

ORDINANCE NO. _____

AN ORDINANCE AMENDING CITY CODE TITLE 4 TO ADD A NEW CHAPTER 4-17 RELATING TO PEER TO PEER ENTERPRISES.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

PART 1. City Code Title 4 (*Business Regulation and Permit Requirements*) is amended to add a new chapter 14-17 to read:

CHAPTER 14-7 PEER TO PEER ENTERPRISES.

ARTICLE 1. GENERAL PROVISIONS.

§ 4-17-1 DEFINITIONS.

§ 4-17-2 PURPOSE.

ARTICLE 2. GROUND TRANSPORTATION SERVICES.

§ 4-17-10 APPLICABILITY.

§ 4-17-11 BADGE PROGRAM.

ARTICLE 1. GENERAL PROVISIONS.

§ 4-17-1 DEFINITIONS.

In this chapter:

- (1) **PEER TO PEER ENTERPRISE** means a business enterprise providing a mechanism for customers to receive goods and services without the use of an intermediary through the use of software platforms designed and implemented for the sharing, provision, and receipt of goods and services, and for personal and business interactions and networking.
- (2) **DIRECTOR** means the city department director designated by the city manager.

1 **§ 4-17-2 PURPOSE.**

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- 3 (A) This chapter addresses the public health and safety concerns related to Peer to
- 4 Peer Enterprises.
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- 6 (B) For each category of Peer to Peer Enterprises, this chapter will provide
- 7 programs, processes, and procedures to allow the enterprise to be conducted
- 8 consistent with the City's need to protect the public health and safety.
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10 **ARTICLE 2. GROUND TRANSPORTATION.**

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12 **§ 4-17-10 APPLICABILITY.**

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14 This article applies to ground transportation services as defined in Chapter 13-2

15 (*Ground Transportation Passenger Services*). This Article does not apply to charter bus

16 services regulated under Chapter 13-2, Article 2, Division 2, Subpart D (*Charter Bus*

17 *Service*).

18

19 **§ 4-17-11 BADGE PROGRAM.**

20 A program to address traffic, public, and personal safety issues related to ground

21 transportation in the City of Austin such as drinking while intoxicated, emergency

22 vehicle access, and safe and efficient flow of traffic, is established under the terms in this

23 section.

- 24 (A) A driver of a ground transportation service vehicle may apply to participate in
- 25 the Badge Program by submitting an application in a form prescribed by the
- 26 director. The application shall include a copy of either the applicant's
- 27 complete fingerprint based national criminal background check, or the
- 28 applicant's current chauffeur's license.

- 29 (B) If the director determines that either the background check information
- 30 attached to the application complies with the requirements in subsections (D)
- 31 and (E) of Section 13-2-102 (*Contents of Application*), or the applicant holds a
- 32 valid chauffeur's license under Chapter 13-2, the director shall issue a badge
- 33 to the applicant.

- 34 (C) The recipient of a badge issued under this section is entitled to:

- 35 (1) pick-up, and where feasible drop-off, passengers at a designated or geo-
- 36 fenced location:

- 1 a. during large gatherings and special events, including but not
2 limited to South by Southwest Festival, Austin City Limits
3 Festival, and the Trail of Lights;
4 b. within entertainment districts established by the director and
5 subject to hours established by the director, including evening
6 hours.
- 7 (2) wait or queue in areas established by the director.
- 8 (D) The director shall adopt rules necessary to implement the Badge Program, to
9 include:
- 10 (1) areas required to be designated by the director in subsection (C),
11 (2) methods to address traffic safety and other public health and safety
12 issues related to ground transportation passenger services including at
13 the Austin Bergstrom International Airport, and
14 (3) methods to address the ability of passengers to identify and choose a
15 Badge Holder for transportation services.
- 16 (E) The director shall consider adopting additional entitlements to further increase
17 the public safety benefit of the Badge Program, such as providing a separate
18 fee schedule for meeting established benchmarks, and providing funding for a
19 limited period of time for some or all of the cost to the drivers to participate in
20 the Badge Program.
- 21 (F) The director may contract with, or otherwise collaborate with an independent
22 third party to operate the Badge Program.

23 **PART 2.** Subsection 5 of City Code Section 13-2-1 (*Definitions*) is amended to read:

- 24 (5) CHAUFFEUR means a person who operates a ground transportation service
25 vehicle that either is: (1) dispatched [either] by hail, telephonic, radio, or any
26 electronic communication, including an E-Hail indicating the location of a
27 passenger for immediate or prearranged transportation service[.] or (2) provides
28 on-demand transportation using an online-enabled application or platform.
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1 **PART 3.** This ordinance takes effect on _____, 2016.

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3 **PASSED AND APPROVED**

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6 _____, 2016

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Steve Adler
Mayor

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11 **APPROVED:** _____

Anne L. Morgan
City Attorney

ATTEST: _____

Jannette S. Goodall
City Clerk