

ORDINANCE NO. \_\_\_\_\_

1 AN ORDINANCE AMENDING CITY CODE CHAPTER 13-2 RELATING TO  
2 GROUND TRANSPORTATION SERVICE REQUIREMENTS.  
3

4 BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:  
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6 **PART 1.** Subsections (B), (C) of City Code Section 13-2-102 (*Contents of an*  
7 *Application*) is amended to read:

8 (B) [~~The applicant must attach to the application a copy of the applicant's~~  
9 ~~complete criminal history and driving record~~] A person must pass a driver  
10 history check and a fingerprint-based national criminal background check  
11 under the provisions of this section to be eligible for a chauffeur permit. The  
12 department will implement procedures for drivers to provide the department  
13 driver history and finger-print based background checks issued and certified  
14 by the Texas Department of Public Safety or other relevant governmental  
15 entity as determined by the department. The criminal history and driving  
16 record must be issued and certified not earlier than the 30th day before the  
17 date the applicant submits an application for a chauffeur's permit.

18 (C) An applicant who has been a resident of Texas for less than three years  
19 preceding the date the application is submitted must also submit a [~~criminal~~  
20 ~~history and~~] driving record certified by the appropriate governmental  
21 authority in the former state of residence. The [~~criminal history and~~] driving  
22 record from the appropriate governmental authority in the former state of  
23 residence must be issued and certified not earlier than the 30th day before  
24 the date the applicant submits an application for a chauffeur's permit.

25 **PART 2.** City Code Section 13-2-102 (Contents of an Application is amended to add  
26 Subsection (G) to read:

27 (G) Consistent with the requirements of Texas Government Code Sections  
28 411.122 and 411.087, which authorizes the City to obtain criminal history  
29 record information maintained or indexed by the Federal Bureau of  
30 Investigation (FBI) through the Texas Department of Public Safety (DPS).

31 (1) Each individual whose application for a license, permit or  
32 authorization or any renewal thereof is subject to subsection (a) shall  
33 be required to provide a complete set of fingerprints and other  
34 identifying information to the official designated by the permitting,

1 licensing or authorizing department, along with any applicable fee and  
2 any release or waiver forms required in order for the official to  
3 conduct a national background check through the FBI.

4 (2) Upon receipt of the fingerprints and any applicable fee, the City, or  
5 City approved third-party, is authorized to submit the fingerprints to  
6 the DPS for a search of the State's criminal history record, and the  
7 DPS is authorized to forward a set of the fingerprints to the FBI for a  
8 national criminal history check. The results of the FBI check will be  
9 returned to the DPS, which will disseminate the results of state and  
10 national criminal history checks to the City.

11 (3) The criminal history record information obtained through the FBI  
12 will be used by the Austin Transportation Department to determine  
13 whether an individual is prohibited from obtaining a chauffeur permit.

14 **PART 2.** The definition of "Prearranged Service" in City Code Section 13-2-1  
15 (*Definitions*) is amended to read:

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

21 **PART 3.** City Code Section 13-2-202 (*Limousine Service Requirements*) is amended to  
22 read:

23 **§ 13-2-202 - LIMOUSINE SERVICE REQUIREMENTS.**

24 (A) A holder of a limousine operating authority shall comply with Article 2,  
25 Division 1 (*Operating Authority*).

26 ~~{(B) Except as otherwise provided by this section, a holder may not use a vehicle  
27 to provide limousine service under this chapter unless the vehicle is a  
28 remanufactured and extended wheelbase luxury sedan, extended wheelbase  
29 luxury sport utility vehicle, extended wheelbase luxury crossover vehicle, an  
30 extended wheelbase vehicle commonly known as a GM "Hummer Limo", or  
31 a pick-up truck on a full-sized chassis with an occupancy capacity of five or  
32 more, excluding the capacity of the driver compartment.}~~

33 ~~{(C)}~~ Except as provided in Subsection (C), a holder [~~that provides limousine~~  
34 ~~service using at least one vehicle described in Subsection (B)~~] shall [~~may~~  
35 ~~also~~] provide limousine service using a full-sized sedan vehicle categorized

