

ORDINANCE NO. 20050818-025

AN ORDINANCE AMENDING CHAPTER 13-2 RELATING TO GROUND TRANSPORTATION SERVICES.

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

PART 1. Section 13-2-1(11) of the City Code is amended to read:

- (11) GROUND TRANSPORTATION SERVICE VEHICLE means a chauffeured vehicle used to transport passengers on City streets for compensation [~~under the authority of this chapter~~].

PART 2. Section 13-2-3 of the City Code is amended to read:

§ 13-2-3 OPERATING AUTHORITY OR TAXICAB FRANCHISE REQUIRED.

- (A) Except as provided by Subsections [~~Subsection~~] (B) and (C), a person may not provide or operate a ground transportation service that picks up passengers within the city or represent the person's business to the public as a ground transportation service unless that person obtains an authority to operate the ground transportation service under Section 13-2-161 (*Operating Authority Application Required*) or a taxicab franchise to operate a taxicab service under Section 13-2-303 (*Franchise Application Required*).

(B) This section does not apply to the operation of [~~the following~~]:

- (1) a [A] vehicle owned, operated, or subcontracted by the federal government, the state, or a political subdivision when providing service exclusively to the governmental entity;[~~-~~]
- (2) a [A] vehicle used exclusively for funeral services;[~~-~~]
- (3) a [A] courtesy vehicle that:
 - (a) routinely provides transportation between the principal place of business of a courtesy vehicle provider and a public transportation terminal;
 - (b) is used by an automotive repair business, car dealership, or similar business operation to transport customers to or from their work or home and the business; or

- (c) is operated by a corporation that qualifies for exemption from taxation under Section 501(c)(3) of the Internal Revenue Code;[-]
 - (4) a [A] vehicle that only provides a service that is regulated by the state or federal government;[-]
 - (5) an [~~A~~] ambulance;[-]
 - (6) a [A] vehicle rented without a driver;[-]
- (C) A driver operating a ground transportation service vehicle without an authority to operate the ground transportation service under Section 13-2-161 (*Operating Authority Application Required*) or a taxicab franchise to operate a taxicab service under Section 13-2-303 (*Franchise Application Required*) or a chauffeur's permit under Section 13-2-101 (*Chauffeur's Permit Required*) may transport a passenger from a point outside the city to one or more points within the city, or may transport the passenger across the city, but may not pick up a new passenger within the city.
- (D) A driver operating a taxicab under Subsection (C) shall keep the taximeter running while transporting a passenger within or across the city, or while waiting for a passenger within the city.
- (E) It is presumed that an individual picked up within the city by a ground transportation service vehicle is a passenger.

PART 3. Section 13-2-121 of the City Code is amended to read:

§ 13-2-121 EXEMPTION FROM CHAUFFEUR'S PERMIT REQUIREMENT.

A driver of a ground transportation service vehicle that has an operating authority permit under Section 13-2-166 (*Operating Authority Permit*) and [~~with~~] an occupancy capacity of 16 persons or greater, including the driver, is exempt from the permit requirement of Section 13-2-101 (*Chauffeur's Permit Required*) if the driver [~~individual~~] possesses a valid Class "B" or "C" commercial driver's license with a passenger endorsement issued to the driver by the State of Texas and a certificate stating that the driver is physically qualified to drive a commercial motor vehicle issued by a qualified medical examiner under 49 Code of Federal Regulations Section 391.41.

PART 4. Section 13-2-202 of the City Code is amended to read:

§ 13-2-202 LIMOUSINE SERVICE REQUIREMENTS.

- (A) A holder of a limousine operating authority shall comply with Article 2 [~~(Ground Transportation Services Other Than Taxicabs)~~], Division 1 (*Operating Authority*).
- (B) Except as otherwise provided by this section, a holder may not use a vehicle to provide limousine service under this chapter unless the vehicle is a remanufactured and extended wheelbase luxury sedan or a pick-up truck on a full-sized chassis with an occupancy capacity of five or more, excluding the capacity of the driver compartment.
- (C) A holder that provides limousine service using at least one vehicle described in Subsection (B) may also provide limousine service using a full-sized sedan vehicle categorized as a luxury vehicle within the automobile industry, with a minimum occupancy capacity of four [~~five~~] excluding the driver.
- (D) A holder that provides limousine service using at least one vehicle described in Subsection (B) may also provide limousine service using a vehicle categorized by the automobile industry as a sport utility vehicle or a sport activity vehicle with a minimum occupancy capacity of four [~~seven~~] excluding the driver.

PART 5. Chapter 13-2 of the City Code is amended to add a new Section 13-2-204 to read:

§ 13-2-204 TRIP TICKET REQUIRED.

- (A) A driver operating a limousine within the city under Section 13-2-3 (C) (*Operating Authority or Franchise Required*) shall keep in the vehicle a trip ticket containing the information described in Subsection (B). The driver 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.
- (B) A trip ticket must include the following information:
 - (1) the name, address, and phone number of the person who booked or paid for the limousine trip;
 - (2) the name, address, and phone number of at least one passenger transported by the limousine on the trip; and
 - (3) the pickup location and the dropoff location for the trip.

PART 6. Section 13-2-344 (A) of the City Code is amended to read:

§ 13-2-344 PROMPT RESPONSE REQUIRED.

(A) A franchise holder shall maintain a dispatch terminal within the city or within 5,000 feet of the city limits that is operational 24 hours each day for the purpose of receiving calls and dispatching taxicabs.

PART 7. This ordinance takes effect on August 29, 2005.

PASSED AND APPROVED

_____, August 18, 2005

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Will Wynn
Mayor

APPROVED:



David Allan Smith
City Attorney

ATTEST:



Shirley A. Brown
City Clerk