

Memorandum



City of Dallas

DATE 14 November 2014

TO Transportation and Trinity River Project Committee Members: Vonciel Jones Hill (Chair),
Lee Kleinman (Vice Chair), Deputy Mayor Pro Tem Monica Alonzo, Mayor Pro Tem Tennell
Atkins, Sandy Greyson, and Sheffie Kadane

SUBJECT Proposed Transportation-For-Hire Regulations

On 17 November 2014, you will be briefed on proposed regulations for transportation-for-hire services. The briefing materials are attached for your review.

Please contact me if you have questions or need additional information

A handwritten signature in blue ink that reads "Joey Zapata".

Joey Zapata

Assistant City Manager

cc: Honorable Mayor and Members of the City Council
A.C. Gonzalez, City Manager
Warren M.S. Ernst, City Attorney
Craig D. Kinton, City Auditor
Rosa A. Rios, City Secretary
Daniel F. Solis, Administrative Judge
Ryan S. Evans, First Assistant City Manager

Eric D. Campbell, Assistant City Manager
Jill A. Jordan, P.E., Assistant City Manager
Mark McDaniel, Assistant City Manager
Jeanne Chipperfield, Chief Financial Officer
Sana Syed, Public Information Officer
Elsa Cantu, Assistant to the City Manager – Mayor & Council



City of Dallas

PROPOSED TRANSPORTATION-FOR-HIRE REGULATIONS

17 November 2014

Transportation and Trinity River Project Committee



Key Provisions

- ▶ All business models require operating authority, permitted drivers, and permitted vehicles
- ▶ Barriers to entry and competition are removed
- ▶ Vehicles must meet quality standards, not age limits
- ▶ Tiered insurance based on passenger capacity with increase to \$1 million combined single limit (CSL) for largest vehicles
- ▶ Service rules require city wide service, prohibit discrimination, and require wheelchair accessible vehicle be dispatched on request
- ▶ “Head of the line” privilege at airports in five (5) years for all Smartway certified hailable vehicles
- ▶ Hailable vehicles maintain set (taxi) rates; all others are free market published rates
- ▶ Cite and tow enforcement

Operating Authority

- ▶ An operating authority shall identify every vehicle operating under the authority
- ▶ An operating authority shall list every driver that will provide services under the operating authority, identified by name and driver permit number
- ▶ Amendments to the operating authority permit shall be reported to the City, including changes of drivers and/or vehicles
- ▶ An operating authority shall employ, maintain and enforce a zero-tolerance policy prohibiting the use of intoxicating substances

Operating Authority, cont'd

- ▶ Each operating authority shall maintain a publicly remotely accessible data site that contains, at a minimum:
 - Rate information
 - Zero-tolerance policy for intoxicating substances
 - Contact information
 - Statement that wheelchair accessible vehicles are available upon request
 - Information on how to report complaints to the City

Fees

- ▶ Operating authority permit: \$1,000 per year
- ▶ Driver permit: \$65 per two (2) years
- ▶ Vehicle permit: \$50 per vehicle per year
- ▶ Temporary vehicle: \$42 per event or period of time
- ▶ Non-motorized operating authority: \$430 per year
 - Driver permit: \$50 per two years
 - Vehicle permit: \$41 per vehicle per year

Driver Permit

- ▶ A driver permit may be used under one or several operating authorities
- ▶ A driver permit may be used for any type of transportation-for-hire vehicle

Qualifications for Driver Permit

- ▶ An applicant seeking an initial driver permit or renewal of an existing driver permit must:
 - Submit an official copy of the applicant's criminal history from the state of Texas and all other states in which the applicant resided in the preceding five years, or obtain the applicant's Identity History Summary Check from the Federal Bureau of Investigation
 - Obtain an official copy of the applicant's driving record from the state of Texas and all other states in which the applicant resided in the preceding three years
 - Submit the applicant's criminal history and driving record information to the director or an approved third party for certification

Qualifications For Driver Permit, cont'd

- ▶ Drivers must complete a training class approved by the director focusing on:
 - City regulations
 - Familiarity with the City's geography
 - Customer service
- ▶ The training class is required only once, unless the driver's permit is suspended

Display of Driver Permit

- ▶ A driver shall carry the driver permit visibly on his person at all times that the driver is providing transportation-for-hire services
- ▶ A driver shall allow the director or a peace officer to examine the driver permit upon request

Vehicle Permit

- ▶ One vehicle permit may be used under any or several operating authorities as long as the operating authority identifies the vehicle and the vehicle specifies any operating authority for which the vehicle drives
- ▶ Shall show proof of
 - Current state registration and safety inspection
 - Vehicle being covered by the required insurance
 - Vehicle being inspected within the preceding thirty (30) days and certified as meeting the requirements specified in Sec. 47A-2.3.3

Vehicle Quality Requirements

- ▶ An operating authority shall maintain all motorized vehicles operating under its permit, and a driver shall maintain the motorized transportation-for-hire vehicle he is driving for hire, in a condition such that:
 - Each vehicle is mechanically sound and road worthy
 - Exterior and interior are clean and appear new or substantially like new
 - It is annually certified to meet standards in Sec. 47A-2.3.3 (see pp. 15 - 17 in Appendix)

Transportation-for-Hire Markings

- ▶ Hailable vehicles must have:
 - A roof mounted top light to indicate availability
 - Door signs containing name of the operating authority, vehicle permit number, and fare rate
- ▶ Every transportation-for-hire vehicle shall have a permit on the windshield

Wheelchair Accessibility

- ▶ An operating authority shall provide a wheelchair accessible vehicle upon request or cause one to be provided without unreasonable delay
- ▶ An operating authority is prohibited from charging a higher fare rate for wheelchair-accessible service

Non-Discriminatory Service Rules

- ▶ Citywide service*
 - No part of the city shall be excluded from service
 - No refusal of passengers due to point of origin, destination, or length of trip
- ▶ No discrimination against passengers based on race, color, age, religion, sex, marital status, sexual orientation, gender identity, national origin, disability, or political opinions or affiliations

* Does not apply to non-motorized transportation vehicles for hire

Other Service Rules

- ▶ A driver may refuse a passenger if:
 - Person is disorderly
 - Driver is engaged in answering a previous request for service
 - Person is engaged in unlawful conduct
 - By observation the driver fears for his or her safety
- ▶ Driver shall take the most direct and expeditious route, unless otherwise directed by passenger
- ▶ City contact information for complaints shall be displayed inside of the vehicle

Other Service Rules, cont'd

- ▶ Hotels may not require guests to use a specific transportation-for-hire company or any specific mode of transportation-for-hire
- ▶ Neither operating authority or drivers may solicit passengers by paying any individual employee of another business to solicit passengers or to give preferential treatment in directing passengers to a specific driver

SmartWay Certified Vehicles

- ▶ Beginning on January 1, 2020, SmartWay certified hailable transportation-for-hire vehicles that are 2015 model year or newer, authorized to operate at Love Field or Dallas-Fort Worth Airports, will be eligible to advance to the front of the airport's holding or dispatch areas
- ▶ “Head-of-the-line” privileges do not apply at stands used for loading passengers at the airports

Rates and Payment

- ▶ Operating authority shall inform the payor of the rate before the service is provided
- ▶ Operating authority must disclose its rates on a publicly remotely accessible data site
- ▶ Operating authority must also disclose its rates on a sign placed in or on all hailable vehicles operated under the operating authority's permit
- ▶ Drivers shall accept credit card payments and shall use a secure processing method

Rates and Payment, cont'd

- ▶ Driver or operating authority shall provide the payor of a fare with a legible receipt at the time of payment. The receipt must contain:
 - Fare rate
 - Total fare
 - Itemization showing how the fare was calculated
 - Trip distance (if fare based in whole or in part on distance)
 - Duration of the trip in minutes (if fare based in whole or in part on time)
 - Name of the operating authority under which the driver was operating at the time of the ride
 - Driver's first name and driver permit number
 - Vehicle permit number

Set Rates for Hailable Vehicles

- ▶ Rates for hailable vehicles will continue to be subject to maximum rates of fare authorized by the ordinance

Driver Availability Log

- ▶ Operating authority shall maintain a real time record that demonstrates each date and time that a driver providing transportation-for-hire services under that operating authority:
 - Is available to accept a ride request
 - Has accepted a ride request
 - Has completed a requested ride
- ▶ Operating authority shall retain for a minimum of ninety (90) days after the record is made, and shall make them available for inspection upon reasonable notice

Insurance

- ▶ A driver is available but has not accepted a ride request, the vehicle and driver must be covered by contingent primary liability coverage of \$50,000 per person/\$100,000 per occurrence for bodily injury and \$25,000 for property damage

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Insurance, cont'd

- ▶ From the time a driver accepts a ride request, either by being physically hailed or dispatched, to the time the passenger exits the vehicle, the vehicle and driver must be covered by:
 - Primary commercial automobile liability coverage with combined single limit of \$500,000 for vehicles with a seating capacity of 1 – 8 passengers
 - Primary commercial automobile liability coverage with combined single limit of \$1,000,000 for vehicles with a seating capacity of 9 or more passengers

Insurance, cont'd

- ▶ Every claim must be paid by the insurance company on a first-dollar basis
- ▶ Any person who has a twenty percent (20%) or greater interest in the operating authority may not have an interest in the insurance company
- ▶ The operating authority may not be self-insured
- ▶ Notice required to the City of Dallas if the policy is cancelled or materially changed
- ▶ Driver must keep proof of any and all liability insurance policies applicable to the driver or vehicle in the vehicle at all times

Enforcement

- ▶ Vehicles shall be towed and impounded if found to be operating without:
 - Required insurance
 - Operating authority permit
 - Driver permit
 - Vehicle permit
- ▶ Appeals shall be to the Permit and License Appeals Board

Effective Date of Ordinance

- ▶ April 30, 2015
- ▶ Permits issued before the effective date remain valid until expiration

ORDINANCE NO. _____

An ordinance amending Chapter 5, "Aircraft and Airports," of the Dallas City Code; repealing Chapter 10, "Buses and Shuttles," Chapter 10A, "Limousines," Chapter 10B, "Non-Motorized Passenger Transport Vehicles," and Chapter 45, "Taxicabs," of the Dallas City Code; adding a new Chapter 47A, "Transportation for Hire," to the Dallas City Code; providing regulations for all transportation-for-hire vehicles; making conforming changes; providing a penalty not to exceed \$500; providing a saving clause; providing a severability clause; and providing an effective date.

WHEREAS, the city council, in accordance with the Charter of the City of Dallas, the state law, and the ordinances of the City of Dallas, have given the required notices and have held the required public hearings regarding this amendment to the Dallas City Code; Now, Therefore,

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

SECTION 1. That the Dallas City Code is amended by adding a new Chapter 47A, "Transportation for Hire," to read as follows:

"CHAPTER 47A

TRANSPORTATION FOR HIRE

ARTICLE I.

GENERAL PROVISIONS.

SEC. 47A-1.1. STATEMENT OF POLICY.

(a) It is the policy of the city of Dallas to promote safety and quality in transportation-for-hire services in the city. The purpose of these regulations is to:

- (1) protect the public health and safety;
- (2) promote the public convenience and necessity;

(3) ensure that transportation-for-hire is a viable component of the public transportation system;

(4) ensure public safety and consumer protection by regulating transportation-for-hire operating authorities, drivers, and vehicles;

(5) allow different modes of transportation-for-hire to compete directly with each other; and

(6) allow consumers to select the type of transportation-for-hire they prefer to use.

SEC. 47A-1.2. GENERAL AUTHORITY AND DUTY OF DIRECTOR.

The director shall implement and enforce this chapter and may by written order establish such rules or regulations, not inconsistent with this chapter or state or federal law, as he determines are necessary to discharge his duty under, or to effect the policy of this chapter.

SEC. 47A-1.3. ESTABLISHMENT OF RULES AND REGULATIONS.

(a) Before adopting, amending, or abolishing a rule or regulation, the director shall hold a public hearing on the proposal.

(b) The director shall fix the time and place of the hearing and, in addition to notice required under the Open Meetings Act (Chapter 551, Texas Government Code), as amended, shall notify each operating authority and such other persons as the director determines are interested in the subject matter of the hearing.

(c) After the public hearing, the director shall notify the holders and other interested persons of the director's action and shall post an order adopting, amending, or abolishing a rule or regulation on the official bulletin board in the city hall for a period of not fewer than 10 days. The order becomes effective immediately upon expiration of the posting period.

SEC. 47A-1.4. EXCLUSIONS.

(a) This chapter does not apply to:

(1) Dallas Area Rapid Transit ("DART") vehicles;

(2) courtesy vehicles;

(3) carpooling;

(4) the transportation of a person by a transportation-for-hire vehicle licensed by another governmental entity from a point outside the city to a destination inside the city, if the transportation-for-hire vehicle leaves the city without receiving a passenger inside the city; or

(5) a motor vehicle used to transport persons for hire that is regulated by another chapter of this code, such as ambulances regulated under Chapter 15D, “Emergency Vehicles”; or

(6) a bus or shuttle vehicle that is:

(A) operated for a funeral home in the performance of funeral services;

(B) provided by an employer or employee association for use in transporting employees between the employees’ homes and the employer’s place of business or between workstations, with the employees reimbursing the employer or employee association in an amount calculated only to offset the reasonable expenses of operating the vehicle;

(C) owned and operated by the federal or state government, by a political subdivision of the state, or by a person under contract with the city for operation of the vehicle;

(D) used to transport children to or from school if only a fee calculated to reasonably cover expenses is charged;

(E) operated under state or federal authority unless subject to the city's regulatory authority;

(F) owned by a nonprofit organization and carrying only passengers associated with that organization, if no compensation is received from any other person for carrying the passengers; or

(G) operated under authority granted by the Surface Transportation Board.

SEC. 47A-1.5. DEFINITIONS.

The definition of a term in this section applies to each grammatical variation of the term. In this chapter, unless the context requires a different definition:

(1) **BUS** means a motor vehicle that has a manufacturer’s rated seating capacity of more than 15 passengers.

(2) **CARPOOLING** means any voluntary sharing of transportation without compensation.

(3) **COMPENSATION** means any money, service, or other thing of value that is received, or is to be received, in return for transportation-for-hire services.

(4) CONTINGENT PRIMARY LIABILITY COVERAGE means a liability insurance policy that will act as a primary liability policy in the event that no other applicable primary liability policy exists or a policy exists but denies coverage.

(5) COURTESY VEHICLE means a vehicle that is not for hire, is not used to transport passengers for compensation, and is operated by or for a business that provides free transportation to customers as an accessory to the main business activity.

(6) DEPARTMENT means the department designated by the city manager to enforce and administer this chapter.

(7) DIRECTOR means the director of the department designated by the city manager to enforce and administer this chapter and includes representatives, agents, or department employees designated by the director.

(8) DISPATCH means any communication system that conveys passenger ride requests to drivers.

(9) DRIVE means to control the physical movements of a transportation-for-hire vehicle.

(10) DRIVER means an individual who drives or otherwise controls the physical movements of a transportation-for-hire vehicle.

(11) DRIVER PERMIT means the permit required by this chapter to drive a transportation-for-hire vehicle.

(12) HAILABLE VEHICLE means a transportation-for-hire vehicle that can be immediately summoned by a passenger without the use of dispatch, and that meets the requirements in Section 47A-2.4.9.

(13) HOLDER means a person who is granted operating authority under this chapter to provide transportation-for-hire service in the city.

(14) HORSE means any member of the species *Equus Caballus*.

(15) HORSE-DRAWN CARRIAGE means a non-motorized vehicle designed to carry passengers while being pulled by one or more horses.

(16) METER means a device that measures the time and distance of a trip.

(17) NON-MOTORIZED PASSENGER TRANSPORT VEHICLE means a horse-drawn carriage or a pedicab.

(18) OPERATING AUTHORITY means a person who is granted operating authority under this chapter to provide transportation-for-hire services.

(19) OPERATING AUTHORITY PERMIT means the permit required by this chapter to provide transportation-for-hire services.

(20) PEDICAB means a device with two or more wheels designed to carry passengers while being propelled by human power.

(21) PERSON means an individual; corporation; government or governmental subdivision; or agency, trust, partnership, or two or more persons having a joint or common economic interest.

(22) PUBLICLY REMOTELY ACCESSIBLE DATA SITE means a website, digital platform, or mobile application (“app”) that provides content in a manner that is accessible to the public through a network.

(23) SHUTTLE VEHICLE means a van-type motor vehicle that has a manufacturer’s rated seating capacity of not less than seven passengers and not more than 15 passengers.

(24) SMARTWAY VEHICLE means a passenger vehicle that is certified as a SmartWay vehicle under the Environmental Protection Agency’s SmartWay program or a passenger vehicle with a seating capacity of 7 or more that is certified by the EPA as an ultra low emission vehicle or an equivalent or better emission rating.

(25) TEMPORARY VEHICLE PERMIT means a permit issued by the city to a person to operate a transportation-for-hire service for a specified period of time that is less than one year.

(26) TRANSPORTATION-FOR-HIRE SERVICE means the business of offering or providing transportation of persons for compensation.

(27) TRANSPORTATION-FOR-HIRE VEHICLE means any vehicle used to offer or provide transportation-for-hire services.

(28) VEHICLE PERMIT means the permit required by this chapter for a vehicle to operate as a transportation-for-hire vehicle.

(29) WHEELCHAIR ACCESSIBLE VEHICLE means a vehicle designed or modified to transport passengers in wheelchairs or other mobility devices and conforming to the requirements of the Americans with Disabilities Act (ADA), as amended.

SEC. 47A-1.6. PERMIT FEES.

(a) A holder of an operating authority permit shall pay the city a permit fee of \$430 a year for transportation-for-hire service provided by non-motorized passenger transport vehicles and \$1000 a year for transportation-for-hire service provided by all other transportation-for-hire vehicles.

(b) A holder of a driver permit shall pay the city a permit fee of \$65 per two years.

(c) A holder of a vehicle permit shall pay the city a permit fee of \$41 per vehicle per year for non-motorized passenger transport vehicles and \$50 per vehicle per year for all other transportation-for-hire vehicles.

(d) A holder of a temporary vehicle permit shall pay the city a permit fee of \$42 per vehicle per event or period.

(e) The fee to reinstate an operating authority permit, driver permit, or vehicle permit after it is suspended shall be \$67.

(f) Permit fees are payable in the manner and at the time prescribed by the permit.

ARTICLE II.

REGULATIONS APPLICABLE TO ALL TRANSPORTATION-FOR-HIRE SERVICES.

DIVISION 1.

OPERATING AUTHORITY PERMIT.

SEC. 47A-2.1.1. OPERATING AUTHORITY PERMIT REQUIRED.

(a) A person may not operate a transportation-for-hire service inside the city without operating authority granted under this chapter.

(b) A person may not transport a passenger for hire inside the city unless the person driving the transportation-for-hire vehicle or another who employs or contracts with the driver has been granted operating authority under this chapter.

SEC. 47A-2.1.2. APPLICATION FOR OPERATING AUTHORITY PERMIT.

To obtain an operating authority permit, a person shall make application in the manner prescribed by this section. The applicant must be the person who will own, control, or operate the proposed transportation-for-hire company. An applicant shall file with the director a verified application statement, to be accompanied by a nonrefundable application fee of \$410, containing the following:

(1) the form of business of the applicant and, if the business is a corporation or association, a copy of the documents establishing the business and the name and address of each person with a 20% or greater ownership interest in the business;

(2) the verified signature of the applicant;

(3) a list containing every vehicle that will provide transportation-for-hire services under the operating authority, identified, as applicable, by year, make, model, color, manufacturer's rated seating capacity, vehicle identification number (VIN), license plate and, if the permit is being renewed, vehicle permit number;

(4) a list containing every driver that will provide transportation-for-hire services under the operating authority, identified by first and last name and driver permit number;

(5) the address of the fixed facilities to be used in the operation, if any, and the address of the applicant's corporate headquarters, if different from the address of the fixed facilities;

(6) documentary evidence from an insurance company listed as an authorized auto liability lines carrier on the Texas Department of Insurance's List of Authorized Insurance Companies or a surplus lines insurer listed on the Texas Department of Insurance's list of Eligible Surplus Lines Insurance Companies, indicating a willingness to provide liability insurance required by this chapter;

(7) documentary evidence of payment of ad valorem taxes on the local property, if any, to be used in connection with the operation of the proposed transportation-for-hire company; and

(8) a copy of the company's zero-tolerance policy for intoxicating substances.

SEC. 47A-2.1.3. CHANGES TO INFORMATION IN OPERATING AUTHORITY APPLICATION.

(a) Any changes to the information provided in the operating authority permit application, other than changes in drivers or vehicles, must be reported to the director, in the manner prescribed by the director, within 10 days of the change.

(b) Any changes in the drivers or vehicles listed in the operating authority permit application must be reported to the director prior to or contemporaneously with those changes.

SEC. 47A-2.1.4. EXPIRATION OF OPERATING AUTHORITY PERMIT.

An operating authority permit expires one year from the date it is issued.

SEC. 47A-2.1.5. SUSPENSION OR REVOCATION OF OPERATING AUTHORITY.

(a) Suspension. The following regulations apply to the suspension of a temporary or annual operating authority permit:

(1) The director may suspend an operating authority permit if the director determines that the operating authority permit holder failed to comply with a correction order issued to the holder by the director within the time specified in the order.

(2) Suspension of an operating authority permit does not affect the expiration date of the permit.

(b) Revocation. The following regulations apply to the revocation of a temporary or annual operating authority permit:

(1) The director shall revoke operating authority if the director determines that the operating authority permit holder has:

(A) made a false statement as to a material matter in the application concerning the operating authority; or

(B) failed to maintain the insurance required by this chapter.

(2) After revocation of an operating authority permit, an operating authority permit holder is not eligible for another permit for a period of up to two years, depending on the severity of the violation resulting in the revocation.

SEC. 47A-2.1.6. ZERO-TOLERANCE DRUG POLICY.

(a) An operating authority shall employ, maintain, and enforce as to its drivers a zero-tolerance policy prohibiting the use of intoxicating substances.

(b) An operating authority shall include on its publicly remotely accessible data site notice of the operating authority's zero-tolerance policy for intoxicating substances and information on how passengers may report a possible violation of the policy to the operating authority and to the City.

SEC. 47A-2.1.7. PUBLICLY REMOTELY ACCESSIBLE DATA SITE.

Each operating authority shall maintain a publicly remotely accessible data site that contains, at a minimum:

(1) the operating authority's rate information,

(2) the operating authority's zero-tolerance policy for intoxicating substances,

(3) the operating authority's contact information,

(4) a statement that wheelchair accessible vehicles are available upon request,

and

- (5) information on how to report complaints to the city.

SEC. 47A-2.1.8. TRANSPORTATION-FOR-HIRE SERVICE AT DALLAS LOVE FIELD AIRPORT AND DALLAS-FORT WORTH INTERNATIONAL AIRPORT.

In addition to complying with this chapter, an operating authority providing transportation-for-hire services at Dallas Love Field Airport or Dallas-Fort Worth International Airport shall comply with all of the rules and regulations of those airports.

SEC. 47A-2.1.9. NONTRANSFERABILITY.

An operating authority permit is not transferable. This regulation should not be construed to impede the continuing use of trade names.

DIVISION 2.

DRIVER PERMIT.

SEC. 47A-2.2.1. DRIVER PERMIT REQUIRED.

(a) A person may not drive a transportation-for-hire vehicle without a valid driver permit issued under this article.

(b) An operating authority may not knowingly request or allow a person who does not hold a valid driver permit issued under this article to drive a transportation-for-hire vehicle for that operating authority.

SEC. 47A-2.2.2. QUALIFICATIONS FOR DRIVER PERMIT.

- (a) To qualify for a driver permit, an applicant must:
 - (1) hold a valid driver's license issued by the State of Texas;
 - (2) not be afflicted with a physical or mental disease or disability that is likely to prevent the applicant from exercising ordinary and reasonable control over a motor vehicle or that is likely to otherwise endanger the public health or safety;
 - (3) not have been convicted of more than four moving traffic violations arising out of separate incidents, or involved in more than two automobile accidents in which it could be reasonably determined that the applicant was at fault, within any 12-month period during the preceding 36 months;
 - (4) not have been convicted of a crime:
 - (A) involving:

- Penal Code; (i) criminal homicide as described in Chapter 19 of the Texas
- Code; (ii) kidnapping as described in Chapter 20 of the Texas Penal
- Penal Code; (iii) a sexual offense as described in Chapter 21 of the Texas
- Texas Penal Code; (iv) an assaultive offense as described in Chapter 22 of the
- Code; (v) robbery as described in Chapter 29 of the Texas Penal
- (vi) any offense under the Texas Penal Code committed against a person with whom the applicant came in contact while engaged in transportation-for-hire service;
- (vii) the transfer, carrying, or possession of a weapon in violation of Chapter 46 of the Texas Penal Code, but only if the violation is punishable as a felony;
- (viii) a violation of the Dangerous Drugs Act (Chapter 483 of the Texas Health and Safety Code) that is punishable as a felony;
- (ix) a violation of the Controlled Substances Act (Chapter 481 of the Texas Health and Safety Code) that is punishable as a felony; or
- (x) criminal attempt to commit any of the offenses listed in Subdivision (7)(A)(i) through (viii) of this subsection;

(B) for which:

- (i) less than two years have elapsed since the date of conviction or the date of release from confinement imposed for the conviction, whichever is the later date, if the applicant was convicted of a misdemeanor offense;
- (ii) less than five years have elapsed since the date of conviction or the date of release from confinement for the conviction, whichever is the later date, if the applicant was convicted of a felony offense; or
- (iii) less than five years have elapsed since the date of the last conviction or the date of release from confinement for the last conviction, whichever is the later date, if, within any 24-month period, the applicant has two or more convictions of any misdemeanor offense or combination of misdemeanor offenses;

(5) not have been convicted of, or discharged by probation or deferred adjudication for, driving while intoxicated:

(A) within the preceding 12 months; or

(B) more than one time within the preceding five years; and

(6) not be subject to an outstanding warrant of arrest in the State of Texas.

(b) An applicant who has been convicted of an offense listed in Subsection (a)(4) or (5), for which the required time period has elapsed since the date of conviction or the date of release from confinement imposed for the conviction, may qualify for a driver permit only if the director determines that the applicant is presently fit to engage in the occupation of a transportation-for-hire driver. In determining present fitness under this section, the director shall consider the following:

(1) the extent and nature of the applicant's past criminal activity;

(2) the age of the applicant at the time of the commission of the crime;

(3) the amount of time that has elapsed since the applicant's last criminal activity;

(4) the conduct and work activity of the applicant prior to and following the criminal activity;

(5) evidence of the applicant's rehabilitation or rehabilitative effort while incarcerated or following release; and

(6) other evidence of the applicant's present fitness, including letters of recommendation from prosecution, law enforcement, and correctional officers who prosecuted, arrested, or had custodial responsibility for the applicant; the sheriff and chief of police in the community where the applicant resides; and any other persons in contact with the applicant.

(c) It is the responsibility of the applicant, to the extent possible, to secure and provide to the director the evidence required to determine present fitness under Subsection (b) of this section.

SEC. 47A-2.2.3. APPLICATION FOR DRIVER PERMIT.

To obtain a driver permit or renewal of a driver permit, the applicant must file with the department a nonrefundable application fee of \$65 and a completed written application on a form provided for the purpose.

SEC. 47A-2.2.4. INVESTIGATION OF APPLICATION FOR DRIVER PERMIT.

An applicant seeking an initial driver permit or renewal of an existing driver permit must:

(1) obtain an official copy of the applicant's criminal history from the state of Texas and all other states in which the applicant resided in the preceding five years, or obtain the applicant's Identity History Summary Check from the Federal Bureau of Investigation;

(2) obtain an official copy of the applicant's driving record from the state of Texas and all other states in which the applicant resided in the preceding three years; and

(3) submit the applicant's criminal history and driving record information to the director or an approved third party for certification.

SEC. 47A-2.2.5. APPROVAL OR DENIAL OF DRIVER PERMIT.

(a) Applicants who are not seeking renewal of an existing driver permit must complete a training class approved by the director on city regulations, familiarity with the city, and customer service before the applicant may receive a driver permit.

(b) The director shall issue a driver permit to the applicant if:

(1) the director determines that the applicant is qualified to receive a permit under section 47A-2.2.2; and

(2) the applicant has completed the training class required by Subsection (a) of this section.

(c) The director shall deny the application for a driver permit if the applicant:

(1) is not qualified under Section 47A-2.2.2, or

(2) makes a false statement of a material fact in his application for a driver permit.

(d) If the director determines that a driver permit should be denied, the director shall notify the applicant in writing that his application is denied and include in the notice the reason for denial and a statement informing the applicant of his right of appeal.

SEC. 47A-2.2.6. CHANGES TO INFORMATION IN DRIVER PERMIT APPLICATION.

Any changes to the information provided in the driver permit application must be reported to the director, in the manner prescribed by the director, within 10 days of the change.

SEC. 47A-2.2.7. DURATION OF DRIVER PERMIT.

(a) A driver permit expires two years from the date it is issued.

(b) If a driver's state driver's license is suspended or revoked by the state, his transportation-for-hire driver permit automatically becomes void. A driver shall immediately notify the director and each operating authority for which he drives of a suspension or revocation of his driver's license by the state and shall immediately surrender his driver permit to the director.

SEC. 47A-2.2.8. DUPLICATE DRIVER PERMIT.

If a driver permit is lost or destroyed, the director shall issue the driver a duplicate driver permit upon payment to the city of a fee of \$9.

SEC. 47A-2.2.9. DISPLAY OF DRIVER PERMIT.

(a) A driver shall carry the driver permit visibly on his person at all times that the driver is providing transportation-for-hire services.

(b) A driver shall allow the director or a peace officer to examine the driver permit upon request.

SEC. 47A-2.2.10. SUSPENSION OR REVOCATION OF DRIVER PERMIT.

(a) Suspension.

(1) If the director determines that a driver has failed to comply with this chapter or a rule or regulation established under this chapter, the director may suspend the driver permit for a definite period of time not to exceed 60 days.

(2) If at any time the director determines that a driver is not qualified under Section 47A-2.2.2, or is under indictment or has charges pending for any offense involving driving while intoxicated or a felony offense involving a crime described in Section 47A-2.2.2 or criminal attempt to commit any of those offenses, the director shall suspend the driver permit until such time as the director determines that the driver is qualified or that the charges against the driver have been finally adjudicated.

(3) A driver whose driver permit is suspended shall not drive a transportation-for-hire vehicle inside the city during the period of suspension.

(4) The director shall notify in writing the driver and all operating authorities for whom the driver provides services of a suspension under this section and include in the notice the reason for the suspension, the date the director orders the suspension to begin, the duration of suspension, and a statement informing the driver of a right of appeal. The period of suspension begins on the date specified by the director or, in the case of an appeal, on the date ordered by the permit and license appeal board.

(5) A driver whose driver permit has been suspended may not resume providing transportation-for-hire driver services after the suspension period has ended until the

driver repeats the training class required by Section 47A-2.2.5(a) of this chapter. A driver may attend the training class at any available time during or after the suspension period.

(b) Revocation.

(1) The director shall revoke a driver permit if the director determines that the driver:

(A) drove a transportation-for-hire vehicle for hire inside the city during a period in which the driver's permit was suspended;

(B) made a false statement of a material fact in the application for a driver permit;

(C) engaged in conduct that constitutes a ground for suspension under Subsection (a), and received either a suspension in excess of three days or a conviction for violation of this chapter, two times within the 12-month period preceding the occurrence of the conduct or three times within the 24-month period preceding the occurrence of the conduct;

(D) engaged in conduct that could reasonably be determined to be detrimental to the public safety; or

(E) was convicted of any felony offense involving a crime described in Section 47A-2.2.2 while holding a driver permit.

(2) A person whose driver permit is revoked shall not:

(A) apply for another driver permit before the expiration of two years from the date the director revokes the permit or, in the case of an appeal, the date the permit and license appeal board affirms the revocation; or

(B) drive a transportation-for-hire vehicle inside the city.

(3) The director shall notify the driver in writing of a revocation and include in the notice the reason for the revocation, the date the director orders the revocation, and a statement informing the driver of the right of appeal.

(4) After receipt of notice of revocation, the driver shall, on the date specified in the notice, surrender the driver permit to the director and discontinue driving a transportation-for-hire vehicle inside the city.

(5) If the driver appeals the revocation under this section, the driver may continue to drive a transportation-for-hire vehicle pending the appeal unless:

(A) the driver permit is revoked pursuant to Subsection (b)(1)(E) of this section; or

(B) the director determines that continued operation of a transportation-for-hire vehicle by the driver would impose an immediate threat to public safety.

SEC. 47A-2.2.11. NONTRANSFERABILITY.

A driver permit issued to one person is not transferable to another.

SEC. 47A-2.2.12. DRIVER REGULATIONS.

While driving a transportation-for-hire vehicle, a driver shall comply with this chapter, rules and regulations established under this chapter, and all other laws applicable to the operation of a motor vehicle in this state. A driver providing transportation-for-hire services at Dallas Love Field Airport or Dallas-Fort Worth International Airport shall also comply with all of the rules and regulations of those airports.

DIVISION 3.

VEHICLE PERMIT.

SEC. 47A-2.3.1. VEHICLE PERMIT REQUIRED.

No vehicle may be used to provide transportation-for-hire services without a valid permit for that vehicle issued under this article.

SEC. 47A-2.3.2. REQUIREMENTS FOR VEHICLE PERMIT.

To obtain a vehicle permit or renewal of a vehicle permit, a person must provide the director with the following information and documents:

- (1) current state registration and safety inspection;
- (2) the company name of each operating authority under which the vehicle will provide transportation-for-hire services; and
- (3) proof that the vehicle is covered by the insurance required by this chapter for each operating authority under which the vehicle will provide transportation-for-hire services; and
- (4) proof that, within the preceding thirty (30) days, the vehicle has been inspected and certified as meeting the requirements in Section 47A-2.3.3.

SEC. 47A-2.3.3 VEHICLE QUALITY STANDARDS.

(a) An operating authority shall maintain all motorized vehicles operating under its permit, and a driver shall maintain the motorized transportation-for-hire vehicle he is driving for hire, in a condition such that each vehicle is mechanically sound and road worthy, the exterior

and interior are clean and appear new or substantially like new, and meets the following standards:

- (1) body panels, trim, and moldings are free of dents (other than minor door dings that do not involve paint damage), scratches or other visible unrepaired damage;
- (2) paint in good condition, free of scratches or other visible unrepaired damage, visible fading, runs, peeling, overspray, mismatched colors, or excessive “orange peel”;
- (3) all recall work recommended by the vehicle’s manufacturer has been performed;
- (4) all exterior lights function and are aimed as designed by the manufacturer;
- (5) all doors open and close smoothly using interior and exterior door handles;
- (6) windshield and windows are in good condition, free of cracks or any condition that obscures visibility;
- (7) front and rear seats, armrests, interior door panels, headliners, carpet, mats, and front and rear dashboards are in good condition, free of cracks, rips, tears or excessive wear;
- (8) all seat belts function smoothly, lock securely, and are free of twists, cuts or visible signs of wear;
- (9) power windows and locks function properly;
- (10) windshield wipers function as designed and wiper blades clean properly;
- (11) all dashboard lights illuminate as designed;
- (12) air conditioner, heater, and defoggers function properly;
- (13) all interior lights function properly;
- (14) all power controlled rearview mirrors function properly;
- (15) trunk lid functions properly;
- (16) trunk compartment contains a proper spare tire in good condition with proper tread depth and air pressure, and all tools required to change a tire;
- (17) engine hood release operates properly;

(18) all engine compartment fluid levels are at manufacturer recommended levels;

(19) no leaks or excessive noise emitting from the fuel pump, cooling system, water pump, engine, or transmission;

(20) all engine belts are in good condition with no visible signs of damage or excessive wear;

(21) air filter is clean;

(22) engine oil is clean and free of contaminants;

(23) battery is at full charge, tests to proper standards and shows no visible signs of damage or leakage;

(24) front and rear tires, wheels and wheel covers match and are the proper size and type for the vehicle;

(25) front and rear tires contain the proper air pressure, sidewalls are in good condition, and tread depth is a minimum of 5/32”;

(26) all lug nuts are properly torqued;

(27) brake rotors show no signs of warpage, heat damage, or excessive wear;

(28) brakes, including parking brakes, and brake assemblies, calipers, lines, hoses and cables show no signs of leakage, damage, or excessive wear;

(29) vehicle chassis, including frame rails, subframe, transmission case or pan, drive shaft, fuel tank and components, steering system, differential assembly, exhaust system, transmission mounts, and struts/shocks show no sign of damage, leakage, or excessive wear;

(30) on startup, engine idles normally; and

(31) while driving, engine performs normally, transmission shifts normally, brakes function normally, no warning lights illuminate, and steering functions normally, with no abnormal vibration.

(b) It is a defense to prosecution for a violation of subsection (a) that the violation was remedied within twenty-one (21) days after receiving the citation.

(c) A person commits an offense if he knowingly falsely certifies, requests another to falsely certify, or intentionally causes another to falsely certify that a transportation-for-hire vehicle meets the standards in subsection (a) when the vehicle does not meet those standards.

SEC. 47A-2.3.4. DISPLAY OF VEHICLE PERMIT.

- (a) A person commits an offense if he:
 - (1) operates a transportation-for-hire vehicle with an expired vehicle permit or with no vehicle permit affixed to the vehicle;
 - (2) attaches a vehicle permit to a transportation-for-hire vehicle not authorized to operate as a transportation-for-hire vehicle;
 - (3) forges, alters, or counterfeits a transportation-for-hire vehicle permit required by this section; or
 - (4) possesses a forged, altered, or counterfeited transportation-for-hire vehicle permit required by this section.
- (b) A transportation-for-hire vehicle permit assigned to one vehicle is not transferable to another.

SEC. 47A-2.3.5. TEMPORARY VEHICLE PERMITS.

- (a) To obtain a temporary vehicle permit, a person shall make application to the director.
- (b) The director may issue a temporary permit for the purposes of:
 - (1) providing supplemental services during periods of extraordinary demand;or
 - (2) assessing the feasibility of new technology or services in furtherance of the duties assigned under this code.
- (c) A temporary vehicle permit is not renewable.

SEC. 47A-2.3.6. EXPIRATION OF VEHICLE PERMIT.

The vehicle permit expires one year from the date it is issued.

DIVISION 4.

SERVICE RULES.

SEC. 47A-2.4.1. NO SOLICITATION.

A driver may not solicit passengers if the solicitation is:

(1) from a location other than the driver's compartment or the immediate vicinity of the driver's transportation-for-hire vehicle; or

(2) in a way that annoys or obstructs the movement of a person.

SEC. 47A-2.4.2. NON-DISCRIMINATION.

An operating authority or driver shall not refuse service to a passenger based on the passenger's race; color; age; religion; sex; marital status; sexual orientation, as that term is defined in Chapter 34 of this code; gender identity and expression, as that term is defined in Chapter 34 of this code; national origin; disability; political opinions; or affiliations.

SEC. 47A-2.4.3. CITY-WIDE SERVICE.

(a) An operating authority may not exclude from service any portion of the city.

(b) An operating authority may not refuse to convey a ride request to an available driver based on point of origin, destination, or length of trip.

(c) While operating a transportation-for-hire vehicle, a driver shall not refuse a person who requests service unless:

(1) the person is disorderly;

(2) the driver is engaged in answering a previous request for service;

(3) the driver has reason to believe that the person is engaged in unlawful conduct; or

(4) the driver, based on observation of a specific passenger, reasonably fears for the driver's own safety.

(d) This section does not apply to transportation-for-hire service provided by non-motorized passenger transport vehicles.

SEC. 47A-2.4.4. WHEELCHAIR ACCESSIBILITY.

(a) When a wheelchair accessible vehicle is requested, the operating authority must provide a wheelchair accessible vehicle, or cause one to be provided, without unreasonable delay.

(b) Operating authorities and drivers are prohibited from charging a higher fare rate for wheelchair accessible transportation-for-hire vehicles.

SEC. 47A-2.4.5. DIRECT AND EXPEDITIOUS ROUTE.

(a) A driver must take the most direct and expeditious route available, unless otherwise directed by the passenger.

(b) This section does not apply to transportation-for-hire service provided by non-motorized passenger transport vehicles.

SEC. 47A-2.4.6. PAYMENT BY CREDIT CARD.

(a) An operating authority or driver, whichever accepts payment for a fare, must allow fares to be paid by credit card.

(b) When accepting a credit card payment, an operating authority or driver must use a secure credit card processing method that encrypts information transmitted to authenticate a credit card payment transaction for approval.

SEC. 47A-2.4.7. SIGNAGE.

A driver shall at all times while the driver is providing transportation-for-hire services maintain a sign inside the vehicle that is visible and legible to passengers containing the driver's first name and picture, the vehicle permit number, and information on how to contact the city to make a complaint.

SEC. 47A-2.4.8. RATES AND FARES.

(a) For purposes of this section, "payor" means the person paying for transportation-for-hire service.

(b) An operating authority shall inform the payor of the rate for the transportation-for-hire service before the transportation-for-hire service is provided.

(c) An operating authority must disclose its rates on a publicly remotely accessible data site. An operating authority must also disclose its rates on a sign placed in or on all hailable transportation-for-hire vehicles operated under the operating authority's permit.

(d) A driver or operating authority shall provide the payor of a fare with a legible receipt at the time of payment. The receipt must contain the following information:

- (1) the fare rate;
- (2) the total fare;
- (3) an itemization showing how the fare was calculated;
- (4) the trip distance (if fare based in whole or in part on distance);

(5) the duration of the trip in minutes (if fare based in whole or in part on time);

(6) the name of the operating authority under which the driver was operating at the time of the ride;

(7) the driver's first name and driver permit number; and

(8) the vehicle permit number.

(e) The receipt may be submitted to the payor electronically if the ride was dispatched electronically or if the payor agrees to accept an electronic receipt.

(f) Hailable vehicles shall not charge any fare for providing transportation-for-hire service in the city that exceeds the maximum rates of fare authorized by the following schedule:

(1) General fares.

Initial meter drop \$2.25

Each 1/9 mile \$0.20

Traffic delay time/waiting time, per 1-1/2 minutes \$0.45

Each extra passenger (up to manufacturer's rated seating capacity) \$2.00

(2) Love Field Airport fares.

Each passenger-carrying trip departing from the airport (in addition to the general fare) \$0.50

Minimum charge for each trip departing from the airport \$8.00

Flat rate for each trip either originating at the airport and terminating at a location within the Dallas Central Business District area or originating at a location within the Dallas Central Business District area and terminating at the airport \$18.00

Flat rate for each trip either originating at the airport and terminating at a location within the Dallas Market Center area or originating at a location within the Dallas Market Center area and terminating at the airport \$15.00

(3) Dallas-Fort Worth International Airport fares.

Minimum charge for each terminal transfer \$7.00

Minimum charge for each trip that requires exiting the Airport parking plaza and terminates inside of airport property \$14.50

Minimum charge for each trip that requires exiting the Airport parking plaza and terminates outside of airport property \$17.00

Flat rate for each trip either originating at the airport and terminating at a location within the Dallas Central Business District area or originating at a location within the Dallas Central Business District area and terminating at the airport \$40.00

Flat rate for each trip either originating at the airport and terminating at a location within the Dallas Market Center area or originating at a location within the Dallas Market Center area and terminating at the airport \$32.00

(4) Gasoline surcharge.

(A) A gasoline surcharge approved by the director may be added to a hailable vehicle fare when the average weekly retail price of regular grade gasoline in the State of Texas exceeds \$2.00 per gallon as determined by the United States Department of Energy, Energy Information Administration.

(B) The gasoline surcharge will be calculated in \$0.50 increments and applied per trip. For every \$0.50 increase or decrease in the average price per gallon of gasoline above the \$2.00 threshold, the per trip surcharge fee will be adjusted \$0.50 up or down to reflect the change in the average gasoline price. For example:

AVERAGE PRICE OF GASOLINE (PER GALLON)	AMOUNT OF SURCHARGE (PER TRIP)
\$2.00 or less	No surcharge
\$2.01 to \$2.50	\$0.50
\$2.51 to \$3.00	\$1.00
\$3.01 to \$3.50	\$1.50
Each additional \$0.50 increase in the average per gallon price of gasoline	Additional \$0.50 per trip

(C) The director shall determine the gasoline surcharge on a quarterly basis each year by checking, in accordance with the following schedule, the average price per gallon of gasoline as posted by the United States Department of Energy in its weekly updates:

DATE OF QUARTERLY PRICE

DATE OF QUARTERLY

CHECK BY DIRECTOR

ADJUSTMENT (IF REQUIRED)

December 20

January 1

March 20

April 1

June 20

July 1

September 20

October 1

(g) Each driver of a hailable vehicle shall charge the rates of fare prescribed in Subsection (f) in accordance with the following terms and conditions:

(1) "Dallas Central Business District area" includes:

(A) the Dallas Central Business District, which is the area bounded by Woodall Rodgers Freeway on the north, Central Expressway on the east, R. L. Thornton Freeway on the south, and Stemmons Freeway on the west; and

(B) all points located within 1,000 feet of the Dallas Central Business District boundaries described in Paragraph (1)(A) of this subsection.

(2) "Dallas Market Center area" includes:

(A) the Dallas Market Center, which is the area bounded by Motor Street on the northwest, Harry Hines Boulevard on the northeast, Oak Lawn Avenue on the southeast, and Irving Boulevard on the southwest; and

(B) all points located within 1,000 feet of the Dallas Market Center boundaries described in Paragraph (2)(A) of this subsection.

(3) "Extra passengers" means the total number of passengers, less one, riding in the same vehicle whether or not going to the same destination.

(4) "Traffic delay time" is that time, as set and determined by the meter, during which the vehicle is stopped in traffic or proceeding at a speed of less than 11.5 miles per hour due to traffic conditions.

(5) "Waiting time" may be charged only when a passenger or party requests a vehicle to wait and be held exclusively for the use of that passenger or party.

(6) Passengers in the same vehicle traveling between the same points must be considered as one trip, and a multiple fare may not be charged. The only extra charge permitted for additional passengers is the \$2.00 allowed under Subsection (e) for each extra passenger.

(7) When passengers in the same vehicle have different destinations, the fare must be collected and the meter must be reset at each destination point, except when the vehicle is engaged by, and the fare for the entire trip is paid by, one passenger or party. The \$2.00 charge for each extra passenger is permitted under this paragraph only when the fare for the entire trip is paid by one passenger or party or when more than one passenger disembarks at a single location.

(8) A passenger or party must reimburse the driver for all lawful tolls paid during the time of engagement only if the passenger or party was notified of the toll route beforehand by the driver and did not object to the toll route.

(h) The director shall periodically review the hailable vehicle rates of fare and, after receiving input from operators and drivers of hailable vehicles, recommend any change to the city council. The city council shall hold a public hearing to consider the proposed change in rates of fare. After the hearing, the city council may approve, disapprove, or modify the proposed change.

(i) Nothing in this section prohibits a hailable vehicle from being operated for a discounted rate or charge.

SEC. 47A-2.4.9. ADDITIONAL REQUIREMENTS FOR HAILABLE VEHICLES.

(a) All hailable vehicles must:

(1) have a roof mounted top light that illuminates when the vehicle is in service but not available to be hailed; and

(2) display the following information on at least one door on each side of the vehicle:

(A) the name of the operating authority under which the vehicle is currently operating,

(B) the vehicle permit number, and

(C) the fare rate.

(b) The size and format of the information required by this section must be approved by the director.

(c) If a hailable vehicle is neither engaged in service nor available to be hailed, the driver must place a sign in the front window on the right side of the vehicle with the words "NOT FOR HIRE" printed in letters not less than 3" in height with a stroke of not less than 3/8".

SEC. 47A-2.4.10. GOUGING PROHIBITED.

Drivers and operating authorities may not knowingly or intentionally quote, charge, or attempt to charge a fare higher than the fare calculated based on the operating authority's published rates or the rates allowed by this chapter for hailable vehicles, whichever is applicable.

SEC. 47A-2.4.11. SMARTWAY CERTIFIED VEHICLES.

Beginning on January 1, 2020, Smartway certified hailable transportation-for-hire vehicles that are 2015 model year or newer, authorized to operate at Love Field or Dallas-Fort Worth Airports, will be eligible to advance to the front of the airport's holding or dispatch areas. "Head-of-the-line" privileges do not apply at stands used for loading passengers at the airports.

SEC. 47A-2.4.12. SOLICITATION OF PASSENGERS BY BUSINESS ESTABLISHMENTS.

(a) An employee of a business establishment, other than an operating authority, who acts as an agent in obtaining transportation-for-hire service for prospective passengers shall not:

(1) solicit nor accept payment from a driver in return for giving preferential treatment in directing passengers to a driver; or

(2) interfere with the orderly progression of transportation-for-hire vehicles from the rear to the front of a queue.

(b) Business establishments or their agents may not require guests to use a specific transportation-for-hire operating authority, driver, or vehicle.

(c) Drivers may not pay an employee of a business establishment to solicit passengers or to give preferential treatment in directing passengers to that driver.

SEC. 47A-2.4.13. DRIVER AVAILABILITY LOG.

(a) An operating authority shall maintain a real time record that demonstrates each date and time that a driver providing transportation-for-hire services under that operating authority:

(1) is available to accept a ride request;

(2) has accepted a ride request; and

(3) has completed a requested ride.

(b) The operating authority shall retain the record required by subsection (a) for a minimum of ninety (90) days after the record is made, and shall make the records available for inspection by the director upon reasonable notice.

DIVISION 5.

INSURANCE.

SEC. 47A-2.5.1. INSURANCE POLICY REQUIREMENTS AND PROHIBITIONS.

(a) An operating authority shall procure and keep in full force and effect the insurance coverage required by this article through a policy or policies written by an insurance company that:

(1) is listed as an authorized auto liability lines carrier on the Texas Department of Insurance's List of Authorized Insurance Companies or a surplus lines insurer listed on the Texas Department of Insurance's list of Eligible Surplus Lines Insurance Companies;

(2) is acceptable to the city; and

(3) does not violate the ownership or operational control prohibitions described in subsection (e) of this section.

(b) The insured provisions of the policy must name the city and its officers and employees as additional insureds, and the coverage provisions must provide coverage for any loss or damage that may arise to any person or property by reason of the operation of a transportation-for-hire vehicle when driven by any authorized driver.

(c) Insurance required under this article must:

(1) include a cancellation provision in which the insurance company is required to notify the director in writing not fewer than 30 days before canceling (for a reason other than non-payment) or making a material change to the insurance policy;

(2) include a cancellation provision in which the insurance company is required to notify the director in writing not fewer than 10 days before canceling for non-payment;

(3) cover all transportation-for-hire vehicles during all times that the vehicles are operating in furtherance of the operating authority's business, whether the vehicles are owned, non-owned, hired, rented, or leased by the operating authority, and whether the vehicles are or are not listed on a schedule of vehicles provided to the insurance company;

(4) include a provision requiring the insurance company to pay every claim on a first-dollar basis;

(5) require notice to the city of Dallas if the policy is cancelled or materially changed; and

(6) comply with all applicable federal, state, or local laws.

(d) A driver must keep proof of any and all liability insurance policies applicable to the driver or vehicle in the vehicle at all times.

(e) No person who has a 20 percent or greater ownership interest in the operating authority may have any interest in the insurance company.

(f) The operating authority may not be self-insured.

(g) Any insurance policy required by this article must be on file with the city within forty-five (45) days of the issuance of the initial operating authority permit, and thereafter within 45 days of the expiration or termination of a previously issued policy

SEC. 47A-2.5.2. MINIMUM INSURANCE LIMITS.

(a) Insurance policy limits for motorized transportation-for-hire vehicles. At a minimum, the liability coverage for motorized transportation-for-hire vehicles must be provided as follows:

(1) From the time a driver indicates that the vehicle is available to accept a ride request, but before the driver has accepted a ride request, the vehicle and driver must be covered by contingent primary liability coverage for injury and property damage arising out of or caused by the operation of the vehicle in the amount of \$50,000 per person, \$100,000 per occurrence for bodily injury and \$25,000 in property damage; and

(2) From the time a driver accepts a ride request, either by being physically hailed or dispatched, to the time the passenger exits the vehicle, the vehicle and driver must be covered by primary commercial automobile liability coverage with a combined single limit of liability for injury and property damage arising out of or caused by the operation of the vehicle in the following amounts:

For vehicles with a manufacturer's rated seating capacity of 1-8 passengers	\$500,000
For vehicles with a manufacturer's rated seating capacity of 9 or more passengers	\$1,000,000.

(b) Insurance policy limits for non-motorized passenger transport vehicles. The commercial general liability insurance for non-motorized passenger transport vehicles must provide combined single limits of liability for bodily injury and property damage of not less than \$500,000 for each occurrence, or the equivalent, and include coverage for premises operations, independent contractors, products/completed operations, personal injury, contractual liability,

and medical payments. Coverage for medical payments must include a minimum limit of \$5,000 per person. Aggregate limits of liability are prohibited.

ARTICLE III.

REGULATIONS SPECIFIC TO NON-MOTORIZED PASSENGER TRANSPORT VEHICLES.

SEC. 47A-3.1. ROUTE.

Transportation-for-hire service offered by non-motorized passenger transport vehicles may only be offered in accordance with a preapproved route, with fixed pickup and destination points, that must be current and kept on file with the director.

SEC. 47A-3.2. REQUIREMENTS FOR HORSES IN SERVICE.

(a) Before any horse may be used in a non-motorized passenger transport service, the holder must furnish the director with:

(1) a state certificate of veterinarian inspection identifying the horse by description or photograph and showing that the horse has been examined at least once within the preceding six months by a veterinarian licensed by the State of Texas who specializes in equine medicine;

(2) proof that the horse has had tetanus, rabies, and Eastern-Western encephalitis vaccinations; and

(3) photographs showing identifying markings of the horse.

(b) A horse used in a non-motorized passenger transport service must:

(1) be appropriately shod to work on paved streets; if a horse loses a shoe while working, an “eazy” type boot may be used to finish the scheduled work day;

(2) not have any open wound, oozing sore, cut below skin level, or bleeding wound;

(3) not have evidence of lameness, such as but not limited to head bobbing or irregular rhythm;

(4) be offered not less than five gallons of drinking water at least every two hours;

(5) have at least a 10-minute rest period after every 50 minutes worked;

(6) not work longer than eight hours in a 24-hour period with a minimum of 12 hours rest;

(7) have all harnesses properly fitted and in good repair with no deficiencies that could reasonably be deemed a safety hazard;

(8) be properly cleaned with no offensive odors or caked dirt or mud;

(9) wear a special sanitary device for containing animal excrement;

(10) not work when the outside temperature exceeds 99 degrees Fahrenheit, or the thermal heat index exceeds 150, as measured by the National Weather Service at Love Field; and

(11) be examined at least once every six months by a veterinarian licensed by the State of Texas who specializes in equine medicine and receive a state certificate of veterinarian inspection, which must be submitted to the director.

(c) The director, or a designated representative of the city department of code compliance, may require the holder or driver of a horse-drawn carriage to remove from service any horse that appears to be ill, overtired, undernourished, overloaded, injured, or lame or whose health or life, in the opinion of a veterinarian or qualified equine animal services officer, is in imminent danger. To reinstate a horse removed from service, the horse must be re-examined and a new state certificate of veterinarian inspection issued for the horse by a veterinarian licensed by the State of Texas and specializing in equine medicine, which certificate must be submitted to the director.

(d) A person commits an offense if he harasses or startles, or attempts to harass or startle, any horse while the horse is pulling a carriage or at rest or otherwise treats a horse inhumanely while it is working in a non-motorized passenger transport service.

(e) A holder and driver shall use a trailer to transport a horse to a job location in the city that is more than three miles from the location where the horse is stabled.

(f) For purposes of this section, a horse is considered to be working any time it is on a public street or sidewalk, or other public right-of-way, during any hour of operation of the non-motorized passenger transport service that is authorized by and on file with the director.

SEC. 47A-3.4. REQUIRED EQUIPMENT.

(a) An operating authority shall maintain for all non-motorized passenger transport vehicles operating under its permit, and a driver shall maintain for the non-motorized passenger transport vehicle he is driving for hire, the following equipment in good condition:

(1) head-lights;

- (2) tail-lights;
 - (3) flashing lights;
 - (4) a braking system approved by the director;
 - (5) rubber on all wheels;
 - (6) a “slow moving vehicle” sign attached to the rear of the vehicle;
 - (7) evidence of insurance required by Division 5 of Article II of this chapter;
 - (8) the company name and a unit number conspicuously located on the rear of the vehicle in letters not less than two inches high;
 - (9) a vehicle permit or temporary permit placed in a manner and location approved by the director;
 - (10) any other equipment required to comply with all applicable federal and state laws; and
 - (11) any other special equipment that the director determines to be necessary for the service to be operated.
- (b) An operating authority and driver shall, at all times, keep each non-motorized passenger transport vehicle clean and free of refuse and in safe operating condition.
- (c) A non-motorized passenger transport vehicle must not have any cracks, broken or missing parts, or other visible damage. All wheels must be firmly attached to the hub of a vehicle and all springs, axles, and supporting structures of each vehicle must be intact.

SEC. 47A-3.3. APPLICATION FOR OPERATING AUTHORITY.

In addition to the information required by Section 47A-2.1.2 of this Chapter, to obtain an operating authority permit for transportation-for-hire service offered by non-motorized passenger transport vehicles, the verified application statement filed with the director must include:

- (1) the number of horses the applicant proposes to use in the operation of the service with a description or photograph and a state certificate of veterinarian inspection for each horse; and
- (2) the proposed routes to be offered.

ARTICLE IV.

ENFORCEMENT.

SEC. 47A-4.1. RESPONSIBILITY FOR ENFORCEMENT.

(a) The director may, with or without notice, inspect any transportation-for-hire vehicle operating under this chapter to determine whether the vehicle complies with this chapter, rules and regulations established under this chapter, or other applicable law.

(b) The director shall enforce this Chapter with the assistance of the police department. A police officer upon observing a violation of this chapter or the rules or regulations established by the director, shall take necessary enforcement action to ensure effective regulations of transportation-for-hire service.

SEC. 47A-4.2. REMOVAL OF EVIDENCE OF AUTHORIZATION.

Whenever an operating authority permit, driver permit, or vehicle permit is suspended, revoked, or renewal denied, the director may remove or require the surrender of all evidence of authorization as an operating authority, driver, or transportation-for-hire vehicle, including, but not limited to, removal or surrender of operating authority, permits, decals, and signage.

SEC. 47A-4.3. TOWING AND IMPOUNDING.

A vehicle shall be towed and impounded if determined by the director or any peace officer to be operating as a transportation-for-hire vehicle without:

- (1) the operating authority required by this chapter,
- (2) a driver permit required by this chapter,
- (3) a vehicle permit required by this chapter, or
- (4) the insurance required by this chapter.

SEC. 47A-4.4. CORRECTION ORDER.

(a) If the director determines that an operating authority is violating this chapter, terms of its operating authority, a rule or regulation established by the director, or other law, the director may notify the operating authority in writing of the violation and by written order direct the operating authority to correct the violation within a reasonable period of time. In setting the time for correction the director shall consider the degree of danger to the public health or safety and the nature of the violation. If the violation involves equipment that is unsafe or functioning improperly, the director shall order the operating authority to immediately cease use of the equipment.

(b) If the director determines that a violation constitutes an imminent and serious threat to the public health or safety, the director shall order the operating authority to correct the violation immediately, and, if the operating authority fails to comply, the director shall promptly take or cause to be taken such action as the director considers necessary to enforce the order immediately.

(c) The director shall include in a notice issued under this subsection an identification of the violation, the date of issuance of the notice and the time period within which the violation must be corrected, a warning that failure to comply with the order may result in suspension or revocation of operating authority or imposition of a fine or both, and a statement indicating that the order may be appealed.

SEC. 47A-4.5. SERVICE OF NOTICE.

(a) An operating authority shall designate and maintain a representative to receive service of notice required under this chapter to be given an operating authority and to serve notice required under this chapter to be given a driver employed by an operating authority.

(b) Notice required under this chapter to be given to:

(1) an operating authority must be personally served by the director on the operating authority or the operating authority's designated representative; or

(2) a driver must be personally served or sent by certified United States Mail, return receipt requested, to the address, last known to the director, of the person to be notified, or to the designated representative for drivers.

(c) Notice required under this chapter to be given to a person other than an operating authority or driver may be served in the manner prescribed by Subsection (b)(2).

(d) Service executed in accordance with this subsection constitutes notice to the person to whom the notice is addressed. The date of service for notice that is mailed is three days after the date of mailing.

SEC. 47A-4.6. APPEAL OF CORRECTION ORDER.

The holder of a permit may file an appeal with the permit and license appeal board in accordance with Section 2-96 of this code.

SEC. 47A-4.7. CRIMINAL OFFENSES.

(a) A person commits an offense if he violates or attempts to violate a provision of this chapter, or a rule or regulation established by the director under this chapter, that is applicable to the person. A culpable mental state is not required for the commission of an offense under this chapter unless the provision defining the conduct expressly requires a culpable mental state. A separate offense is committed each day in which an offense occurs.

(b) Prosecution for an offense under Subsection (a) does not prevent the use of other enforcement remedies or procedures applicable to the person charged with or the conduct involved in the offense.”

SECTION 2. That Article II, “Ground Transportation Services at Love Field Airport,” of Chapter 5, “Aircraft and Airports,” of the Dallas City Code is amended to read as follows:

“ARTICLE II.

GROUND TRANSPORTATION SERVICES AT LOVE FIELD AIRPORT.

SEC. 5-57. STATEMENT OF POLICY.

It is the policy of the city to provide and promote adequate and efficient ground transportation services at Dallas Love Field Airport for the convenience of the public. To this end, the city has established a ground transportation system at the airport designed to control traffic congestion, protect the public health and safety, preserve the airport infrastructure, and provide beneficial and convenient ground transportation services to air carrier passengers and other users at the airport.

SEC. 5-58. DEFINITIONS.

In this article:

(1) AIRPORT means all of the land, improvements, facilities, and developments within the boundaries of Dallas Love Field Airport.

(2) ~~[AUTOMATIC VEHICLE IDENTIFICATION (“AVI”)]~~ TAG means an electronic automatic vehicle identification tag issued by the North Texas Tollway Authority that is registered with the airport’s ground transportation office and is ~~[may be]~~ used to charge trip fees for ground transportation vehicles operating at the airport.

(3) ~~[BUS has the definition given that term in Chapter 10 of this code.~~

~~(4)]~~ CERTIFICATE OF REGISTRATION or REGISTRATION means a certificate of registration issued by the director under Section 5-62 of this article that authorizes the operation of a courtesy vehicle or transportation-for-hire vehicle ~~[service]~~ at the airport.

~~(4[5])~~ CONCESSION CONTRACT means a contractual agreement between the city and another person for the provision of car rental and parking services at the airport, under which the city receives a minimum monthly payment or percentage of the gross revenues received by the contractor for such services.

(5[6]) COURTESY VEHICLE means any vehicle used to offer or provide courtesy vehicle services [~~a motor vehicle that is:~~

(A) ~~neither for hire nor used to transport a passenger in exchange for direct compensation; and~~

(B) ~~operated by or on behalf of a hotel, motel, automobile rental, auto auction, or parking company in performing ground transportation service at the airport].~~

(6[7]) COURTESY VEHICLE SERVICE means the provision of free transportation to customers by or for a business as an accessory to the main activities of the business [~~business of performing ground transportation service using courtesy vehicles].~~

(7[8]) DECAL means a decal issued by the director under Section 5-62 of this article authorizing a courtesy vehicle or transportation-for-hire vehicle to be operated at the airport.

[~~(9) DEDICATED COMPRESSED NATURAL GAS VEHICLE means a vehicle that operates exclusively on compressed natural gas.]~~

(8[10]) DIRECTOR means the city's director of aviation or the director's designated representative, including the transportation coordinator.

(9[11]) DRIVER means an individual who drives or otherwise controls the physical movements of [~~operates~~] a courtesy vehicle or transportation-for-hire [~~ground transportation~~] vehicle.

(10[12]) FIXED-BASE OPERATOR means a person who provides full-service aircraft maintenance, aircraft rental, passenger charter flight service, or fuel operations for compensation at the airport.

(11[13]) GROUND TRANSPORTATION SERVICE means the business of operating a courtesy vehicle or transportation-for-hire vehicle [~~using the roadways~~] at the airport for the purpose of dropping off or picking up passengers at the airport's terminal building or other areas of the airport.

(12[14]) GROUND TRANSPORTATION VEHICLE means a courtesy vehicle or transportation-for-hire [~~taxicab, bus, shuttle vehicle, limousine, or courtesy~~] vehicle that is used for performing ground transportation service at the airport.

(13[15]) HOLDER means a person who is granted operating authority to perform ground transportation service at the airport, and includes any person with an ownership interest in the ground transportation service.

(14[16]) **LAWFUL ORDER** means a verbal or written directive issued by the director in the performance of official duties in the enforcement of this article and any rules and regulations promulgated under in this article.

~~[(17) **LIMOUSINE** has the definition given that term in Chapter 10A of this code.]~~

(15[18]) **OPERATE** means:

(A) to own, drive, or be in control of a ground transportation vehicle at the airport; or

(B) to own or be in control of a ground transportation service provided at the airport.

(16[19]) **OPERATING AUTHORITY** has the definition given that term in Chapter 47A of this code ~~[means a permit, reciprocal agreement, certificate of registration, or other permission granted by the city to operate ground transportation service:~~

~~(A) a bus or shuttle service under Chapter 10 of this code;~~

~~(B) a limousine service under Chapter 10A of this code;~~

~~(C) a taxicab service under Chapter 45 of this code; or~~

~~(D) a courtesy vehicle service under this article].~~

(17[20]) **OPERATOR** means:

(A) the owner or driver of a ground transportation vehicle; or

(B) the holder of operating authority to perform ground transportation service at the airport.

(18[21]) **OWNER** means the person:

(A) who is the legal owner of a motor vehicle;

(B) to whom a motor vehicle is registered by the state; or

(C) who is leasing a motor vehicle.

(19[22]) **PERSON** means an individual; corporation; government or governmental subdivision; or agency, trust, partnership, or two or more persons having a joint or common economic interest.

~~(23) SHUTTLE VEHICLE has the definition given that term in Chapter 10 of this code.~~

~~(24) TAXICAB has the definition given that term in Chapter 45 this code.]~~

(20[25]) TRANSPORTATION COORDINATOR means the person designated by the director to oversee and manage the ground transportation service operations at the airport.

(21) TRANSPORTATION-FOR-HIRE SERVICE has the definition given that term in Chapter 47A of this code.

(22) TRANSPORTATION-FOR-HIRE VEHICLE has the definition given that term in Chapter 47A of this code.

(23[26]) TRIP means each time passengers are picked up at the airport by a ground transportation vehicle.

(24[27]) TRIP FEE means the monetary amount charged per trip to the owner or operator of a ground transportation vehicle in accordance with Section 5-63 of this article.

SEC. 5-59. GENERAL AUTHORITY FOR ENFORCEMENT.

(a) The director shall implement and enforce this article and may promulgate and enforce written rules and regulations, not inconsistent with this article, governing the operation of ground transportation vehicles and ground transportation services at the airport as the director determines necessary to provide for the orderly, efficient, and convenient flow of traffic, to protect the public health and safety, and to manage the ground transportation system at the airport.

(b) The director may issue lawful orders, not inconsistent with this article, as the director determines necessary to carry out duties under, or to effect the policy of, this article.

(c) The transportation coordinator is authorized to enforce this article and all rules, regulations, and lawful orders promulgated or issued by the director under this article.

SEC. 5-60. DEFENSES.

It is a defense to prosecution under this article that:

(1) the motor vehicle was owned, operated, or leased by:

(A) a nonprofit organization and being used to carry only passengers associated with that organization, if no compensation is received from any other person for carrying the passengers;

(B) an employer or employee association and being used to transport employees between the employee's homes and the employer's place of business or between work stations;

(C) an air freight or cargo company utilizing air cargo terminals at the airport;

(D) a fixed-based operator and being used to transport employees or customers at the airport;

(E) the federal or state government or a political subdivision of the state; or

(F) a school, university, organ donor company, medical service provider, or ambulance service; or

(2) the ground transportation vehicle was licensed by another governmental entity and was transporting a passenger from a point outside the city to a destination inside the airport, if the ground transportation vehicle leaves the airport without receiving a passenger inside the airport.

SEC. 5-61. GROUND TRANSPORTATION SERVICE REQUIREMENTS.

(a) A person commits an offense if he ~~[performs ground transportation service at the airport or operates a ground transportation vehicle at the airport without either]:~~

(1) performs ground transportation service at the airport without being authorized under a current, valid certificate of registration issued under Section 5-62 of this article [current, valid operating authority granted by the city under this article or under Chapter 10, 10A, or 45 of this code]; or

(2) operates, or as a holder allows the operation of, a ground transportation vehicle at the airport without the operator of the vehicle being named in the registration issued under Section 5-62 of this article and without the vehicle being listed in the registration issued under Section 5-62 of this article [a license to perform ground transportation service at the airport pursuant to the terms and conditions contained in a concession contract with the city].

(b) A person commits an offense if he performs transportation-for-hire service at the airport or operates a transportation-for-hire vehicle at the airport without current, valid operating authority under Chapter 47A of this code.

~~(c)~~ Each ground transportation vehicle operated at the airport must display an AVI [a ~~valid automatic vehicle identification~~] tag issued to the owner or operator of the vehicle. The AVI tag must be affixed to the vehicle in a location and manner approved by the director. An AVI tag is not transferable.

(d[e]) Each ground transportation [courtesy] vehicle must have a decal issued under Section 5-62 of this article conspicuously affixed to the vehicle's front windshield in a location and manner approved by the director.

[SEC. 5-61.1. TAXICABS THAT ARE DEDICATED COMPRESSED NATURAL GAS VEHICLES.

(a) ~~A taxicab authorized to operate at the airport will be eligible for "head of the line" privileges in the taxicab holding and dispatch areas if the taxicab is verified as a dedicated compressed natural gas vehicle by the director in accordance with this section and rules, regulations, and procedures promulgated by the director.~~

(b) ~~"Head of the line" privileges allow an eligible taxicab to advance to the front of a taxicab holding or dispatch area, ahead of all ineligible taxicabs, in accordance with rules, regulations, and procedures promulgated by the director. "Head of the line" privileges do not apply at taxicab stands used for loading passengers at the airport.~~

(c) ~~To receive "head of the line" privileges, the owner or operator of the taxicab must submit to the director the following information:~~

(1) ~~The name, address, and telephone number of the taxicab owner or operator.~~

(2) ~~A description of the taxicab, including the make, model, vehicle identification number, and state license plate number of the taxicab.~~

(3) ~~Proof that the taxicab was:~~

(A) ~~equipped by the original manufacturer with an engine exclusively powered by compressed natural gas and has remained unaltered; or~~

(B) ~~converted to be equipped with an engine exclusively powered by compressed natural gas, and the conversion was in compliance with Mobile Source Enforcement Memorandum 1A, the Addendum to Mobile Source Enforcement Memorandum 1A, and the Revised Addendum to Mobile Source Enforcement Memorandum 1A, as issued by the United States Environmental Protection Agency, and with Title 40, Parts 85 through 88, of the Code of Federal Regulations, as amended.~~

(4) ~~Any other information requested by the director that is reasonably necessary to determine whether the taxicab is a dedicated compressed natural gas vehicle.~~

(d) ~~Upon determining that a taxicab is a dedicated compressed natural gas vehicle, the director shall issue to the taxicab a sticker or emblem that identifies it as a designated compressed natural gas vehicle eligible for "head of the line" privileges. The sticker or emblem must be displayed on the taxicab in a manner and location approved by the director. The sticker or emblem is nontransferable.~~

(e) ~~A person commits an offense if he uses a sticker or emblem issued under this section on an unauthorized vehicle or in an unauthorized manner.]~~

SEC. 5-62. REGISTRATION OF GROUND TRANSPORTATION [~~COURTESY VEHICLE~~] SERVICE AT THE AIRPORT.

(a) Registration required; application.

~~(1) A person commits an offense if he:~~

~~(A) performs courtesy vehicle service at the airport without being authorized under a current, valid certificate of registration issued under this section; or~~

~~(B) operates, or as a holder allows the operation of, a courtesy vehicle at the airport without:~~

~~(i) the operator of the vehicle being named in the registration for the courtesy vehicle service; or~~

~~(ii) the vehicle being listed in the registration for the courtesy vehicle service.]~~

(1[2]) To obtain a ground transportation [~~courtesy vehicle~~] service certificate of registration, a person must submit an application to the director on a form provided for that purpose. The applicant must be the person who will own or operate the proposed ground transportation [~~courtesy vehicle~~] service.

(2[3]) The registration application must include or be accompanied by:

(A) the name, address, and verified signature of the applicant;

(B) a description of each motor vehicle the applicant proposes to use in the operation of the ground transportation [~~courtesy vehicle~~] service, including the make, model, vehicle identification number, and state license plate number of the motor vehicle;

(C) the full name and driver's license number of every individual expected to drive or operate a ground transportation [~~courtesy~~] vehicle at the airport under the registration;

(D) proof of each driver's authority to operate the type of motor vehicle designated by the applicant to be operated in the ground transportation [~~courtesy vehicle~~] service;

(E) documentary evidence from an insurance company indicating a willingness to provide liability insurance on each courtesy vehicle or transportation-for-hire vehicle to be operated at the airport;

(F) for transportation-for-hire vehicles, proof of current, valid operating authority issued by the city under Chapter 47A of this code;

(G) proof showing the purchase or authorized use of a valid AVI tag for each courtesy vehicle or transportation-for-hire vehicle to be operated at the airport;

(H[G]) an annual registration fee in the amount specified in Section 5-63 of this article; and

(I[H]) any other information requested by the director that is reasonably necessary to determine the qualifications of the applicant to perform ground transportation [~~courtesy vehicle~~] service at the airport.

(b) Issuance and denial of registration.

(1) The director shall issue a certificate of registration to the applicant, unless the director determines that the applicant:

(A) failed to comply with the requirements for receiving a certificate of registration;

(B) failed to submit a complete registration application;

(C) made a false statement as to a material matter on or in connection with the registration application;

(D) had a ground transportation [~~courtesy vehicle~~] service certificate of registration revoked within the 24 months preceding the date of application; or

(E) owes the city money relating to the operation of ground transportation service at the airport.

(2) If the director approves the registration application, the applicant will receive a ground transportation [~~courtesy vehicle~~] service certificate of registration and a decal for each vehicle authorized to be operated in the ground transportation [~~courtesy vehicle~~] service. A certificate of registration and all accompanying decals expire September 30 of each year and must be renewed in accordance with the application procedures set forth in this section.

(3) If the director determines that a certificate of registration should be denied, the director shall notify the applicant in writing that the application is denied and include in the notice the reason for the denial and a statement informing the applicant of the right of appeal.

(c) Suspension or revocation of registration.

(1) The director may suspend or revoke a certificate of registration if the director determines that:

(A) the holder made a false statement as to a material matter on or in connection with the registration application;

(B) the holder, or any operator of a courtesy vehicle or transportation-for-hire vehicle authorized under the holder's registration, failed to pay any fee required by this article at the time or in the manner required by this article or approved by the director;

(C) the holder, or any operator of a courtesy vehicle or transportation-for-hire vehicle authorized under the holder's registration, used an AVI tag or courtesy vehicle or transportation-for-hire vehicle decal in an unauthorized manner; or

(D) the holder, or any operator of a courtesy vehicle or transportation-for-hire vehicle authorized under the holder's registration, failed to comply with any provision of this article or any rule, regulation, or lawful order promulgated or issued by the director under this article.

(2) The director may suspend the certificate of registration of a ground transportation [~~courtesy vehicle~~] service for a period not to exceed 60 days. The director may apply the suspension to all of the holder's courtesy vehicle or transportation-for-hire vehicle operations at the airport or limit the suspension to the particular courtesy vehicle or transportation-for-hire vehicle operator listed on the holder's certificate of registration who is responsible for creating the grounds for the suspension. At the end of the suspension period, the holder or the courtesy vehicle or transportation-for-hire vehicle operator, whichever applies, may resume providing courtesy vehicle or transportation-for-hire vehicle service at the airport after providing verification to the director that any deficiency for which the suspension was given has been corrected within the suspension period. Failure to correct a deficiency within the time period established by the director may result in revocation of the holder's certificate of registration.

(3) The director shall notify the holder in writing of any suspension or revocation under this section. Written notice must also be given to any particular courtesy vehicle or transportation-for-hire vehicle operator whose authority to operate at the airport under a holder's certificate of registration is suspended under this section. The director shall include in the notice the reason for the suspension or revocation, the scope of the suspension, the date the director orders the suspension or revocation to begin, the duration of any suspension, and a statement informing the holder and any suspended courtesy vehicle or transportation-for-hire vehicle operator of the right of appeal. The period of suspension or revocation begins on the date specified by the director or, in the case of an appeal, on the date ordered by the permit and license appeal board.

(4) If the director denies issuance or renewal of a ground transportation [~~courtesy vehicle~~] service certificate of registration, suspends or revokes a holder's certificate of registration, or suspends the authority of a courtesy vehicle or transportation-for-hire vehicle

operator to operate at the airport under a holder's certificate of registration, the applicant, holder, or courtesy vehicle or transportation-for-hire vehicle operator, whichever applies, shall immediately cease any ground transportation [~~courtesy vehicle~~] service at the airport and shall promptly surrender and remove any registration decal from any motor vehicle used to perform ground transportation [~~courtesy vehicle~~] service at the airport.

(5) A holder whose certificate of registration has been revoked is not eligible to reapply for another ground transportation [~~courtesy vehicle~~] service certificate of registration before the expiration of 24 months after the date of revocation or, in the case of an appeal, the date the permit and license appeal board affirms the revocation.

(d) Appeal of denial, suspension, or revocation. Any person whose application for issuance or renewal of a ground transportation [~~courtesy vehicle~~] service certificate of registration is denied by the director, any holder whose certificate of registration has been revoked or suspended by the director, or any courtesy vehicle or transportation-for-hire vehicle operator whose authority to operate at the airport under a holder's certificate of registration has been suspended by the director may file an appeal with a permit and license appeal board in accordance with Section 2-96 of this code.

SEC. 5-63. FEES.

(a) A person performing ground transportation service at the airport shall pay the following fees to the director:

(1) [~~Courtesy vehicle service fees.~~

(A) Annual registration fee. The annual registration fee for ground transportation [~~courtesy vehicle~~] service is \$325 [~~\$200, except this fee will not be charged to a courtesy vehicle service that is operating at the airport under a concession contract~~]. If a certificate of registration is issued for a period of time of less than one year, the fee will be prorated. A \$50 late fee will be charged for each ground transportation [~~courtesy vehicle~~] service operating at the airport that has not registered with the city by September 30 of each year.

(B) Decal fees. An annual decal fee of \$15[~~40~~] will be charged for each courtesy vehicle or transportation-for hire vehicle operated at the airport by a ground transportation [~~courtesy vehicle~~] service operating at the airport. The fee to replace a decal that has been lost, stolen, or mutilated is \$15[~~40~~].

(C) Trip fees. Each courtesy vehicle not operating under an airport concession contract and each transportation-for-hire vehicle will be charged \$2.50 per trip per vehicle.

(A) Courtesy vehicles operating under an airport concession contract will not be charged a trip fee. [~~(per vehicle):~~

(i) 1 to 240 trips per day: No charge.

(ii) Over 240 trips per day: \$1.25 per trip.

~~(B) Courtesy vehicles not operating under an airport concession contract (per vehicle):~~

~~(i) 1 to 200 trips per day: \$0.75 per trip.~~

~~(ii) Over 200 trips per day: \$1.25 per trip.~~

~~(C) Buses/shuttle vehicles (per vehicle): \$2.00 per trip.~~

~~(D) Taxicabs (per vehicle): \$1.00 per trip.~~

~~(E) Limousines (per vehicle): \$2.00 per trip.]~~

(b) The director shall establish rules and regulations governing the time and manner in which the fees required by this section must be paid.”

SECTION 3. That Chapter 10, “Buses and Shuttles,” of the Dallas City Code is repealed, and Chapter 10 shall be indicated as “Reserved” in the Dallas City Code.

SECTION 4. That Chapter 10A, “Limousines,” of the Dallas City Code is repealed, and Chapter 10A shall be indicated as “Reserved” in the Dallas City Code.

SECTION 5. That Chapter 10B, “Non-Motorized Passenger Transport Vehicles,” of the Dallas City Code is repealed, and Chapter 10B shall be indicated as “Reserved” in the Dallas City Code.

SECTION 6. That Chapter 45, “Taxicabs,” of the Dallas City Code is repealed, and Chapter 45 shall be indicated as “Reserved” in the Dallas City Code.

SECTION 7. That a person violating a provision of this ordinance, upon conviction, is punishable by a fine not to exceed \$500.

SECTION 8. That Chapter 5 of the Dallas City Code, as amended, shall remain in full force and effect, save and except as amended by this ordinance. Any proceeding, civil or criminal, based upon events that occurred prior to the effective date of this ordinance are saved,

and the former law (including Chapters 10, 10A, 10B, and 45 of the Dallas City Code, which are repealed by this ordinance) is continued in effect for that purpose.

SECTION 9. That an operating authority permit, driver's license, or vehicle decal, issued under Chapter 10, 10A, 10B, or 45 of the Dallas City Code before the effective date of this ordinance shall remain valid until the expiration date of the permit or decal, and the former law (including Chapters 10, 10A, 10B, and 45 of the Dallas City Code, which are repealed by this ordinance) is continued in effect for that purpose.

SECTION 10. That the terms and provisions of this ordinance are severable and are governed by Section 1-4 of Chapter 1 of the Dallas City Code, as amended.

SECTION 11. That this ordinance shall take effect on April 30, 2015, and it is accordingly so ordained.

APPROVED AS TO FORM:

WARREN M.S. ERNST, City Attorney

By _____
Assistant City Attorney

Passed _____