

Ordinance No. 15-O-10AA

AN ORDINANCE OF THE CITY OF TALLAHASSEE,
FLORIDA, AMENDING CHAPTER 22 OF THE
TALLAHASSEE CODE OF GENERAL ORDINANCES;
AMENDING THE PERMITTING AND REGULATION OF
TAXICABS AND TRANSPORTATION SERVICES TO
INCLUDE TRANSPORTATION NETWORK APPLICATION
COMPANIES AND OPERATORS; PROVIDING FOR
CONFLICT; PROVIDING FOR SEVERABILITY;
COMMISSION REVIEW; AND PROVIDING AN EFFECTIVE
DATE.

**BE IT ENACTED BY THE PEOPLE OF THE CITY OF TALLAHASSEE,
FLORIDA:**

**Section 1. Chapter 22 of the Code of General Ordinances of the City of Tallahassee,
Florida, is hereby amended and shall read as follows:**

CHAPTER 22 – VEHICLES FOR HIRE

ARTICLE I. - IN GENERAL

Sec. 22-1. - Definitions.

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

Certified automobile mechanic means an automobile mechanic certified by the National
Association of Certified Mechanics or the National Institute for Automotive Service Excellence.

Company means any person, association, corporation or other organization which
operates or intends to engage in the business of operating vehicles for hire or operates as a TNC.

Conviction means the conviction by a court including an adjudication of guilt or a plea of
guilty or nolo contendere or the forfeiture of a bond when charged with a crime.

1 *Digital Platform* means any online or smartphone enabled application that allows
2 passengers to request transportation network vehicle services.

3 *Digital Credential* means the permission or access given to a driver to operate on a
4 company's digital platform.

5 *Driver* means an individual permitted to drive a vehicle for hire.

6 *Fees* mean nonrefundable payments required in this Chapter.

7 *Limousine* means a specialized vehicle not equipped with a taximeter and for hire only by
8 prearrangement at a rate charged per hour, or fixed in advance, and provided also that each such
9 vehicle for hire is: (1) chauffeured; (2) a luxury class passenger vehicle built or modified for the
10 purpose of a limousine as defined and recognized by the limousine industry; and (3) operated on
11 a reserved, hourly basis for a continuous period. A vehicle which is held out to be a limousine or
12 which has an appearance deceptively similar to a limousine is a limousine for the purposes of
13 this Chapter.

14 *Narcotic drugs, barbituric acid derivatives and central nervous system stimulants.* The
15 term "narcotic drugs" as used in this Chapter shall mean coca leaves, opium, cannabis,
16 marijuana, isonipecaine and every synthetic substance known to have narcotic action. The term
17 "barbituric acid derivative" means each of the salts and derivatives of barbituric acid, also known
18 as malonyl urea, and derivatives, compounds, mixtures or preparations thereof. "Barbiturate" or
19 "barbiturates" shall include all hypnotic or somnifacient drugs, whether or not derivatives of
20 barbituric acids. The term "central nervous system stimulants" means amphetamine and
21 desocyephedrine, and any derivative, compounds, mixture or preparation thereof.

22 *Occupational license* means the license required of any business operating within the
23 City by Chapter 18, Article II, Section 18-32.

1 *Permit* means the authority granted to companies to operate, or persons who qualify to
2 drive vehicles for hire.

3 *Revocation* means the rescinding of a permit. A person or entity whose permit is revoked
4 shall not be entitled to reinstatement or an opportunity to reapply for such permit for a period of
5 two (2) years except as provided in Section 22-61(5).

6 *Shuttle bus* means a vehicle with a capacity of at least eight (8) persons, including the
7 driver, that is operated on a fixed route, or owner and operated directly by a motel or hotel and
8 limited to registered guests thereof.

9 *Suspension* means the temporary rescinding of a permit or license. The suspension may
10 be for a time certain or indefinite pending compliance with the terms of this Chapter.

11 *Taxicab* means a vehicle for hire with a capacity of not more than eight (8) persons,
12 including the driver, equipped with a taximeter operated under a company and vehicle permit
13 required by this article, which is routed under the direction of the person hiring the vehicle.

14 *Taximeter* means an instrument or device attached to a vehicle and designed to measure
15 mechanically or electronically the distance traveled by such vehicle, to record the times such
16 vehicle travels or is in waiting, and to indicate the fare to be obtained.

17 *Transportation service* means a vehicle for hire with a capacity of not more than eight (8)
18 persons, including the driver, which is not equipped with a taximeter, which charges passengers
19 a fare generally based on a flat fee, and does not operate over a fixed or defined route but routed
20 under the direction of the person hiring the vehicle.

21 *Transportation Network Application Company ("TNC Company")* means any company
22 operating in the City of Tallahassee that uses a digital network or software application to connect
23 a passenger to transportation network services provided by a transportation network operator.

Transportation Network Operator means any driver or operator who operates a personal vehicle that utilizes any digital platform to arrange transportation of a passenger between points chosen by the passenger and that is in connection with a digital platform controlled by a TNC Company.

Transportation Network Service means the provision of transportation by a transportation network operator to a rider, beginning when the transportation network operator accepts a ride requested through a digital platform controlled by a TNC Company, continuing while the transportation network operator transports a requesting rider, and ending when the last requesting rider departs from the personal vehicle.

Use of narcotic drugs. The word "use" as employed in this Chapter in relation to the drugs described in this Chapter shall apply to any person who uses one or more of the narcotic drugs or barbituric acid derivatives or central nervous system stimulants as defined by Section to any extent, with or without medical need or authority or prescription.

Vehicle for hire means any vehicle, whether owned by the driver or company, that is operated by a taxicab driver, transportation service driver, transportation network operator, any other motor vehicle with driver transporting passengers for a fare, fee, or other charge in the City. The term vehicle for hire, by definition, excludes:

- (1) School, church, college or university buses;
- (2) Sightseeing cars and buses;
- (3) Ambulances;
- (4) Funeral home vehicles;
- (5) Interstate buses;
- (6) Limousines;

(7) Shuttle buses.

Sec. 22-2. - Soliciting passengers or baggage at railway, bus station or airport.

Owners or drivers of vehicles for hire, or persons acting for them, shall remain at their respective vehicles while awaiting passengers or baggage in any railway or bus station or at the Tallahassee International Airport, and shall conduct themselves in a quiet and orderly manner while awaiting passengers or baggage. Soliciting passengers is not permitted at the Tallahassee International Airport.

Sec. 22-3. - Loading at airport; permit required.

A permit issued pursuant to this Section shall not be construed as a grant by the City for the permit-holder to engage in business upon airport property. No vehicle for hire shall arrange to pick up passengers at the Tallahassee International Airport unless the vehicle for hire has obtained a current non-tenant business permit and maintain approved City inspection minimums or the vehicle for hire is associated with a company that has executed a blanket permit with the airport that authorizes all vehicles associated with the company to operate at the airport. Individual airport permits shall obligate the permitted vehicle to adhere to the non-tenant business section of the rules and regulations of the Tallahassee International Airport established in accordance with Ord. No. 99-0-0034, and a blanket permit shall obligate the company and associated drivers to adhere to any applicable rules and regulations of the airport. The terms and fee for such permits shall be established pursuant to the rules and regulations, minimum standards, and rates and charges of the Tallahassee International Airport. Failure to comply with the Rules and Regulations of the Tallahassee International Airport may result in restricted access to airport property.

ARTICLE II. - COMPANY PERMIT

Sec. 22-31. - Application; contents.

(a) No taxicab company, transportation service, or TNC company shall operate or engage in the business of operating vehicles for hire or operating a TNC within the City without having first obtained a company permit from the vehicle for hire administrator or designee. An application shall be submitted on forms furnished by the vehicle for hire administrator or designee containing appropriate information which is reasonably related to the business of operating vehicles for hire.

(b) In order to secure or renew a company permit, the company applicant shall file an application with the vehicle for hire administrator or designee, and such application shall be verified under oath and shall furnish the following; information:

(1) The name and address of the company. If the company is a corporation or partnership, the name and address of all officers, shareholders, partners or any principals or owners with an interest greater than five percent (5%) of the company must be listed.

(2) The color scheme and insignia to be used to designate the vehicles of any taxicab company.

(3) No company permit shall be granted to a taxicab company operating less than five (5) vehicles. The vehicles must be currently operating, licensed, and inspected as required by this Chapter. Each vehicle must conform to the United States Department of Transportation (USDOT) maximum passenger standards allowed for the vehicle to operate.

(4) Proof of proper amount of insurance coverage as provided in Section 22-94, with the insurance coverage being filed with and approved by the vehicle for hire administrator.

(5) Such other information as the vehicle for hire administrator may require.

(c) Payment of an annual company permit fee based on the number of vehicles operating on behalf of the company or on the company's digital platform, as follows:

(1) For companies with one (1) to five (5) drivers, an annual fee of \$250.

(2) For companies with six (6) to (25) drivers, an annual fee of \$1,000.

(3) For companies with twenty six (26) to seventy five (75) drivers, an annual fee of \$2,500.

(4) For companies with seventy six (76) to one hundred fifty (150) drivers, an annual fee of \$7,500.

(5) For companies with more than one hundred fifty (150) drivers, an annual fee of \$12,500.

The fees collected shall be used for the administration and enforcement of the provisions of this Chapter. The vehicle for hire administrator shall develop rules for the calculation, timing, and collection of these fees.

Sec. 22-32. - Maintaining a Company Permit.

(a) In order to maintain a company permit to operate or engage in the business of operating vehicles for hire or operating a TNC, the company must:

(1) Obtain and hold a current business license from the City as required by Chapter 18.

- 1 (2) Maintain a telephone number that is monitored twenty four (24) hours a day for
2 emergency contact by the vehicle for hire administrator or designee or law
3 enforcement, and an e-mail address for citizen complaints or concerns;
- 4 (3) Maintain the name, home address, and telephone number of each driver affiliated
5 with the company.
- 6 (4) Maintain a log listing the year, make, model, license plate number, and vehicle
7 identification number (serial number) and ownership status of all vehicles in the
8 company's fleet or that operate on a company's platform.
- 9 (5) Maintain proper amount of insurance as provided in Section 22-94.
- 10 (6) Maintain records available for inspection, upon request by the vehicle for hire
11 administrator or designee, pursuant to a complaint received or if the vehicle for
12 hire administrator has a reasonable basis to suspect that a company or driver is
13 violating the requirements of this Chapter. The records shall include, but not be
14 limited to, records pertaining to permitted/certified drivers, vehicle inspection
15 records, daily logs, and that the maximum rate charged in compliance with
16 Section 22-97. Unless otherwise agreed to by the company and the vehicle for
17 hire administrator, such records shall be made available for inspection by the
18 vehicle for hire administrator at a permit holder's place of business or a
19 mutually agreed location in the City.
- 20 (7) Each company shall implement a zero-tolerance policy on the use of drugs or
21 alcohol applicable to all drivers, and provide notice of the policy to all company
22 drivers and to the public through its website, if applicable. In addition, the
23 company shall provide notice to the public on the procedure for reporting a driver

1 the passenger reasonably suspects was under the influence of drugs or alcohol
2 during the course of the ride. The company shall cooperate with the vehicle for
3 hire administrator or designee during the pendency of the investigation pursuant
4 to Section 22-63(b)(3).

5 (8) The vehicle for hire administrator is authorized to conduct annual audits of any
6 company authorized to operate under this Chapter. The company shall provide to
7 the vehicle for hire administrator, on request, up to two hundred fifty (250)
8 unique identification numbers, each of which has been assigned to an individual
9 driver affiliated with the company. The vehicle for hire administrator may send
10 to the company a list of up to ten (10) driver identification numbers and request
11 copies of records held by the company for those ten (10) drivers. Within five (5)
12 business days of receiving a request seeking records, the company shall make
13 available to the vehicle for hire administrator at a company's place of business
14 or a mutually agreed setting in the City, records to verify that the company has
15 properly screened drivers in accordance with Section 22-61; provided, that the
16 Company may redact any records it provides access to in order to protect the
17 privacy and identifying information of the driver.

18 (b) Taxicab companies must also maintain at least five (5) vehicles for hire which
19 must be operating, licensed and inspected under their company's name, with such
20 vehicles being currently operating, licensed and inspected as required by this
21 Chapter.

22 **Sec. 22-33. - Revocation or suspension of a company permit; grounds; right of appeal.**

(a) *Revocation or suspension of company permit; grounds.* Upon a finding of due cause, as defined in Subsection (b) of this Section, the vehicle for hire administrator or designee shall have the authority to revoke or suspend any company permit which has been granted or which may hereinafter be granted by the City. Prior to suspension or revocation, the company shall be served notice by certified mail or hand delivery of the proposed action to be taken and shall have an opportunity to present to the vehicle for hire administrator or designee evidence as to why the company permit should not be revoked or suspended.

(b) *Causes for revocation or suspension.* Due cause for revocation or suspension of a company permit shall include but shall not be limited to the following:

- (1) The failure of the company to maintain any of the general qualifications applicable to the initial granting of the company permit as set forth in Section 22-31 or maintaining a company permit as set forth in Section 22-32.
- (2) Obtaining a company permit by providing false information;
- (3) Conviction by a court of competent jurisdiction of any shareholder, officer, partner, member, principal or owner of any corporation, partnership, firm or association holding a five percent (5%) interest or more in the entity, of any of the following: criminal homicide, rape, sexual battery, aggravated battery, burglary, aggravated assault, kidnaping, robbery, child molestation, lewd and lascivious acts, armed trespassing, carrying a concealed firearm, criminal solicitation to commit any of the above, criminal attempt to commit any of the above, or possession, sale or distribution of narcotic drugs, barbituric acid derivatives and/or central nervous system stimulants if such violation or violations are related

1 to operation of the company, or violation of any ordinance of the City governing
2 the conduct of a company.

3 (4) Allowing any person to operate a company's designated vehicle for hire, or
4 operate on the company's digital platform, without an active driver permit or
5 credential, or when said person's permit or credential has been suspended or
6 revoked because of a positive drug test pursuant to Section 22-63.

7 (c) *Right of appeal.* Any company whose permit is revoked or suspended by the vehicle for
8 hire administrator or designee may appeal such decision to the City Manager or designee.
9 Such appeal shall be taken by filing written notice thereof, in duplicate, with the City
10 Manager's Office within five (5) days after the decision of the vehicle for hire
11 administrator or designee. The notice of the appeal shall contain the grounds for the
12 appeal and shall contain information that either the finding is contrary to the law or is not
13 supported by competent substantial evidence. The vehicle for hire administrator or
14 designee shall forthwith transmit copies of the appeal to the City Manager or designee
15 along with all papers constituting the record upon which the action appealed from is
16 based. The filing of a notice of appeal will not delay the effectiveness of any suspension
17 or revocation.

18 **ARTICLE III. - VEHICLE FOR HIRE DRIVERS**

19 **Sec. 22-60. - Prohibition against unauthorized operation.**

20 (a) It shall be unlawful for any person to drive or operate on behalf of a taxicab company,
21 transportation service, or other vehicle for hire for the transportation of passengers within
22 the City, or on a TNC's digital platform, or to cause or permit any other person to drive
23 or operate a vehicle for hire:

(1) Without first obtaining a written permit for the operation of a motor vehicle for hire from the vehicle for hire administrator or designee; or

(2) Without having been certified to operate a motor vehicle for hire on behalf of a company or on the company's digital platform.

(3) When the company permit has previously been revoked pursuant to Section 22-33.

(b) Any person found to have violated this Section shall be punished by the following:

(1) A fine \$150 for the first citation;

(2) A fine of \$250 for the second citation; and

(3) A fine of \$500 for the third or subsequent citation.

Sec. 22-61. - Application for driver's permit.

(a) In order to secure a driver permit or to obtain certification from a company, an applicant must:

(1) Be at least eighteen (18) years of age;

(2) Possess a valid state driver's license;

(3) For a period of three (3) years prior to the date of application not have been convicted of:

a. Driving under the influence of intoxicating beverages or drugs; or

b. Violation of any ordinance or law, other than minor traffic offenses, in connection with the operation of a motor vehicle.

(4) For a period of three (3) years prior to the date of application not have more than three (3) moving violations;

(5) Not have been convicted within the seven (7) years previous to the date of application for the violation of any of the following criminal offenses of the state or any other state or of the United States: aggravated battery, burglary, aggravated assault, kidnapping, robbery, lewd and lascivious acts, armed trespassing, carrying a concealed firearm, criminal solicitation to commit any of the above, criminal attempt to commit any of the offenses listed in this Subsection, or been convicted within the last seven (7) years of any felony in the commission of which a motor vehicle was used, perjury or false swearing in making any statement under oath in connection with application for a driver's permit, any felony involving theft, or possession, sale or distribution of narcotic drugs, barbituric acid derivative and/or central nervous system stimulants. Applicants who have been convicted or served any time, probation, or parole for a criminal offense of homicide, rape, sexual battery, or child molestation must have their complete criminal history reviewed and approved by the vehicle for hire administrator.

(6) Be able to communicate in the English language.

(b) An applicant may apply for a permit or credential by:

- (1) Completing a form provided by the vehicle for hire administrator establishing that the applicant meets the requirements of Subsection (a), or;
- (2) Being certified by the taxicab company, transportation service, or TNC company that the company has conducted a background check and that the applicant meets the requirements of Subsection (a).

(c) Upon approval by the vehicle for hire administrator or designee, or certification by the taxicab company, transportation service, or TNC company, the driver shall be issued:

(1) A permit from the vehicle for hire administrator or designee; or

(2) Credentials from the taxicab company, transportation service, or TNC company, which may be digital credentials, indicating that the driver was certified by the company, and the credential shall include the following information:

a. The name or logo of the company;

b. The name of the driver;

c. The license plate number associated with the vehicle that the driver has been authorized to use.

(3) The driver shall display the permit or credential in a manner that it is visible to the passengers of the vehicle while the vehicle is operating, or make available at a minimum the driver's first name, photograph, and make, model, and license plate number to the passenger through the company's digital platform. The driver shall present the permit or credential upon request to a law enforcement officer, the vehicle for hire administrator or designee, or designated airport personnel upon request. If the driver maintains a digital credential, upon a traffic stop, a driver shall provide law enforcement with access to a device containing the information required to be maintained as part of the driver's digital credential and an electronic record sufficient to establish that the trip in question was prearranged through a digital platform.

(d) An applicant must pay a driver application fee of \$30. However, any vehicle for hire company may elect to pay a flat fee of \$7,500 annually, which shall serve as a fee in lieu

1 of the driver application fee collected for all driver applicants applying to operate a
2 vehicle for hire on behalf of, or in connection with, the company for that year.

3 **Sec. 22-62. - Maintaining driver's permit.**

4 In order to maintain a valid permit or credential to drive a taxicab, transportation service,
5 or other vehicle for hire, a driver must:

6 (1) Wear proper dress while operating a vehicle for hire.

7 (2) Maintain a neat appearance.

8 (3) Not smoke while carrying passengers.

9 (4) Maintain a log upon which are recorded all trips made each day, showing time
10 and place of origin and destination of each trip and amount of fare. Such logs
11 must be maintained by the company or the vehicle owner, if not maintained by the
12 driver, and shall be made available to the vehicle for hire administrator or
13 designee for a compliance inquiry if the administrator has a reasonable basis to
14 suspect that a company or driver is violating the requirements of this Chapter.

15 (5) Renew his driver's permit or credential during the month of the driver's permit or
16 credential expiration date.

17 (6) Wear a seatbelt at all times while operating a vehicle for hire or providing
18 transportation network services.

19 **Sec. 22-63. - Revocation or suspension of driver's permits; grounds; right of appeal.**

20 (a) *Revocation or suspension of driver's permits or credential.* Upon a finding of due cause,
21 as defined in Subsection (b) of this Section, the vehicle for hire administrator or
22 designee shall have the authority to revoke or suspend any driver's permit or credential
23 which has been issued or which may hereinafter be issued by the City. Before a driver's

1 permit or credential shall be denied, suspended or revoked, notice of intention thereof
 2 shall be served upon the driver either by registered mail or personal service; however,
 3 such notice shall not be necessary for a denial of an original permit or credential.
 4 However, any such applicant or driver shall be given an opportunity to be heard by the
 5 vehicle for hire administrator or designee.

6 (b) *Causes for revocation or suspension.* Due cause for revocation or suspension of a driver's
 7 permit or credential shall include but shall not be limited to the following:

8 (1) The failure of the driver to maintain any and all of the general qualifications a
 9 applicable to the initial issuance of a permit as set forth in Section 22-61

10 (2) Obtaining a permit or credential by providing false information;

11 (3) Violation by a driver of any of the following offenses:

12 a. Driving under the influence of intoxicating beverages or drugs. A driver
 13 shall be required to submit to a drug and/or alcohol test at the request of
 14 the vehicle for hire administrator or designee:

15 1. Where reasonable suspicion exists that a driver is abusing alcohol
 16 or misusing prescription drugs or controlled substances; or

17 2. Where a driver has been involved in a crash with serious injury or
 18 serious property damage while operating a vehicle for hire or
 19 providing transportation network services. "Serious injury" is
 20 defined as a physical condition that creates a substantial risk of
 21 death, serious personal disfigurement, or protracted loss or
 22 impairment of the function of any bodily member or organ.

23 "Serious property damage" is defined as one or more of the motor

vehicles involved in the crash is "totaled", or one or more of the vehicles sustains significant disabling damage to public and/or private property which equals or exceeds an apparent damage of \$5,000.00 or more as estimated by the law enforcement officer who conducts the investigation at the scene of the traffic crash; or

b. Refusing or failing to submit to a drug test at the request of the vehicle for hire administrator or designee shall be due cause for revocation of the driver's permit or credential with no reapplication for one year. Failing a drug or alcohol test shall be due cause for revocation of the driver's permit or credential with no reapplication for one (1) year.

c. Criminal homicide, rape, sexual battery, aggravated battery, burglary, aggravated assault, kidnaping, robbery, child molestation, lewd and lascivious acts, armed trespassing, carrying a concealed firearm, criminal solicitation to commit any of the above, criminal attempt to commit any of the above, or possession, sale or distribution of narcotic drugs, barbituric acid derivatives and/or central nervous system stimulants, violation of any ordinance of the City governing the conduct of drivers of a vehicle for hire.

(4) Charging a fare contrary to those fares established and approved by the City Commission pursuant to Section 22-97

(5) Violation of any ordinances or law, other than minor traffic offenses, in connection with the operation of a taxicab, transportation service, TNC company, or other vehicle for hire;

(6) Whenever it shall appear that a driver has disorders characterized by lapses of consciousness or other mental or physical disabilities affecting his or her ability to drive safely;

(7) Accumulating nine or more points within a six (6) month period as outlined in F.S. § 322.27(3)d.

(8) Violating the requirements of Section 22-98.

Secs. 22-64 Duration of Driver Permit.

Each driver permit or credential issued pursuant to Section 22-61 above shall be valid for two (2) years from the date of issuance.

ARTICLE IV. - VEHICLES FOR HIRE

Sec. 22-91. - Identifying signs, monograms and insignias.

(a) Taxicabs.

(1) Each taxicab shall be readily identifiable as a taxicab and shall bear on the outside of each rear or front door, in letters not less than three inches (3") in height, the name of the person or corporation to whom the franchise is issued. Each such taxicab shall also be numbered consecutively, with such numbers being placed conspicuously on each vehicle, with such numerals being not less than four and one-half inches (4.5") nor more than six inches (6") in height.

(2) Each company shall have all of its taxicabs painted a uniform color to be chosen by the company and approved by the vehicle for hire administrator or designee.

1 The taxicabs shall be kept in such condition so that the appearance of such
2 taxicabs substantially conforms to the approved color.

3 (b) Transportation services.

4 (1) Each vehicle operated by a transportation service shall be readily identifiable as a
5 transportation service and shall bear on the outside of each rear or front door, in
6 letters not less than three inches (3") in height, the name of the person or
7 corporation to whom the vehicle is owned or operated by.

8 (2) No transportation service shall have any insignia or sign that identifies itself as a
9 "taxi" or "cab" or otherwise gives the impression that it is a taxicab.

10 (c) Transportation Network Application (TNC) Company/Transportation Network Operator.

11 (1) Each vehicle operated by a TNC company or transportation network operator
12 shall bear on the outside of each rear or front door, in letters not less than three
13 inches (3") in height, the name of the person or corporation to whom the vehicle
14 is owned or operated by, or any symbol or insignia approved by the vehicle for
15 hire administrator.

16 (2) No transportation network operator vehicle shall have any insignia or sign that
17 identifies itself as a "taxi" or "cab" or otherwise gives the impression that it is a
18 taxicab, or otherwise give the impression that the operator is available to solicit
19 passengers other than through the digital platform.

20 (3) No transportation network operator vehicle shall place any type or form of light
21 device or other device on the roof, commonly known as a top light or top hat,
22 whether or not permanently or temporarily affixed to the vehicle, or have within
23 the interior of the vehicle.

Sec. 22-92. - Taximeter.

(a) All taxicabs operated under the authority of this Chapter shall be equipped with taximeters fastened in a manner so that the face thereof shall be visible and readable to passengers at all times both day and night. The face of the taximeter shall be set so that it will register and compute on a mileage basis while such taxicab is moving and on a time basis while such taxicab is standing and while the service is being rendered the fare to be charged. Such taximeter shall be operated mechanically by a mechanism of standard design and construction, driven either from the transmission or from one of the front wheels by a flexible and permanently attached driving mechanism.

(b) No vehicle for hire other than a taxicab is authorized to install or be equipped with a taximeter.

Sec. 22-93. - Scanning prohibited.

No vehicle for hire operating under this Chapter shall contain, use and operate installed scanners or other portable radio devices to monitor communications of frequencies other than that assigned a company.

Sec. 22-94. - Liability insurance required.

(a) No vehicle for hire shall be placed in service unless such vehicle is in compliance with Florida law for liability insurance purposes. Proof of such insurance coverage, which may be provided on a blanket basis, shall be filed annually with and approved by the vehicle for hire administrator or designee for the carriage of passengers.

Sec. 22-95. - Seat belts required.

All vehicles for hire covered by this Chapter shall be equipped with operational seat belts for each passenger.

Sec. 22-96. - Inspection.

(a) In addition to all other vehicle inspections required by law, each vehicle for hire shall be inspected annually.

(b) All inspections shall be conducted by a certified automobile mechanic. The vehicle for hire administrator or designee shall approve inspection forms to be completed by the mechanic.

(1) All vehicles for hire passing the annual inspection shall have affixed to the upper left corner of the rear window an inspection sticker or maintain proof of inspection in their vehicle, which shall be provided upon request to the vehicle for hire administrator or designee.

(2) Each vehicle for hire shall be inspected during the month of the inspection sticker's or inspection form's expiration date. Failure to have a vehicle for hire inspected or verify that a vehicle has been inspected, will be grounds for the revocation of the permit of the driver or operator.

Sec. 22-97. - Authority of City Commission to establish rates and charges; displaying rate cards; schedule of maximum rates established.

(a) Taxicabs.

(1) The City Commission, upon recommendation of the City Manager, may by ordinance establish maximum rates and charges for the transportation of persons and their baggage within the corporate limits of the City and suburban territory adjacent thereto. The City Commission shall establish such rates and charges only after a public hearing on the proposed rates and charges as recommended by the City Manager has been held by the City Commission. Before any ordinance

1 putting into effect any rates or charges shall be passed by the City Commission
2 and after the ordinance is proposed by the City Manager, such proposed rates or
3 charges shall be published once a week for two (2) consecutive weeks, the first
4 publication of which shall be at least fifteen (15) days before the public hearing
5 required in this Section in a newspaper regularly published and in general
6 circulation in the City; and contemporaneously therewith, and as a part of such
7 public notice, the City Treasurer-Clerk shall give notice of a public hearing on
8 such proposed rates and charges and the time and place of such hearing, at which
9 time any and all persons desiring to present any matters for or against such
10 proposed rates or charges for the consideration of the City Commission may be
11 heard. The City Commission at the time and place named in such notice shall hear
12 any and all persons affected by such proposed rates or charges who may
13 demonstrate a desire to be heard at such meeting. Any such hearing may be
14 continued from time to time if in the opinion of the City Commission such
15 continuance or continuances are justified. If, after such hearing, such proposed
16 rates or charges in the opinion of the majority of the City Commission require a
17 change or changes before their establishment, they may be changed at such
18 meeting without further notice, advertisement, or hearing. Any ordinance
19 establishing rates as provided by this Section shall become effective twenty four
20 (24) hours after its adoption.

- 21 (2) Every taxicab operating under this Chapter shall have rate cards setting forth the
22 approved rates of fare, displayed visibly from the outside of the vehicle on the
23 passenger side and on the inside of the right rear window at the eye level of a

seated passenger. All rate cards shall set forth the rates of fare according to the City approved format for rate cards and give notice to customer of the largest dollar bill taxicab driver will change. Rate cards shall measure a minimum of seven inches by nine inches (7"x9") in dimension with a minimum size lettering of one-half inch (.5").

(3) There is hereby established a schedule of the maximum rates which can be charged by all taxicab drivers operating taxicabs within the City. A taximeter may be set so that it will register and compute on a mileage or other basis at less than the maximum rates set forth in this Section. Such maximum schedule of rates shall be subject to review and change by the City Commission at any time. Such schedule of maximum rates is as follows

a. *All rates based on time and/or mileage.*

For the first one-fifth mile (1/5) or fraction thereof\$2.50

For each additional one-fifth (1/5) or fraction thereof0.50

Clock (\$0.50 per seventy two (72) seconds)25.00

Where more than one passenger is received from the same point and transported to the same destination, there will be no charge for each additional passenger.

Where more than one party is received at the same point of origin and transported to different destinations, the first departing customer will pay meter fare; meter is then restarted and second passenger will pay meter fare to destination, and so on. There shall not be any additional charge placed on a handicapped person or for any handicap apparatus.

1 Drivers are not required to provide change for any bill larger than a \$20.00
2 bill.

3 b. *Luggage.* There will be no charge per footlocker, truck, or piece of
4 oversized luggage.

5 c. *Operation outside City limits.* Fares may be negotiated in areas outside the
6 City limits and suburban territory adjacent thereto.

7 d. *Airport operation.* Passengers traveling between Tallahassee International
8 Airport and downtown will be charged a flat rate of \$20.00. (Refer to map
9 of designated downtown area on file with the Treasurer-Clerk of the City.)
10 There will be no additional charge for passengers traveling to the same
11 destination. In the event of more than one passenger, said charge will be
12 divided equally among passengers.

13 (b) Transportation Service

14 (1) No transportation service may charge a fare for the transportation of persons and
15 their baggage within the corporate limits of the City and suburban territory
16 adjacent thereto that is less than the calculated maximum rate as established by
17 the Commission for taxicabs based on mileage of \$2.50 for the first one-fifth (1/5)
18 mile or fraction thereof and \$0.50 for each additional one-fifth (1/5) or fraction
19 thereof or in excess of two hundred fifty percent (250%) of the calculated
20 maximum rate as established by the commission for taxicabs based on mileage of
21 \$2.50 for the first one-fifth mile (1/5) or fraction thereof and \$0.50 for each
22 additional one-fifth (1/5) or fraction thereof.

a. All fares as agreed to between any transportation service operator and any passenger must be agreed upon prior to leaving the point of origin. No transportation service operator may increase the agreed upon fare after leaving the point of origin.

b. No transportation service shall be authorized to charge for wait time, or to charge any other rates or fees except for mileage.

c. Every transportation service vehicle shall have cards displayed visibly from the outside of the vehicle on the passenger side and on the inside of the right rear window at the eye level of a seated passenger that state the following: "RATE OF TRANSPORT IS BY FLAT FEE ONLY".

(c) Transportation Network Application (TNC) Company or Transportation Network Operator.

(1) All TNC companies shall disclose the fare calculation method, the applicable rates being charged, and the option for an estimated fare to a passenger before the passenger arranges or books a trip with the transportation network application company or transportation network operator.

(2) Upon completion of the trip, a TNC company shall transmit an electronic receipt to the passenger's e-mail or mobile application that lists the: origin and destination of the trip; the total time and distance of the trip; and a breakdown of the total fare paid, if any.

(d) All vehicles for hire shall be authorized to charge a fee of no more than \$50.00 if a passenger expels any bodily fluids including, but not limited to urine, blood, or vomit, while riding as a passenger in the vehicle for hire requiring the vehicle for hire to be

1 cleaned and/or sanitized for future operation; provided that, a vehicle for hire may charge
2 a higher fee if authorized by the passenger.

3 **Sec. 22-98. - Miscellaneous regulations and other penalties.**

4 (a) It shall be unlawful for any driver or operator of a vehicle for hire to drive or operate or
5 be on duty or on call for the operation of a vehicle for hire for more than twelve (12)
6 hours within any twenty four (24) hour period.

7 (b) Upon discovery of any personal property left by a passenger, a driver shall deposit such
8 property with the vehicle for hire administrator, or store the property at the local
9 company office.

10 (c) A driver shall take the most direct route to a passenger's destination unless otherwise
11 authorized or directed by the passenger.

12 (d) No driver shall refuse to accept a passenger unless the passenger is obviously disorderly,
13 dangerous, or otherwise a threat to the safety or welfare of the driver.

14 (e) It shall be unlawful for the driver operating in the City to permit any person to
15 accompany or use such vehicle for hire for the purpose of prostitution, or to direct, take
16 or transport any other person with knowledge or reasonable cause to believe that the
17 purpose of such directing, taking or transporting is for the purpose of prostitution.

18 (f) No vehicle for hire shall be permitted to carry nonpaying passengers while transporting a
19 paying passenger or passengers except for the purpose of driver training.

20 (g) No vehicle for hire shall solicit or carry a paying passenger while in the process of
21 carrying another paying passenger except when requested to do so by the latter passenger.

1 (h) Transportation network operators shall exclusively accept passengers booked through a
2 transportation network company's digital platform, and shall not solicit or accept street-
3 hails.

4 (i) No TNC company may provide personal information about a passenger to a
5 transportation network operator, including a passenger's full name, e-mail address, or
6 telephone number.

7 **Sec. 22-99. - Overall service required; Anti-Discrimination.**

8 (a) All persons engaged in the taxicab, transportation service, TNC company, or other
9 vehicle for hire business in the City operating under the provisions of this Chapter shall
10 render an overall service to the public desiring to use vehicles for hire. A company or
11 transportation service, which shall refuse to accept a call anywhere within the corporate
12 limits of the City at any time when such holder has available vehicles, or who shall fail or
13 refuse to give overall service, shall be considered in violation of this Chapter; and the
14 permit granted to such company may be revoked by the vehicle for hire administrator or
15 designee in accordance with the provisions of Section 22-34. A TNC company must
16 ensure that the digital platform from which riders request trips from transportation
17 network operators is accessible to all parts of the City.

18 (b) It is unlawful for a driver or operator of a vehicle for hire to refuse any request for service
19 from any passenger or person based on that person's race, color, religion, national origin,
20 marital status, age, sex, sexual orientation, gender identity, or handicap, unless the driver
21 or operator can show a reason for refusal for service unrelated to the status of the person
22 refused service.

(c) It is unlawful for any driver or operator of a vehicle for hire to charge additional fees to provide services for passengers or persons with disabilities.

Sec. 22-101. - Exemptions for vehicles regulated by Interstate Commerce Commission.

The provisions of this Chapter shall not apply to any vehicle or the operator thereof when engaged in operations under and by virtue of any certificate or permit from the Interstate Commerce Commission of the United States when a permit, license or certificate is required for such operation by that regulatory commission.

Sec. 22-102. - Enforcement.

The City Police Department, the vehicle for hire administrator, or aviation director or designees shall be authorized to enforce the regulations contained in this Chapter, including the promulgation of rules consistent with this Chapter and the setting and collecting of fees.

Section 2. - Conflict with Other Ordinances and Codes.

All ordinances or parts of ordinances of the City of Tallahassee, Florida, in conflict with the provisions of this ordinance are hereby repealed to the extent of such conflict.

Section 3. - Severability.

If any provision or portion of this ordinance is declared by any court of competent jurisdiction to be void, unconstitutional, or unenforceable, then all remaining provisions and portions of this ordinance shall remain in full force and effect.

Section 4. - Commission review.

The City Manager shall schedule this ordinance for review by the City Commission prior to December 31, 2016.

Section 5. - Effective date. This ordinance shall take effect on August 15, 2015.

INTRODUCED to the City Commission on the 17th day of June, 2015.

PASSED by the City Commission on the 8th day of July, 2015.

CITY OF TALLAHASSEE

By: Andrew D. Gillum
Andrew D. Gillum
Mayor

ATTEST:

APPROVED AS TO FORM

By: Kent Olson for James O. Cooke, IV
James O. Cooke, IV
City Treasurer-Clerk

By: Lewis E. Shelley
Lewis E. Shelley
City Attorney