

# **Proposed Ordinance Change**

Amending Chapter 76, Vehicles for Hire, by revising five sections pertaining to the definition of a taximeter, qualifications of a vehicle permit, qualifications of an applicant, rates, and use of a taximeter to more clearly define and better regulate the industry and take out requirements of a written and oral exam to coincide with all other sections of the ordinance.

NOW THEREFORE, BE IT ORDAINED BY THE COUNCIL OF KANSAS CITY:

That Chapter 76 is amended by repealing sections 76-32, 76-40, 76-75, 76-103 and 76-232 and enacting in lieu thereof new sections of like number and subject matter to read as follows:

## **Sec. 76-32. - Definitions.**

The following words, terms and phrases, when used in this article, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

*Taximeter* means a meter instrument or device attached to a taxicab, which measures the distance driven and the waiting time upon which the fare is based, calculated and regulated by ordinance and displayed in full view of the customer.

## **Sec. 76-40. - Qualifications for vehicle permit.**

(a) In order to qualify for a vehicle permit, the vehicle operator must:

1. Provide proof of current state registration and inspection;
2. Have current license plates on the vehicle, if applicable.

(b) Taxicab vehicles.

1. It shall be the duty of the investigators to inspect all taxicabs licensed by the city two times per year to determine whether such vehicles are being maintained at all times in a clean and serviceable condition and in adequate repair. Every taxicab shall be substantially free from damage. The vehicle shall have no loose hanging metal, body molding or chrome stripping. The complete exhaust system shall be intact and in good working order. The taxicab shall not operate with large dents or major body damage, nor shall the taxicab operate with large areas of unpainted or rusted metal. Taxicabs shall have all required fenders, bumpers, doors, trunk hood and latch, door handles, windows, windshield wipers, tires, lights and air conditioner, all of which shall be in good working order. Every taxicab shall be equipped with brakes capable of stopping and holding the taxicab under all reasonable conditions, and shall have three doors in addition to the driver's door affording direct entrance and exit to and from the passenger compartment. The passenger compartment of each taxicab shall have an adequate light therein controlled by a switch in the passenger compartment. Failure to meet all above-listed requirements shall cause the taxicab to be found unfit or unsuited for public use. Proof of the most current inspection report shall be provided upon request. The inspection fee shall be \$22.00 for each vehicle presented for each inspection.

(c) Livery vehicles, sightseeing vehicles, and transportation network vehicles.

1. Every livery, sightseeing and transportation network vehicle operated on the streets of the city shall be maintained in clean and serviceable condition and in adequate repair. Every vehicle shall be substantially free from damage. All vehicles shall have no loose hanging metal, body molding or chrome stripping. The complete exhaust system shall be intact and in good working order. No vehicle shall operate with large dents or major body damage, nor shall it operate with large areas of unpainted or rusted metal. All vehicles shall have all required fenders, bumpers, doors, trunk hood and latch, door handles, windows, windshield wipers, tires, lights and air conditioner, all of which shall be in good working order. All vehicles shall be equipped with brakes capable of stopping and holding the vehicle under all reasonable conditions, and shall have three doors in addition to the driver's door affording direct entrance and exit to and from the passenger compartment. Failure to meet all above-listed requirements shall cause the vehicle to be found unfit or unsuited for public use, and such vehicle may be ordered off the streets of the city.

**Sec. 76-75. Fees.**

(a) No person or permit holder shall operate a vehicle in any manner as to provide taxicab, livery vehicle, sightseeing vehicle, or transportation network vehicle service upon the streets of the city until all fees have been paid as follows:

(1) Every taxicab company, livery company, sightseeing vehicle company or transportation network vehicle company shall have the option of paying an annual fee of \$45,000.00. Every company that pays the \$45,000.00 annual fee will not be required to pay a fee for every vehicle permit issued on an annual basis. Every company that chooses not to pay an annual fee of \$45,000.00 shall pay \$250.00 for every vehicle permit issued on an annual basis.

(2) The occupation license fee in the amount set forth in section 40-156 shall also be paid.

(3) A vehicle permit replacement fee of \$8.00 shall be paid for each replacement vehicle permit.

(4) Vehicle permit fees shall be prorated on a monthly basis.

(b) No transportation network company shall provide access to their transportation network service to any vehicle for hire driver until such driver has paid all fees as outlined in subsection (a) of this section.

(c) Regulated Industries will review the fee structure within six months from the effective date of this ordinance to determine the balance of costs between the City and permittees and report their finding to the appropriate committee.

**Sec. 76-103. Qualifications of applicant.**

(a) Every applicant for a driver's certificate under this division shall:

(1) Be 18 years of age or older and be of good moral character.

(2) Be of sound physique, have good eyesight and hearing and not subject to epilepsy, vertigo, heart trouble or any other infirmity of mind or body which might render him unfit to drive and operate a taxicab, livery vehicle, sightseeing vehicle, transportation network vehicle or pedicab safely on the streets of the city.

(3) Be able to read, write, speak and understand the English language.

- (4) Be clean and neat in dress and person, and not addicted to the use of intoxicating liquor or drugs.
- (5) Hold an A, B or C, CDL license in the State of Kansas or an A, B or C CDL license or an E license in the State of Missouri. The applicant shall include the number of the CDL license on the application for the driver's certificate under this article, and shall submit a copy of the applicant's state operating record with the application.

(b) A driver's certificate shall not be issued to any person who:

- (1) Has been found guilty of, pleaded guilty to or been convicted of a felony (federal or any state) for first degree murder, second degree murder, first degree arson, first degree assault, forcible rape, forcible sodomy, kidnapping, first degree robbery, voluntary manslaughter, or first degree assault of a law enforcement officer.
- (2) Has been found guilty of, pleaded guilty to or been convicted of a felony or misdemeanor (federal or any state) for sexual offenses including but not limited to first degree child molestation, second degree child molestation, sexual misconduct involving a child, first degree sexual misconduct, second degree sexual misconduct, third degree sexual misconduct, and sexual abuse.
- (3) Is now or has ever been registered as a sexual offender with any state, county or local government.
- (4) Within five years of the date of application has been found guilty of, pleaded guilty to or been convicted of a felony or misdemeanor or, if information available, has been released from confinement for or completed probation or parole for a felony or misdemeanor conviction within one year of the date of application involving drugs or narcotics, robbery (other than first degree robbery), burglary, stealing, extortion, bribery, prostitution, any weapons offense, or crime of violence other than those set forth in (b)(1) and (2).
- (5) Has been found guilty of, pleaded guilty to or been convicted of an ordinance violation or, if information available, has been released from confinement for an ordinance conviction, whichever event is later, within two years where such finding of guilt, plea of guilt or ordinance conviction for indecent exposure, prostitution, stealing, or possession of controlled substances or illegal drugs or narcotics.
- (6) Within five years of the date of application has been found guilty of, pleaded guilty to or been convicted of a violation of a state traffic law or a traffic ordinance of any city involving leaving the scene of a motor vehicle accident or driving under the influence of alcohol or drugs during which a person was injured or died.
- (7) Within three years of the date of application has been found guilty of, pleaded guilty to or been convicted of a violation of state law or a traffic ordinance of any city involving leaving the scene of a motor vehicle accident or driving under the influence of alcohol or drugs, but not involving injury or death.

- (8) Applies for a driver's certificate and has been found guilty of, pleaded guilty to or been convicted of more than four moving traffic violations including operating a defective vehicle within three years of the date of application, or has been found guilty of, pleaded guilty to or been convicted of more than two moving traffic violations including operating a defective vehicle within one year of the date of application.
  
- (9) Applies for a renewal of a driver's certificate and has been found guilty of, pleaded guilty to or been convicted of more than five moving traffic violations including operating a defective vehicle within three years of the date of the renewal application and has been found guilty of, pleaded guilty to or been convicted of more than two moving traffic violations including operating a defective vehicle with any state, county or local government within one year of the date of the renewal application.

**Sec. 76-232. Use of taximeter prohibited.**

Sightseeing vehicles shall not be equipped with a taximeter or any other device that measures distance traveled or waiting time for which a passenger would be charged.