



Legislation Text

File #: CB 120652, Version: 1

CITY OF SEATTLE

ORDINANCE _____

COUNCIL BILL _____

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

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

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

WHEREAS, the City desires to comprehensively regulate transportation network companies and their affiliated drivers and vehicles within the constraints set by state code and to align with state code where appropriate; 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, modifying an existing Seattle Municipal Code chapter to regulate transportation network companies and establishing a new Seattle Municipal Code chapter to regulate taxicabs and for-hire vehicle best

articulates the City's objectives for these industries; NOW, THEREFORE,

BE IT ORDAINED BY THE CITY OF SEATTLE AS FOLLOWS:

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

**CHAPTER 6.310 ((TAXICABS AND FOR-HIRE VEHICLES)) FOR-HIRE TRANSPORTATION -
TRANSPORTATION NETWORK COMPANY VEHICLES AND DRIVERS**

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

6.310.101 Scope

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

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

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

6.310.110 Definitions

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

* * *

((~~"Committed a violation" means that a licensee has been issued a Notice of Violation and either has not~~

~~contested the violation or did contest the violation but lost.~~

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

~~* * *~~

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

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

~~* * *~~

~~"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.~~

~~* * *~~

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

~~((6.310.120 Scope~~

~~This chapter applies to all taxicab associations, all transportation network companies, all taxicabs, all for hire vehicles, all TNC-endorsed vehicles, and all for-hire drivers operating in The City of Seattle. This chapter is not intended to be a part of the New License Code, Chapter 6.202 et seq.))~~

Section 5. Section 6.310.130 of the Seattle Municipal Code, last amended by Ordinance 124524, is amended as follows:

6.310.130 Licenses required

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

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

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

1. The driver has a valid for-hire driver's license issued under this chapter;
2. The vehicle is either:
 - a. A personal vehicle with a TNC vehicle endorsement, or
 - b. A for-hire vehicle or taxicab licensed under this chapter; and
3. The driver is affiliated with a TNC licensed under this chapter.

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

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

* * *

Section 6. Sections 6.310.135 and 6.310.137 of the Seattle Municipal Code, enacted by Ordinance 124524, are repealed:

~~((6.310.135 Transition to medallion system~~

~~A. Effective February 1, 2015, City taxicab and for hire vehicle licenses shall transition to a medallion system and all references to taxicab licenses and for hire vehicle licenses in this Chapter shall refer to taxicab medallions and for hire vehicle medallions, respectively. The medallion system deems a taxicab or for hire vehicle license to be intangible property. The owner of a taxicab or for hire vehicle medallion can 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.~~

~~B. Effective February 1, 2015, existing taxicab or for hire vehicle license holders shall receive one medallion for each taxicab or for hire vehicle license upon payment of a one-time administrative fee of \$100.00. Failure to pay this administrative fee shall result in the denial of the renewal of a taxicab or for hire vehicle license.~~

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

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

~~E. Medallion holders 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.~~

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

~~G. Any taxicab or for hire vehicle medallion may only be voluntarily transferred, sold or assigned in~~

~~accordance with this section 6.310.135. For purposes of the sale of a taxicab or for hire vehicle medallion, the following requirements must be satisfied: (i) all outstanding fines and penalties against the medallion holder and for hire driver's license, if applicable, must be paid or satisfied and all pending administrative matters must be resolved; and (ii) when seller owns two or more taxicab or for hire taxicab licenses, all outstanding items/proceedings as stated in (i) above shall be paid, satisfied or resolved.~~

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

~~6.310.137 Involuntary transfer of taxicab or for hire vehicle medallions~~

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

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

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

~~C. In order to perfect a lien or security interest in a taxicab or for hire vehicle medallion, the party which holds the pledge, lien or security interest, within thirty days of the date of creation of 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. The collateral shall be described as "City of Seattle taxicab medallion" or "City of Seattle for-hire vehicle medallion" and include the medallion certificate number.~~

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

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

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

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

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

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

~~the Director may grant additional time to apply for approval for good cause shown.))~~

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

6.310.150 Fees

The following nonrefundable fees shall apply:

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

1. Taxicab Association	
a. Annual fee	\$1,000
b. Late renewal fee	\$100
2. Taxicab or for hire vehicle fees	
a. Annual license fee	\$500
b. Wheelchair accessible taxicab annual license	Waived
c. Late fee (license renewal)	\$60
d. Change of vehicle licensee:	
i. July-December	\$500
ii. January-June (half year)	\$250
iii. May 16-June 30*	
e. Replace taxicab plate	\$25
f. Special inspection fee**	\$100/hour (½ hour minimum)
g. Inspection rescheduling fee (non-City license)	\$25
h. Taxicab change of association affiliation	\$100
i. Change of licensee corporation, limited liability members	\$100
j. Taximeter test (when not part of annual inspection)	\$50
* No change of taxicab licensee or for hire vehicle licensee fee is due if the transfer occurs before for hire vehicle licensee and the annual license renewal are accomplished together and only once.	
** For testing of taxicab meter or taxicab inspections provided to other municipalities.	
3. For hire driver license fees:	
a. Annual fee Late fee	\$50 \$15
b. Replacement license	\$5
c. Other training and licensing fees (fingerprinting, ID photo, background check):	Charge as determined by the City

* * *

Section 8. Sections 6.310.200 through 6.310.255 of the Seattle Municipal Code, last amended or enacted by Ordinances 124524, 121357, and 118341, are repealed:

~~((6.310.200 Taxicab association license application~~

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

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

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

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

~~b. If the applicant taxicab association is a corporation, partnership or other business entity, the names, home and business addresses, telephone numbers, and date of birth of all officers, directors, general and managing partners, registered agents, and of all other persons vested with authority to manage or direct the affairs of the legal entity or to bind the legal entity in dealings with third parties, and the entity's true legal name, state of incorporation or registration with the Secretary of State of the State of Washington (if any) and State of Washington business license number, and any other information that the Director may reasonably require;~~

~~3. The color scheme the applicant taxicab association proposes to require for each affiliated~~

~~taxicab, and two (2) two-inch (2") by two-inch (2") sample color chips;~~

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

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

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

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

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

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

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

~~6.310.210 Taxicab association Standards for license denial.~~

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

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

~~1. The applicant does not represent at least fifteen (15) affiliated taxicabs;~~

~~2. The application has a material misstatement or omission;~~

~~3. The application is incomplete; and/or~~

~~4. Within three (3) years of the date of application, the applicant, or any owner, officer, director, managing partner, general partner or principal of the applicant, has had a bail forfeiture, conviction or other final adverse finding for crimes of fraud, theft, larceny, extortion, embezzlement, racketeering, Uniform Controlled Substances Act, prostitution, alcohol and/or narcotics where the commission of such crime(s)~~

~~involved a taxicab association, taxicab or for-hire vehicle company, taxicab, for-hire vehicle or limousine.~~

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

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

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

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

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

~~6.310.225 Taxicab association Wearing costume.~~

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

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

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

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

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

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

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

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

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

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

~~6.310.230 Taxicab association operating responsibilities~~

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

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

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

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

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

~~4. Stores all records that this chapter requires the taxicab association to maintain including, but not limited to, copies of taxicab licenses and for-hire drivers licenses, lists of all affiliated taxicabs and affiliated drivers, taxicab vehicle repair and service records, passenger comment cards, new driver training records, vehicle insurance policies, vehicle registrations, taxicab sign-out log or equivalent, and~~

~~radio/computer/application dispatch records (Class A—each requirement);~~

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

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

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

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

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

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

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

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

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

~~1. A conviction, bail forfeiture or other adverse finding received by the driver or the taxicab licensee of an affiliated taxicab for any criminal offense or traffic violation that occurs during or arises out of~~

~~the driver's operation of the taxicab (Class A for traffic violation, Class B for any criminal offense);~~

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

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

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

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

~~I. Notify the Director within five working days of any change in the affiliation status of any taxicab, including any new taxicab joining the association, any taxicab leaving the association, and any suspension, termination, nonrenewal or revocation of a taxicab by the taxicab association or by any jurisdiction other than The City of Seattle (Class A);~~

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

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

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

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

~~N. 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: (1) complaints received from passengers and adjacent property owners, or (2) improper use of nearby passenger load zones, truck load zones, and charter bus zones. If the taxicab association fails to provide a supervisor as required by the Director, the Director may suspend all affiliated taxicabs from using the taxicab zone (first offense—Class B violation and fourteen-day suspension from taxicab zone; second and subsequent offenses—Class B violation and sixty-day suspension from taxicab zone); and~~

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

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

~~6.310.240 Taxicab association-Transfers in the interest of a taxicab association.~~

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

~~6.310.250 Taxicab association-License renewals.~~

~~A taxicab association license is valid for no more than one (1) year and expires on December 31st. No taxicab association license may be renewed unless the renewal fee has been paid and all outstanding penalties assessed~~

~~against the taxicab association, its affiliated taxicabs and the for-hire drivers of affiliated taxicabs have been paid to the Director. The Director shall not renew the taxicab association license unless the Director determines that the taxicab association's continued operation is in the public interest. All denials of renewal applications must be set forth in writing, together with the reasons for denial. The written denial shall be delivered either personally or by first class mail to the address provided by the applicant on the license renewal application.~~

~~6.310.255 For-hire vehicle company operating responsibilities~~

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

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

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

Section 9. Section 6.310.260 of the Seattle Municipal Code, last amended by Ordinance 125082, is amended as follows:

6.310.260 Transportation network company license eligibility and application

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

1. To be eligible for a license, the transportation network company is limited to providing application dispatch services to transportation network company drivers meeting the requirements set forth in Section 6.310.452; further, no TNC licensed by the City of Seattle shall own or be owned or controlled, in whole or in part, by any other TNC licensed by the City of Seattle, or be owned or controlled in whole or in part by any party or entity owning or controlling, in whole or in part, another TNC licensed by the City of Seattle;

provided that no ownership restrictions shall apply to any publicly-traded company.

2. The license application shall include the following information:

a. The applicant transportation network company's name, business street address and post office box address (if any), business facsimile number, business phone number and business email address where the transportation network company representative can generally be reached between 9 a.m. and 5 p.m. on all nonholiday weekdays;

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

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

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

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

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

e. The name, address, phone number, and date of birth of the transportation network

company representative;

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

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

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

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

iv. Not include aggregate limits, or named driver requirements or exclusions.

Other limitations or restrictions beyond standard insurance services office (ISO) business auto policy form are subject to approval by the Director.

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

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

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

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

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

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

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

Section 10. Section 6.310.270 of the Seattle Municipal Code, enacted by Ordinance 124524, is amended as follows:

6.310.270 Transportation network company (TNC) operating responsibilities

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

* * *

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

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

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

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

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

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

* * *

Section 11. Sections 6.310.300 through 6.310.320 of the Seattle Municipal Code, last amended or enacted by Ordinances 125082, 124524, 122763, and 118341, are repealed:

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

~~A. A taxicab association representative, on behalf of a taxicab license applicant affiliated with the taxicab association, is responsible for filing with the City a taxicab license application, on forms approved by the Director, for each taxicab that is, or is proposed to be, affiliated with the association. The applicant must be the registered owner of the vehicle to be used as a taxicab or for hire vehicle. The taxicab license applicant must sign and swear to the application, which shall include the information specified in subsection C of this section.~~

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

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

~~1. Applicant type:~~

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

~~b. If the applicant is a corporation, limited liability company, partnership or other legal entity, the names, home addresses, telephone numbers and dates of birth (which must be at least 18 years before~~

~~the date of application) for the corporation's or entity's officers, directors, general and managing partners, registered agents, and each person vested with authority to manage or direct the affairs of the legal entity or to bind the legal entity in dealings with third parties; the corporation's, limited liability company's, partnership's, or entity's true legal name, state of incorporation or partnership registration (if any), business address and telephone and facsimile numbers and State of Washington business license number, and any other information that the Director may reasonably require.~~

~~2. Vehicle information, including the name of the taxicab association with which a taxicab is or will be affiliated, the taxicab or for hire vehicle number assigned by any regulatory agency, the make, model, year, vehicle identification number, Washington State vehicle license plate number, and any other vehicle information required by rule or regulation promulgated under this Chapter 6.310.~~

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

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

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

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

~~available to the industry;~~

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

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

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

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

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

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

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

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

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

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

~~6.310.310 Taxicab and for hire vehicle Standards for license denial.~~

~~A. The Director shall deny any taxicab or for hire vehicle owner license application if the Director~~

determines that:

1. The applicant has failed to submit a complete, satisfactory application pursuant to SMC Section 6.310.300;
2. The applicant taxicab owner has failed to affiliate with a licensed taxicab association;
3. The applicant has made any material misstatement or omission in the application for a license;
4. The applicant fails to meet one or more of the applicant or vehicle requirements of a taxicab or for hire vehicle owner licensee pursuant to SMC Section 6.310.320; and/or
5. Within three (3) years of the date of application, the applicant, or if the applicant is a business entity any officer, director, general partner, managing partner or principal of the applicant, has had a conviction, bail forfeiture or other final adverse finding of criminal fraud, larceny, theft, prostitution, extortion, racketeering, robbery, or violation of the Uniform Controlled Substances Act within three (3) years of the date of application where such crime involved the use of a taxicab, for hire vehicle or limousine.

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

1. Within five (5) years of the date of application, the applicant or, if the applicant is a business entity, any officer, director, general partner, managing partner or principal of the applicant, has had a conviction, bail forfeiture, or other final adverse finding involving crimes reasonably related to the applicant's ability to operate a taxicab or for hire business, including but not limited to prostitution, gambling, fraud, larceny, extortion, income tax evasion;
2. Within two (2) years of the date of application, the applicant, or if the applicant is a business entity any officer, director, general partner, managing partner or principal of the applicant, has been found, either through a criminal conviction, bail forfeiture or other final adverse finding (including in a civil suit or administrative proceeding) to have exhibited past conduct in driving or operating a taxicab or for hire vehicle or operating a taxicab or for hire business which would lead the Director to reasonably conclude that the

~~applicant will not comply with the provisions of the chapter related to vehicle requirements and the safe operation of the vehicle;~~

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

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

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

~~6.310.315 Taxicab and for hire vehicle Vehicle lease requirements.~~

~~A. All lease agreements for taxicabs 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. The lease amount charged to a driver shall not exceed the maximum amount established by rule adopted by the Director. In determining the maximum lease amount, the Director shall consider vehicle purchase prices, the cost of insurance premiums, fuel costs, and variations in the Consumer Price Index evaluated over a twenty-four (24) month time period preceding the determination of the lease amount, and may consider any other factors that may affect the market for taxicab leases or that may affect the provision of taxicab services. Data collected to support the creation of this rule shall be provided in a written report to Council prior to the effective date of the rule. The report shall include a description of the public outreach process used in rule-making.~~

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

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

~~D. All violations of the requirements under subsections A through C of this section shall be Class C violations charged against the lessor. Upon satisfaction of the notice and hearing requirements under SMC Section 6.310.635, any lessor who is found to have committed a violation shall be subject to a 14-day taxicab license suspension for the first offense, a 60-day taxicab license suspension for the second offense, and thereafter, shall be subject to revocation of the taxicab license if found to have committed a third offense. The penalties imposed by this section shall apply regardless of the time period in which cumulative violations occur.~~

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

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

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

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

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

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

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

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

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

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

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

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

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

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

~~K. The taxicab is equipped with a properly sealed, working, and accurate receipt issuing taximeter or~~

~~receipt-issuing mobile data terminal or receipt-issuing application dispatch system, as prescribed by the Director (suspension and Class B).~~

~~L. The taxicab or for hire vehicle is equipped with a passenger information decal, the size, material, and placement of which is prescribed by the Director by rule. Such decal shall include the taxicab or for hire vehicle name and number and the taxi complaint hotline telephone number. A passenger information notice in Braille and raised lettering must be installed as prescribed by the Director by rule. Passenger survey and complaint cards must be available to passengers in the rear passenger seating area (Class A—each);~~

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

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

~~O.~~

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

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

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

~~P. The for hire vehicle must have a vehicle number approved with the Director (summary suspension~~

~~and Class B);~~

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

~~R. Signs, including notices, announcements, pictures, advertisements or other messages, are allowed in or on taxicabs only as prescribed by this Chapter and by rule promulgated by the Director concerning the manner in which such 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 such signs (Class A);~~

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

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

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

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

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

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

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

No vehicle affiliated with a TNC shall operate within The City of Seattle to transport passengers for

compensation unless the following minimum vehicle requirements are met:

* * *

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

Section 13. Section 6.310.327 of the Seattle Municipal Code, enacted by Ordinance 124524, is amended as follows:

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

* * *

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

1. Name, aliases, residence and business address, residence and business telephone numbers;
2. Place and date of birth which shall be at least ~~((21))~~ 20 years prior to the date of application, height, weight, color of ~~((hair and))~~ eyes;
3. ~~((Washington))~~ State issued driver's license number. Providing the social security number is optional. The applicant must present his/her ~~((Washington State))~~ state issued driver's license at time of application;
- ~~((4. Proof that the applicant is authorized to work in the United States;))~~ Reserved.
5. Evidence of vehicle insurance as required by Section 6.310.260; (denial of endorsement)
6. Evidence of for-hire driver's license; (denial of endorsement)
7. Proof that applicant's vehicle has passed the uniform vehicle safety inspection as required by subsection 6.310.270.R (denial of endorsement); and
8. Proof that applicant's vehicle model year is no more than ~~((ten))~~ 15 years prior to the license date. (denial of endorsement)

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

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

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

* * *

Section 14. Sections 6.310.330 through 6.310.380 of the Seattle Municipal Code, last amended or enacted by Ordinances 124524, 122763, 119872, and 118341, are repealed:

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

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

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

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

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

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

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

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

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

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

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

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

~~H. The taxicab or for-hire vehicle licensee shall comply with any applicable regulations promulgated~~

~~under this chapter (Class B for safety requirements, otherwise Class A).~~

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

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

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

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

- ~~1. Corporations held by a single shareholder provided that the taxicab must be personally~~

~~operated by the single shareholder for a period of three years from the date of issuance of the license 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 license.~~

~~2. Limited liability companies comprised of a single member provided that the taxicab must be personally operated by the single member for a period of three years from the date of issuance of the license 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 license.~~

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

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

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

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

~~6.310.340 Taxicab and for-hire vehicle license transfer~~

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

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

~~B. Wheelchair accessible taxicab licenses issued for 2006-2008 demonstration projects are nontransferable.~~

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

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

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

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

~~6.310.350 Taxicab and for-hire vehicle License expiration and renewal.~~

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

~~pursuant to SMC Section 6.310.340 to a person that executes a written agreement with the lender to assume responsibility for repayment of the loan and who complies with all requirements for a transfer under this Chapter.~~

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

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

Section 15. Section 6.310.400 of the Seattle Municipal Code, last amended by Ordinance 124524, is amended as follows:

6.310.400 For-hire driver's license application

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

licensing agency, whereupon the licensee applicant must show proof of photo identification. When issued to an applicant affiliated with a TNC, the for-hire license shall read "for-hire permit" on the associated license, but shall remain subject to all for-hire driver licensee duties and obligations in this Chapter. The application shall include the following information:

1. Name, aliases, residence and business address, residence and business telephone numbers;
2. Place and date of birth (which shall be at least ~~((24))~~ 20 years prior to the date of application, height, weight, and color of ~~((hair and))~~ eyes;
3. ~~((Washington))~~ State issued driver's license number. Providing the social security number is optional. The applicant must present his/her ~~((Washington State))~~ state issued driver's license or a copy thereof of at time of application;
- ~~((4. Proof that the applicant is authorized to work in the United States;))~~ Reserved.
5. Consent to a criminal background check through Washington State Patrol and Federal Bureau of Investigation criminal databases conducted by the Director, or have a copy of a criminal background check provided directly from a Director-approved third party vendor;
6. Information indicating whether or not the applicant has ever had a for-hire or driver's license suspended, revoked, or denied and for what cause;
7. A copy of the applicant's driving abstract from the Washington State Department of Licensing or a signed statement authorizing the Director to obtain a current copy of the applicant's driving abstract from the Washington State Department of Licensing;
8. Statement of applicant listing all reportable accidents and all moving violations the applicant was involved in during the previous three years;
9. Completion of a driver education course and associated tests. The driver training program shall include:
 - a. Completion of the National Safety Council's Defensive Driving Course; and

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

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

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

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

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

6.310.425 - For-hire driver temporary permit

* * *

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

Section 17. Section 6.310.452 of the Seattle Municipal Code, enacted by Ordinance 124524, is amended as follows:

6.310.452 TNC driver operating, conduct, and passenger relations standards

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

* * *

B. TNC drivers shall not be in control of a for-hire vehicle for more than ((12 hours spread over a total

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

* * *

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

* * *

Section 18. Section 6.310.455 of the Seattle Municipal Code, last amended by Ordinance 124525, is amended as follows:

6.310.455 For-hire driver conduct standards

* * *

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

* * *

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

* * *

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

* * *

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

* * *

Section 19. Section 6.310.460 of the Seattle Municipal Code, last amended by Ordinance 124524, is repealed:

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

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

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

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

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

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

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

Section 20. Section 6.310.470 of the Seattle Municipal Code, last amended by Ordinance 124524, is

amended as follows:

6.310.470 For-hire driver soliciting and cruising standards

A. ~~((Taxicabs~~

- ~~1. A for-hire driver may solicit passengers only from the driver's seat or standing immediately adjacent to the taxicab (within 12 feet), and only when the vehicle is safely and legally parked (Class A).~~
 - ~~2. A for-hire driver shall not use any other person to solicit passengers (Class A).~~
 - ~~3. A for-hire driver shall not hold out the taxicab for designated destinations (Class A).~~
 - ~~4. A for-hire driver shall not park a taxicab and wait for walk-up passengers in a marked passenger load zone, truck load zone, or charter bus zone. A for-hire driver may drop-off passengers or pick-up hailed trips in a passenger load zone except as provided by subsections 6.310.475.D and 6.310.475.E (Class A).~~
- ~~)) Reserved.~~

B. ~~((For-hire vehicles~~

- ~~1. A for-hire driver in a for-hire vehicle licensed under this chapter may solicit passengers only from the driver's seat or standing immediately adjacent to vehicle (within 12 feet), and only when the vehicle is safely and legally parked (Class A).~~
- ~~2. A for-hire driver shall not use any other person to solicit passengers (Class A).~~
- ~~3. A for-hire driver in a for-hire vehicle licensed by this chapter is prohibited from picking up passengers in a designated taxi zone, including any taxi zone located in front of a hotel (Class B).))~~ Reserved.

C. Transportation network company (TNC) endorsed vehicles

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

D. Unlicensed vehicles

1. Vehicles providing for-hire transportation services in the City of Seattle without a City for-hire vehicle license, taxicab license, or TNC endorsement are prohibited from soliciting passengers, cruising for

passengers, or from picking up passengers in a taxi zone. (First violation, civil infraction, second violation, misdemeanor)

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

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

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

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

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

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

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

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

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

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

Section 22. Sections 6.310.500 and 6.310.510 of the Seattle Municipal Code, last amended by Ordinances 125082 and 121738, are repealed:

~~((6.310.500 Taxicabs maximum number~~

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

~~B. The number of for-hire vehicle licenses in effect at any one time shall not exceed 200. Except that if the State Legislature authorizes cities to regulate executive sedans and executive vans, as defined in RCW 46.04.274, then executive sedans and executive vans licensed by the Department of Licensing on the authorization date which meet City vehicle standards would be allowed to obtain for-hire vehicle licenses, and such for-hire vehicle licenses shall not be included in the calculation of total number of for-hire vehicle licenses pursuant to this subsection. TNC vehicle endorsements issued per Section 6.310.327 shall not be included in the calculation of total number of for-hire vehicles licenses pursuant to this subsection.~~

~~C. As an alternative to the license issuance process in subsection 6.310.500.D, the Director may, at the Director's discretion, issue wheelchair accessible taxicab or wheelchair accessible for-hire vehicle licenses to vehicles used to provide transportation to disabled persons defined in K.C.C 6.64.010 or to handicapped persons as defined in Section 6.310.110. Additionally, the Director may issue City of Seattle wheelchair accessible taxicab licenses to applicants selected by King County for issuance of a King County wheelchair~~

~~accessible taxicab license. If a City of Seattle wheelchair accessible taxicab license is awarded to a King County wheelchair accessible taxicab, then a dual license is created, allowing the licensee to operate in both the City and County. The dual status of the licenses is permanent, and the licenses must be transferred or leased together. Licenses issued under this subsection 6.310.500.C shall be non-transferable for a period of three years from the date of issuance and shall not be included in calculating the maximum number of taxicab licenses allowable pursuant to subsections 6.310.500.A and 6.310.500.B.~~

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

~~1. A competitive request for proposal and award process under which licenses will be issued to 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; or~~

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

~~3. Pursuant to a combination of both procedures as prescribed by rule adopted by the Director.~~

~~The rule shall include minimum qualifications for taxicab license applicants, including but not limited to the driving and conduct records of prospective applicants.~~

~~E. The Director shall issue 35 additional taxicab licenses in 2015. The Director shall issue 55 additional taxicab licenses each year in 2016, 2017, and 2018. Each of these issuances shall be done by lottery pursuant to the methods described in subsection 6.310.500.D.2[.] To be eligible for the issuance of these new taxicab licenses, an applicant must either: 1) have no more than a 50% ownership interest in a licensed for hire vehicle or licensed taxicab, or 2) relinquish any ownership interest beyond 50% in a licensed for hire vehicle or licensed taxicab prior to and as a condition of the issuance of the new license. For purposes of this subsection, relinquish means to surrender the for hire vehicle or taxicab license to the original licensing agency or transfer~~

~~the interest to another licensed for-hire driver whose ownership interest in a licensed for-hire vehicle or licensed taxicab may not exceed 50%.~~

~~6.310.510 Response times.~~

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

Section 23. Section 6.310.530 of the Seattle Municipal Code, last amended by Ordinance 124524, is amended as follows:

6.310.530 Rates

A. ((Taxicab rates

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

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

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

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

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

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

~~v. The owners' need for revenue of a level that, under honest, efficient and~~

economical management, is sufficient to cover all costs (including all operating expenses and license fees of providing adequate taxi service, plus a reasonable profit to the owner;

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

~~vii. The lease drivers' need for revenue, based on a reasonable number of driving hours per shift, sufficient to provide a living income after payment of taxicab lease rent (including drivers' contributions to both retail sales tax on the lease amount and to Workers' Compensation industrial insurance premiums), fuel costs and any cashier's fees.~~

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

~~2. Pending a Director's rule establishing new taximeter rates, and while not operating on an application dispatch system, the following taximeter rates govern. Except for special or contract rates as provided for in this chapter, or any per trip fee established by the Port of Seattle and set forth in any operating agreement or tariff, or an airport flat rate defined in this section 6.310.520, or a temporary fuel surcharge authorized by the Director pursuant to subsection I of this section 6.310.520, or any toll or charge established for roads, bridges, tunnels or ferries, 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:~~

~~Meter rate:~~

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

~~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)~~

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

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

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

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

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

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

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

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

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

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

~~taxicab.~~

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

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

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

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

~~B. ((For hire vehicle rates~~

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

~~a. The total fare or fare range is clearly displayed on the application upon requesting a ride, but before confirming the ride. Any variables that may result in additional or higher charges such as tips,~~

~~waiting time, demand pricing, or any other surcharges shall be clearly articulated on the application before confirming a ride.~~

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

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

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

~~3. For-hire vehicles must charge for service based on: a written contract; flat rate per trip, by zone; or by an hourly rate with minimum increments of ½ hour. 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.~~

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

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

* * *

Section 24. Section 6.310.600 of the Seattle Municipal Code, last amended by Ordinance 124524, is amended as follows:

6.310.600 Penalties

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

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

1. As contemplated by RCW 7.80.160, a person who, after receiving a notice of civil infraction that includes a statement of the options provided in RCW Chapter 7.80 for responding to the notice and the procedures necessary for exercising these options, knowingly fails to exercise one of the options within 15 days of the date of the notice is guilty of a misdemeanor subject to the provisions of Chapters 12A.02 and 12A.04, except that absolute liability shall be imposed for such a violation and none of the mental states described in Section 12A.04.030 need be proved, regardless of the disposition of the notice of civil infraction. A person who willfully fails to pay a monetary penalty or perform community service as ordered by a court may be found in contempt of court as provided in RCW Chapter 7.21.

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

enforce this title.

C. Each subsequent violation of subsections ((6.310.130.A,)) 6.310.130.B, 6.310.452.A, or 6.310.470.D within five years of the prior violation is a misdemeanor subject to the provisions of Chapters 12A.02 and 12A.04, except that absolute liability shall be imposed for such a violation and none of the mental states described in Section 12A.04.030 need be proved. The Director may request that the City Attorney prosecute such violations criminally as an alternative to the civil infraction procedure outlined in this chapter.

D. Each violation of subsections 6.310.130.((C))D ((-)) or 6.310.130.E shall be a civil infraction as contemplated by RCW Chapter 7.80 and deemed to be a Class 1 civil infraction under RCW 7.80.120(a), and shall subject the violator to a maximum penalty and default amount of \$10,000, inclusive of statutory assessments.

1. As contemplated by RCW 7.80.160, a person who, after receiving a notice of civil infraction that includes a statement of the options provided in RCW Chapter 7.80 for responding to the notice and the procedures necessary for exercising these options, knowingly fails to exercise one of the options within 15 days of the date of the notice is guilty of a misdemeanor subject to the provisions of Chapters 12A.02 and 12A.04, except that absolute liability shall be imposed for such a violation and none of the mental states described in Section 12A.04.030 need be proved, regardless of the disposition of the notice of civil infraction. A person who willfully fails to pay a monetary penalty or perform community service as ordered by a court may be found in contempt of court as provided in RCW Chapter 7.21.

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

enforce this title.

E. Each subsequent violation of subsections ((6.310.130.C,)) 6.310.130.D or 6.310.130.E within five years of the prior violation is a misdemeanor subject to the provisions of Chapters 12A.02 and 12A.04, except that absolute liability shall be imposed for such a violation and none of the mental states described in Section 12A.04.030 need be proved. The Director may request that the City Attorney prosecute such violations criminally as an alternative to the civil infraction procedure outlined in this chapter.

F. For each violation of a provision in this chapter that has a class referenced in parenthesis after the provision, a civil penalty and penalty points shall be imposed by and paid to the Department according to the provisions of Section 6.310.605.

Section 25. Section 6.310.605 of the Seattle Municipal Code, last amended by Ordinance 124524, is amended as follows:

6.310.605 Monetary penalties and penalty points

A. For-hire driver, transportation network company driver for-hire vehicle company, or taxicab/ for-hire vehicle violations

Violation	Penalties Against a For-hire Driver, TNC Driver Taxicab Licensee, For-Hire Vehicle Company, or For-hire Vehicle For Each Violation	Penalty Points Attributed to Taxicab Association, For-Hire Vehicle Company, or Transportation Network Company For Each Violation
1. Violations found during a calendar year away from The City of Seattle's inspection facility		
First Class A in one year	\$35	2
Second Class A in one year	\$70	3
Third or more Class A violation in one year	\$120	4
First Class B violation in one year	\$70	4
Second Class B violation in one year	\$175	7

Third or more Class B violation in one year	\$300	10
All Class C violations	\$1,000	20
2. Violations found during inspections at The City of Seattle's inspection facility		
Failure to appear for inspection scheduled by the Director (see ((Section 6.310.330 I and)) paragraph below)	\$50	2 penalty points
Class A violation found during inspection at City's inspection facility	((Vehicle reinspection fee See fee schedule in Section 6.310.150))	2 each violation
Class B violation found during inspection at City's inspection facility	((Vehicle reinspection fee See fee schedule in Section 6.310.150))	4 each violation

"Failure to appear for inspection scheduled by the Director" includes a late arrival for the inspection. If notification that the vehicle cannot appear is made prior to the close of business on the business day before the scheduled inspection, and the taxicab plates are delivered to the inspection facility prior to the original inspection time, then no penalty will be due.

3. Penalties and penalty points are attributed to the taxicab association or transportation network company with which the taxicab and/or for-hire driver is affiliated at the time the violation occurs.

* * *

Section 26. Section 6.310.610 of the Seattle Municipal Code, last amended by Ordinance 124524, is amended as follows:

6.310.610 Suspension or revocation

* * *

C. Revocation standards.

1. Any License. The Director shall revoke a license issued under this chapter if the Director determines that:

- a. The licensee has violated any of the provisions of this chapter that indicate a revocation as a penalty in parentheses after the provision;
- b. The license application contained a material misstatement or omission;
- c. The licensee fails to pay a monetary penalty imposed under this chapter within 90 days after an unappealed notice of violation or final decision or order imposing such monetary penalty is issued.

2. ~~((Taxicab Associations.~~

a. ~~The Director shall revoke a taxicab association license if during the license period the taxicab association, or any owner, officer, director, managing partner, general partner or principal of the taxicab association, receives a bail forfeiture, conviction or other final adverse finding for crimes of fraud, theft, larceny, extortion, embezzlement, racketeering, Uniform Controlled Substances Act, prostitution, alcohol and/or narcotics where the commission of such crimes involved or used a taxicab association, taxicab, for hire vehicle or limousine. If an owner, officer, director, managing partner, general partner or principal of the taxicab association found in violation of this subsection is (i) removed immediately from all operational or management duties or authority and (ii) is divested of all ownership in the taxicab association as soon as possible, the license may be reinstated.~~

b. ~~The Director may revoke a taxicab association license if during the license period the taxicab association, or any owner, officer, director, managing partner, general partner or principal of the taxicab association, receives a bail forfeiture, conviction or other final adverse finding involving crimes directly related to the applicant's ability to operate a taxicab association, including but not limited to prostitution, gambling, fraud, larceny, extortion, income tax evasion. If an owner, officer, director, managing partner, general partner or principal of the taxicab association found in violation of this subsection is (i) removed immediately from all operational or management duties or authority and (ii) is divested of all ownership in the taxicab association as soon as possible, the license may be reinstated.))~~ Reserved.

3. Transportation network companies (TNC)

a. The Director shall revoke a TNC license if during the license period:

i. The TNC, or any person employed to manage Seattle operations, receives a bail forfeiture, conviction or other final adverse finding for crimes of fraud, theft, larceny, extortion, embezzlement, racketeering, Uniform Controlled Substances Act, prostitution, alcohol and/or narcotics where the commission of such crimes involved or used a TNC or for-hire vehicle. If the employee is (a) removed immediately from all operational or management duties or authority and (b) is divested of all ownership in the TNC as soon as possible, the license may be reinstated;

ii. The TNC, or any person employed to manage Seattle operations, receives a bail forfeiture, conviction or other final adverse finding involving crimes directly related to the applicant's ability to operate a TNC, including but not limited to prostitution, gambling, fraud, larceny, extortion, income tax evasion. If the employee of the TNC found in violation of this subsection is (a) removed immediately from all operational or management duties or authority and (b) is divested of all ownership in the TNC as soon as possible, the license may be reinstated;

iii. Knowingly permits an affiliated vehicle to be active on the TNC dispatch system that has not undergone a uniform vehicle safety inspection as required by 6.310.270;

iv. Has failed to meet the insurance requirements outlined in Section 6.310.260;

v. An affiliated driver is active on the TNC dispatch system without effective and proper vehicle insurance as required in this chapter;

vi. Fails to pay all penalties imposed by the Department that are either not contested or are upheld after review; or

vii. The TNC has committed one Class C violations in any one year period.

b. The Director may revoke a TNC license if during the license period the TNC:

i. Dispatches to an unlicensed or unaffiliated driver;

ii. Dispatches to an unaffiliated vehicle;

- iii. Dispatches to a vehicle that is neither a for-hire vehicle or taxicab, nor a vehicle with a TNC vehicle endorsement;
- iv. Knowingly permits a third party to use the TNC dispatch system;
- v. Knowingly permits a TNC endorsed driver driving a TNC endorsed vehicle to pick up hails, cruise, or otherwise solicit trips;
- vi. Knowingly allows a TNC driver driving a TNC endorsed vehicle to take trips not dispatched by the TNC;
- vii. Fails to review driving records of TNC drivers and maintain records thereof;
- viii. Knowingly permits TNC drivers with any conviction listed in subsection 6.310.270 to continue affiliating with a TNC and/or operating as a TNC driver.

4. ~~((Taxicab and for-hire vehicle licenses~~

a. ~~The Director shall revoke a taxicab or for-hire vehicle owner license if:~~

- ~~i. The licensee, or any officer, director, general partner, managing partner or principal of the licensee, has had a conviction, bail forfeiture or final adverse finding of criminal fraud, larceny, theft, prostitution, extortion, racketeering, robbery or violation of the Uniform Controlled Substances Act, where the crime is associated with operating a taxicab or for-hire vehicle;~~
- ~~ii. The licensee has had the license suspended twice within a one year period for lack of a current, valid insurance policy;~~
- ~~iii. The licensee is not affiliated with a taxicab association licensed under this chapter; or~~
- ~~iv. The licensee is subject to revocation because of a loan default pursuant to Section 6.310.380.~~

b. ~~The Director may revoke a taxicab or for-hire vehicle license if:~~

- ~~i. The licensee, or any officer, director, general partner, managing partner or~~

~~principal of the licensee, receives a bail forfeiture or conviction involving crimes reasonably related to the applicant's ability to operate a taxicab or for-hire business, including but not limited to prostitution, gambling, fraud, larceny, extortion, income tax evasion; or)) Reserved.~~

5. ~~((For-hire driver's licenses~~

~~a. The Director shall revoke a for-hire driver's license if:~~

~~i. The for-hire driver receives a bail forfeiture, conviction, or other final adverse finding for crimes pertaining to hit-and-run, or for crimes pertaining to driving under the influence of alcohol or controlled substances while operating a taxicab or for-hire vehicle; or~~

~~ii. The for-hire driver's Washington State driver's license expires or is revoked; or~~

~~iii. The for-hire driver has committed one Class C violations in any one year period.~~

~~b. The Director may revoke a for-hire driver's license if:~~

~~i. The for-hire driver is found to be in possession of illegal drugs or an open container of alcohol while in control of or while operating any taxicab or for-hire vehicle; or~~

~~ii. The for-hire driver has received a conviction, bail forfeiture, or other final adverse finding involving crimes pertaining to prostitution, gambling, physical violence, Uniform Controlled Substances Act, fraud, theft, robbery, larceny, burglary, extortion and/or crimes directly related to the driver's ability to operate a taxicab;)) Reserved.~~

6. Transportation network company (TNC) drivers

a. The Director shall revoke the for-hire license of a transportation network company driver, if, while active on the TNC dispatch system:

i. The TNC driver receives a bail forfeiture, conviction, or other final adverse finding for crimes pertaining to hit-and-run, or for crimes pertaining to driving under the influence of alcohol or controlled substances while operating a TNC endorsed vehicle;

ii. The TNC driver's (~~((Washington State))~~ state issued driver's license expires or is revoked provided that if the TNC driver's (~~((Washington State))~~ state issued driver's license expires, the driver may obtain reinstatement upon proof of renewal within 30 days;

iii. The TNC driver has committed one Class C violations in any one year period;

iv. The TNC endorsed driver driving a TNC endorsed vehicle picks up a street hail, cruises, or otherwise solicits trips whether active on the TNC dispatch system or not;

v. The TNC driver driving a TNC endorsed vehicle provides a ride that is not booked through the TNC application dispatch system;

vi. Drives a vehicle while on the TNC application that is not affiliated with the TNC;

vii. Drives a vehicle while on the TNC application that is neither a for-hire vehicle nor taxicab licensed under (~~((this chapter))~~ Chapter 6.310 nor a vehicle with a TNC vehicle endorsement;

b. The Director may revoke the for-hire license of a transportation network company driver if:

i. The TNC driver is found to be in possession of illegal drugs or an open container of alcohol while in control of or while operating any taxicab or for-hire vehicle; or

ii. The TNC driver has received a conviction, bail forfeiture, or other final adverse finding involving crimes pertaining to prostitution, gambling, physical violence, Uniform Controlled Substances Act, fraud, theft, robbery, larceny, burglary, extortion and/or crimes directly related to the driver's ability to operate a for hire vehicle.

* * *

Section 27. Sections 6.310.720 and 6.310.730 of the Seattle Municipal Code, enacted by Ordinance 118341, are repealed:

~~((6.310.720 Renewal of license, registration or permit-Late penalty.~~

~~A late penalty shall be charged on all applications for renewal of a license, registration or permit received later than ten (10) working days after the expiration date of such license, registration or permit as set forth in the respective resolution or ordinance establishing the expiration date of such license, registration or permit. The amount of such late penalty is fixed in SMC Section 6.310.150.~~

~~6.310.730 Plates, tags, etc., property of City.~~

~~All taxicab or for hire vehicle license plates, year decals shall remain the property of the City.))~~

Section 28. 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)