

ORDINANCE NO. 20120426-063

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

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

PART 1. City Code Section 13-2-3 (*Operating Authority or Taxicab Franchise Required*) is amended to read as follows:

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

(A) Except as provided by Subsections (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) A business with an Operating Authority issued by the City is subject to all provisions of this Chapter regardless of where the passenger pick up occurs.

~~{(B)}~~ (C) This section does not apply to the operation of:

- (1) 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 vehicle used exclusively for funeral services;
- (3) 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 vehicle that only provides a service that is regulated by the state or federal government;
- (5) an ambulance; or

(6) a vehicle rented without a driver.

~~[(C)]~~ (D) 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)]~~ (E) 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)]~~ (F) It is presumed that an individual picked up within the city by a ground transportation service vehicle is a passenger.

PART 2. City Code Section 13-2-103 (*Chauffeur's Permit Requires Sponsoring Holder*) is amended to read as follows:

§ 13-2-103 CHAUFFEUR'S PERMIT REQUIRES SPONSORING HOLDER.

(A) To obtain a chauffeur's permit, an individual must be sponsored by a holder with a current operating authority or taxicab franchise under this chapter.

(B) When amending a chauffeur's permit to add a sponsoring holder or to transfer to a new sponsoring holder, the criminal history and driving record must be issued and certified within the six months preceding the date the applicant submits an application to amend their chauffeur's permit under this provision.

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

§ 13-2-202 LIMOUSINE SERVICE REQUIREMENTS.

(A) A holder of a limousine operating authority shall comply with Article 2, 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, extended wheelbase luxury sport utility vehicle, extended wheelbase luxury crossover vehicle, an extended wheelbase vehicle commonly known as a GM "Hummer Limo", 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 or crossover vehicle categorized as a luxury vehicle within the automobile industry, with a minimum occupancy capacity of four 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 excluding the driver.

PART 4. City Code Section 13-2-203 (*Limousine Minimum Rate of Fare*) is amended to read as follows:

§ 13-2-203 LIMOUSINE MINIMUM RATE OF FARE.

- [The] (A) Except as otherwise provided in this section, the holder of a limousine service operating authority shall charge a customer a minimum of [\$45] \$55 per hour, or portion of an hour, as a base rate excluding other fees and gratuities for the first six hours of service provided to a customer.
- (B) This section does not apply to performance under a corporate contract.

PART 5. City Code Section 13-2-204 (*Trip Ticket Required*) is amended to read as follows:

§ 13-2-204 TRIP TICKET REQUIRED.

- (A) A driver operating a limousine within the city under Section 13-2-3(C) (*Operating Authority or Taxicab 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) date of the trip, 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]~~ drop off location for the trip; and

(4) the name of the ground transportation company providing the limousine trip.

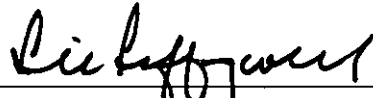
(C) An electronic trip ticket is acceptable under this provision.

PART 6. This ordinance takes effect on May 7, 2012.

PASSED AND APPROVED

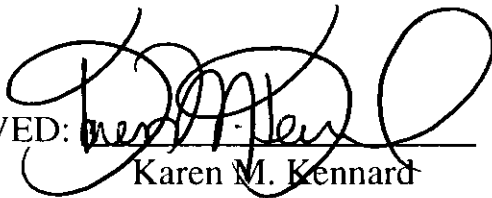
April 26, 2012

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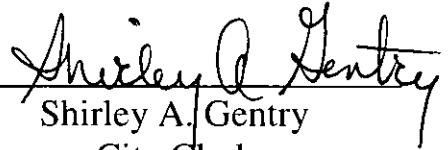
Lee Leffingwell
Mayor

APPROVED:



Karen M. Kennard
City Attorney

ATTEST:



Shirley A. Gentry
City Clerk