

AN ORDINANCE AMENDING CITY CODE CHAPTER 13-2 (*GROUND TRANSPORTATION PASSENGER SERVICES*) RELATED TO CHAUFFEUR PERMITS, LIMOUSINE SERVICE, AND CHARTER BUS SERVICE.

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

PART 1. Section 13-2-1 (*Definitions*) of City Code Chapter 13-2 (*Ground Transportation Passenger Services*) is amended to read:

(28) PREARRANGED SERVICE means ground transportation service provided by a ground transportation service operating authority that is scheduled by [an initial] reservation [~~a minimum of one-half hour~~] in advance of the trip, excluding performance under a corporate contract or by a Charter Bus Service.

PART 2. Subsection (A) of City Code Section 13-2-103 (*Disqualification for Certain Offenses*) is amended to read:

(A) Except as provided in subsection (D), applicants for a chauffeur's permit or for a renewal are disqualified if, within the seven years preceding the date of the application, the applicant has been convicted under the laws of this state, or of any other U.S. state or territory, or of the United States, of the offense or offenses of:

- (1) a felony not listed in subsection (B) of this section;
- (2) the misdemeanor ~~possession~~, sale, manufacture, or delivery of a controlled substance or chemical precursor;
- (3) driving, flying, or boating while intoxicated or under the influence;
- (4) prostitution or solicitation of a lewd act;
- (5) fraud or forgery;
- (6) resisting or evading arrest or detention;
- (7) reckless driving or obstructing a highway or other passageway;
- (8) [~~any crime involving arson~~] criminal mischief[,] or other property damage or destruction;

- 32 (9) theft, burglary of a motor vehicle, or the unauthorized use of a motor
33 vehicle; [or]
- 34 (10) crimes of violence;[-]
- 35 (11) unlawful carrying of a weapon; or
- 36 (12) indecent exposure.

37 **PART 3.** Subsection (B) of City Code Section 13-2-103 (*Disqualification for Certain*
38 *Offenses*) is amended to read:

39 (B) Except as provided in subsection (D), applicants for a chauffeur's permit or for a
40 renewal are disqualified if at any time the applicant has been convicted under the laws of
41 this state, or of any other U.S. state or territory, or of the United States, of the offense or
42 offenses of:

- 43 (1) criminal homicide;
- 44 (2) indecency with a child, sexual assault, aggravated sexual assault,
45 attempted sexual assault, intoxication assault, or continuous sexual abuse of
46 a young child or children;
- 47 (3) robbery or aggravated robbery;
- 48 (4) burglary or aggravated burglary;
- 49 (5) aggravated assault, intoxication assault, deadly conduct, terroristic threat;
- 50 (6) abandoning or endangering a child, or injuring a child, elderly individual,
51 or disabled individual, or leaving a child inside a vehicle;
- 52 (7) kidnapping, aggravated kidnapping, unlawful restraint, smuggling of
53 persons, continuous smuggling of persons, trafficking of persons, continuous
54 trafficking of persons, harassment, or stalking;
- 55 (8) felony conviction for possession, [the] sale, manufacture, or delivery
56 of a controlled substance or chemical precursor;
- 57 (9) use of a motor vehicle to commit a felony;
- 58 (10) criminal offenses involving the use of a deadly weapon;
- 59 (11) felonies involving acts of violence;
- 60 (12) felonies involving acts of terror;

(13) multiple felony offenses; [or]

(14) promotion of prostitution, aggravated promotion of prostitution, or compelling prostitution;

(15) felony conviction for driving while intoxicated; or

(16) any crime involving arson.

PART 4. City Code Chapter 13-2 (*Ground Transportation Passenger Services*) Section 13-2-121 (*Exception from Chauffeur's Permit Requirement*) is repealed.

PART 5. Subsections (B) and (D) of City Code Section 13-2-202 (*Limousine Service Requirements*) are repealed, and Subsection C is renumbered as (B), and repealed and replaced to read as follows:

(B)[(C)] A holder may provide limousine service using:

(1) an extended wheelbase luxury sedan or sport utility vehicle with a passenger capacity of five or more; or

(2) four luxury sedans or sport utility vehicles, each having a passenger capacity of four or more.

PART 6. City Code Section 13-2-202 (*Limousine Service Requirements*) is amended to add a new Subsection C to read as follows:

((C)) A holder must provide passengers with a fare quote before service begins.

PART 7. City Code Section 13-2-203 (*Limousine Minimum Rate of Fare*) is repealed and City Code Section 13-2-204 (*Trip Ticket Required*) is renumbered as Section 13-2-203.

PART 8. City Code Section 13-2-267 (*Vehicle to Display Permit*) is repealed and the subsequent sections are renumbered accordingly.

PART 9. Subsections (D) and (F) of City Code Section 13-2-286 (*Special Event Permit Application*) are repealed, and Subsections (E) through (G) are renumbered accordingly.

PART 10. Subsection (B) of City Code Section 13-2-291 (*Charter Van Service Requirements*) is amended to read:

(B) A holder must:

(1) use vans, minibuses, buses, or motor coaches that comply with the following requirements to provide charter van service:

(a) have an occupancy capacity of fifteen persons or less, including the driver;

(b) have no top light or other electric identification sign;

(c) not use a taximeter;

(d) no checkered logo/pattern or insignia to represent the vehicle as a taxicab;

(e) if a charter van service holder identifies its vehicles with outer logos or other identification markings, all vehicles used to provide charter services owned by the same holder shall have identical markings on all vehicles that are unique to that holder.

(2) provide the department with a current list of drivers licensed in the manner described in Section 13-2-121 (*Exemption from Chauffeur's Permit Requirement*), the driver's license number of each driver, and a photocopy of each driver's license.

(3) provide the department with a copy of proof of a passing annual vehicle inspection conducted by the City or the designated inspector authorized by the City to conduct inspections.

(4) not hold itself out as a taxi service as defined in Section 13-2-401 (*Taxi Service Described*) [~~and cannot accept passengers less than one-half hour in advance of commencement of scheduled service~~].

(5) A driver operating a charter van service vehicle shall keep in the vehicle, in written or electronic form, a trip ticket containing the information described below, and shall allow a person designated under Section 13-2-13(B) (*Enforcement*) or Section 13-2-14 (*Enforcement Officers*) to inspect the trip ticket upon request. A trip ticket must include the following information:

(a) date of the trip, the name, address, and phone number of the person or group who booked or paid for the service;

122 (b) the name, address, and phone number of at least one passenger
123 transported on the trip;

124 (c) the pickup location, intermittent stops and the drop off location for
125 the trip;

126 (d) the date and time the reservation was made, and the scheduled and
127 actual passenger pick-up time;

128 (e) state the rate for services, if charged on an hourly rate, and total
129 amount of fare paid for each passenger or group of passengers using
130 the service; and

131 (f) identify the owner of the vehicle used to provide charter service
132 and identify the holder, if different, by name, address and telephone
133 number.

134 (6) provide passengers with a fare quote before service begins.

135 **PART 11.** Subsection (l) of City Code Chapter 13-2-342 is repealed.

136 **PART 12.** City Code Chapter 13-2, Article 4 (*Transportation Network Company*
137 *Service*) is repealed and the article numbering is reserved for future use.

138 **PART 13.** This ordinance takes effect on _____, 2017.

139 **PASSED AND APPROVED**

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143 _____, 2017

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Steve Adler
Mayor

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148 **APPROVED:** _____
149 Anne L. Morgan
150 City Attorney

ATTEST: _____
Jannette S. Goodall
City Clerk