditions at any time during the term of the license, upon reasonable notice to the licensee.

F. The Director may determine at any time during the term of the emerging for-hire transportation license that the licensed business activity as conducted presents an unreasonable risk to public health and safety that cannot be mitigated, and may revoke the license, with or without prior notice. If a license is revoked, the licensee shall be given the opportunity to appear before the Director for an informal hearing to introduce any evidence to appeal the revocation before the revocation is effective or no later than ten days after the revocation is effective. The Director shall render a decision affirming or reversing the revocation within three business days after conclusion of the hearing. The decision of the Director is final.

G. If the Director determines that an emerging for-hire transportation model that has been issued an emerging for-hire transportation license under a pilot program, should be regulated by ordinance, the Director shall convey the determination to the City Council prior to the expiration of the license. The license shall not be extended beyond two years unless an ordinance regulating the emerging for-hire transportation model is effective and the emerging for-hire transportation model has obtained the necessary licenses required under that ordinance.

#### **6.311.400 Passenger feedback**

The Director may establish, in conjunction with King County and the Port of Seattle, a shared process to receive and, when appropriate, resolve passenger feedback and may communicate the process to passengers.

#### **6.311.410 For-hire transportation services complaint process**

A. Upon receiving a written complaint involving the conduct of a licensee, where the conduct may be a violation of this Chapter 6.311, the Director shall review the complaint, and if appropriate:

1. Issue a notice of complaint to the licensee, and if applicable, the affiliated transitional regional dispatch agency or regional dispatch agency, advising them of the allegations or allegations made in the

complaint;

2. Require the licensee, and if applicable, the affiliated transitional regional dispatch agency or regional dispatch agency, to respond in writing or by contacting the issuing inspector to provide a response to the allegations or allegations in the notice of complaint within 15 calendar days from the date the notice of complaint was issued;

3. Investigate the allegations in the written complaint and the response submitted by the licensee and if applicable, the response submitted by the transitional regional dispatch 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 coordinator. A qualifying driver's signature may be provided by electronic signature or other electronic means. The Director shall determine by rule the standards and procedures for submitting and verifying statements of interest by qualifying drivers choosing an EDR.

a. The methods for submitting and verifying statements of interest by qualifying drivers choosing an EDR may include, but not be limited to, signature verification, unique personal identification number verification, statistical methods, or third party verification.

2. Within 30 days of receiving such statements of interest, the Director shall determine if they are sufficient to designate the QDR as the EDR for all drivers for that particular driver coordinator, and if so, shall so designate the QDR to be the EDR, except that, if more than one QDR establishes that a majority of qualifying drivers have expressed interest in being represented by that QDR, the Director shall designate the QDR that received the largest number of verified affirmative statements of interest to be the EDR.

3. Within 30 days of receiving submissions from all QDRs for a particular driver coordinator, the Director shall either certify one to be the EDR or announce that no QDR met the majority threshold for certification.

G. If no EDR is certified for a driver coordinator, the Director shall, upon the written request from a designated QDR or from an entity that seeks to be designated as a QDR, promulgate a new commencement date applicable to that driver coordinator that is no later than 90 days after the request, provided that no driver coordinator shall be subject to the requirements of this Section 6.311.415 more than once in any 12-month period. The QDR, any other entity that seeks to be designated as a QDR, and the driver coordinator shall then repeat the processes in subsections 6.311.415.C, 6.311.415.D, and 6.311.415.F.

H.

1. Upon certification of the EDR by the Director, the driver coordinator and the EDR shall meet

and negotiate in good faith certain subjects to be specified in rules or regulations promulgated by the Director, including, but not limited to, best practices regarding vehicle equipment standards; safe driving practices; the manner in which the driver coordinator will conduct criminal background checks of all prospective drivers; minimum hours of work, conditions of work, and applicable rules. The subjects to be specified in rules or regulations promulgated by the Director shall not include the nature or amount of payments to be made by, or withheld from, a driver coordinator to or by its drivers. If the driver coordinator and the EDR reach agreement on terms, their agreement shall be reduced to a written agreement. The term of such an agreement shall be agreed upon by the EDR and the driver coordinator, but in no case shall the term of such an agreement exceed four years.

2. After reaching agreement, the parties shall transmit the written agreement to the Director. The Director shall review the agreement for compliance with the provisions of Chapter 6.311, and to ensure that the substance of the agreement promotes the provision of safe, reliable, and economical for-hire transportation services and otherwise advance the public policy goals set forth in this Chapter 6.311 and in the Preamble to and Section 1 of Ordinance 124968. In conducting that review, the record shall not be limited to the submissions of the EDR and driver coordinator nor to the terms of the proposed agreement. The Director shall have the right to gather and consider any necessary additional evidence, including by conducting public hearings and requesting additional information from the EDR and driver coordinator. Following this review, the Director shall notify the parties of the determination in writing, and shall include in the notification a written explanation of all conclusions. Absent good cause, the Director shall issue the determination of compliance within 60 days of the receipt of an agreement.

a. If the Director finds the agreement compliant, the agreement is final and binding on all parties.

b. If the Director finds it fails to comply, the Director shall remand it to the parties with a written explanation of the failure(s) and, at the Director's discretion, recommendations to remedy the failure(s).

c. The agreement shall not go into effect until the Director affirmatively determines its adherence to the provisions of Chapter 6.311 and that the agreement 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.

3. Unless the EDR has been decertified pursuant to subsection 6.311.415.L or has lost its designation as a QDR, the EDR and the driver coordinator shall, at least 90 days before the expiration of an existing agreement approved pursuant to subsections 6.311.415.H.2.c or 6.311.415.I.4.c, meet to negotiate a successor agreement. Any such agreement shall be subject to approval by the Director pursuant to subsection 6.311.415.H.2. If the parties are unable to reach agreement on a successor agreement within 90 days after the expiration of an existing agreement, either party must submit to interest arbitration upon the request of the other pursuant to subsection 6.311.415.I, and the interest arbitrator's proposed successor agreement shall be subject to review by the Director pursuant to subsections 6.311.415.I.3 and 6.311.415.I.4.

4. Nothing in this Section 6.311.415 shall require or preclude a driver coordinator from making an agreement with an EDR to require membership of for-hire drivers in the EDR's entity/organization within 14 days of being hired, contracted with, or partnered with by the driver 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 opportunity to be heard, and make a determination as to whether any of the challenges asserted should be sustained.

a. If the Director finds the agreement fulfills the requirements of subsection 6.311.415.H.2, and that no challenges raised under this subsection 6.311.415.I.4 should be sustained, the Director will provide written notice of that finding to the parties and the agreement will be deemed final and binding on all parties.

b. If the Director finds that the agreement fails to fulfill the requirements of subsection 6.311.415.H.2, or that any challenge asserted under this subsection 6.311.415.I.4 should be sustained, the Director shall remand the agreement to the interest arbitrator with a written explanation of the failure(s) and, at the Director's discretion, recommendations to remedy the failure(s).

c. The agreement shall not go into effect until the Director affirmatively deems the agreement final and binding pursuant to subsections 6.311.415.I.3 and 6.311.415.I.4.a.

d. A driver coordinator or EDR may obtain judicial review of the Director's final determination rendered pursuant to this subsection 6.311.415.I.4 by applying for a Writ of Review in the King County Superior Court within 14 days from the date of the Director's determination, in accordance with the procedure set forth in chapter 7.16 RCW, other applicable law, and court rules. The Director's final determination shall not be stayed pending judicial review unless a stay is ordered by the court. If review is not

sought in compliance with this subsection 6.311.415.I.4.d, the determination of the Director shall be final and conclusive.

5. If either party refuses to enter interest arbitration, upon the request of the other, 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 to rules and regulations developed under Chapter 3.02. The Director is authorized to promulgate, revise, or rescind rules and regulations deemed necessary, appropriate, or convenient to administer the provisions of this Section 6.311.415, providing affected entities with due process of law and in conformity with the intent and purpose of this Section 6.311.415.

b. The Director shall investigate alleged violations of subsections 6.311.415.D and 6.311.415.H.1, and if the Director determines that a violation has occurred, the Director shall issue a written notice of the violation. The Director may investigate alleged violations of other subsections of this Section

6.311.415, and if the Director determines that a violation has occurred, the Director shall issue a written notice of the violation. The notice shall:

1) Require the person or entity in violation to comply with the requirement;

2) Include notice that the person or entity in violation is entitled to a hearing before the Hearing Examiner to respond to the notice and introduce any evidence to refute or mitigate the violation, in accordance with Chapter 3.02; and

3) Inform the person or entity in violation that a daily penalty of up to \$10,000 for every day the violator fails to cure the violation will accrue if the violation is uncontested or found committed.

c. The person or entity named on the notice of violation must file with the Hearing Examiner's Office the request for a hearing within ten calendar days after the date of the notice of violation. The Hearing Examiner may affirm, modify, or reverse the Director's notice of 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. 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.

C. 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 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.

D. 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.

E. It is a misdemeanor for any person to violate the operating standards established 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.

F. The Director may seek legal or equitable relief to enjoin any acts or practices when necessary to achieve compliance.

G. 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. 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.F;

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.

a. Whenever any license, endorsement, or medallion is revoked or summarily suspended the revocation or summary suspension is effective upon issuance of the notice. Such notice may be appealed in accordance with the procedures of Section 6.311.450. If a timely appeal is not filed by the licensee, the notice of revocation or summary suspension shall be final.

b. A final order of revocation shall extend for 12 months, except for a final medallion revocation. Upon the final order of revocation of a medallion, where all appellate proceedings, if any, have been concluded, a medallion owner shall immediately surrender the taxicab or for-hire vehicle medallion plate or decal to the Director and has 60 days to transfer the medallion as prescribed by Section 6.311.230.

c. A final order of summary suspension shall extend until the license, endorsement, or medallion expires or until evidence satisfactory to the Director is produced showing that the violation is cured, whichever occurs first;

2. If the licensee does not file a timely appeal in accordance with Section 6.311.450, the notice of suspension shall be final. Suspensions are effective upon the date included in the notice of suspension or if timely appealed under Section 6.311.450, when an order on appeal affirming such notice becomes final.

Suspensions shall extend until the license or endorsement expires or until evidence satisfactory to the Director is produced showing that the violation is cured, whichever occurs first; and

3. Except in the case of revocation or summary suspension, whenever a timely appeal is filed in accordance with Section 6.311.450, a licensee may continue to operate pending a final decision on appeal. 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 for the attendance of witnesses and the production of documents. The Director shall have the burden of proving by a preponderance of the evidence both that the violation occurred and the appropriateness of the remedy the Director has imposed.

H. A citation or license action shall not be deemed insufficient for failure to contain a detailed statement of the facts constituting the specific violation that the person is alleged to have committed or by reason of defects or imperfections, but only if the lack of detail, or the defects or imperfections, do not prejudice substantial rights of the person. A citation or license action may be amended before the conclusion of the hearing to conform to the evidence presented if substantial rights of the affected person are not thereby prejudiced.

I. The certified statement or declaration authorized by chapter 5.50 RCW shall be prima facie evidence

that a violation occurred and that the person listed on the citation or license action is responsible. The certified statement or declaration authorized under penalty of perjury and any other evidence accompanying the report shall be admissible without further evidentiary foundation. In cases where the person seeks to mitigate the citation, the person may explain the circumstances surrounding the commission of the violation.

J. In cases where the person disputes the citation or license action, the person may rebut the Director's evidence and establish that the violation or violations preceding the citation or license action did not occur or that the person appealing the citation or license action is not responsible for the violation.

K. In a mitigation hearing, the Hearing Examiner shall determine whether the person's explanation justifies reduction of the monetary penalty. However, the monetary penalty may not be reduced unless the Director affirms or certifies that the violation has been corrected prior to 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.

L. 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.K. 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.

M. 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.

N. 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.

O. The decision of the Hearing Examiner shall be final and conclusive unless judicial review is timely filed with the appropriate court.

P. The Hearing Examiner may affirm, modify, or reverse the decisions of the Director.

Q. The Director may contract with a third party to serve as the Hearing Examiner for purposes of this Chapter 6.311, if done in conjunction with King County.

#### **6.311.460 Director's reports**

The Director shall issue a joint annual report with King County on the state of for-hire transportation in the region on or before April 30 of each year, and the Director shall make the annual report, for the previous calendar year, publicly available on the Director's website. The report may include but is not limited to the following:

A. The number of licensed vehicles providing for-hire transportation services in Seattle and King County during the reporting period and during the preceding year;

B. The number of licensed regional for-hire drivers in Seattle and King County during the reporting period and during the preceding year;

C. The numbers and nature of complaints;

D. The results of any survey of taxicab response times and any changes in response times from the previous year;

E. What, if any, organizations have been authorized to operate as an emerging for-hire transportation model; and

F. Any other information or recommendations deemed appropriate by the Director.

### **6.311.470 Rulemaking authority**

A. The Director is authorized to implement, enforce, and administer this Chapter 6.311. The Director is authorized to adopt, revise, or rescind rules, and regulations deemed necessary, appropriate, convenient, or efficient to implement, enforce, and administer the provisions of this 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, a 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; ((☞)) Chapter 6.310((, Taxicabs 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 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)