



Legislation Passed September 30, 2014

The Tacoma City Council, at its regular City Council meeting of September 30, 2014, adopted the following resolutions and/or ordinances. The summary of the contents of said resolutions and/or ordinances are shown below. To view the full text of the document, click on the bookmark at the left of the page.

Resolution No. 39015

A resolution setting Tuesday, October 14, 2014, at approximately 5:30 p.m., as the date for a public hearing by the City Council on the surplus and proposed conveyance of approximately 3.2 acres of property located on Hood Canal in Mason County to the Skokomish Tribe in exchange for perpetual hatchery rights.

[Gloria Fletcher, Senior Real Estate Officer; Ted Coates, Power Superintendent]

Resolution No. 39016

A resolution setting Tuesday, October 14, 2014, at approximately 5:30 p.m., as the date for a public hearing by the City Council on the surplus and negotiated sale of approximately 20 acres of real property located in the Green River Watershed to the United States of America, Army Corp of Engineers, for \$142,300.

[Gloria Fletcher, Senior Real Estate Officer; Linda McCrea, Water Superintendent]

Resolution No. 39017

A resolution awarding a contract to Quigg Bros., Inc., in the amount of \$9,145,816.50, plus sales tax, plus a 15 percent contingency, for a cumulative total of \$10,517,688.98, budgeted from the Transportation Capital Fund, for the reconstruction of the Tacoma Avenue South Bridge - Specification No. PW14-0076F.

[Chris E. Larson, P.E., Division Manager; Kurtis D. Kingsolver, P.E., Director, Public Works]

Resolution No. 39018

A resolution authorizing the execution of a Collective Bargaining Agreement with Teamsters Local Union 313, covering 127 full-time budgeted positions, effective retroactive to January 1, 2014 through December 31, 2017.

[Mike Brock, Labor Negotiator; Joy St. Germain, Director, Human Resources]

Resolution No. 39019

A resolution adopting the proposed Equity and Empowerment Initiative framework.

[Diane Powers, Division Manager; Nadia Chandler Hardy, Assistant to the City Manager/Interim Director, Neighborhood and Community Services]

Ordinance No. 28224

An ordinance vacating a portion of the South Adams Street right-of-way north of previously vacated South 62nd Street for use in connection with an adjacent business. (HG Holdings, LLC; File No. 124.1340)

[Phyllis Macleod, Hearing Examiner]

Ordinance No. 28249

An ordinance amending Chapter 1.12 of the Municipal Code, relating to the Compensation Plan, to implement rates of pay and compensation for employees represented by the District Lodge #160, on behalf of Local Lodge #282, of the International Association of Machinists and Aerospace Workers, Wastewater Treatment Plant Maintenance Supervisors' Unit, covering three full-time employees.

[Mike Brock, Labor Negotiator; Joy St. Germain, Director, Human Resources]

Ordinance No. 28250

An ordinance extending the interim land use regulations concerning the production, processing, and retail sale of recreational marijuana through May 16, 2015.

[Brian Boudet, Planning Division Manager; Peter Huffman, Director, Planning and Development Services Department]

Substitute Ordinance No. 28251

An amended ordinance repealing and reenacting Chapter 6B.220 of the Municipal Code, relating to Taxicab Regulations, to change the title to "For-Hire Regulations," to address regulation of taxi service and other types of for-hire transportation services, and continue to provide for the safe, fair and efficient operation of all for hire vehicles and for-hire drivers in the city.

[Danielle Larson, Division Manager, Tax & License; Andy Cherullo, Director, Finance]



RESOLUTION NO. 39015

1 A RESOLUTION related to surplus property; setting Tuesday, October 14,
2 2014, as the date for a public hearing regarding the proposed
3 conveyance of approximately 3.2 acres of property located on Hood
4 Canal, in Mason County, owned by the Department of Public Utilities,
5 Water Division (d.b.a. "Tacoma Water") and now surplus to its needs, to
6 the Skokomish Tribe, in exchange for perpetual fish hatchery rights.

7 WHEREAS, in December 2008, the City of Tacoma, Department of
8 Public Utilities, Water Division (d.b.a. "Tacoma Water"), entered into a
9 Settlement Agreement with the Skokomish Tribe ("Tribe"), as part of the
10 Cushman Project relicensing requirements, and

11 WHEREAS, as part of the settlement, real estate was conveyed to the
12 Tribe, including a portion of the area commonly known as 'Saltwater Park',
13 which is located on Hood Canal, and

14 WHEREAS the tidelands in front of the park were not conveyed at that
15 time and neither was the southernmost part of the park, which was retained
16 to construct a hatchery, and

17 WHEREAS Tacoma Power has determined it needs to use other Tribe
18 property and has agreed to convey the tidelands to the Tribe in exchange
19 for this perpetual use, and

20 WHEREAS, since the Tribe owns the adjacent waterfront property,
21 the conveyance of the additional tidelands will ensure consistent ownership,
22 and
23
24
25
26



1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26

WHEREAS Tacoma Power will retain the area where the Cushman No. 2 tailrace enters the canal and therefore its operations will not be negatively impacted, and

WHEREAS Tacoma Water has determined that the Property is not necessary for current or future needs, and has agreed to convey the tidelands to the Skokomish Tribe in exchange for perpetual fish hatchery rights, and

WHEREAS, on September 24, 2014, by adoption of Public Utility Board Resolution No. U-10722, the Property was declared surplus to the needs of Tacoma Water, pending confirmation from the City Council, and

WHEREAS, pursuant to RCW 35.94.040 and TMC 1.06.280, the City Council shall conduct a public hearing on the conveyance of City-owned real property; Now, Therefore,

BE IT RESOLVED BY THE COUNCIL OF THE CITY OF TACOMA:

Section 1. That a public hearing on the proposed conveyance of approximately 3.2 acres of property located on Hood Canal, in Mason County, owned by the Department of Public Utilities, Water Division (d.b.a. "Tacoma Water") and now surplus to its needs, to the Skokomish Tribe, in exchange for perpetual fish hatchery rights, shall be held before the City Council in the Council Chambers on the first floor of the Tacoma Municipal Building, 747 Market Street, Tacoma, Washington, on Tuesday, October 14, 2014, at approximately 5:30 p.m. or as soon thereafter as the same may be heard.



1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26

Section 2. That the Clerk of the City of Tacoma shall give proper notice of the time and place of said hearing.

Adopted _____

Mayor

Attest:

City Clerk

Approved as to form:

Chief Deputy City Attorney

Requested by Public Utility Board
Resolution No. U-10722



RESOLUTION NO. 39016

1 A RESOLUTION related to surplus property; setting Tuesday, October 14, 2014,
2 as the date for a public hearing regarding the proposed sale of
3 approximately 20 acres of real property located in the Green River
4 Watershed, owned by the Department of Public Utilities, Water Division
5 (d.b.a. "Tacoma Water") and now surplus to its needs, the United States of
6 America, for the negotiated price of \$142,300.

7 WHEREAS, in 1986, the City of Tacoma, Department of Public Utilities,
8 Water Division (d.b.a. "Tacoma Water") Tacoma Water issued the United States
9 of America, specifically the Army Corps of Engineers ("ACOE") permission to
10 install, operate, and maintain fifteen piezometers and related underground
11 infrastructure on its property located near the Howard Hanson Dam, which is
12 within the Green River Watershed, and

13 WHEREAS these piezometers track groundwater and this information is
14 analyzed to monitor the safety of the dam, and

15 WHEREAS, since the original permit, ACOE has added sixteen
16 piezometers as well as additional drainage tunnels and two small log boom
17 anchor sites, and

18 WHEREAS the extent of these improvements has resulted in a significant
19 encumbrance to the real property, and therefore it was determined by both
20 Tacoma Water and the ACOE that a transfer of this property would be in the
21 best interests of both parties, and

22 WHEREAS Tacoma Water and ACOE have worked collaboratively to
23 determine the boundaries of the areas to be conveyed in a manner that results
24 in as little impact to Tacoma Water's watershed operations as possible, and
25
26



1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26

WHEREAS the subject property is approximately 20 acres of real property located in the Green River Watershed ("Property"), with an estimated market value of \$142,300, all as more fully described in the documents on file in the office of the City Clerk, and

WHEREAS the United States of America expressed interest in purchasing the Property, and, after negotiations, offered to purchase the Property for the amount of \$142,300, and

WHEREAS Tacoma Water has confirmed that there is no foreseeable need for continued ownership of this property, and that its current operations are not impacted by this transaction, and

WHEREAS, on September 24, 2014, by adoption of Public Utility Board Resolution No. U-10723, the Property was declared surplus to the needs of Tacoma Water and approved for sale, pending confirmation from the City Council, and

WHEREAS, pursuant to RCW 35.94.040 and TMC 1.06.280, the City Council shall conduct a public hearing on the proposed sale of City-owned real property; Now, Therefore,

BE IT RESOLVED BY THE COUNCIL OF THE CITY OF TACOMA:

Section 1. That a public hearing on the sale of approximately 20 acres of real property located in the Green River Watershed, owned by the Department of Public Utilities, Water Division (d.b.a. "Tacoma Water") and now surplus to its needs, the United States of America, for the negotiated price of \$142,300, shall be



1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26

held before the City Council in the Council Chambers on the first floor of the Tacoma Municipal Building, 747 Market Street, Tacoma, Washington, on Tuesday, October 14, 2014, at approximately 5:30 p.m. or as soon thereafter as the same may be heard.

Section 2. That the Clerk of the City of Tacoma shall give proper notice of the time and place of said hearing.

Adopted _____

Mayor

Attest:

City Clerk

Approved as to form:

Chief Deputy City Attorney

Requested by Public Utility Board
Resolution No. U-10723



RESOLUTION NO. 39017

1 A RESOLUTION related to the purchase of materials, supplies or equipment,
2 and the furnishing of services; authorizing the execution of a contract
3 with Quigg Bros., Inc., in the amount of \$9,145,816.50, plus a 15 percent
4 contingency, for a projected cumulative total of \$10,517,688.98, plus
5 applicable sales tax, budgeted from the Transportation Capital Fund
6 1060, for the reconstruction of the Tacoma Avenue South Bridge,
7 pursuant to Specification No. PW14-0076F.

8 WHEREAS the City has complied with all applicable laws and processes
9 governing the acquisition of those supplies, and/or the procurement of those
10 services, inclusive of public works, as is shown by the attached Exhibit "A,"
11 incorporated herein as though fully set forth, and

12 WHEREAS the Board of Contracts and Awards has concurred with the
13 recommendation for award as set forth in Exhibit "A"; Now, Therefore,

14 BE IT RESOLVED BY THE COUNCIL OF THE CITY OF TACOMA:

15 Section 1. That the Council of the City of Tacoma concurs with the
16 Board of Contracts and Awards to adopt the recommendation for award as set
17 forth in the attached Exhibit "A."

18 Section 2. That the proper officers of the City are hereby authorized to
19 enter into a contract with Quigg Bros., Inc., in the amount of \$9,145,816.50,
20 plus a 15 percent contingency, for a projected cumulative total of
21 \$10,517,688.98, plus applicable sales tax, budgeted from the Transportation
22 Capital Fund 1060, for the reconstruction of the Tacoma Avenue South Bridge,
23

24
25
26



1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26

pursuant to Specification No. PW14-0076F, pursuant to Specification
No. PW14-0087F, consistent with Exhibit "A."

Adopted _____

Mayor

Attest:

City Clerk

Approved as to form:

City Attorney



TO: Board of Contracts and Awards
FROM: Kurtis D. Kingsolver, P.E., Public Works Director/City Engineer /KDK
 Chris E. Larson, P.E., Engineering Division Manager, Public Works
COPY: City Council, City Manager, City Clerk, SBE Coordinator, LEAP Coordinator, Chuck Blankenship, Finance/Purchasing and Dan Soderlind, P. E., Engineering Division
SUBJECT: Tacoma Avenue South Bridge Rehabilitation, Specification No. PW14-0076F – September 30, 2014
DATE: September 15, 2014

SUMMARY:

The Public Works Department recommends a contract be awarded to Quigg Bros., Inc., Aberdeen, WA, for the reconstruction of the Tacoma Avenue South Bridge. The contract amount reflects a total award of \$9,145,816.50, plus a 15 percent contingency, for a cumulative amount of \$10,517,688.98, plus applicable sales tax.

STRATEGIC POLICY PRIORITY:

- Plan for and improve public infrastructure that meets the transportation needs of all Tacoma residents and visitors.

The rehabilitation of the Tacoma Avenue South Bridge will keep this transportation corridor open and operating for all users of the transportation system.

BACKGROUND:

The Tacoma Avenue South Bridge has significant deterioration in several structural members. Both sidewalks and two of the four travel lanes have been closed due to the deteriorated girders. Public Works applied for, and was awarded, federal and state grants to provide funding to rehabilitate this bridge. The project has had significant public outreach including a presentation to the Infrastructure, Planning, and Sustainability Committee on January 23, 2013. The design for the project was complete in the spring of 2014 and the project advertised in July of 2014 with bids opened in August of 2014. The project is expected to take a year and a half to complete.

ISSUE: The Tacoma Avenue South Bridge has significant deterioration that requires a remedy. Awarding this contract to the low bidder will provide the necessary action to implement the repair of this bridge.

ALTERNATIVES: The alternatives to repairing this bridge include closure, demolition or replacement of the bridge. Closure or demolition would restrict transportation access from central Tacoma to the downtown core. The replacement cost was estimated to be significantly more than the repair option and did not provide benefits beyond the repair option.

COMPETITIVE SOLICITATION: Request for Bids Specification No. PW14-0076F was opened August 19, 2014. Two submittals were received. The table below reflects the amount of the total award.



<u>Respondent</u>	<u>Location</u> <i>(city and state)</i>	<u>Submittal Amount</u> <i>Plus sales tax</i>
Quigg Bros., Inc.	Aberdeen, WA	\$9,145,816.50
MJ Hughes Construction	Vancouver, WA	\$10,717,248.00

Pre-bid Estimate: \$8,912,030.50, plus applicable sales tax.

The recommended award is 2.6 percent above the pre-bid estimate.

CONTRACT HISTORY: New contract.

SUSTAINABILITY: Rehabilitation of this bridge is a sustainable action when compared to replacement with a new bridge. Each option would provide a design life of more than 50 years; however, the rehabilitation option is less expensive and estimated to reduce the construction project by one year.

DISADVANTAGED BUSINESS ENTERPRISE (DBE): The recommended contract is in compliance with 49 Code of Federal Regulations Part 26, per memorandum dated August 29, 2014. The DBE goal for this project is 10 percent, and the DBE participation is 10.9 percent. The designated training hours for this project are 400 hours.

RECOMMENDATION:

The Public Works Department recommends a contract be awarded to Quigg Bros., Inc., Aberdeen, WA, for the reconstruction of the Tacoma Avenue South Bridge. The contract amount reflects a total award of \$9,145,816.50, plus a 15 percent contingency, for a cumulative amount of \$10,517,688.98, plus applicable sales tax.



FISCAL IMPACT:

EXPENDITURES:

FUND NUMBER & FUND NAME *	COST OBJECT (CC/WBS/ORDER)	COST ELEMENT	TOTAL AMOUNT
PW Transportation Capital Fund 1060	PWK-00225	5600000	\$10,517,688.98
TOTAL			\$10,517,688.98

* General Fund: Include Department

REVENUES:

FUNDING SOURCE	COST OBJECT (CC/WBS/ORDER)	COST ELEMENT	TOTAL AMOUNT
Federal Grant (BRAC)	PWK-00225	4333240	\$8,000,000
State Grant (TIB)	PWK-00225	4334280	\$2,000,000
2010 LTGO Bond D Fund 3210-10D	PWK-00225	6311000	\$517,688.98
TOTAL			\$10,517,688.98

POTENTIAL POSITION IMPACT: N/A

POSITION TITLE	PERMANENT/ PROJECT TEMPORARY POSITION	FTE IMPACT	POSITION END DATE
TOTAL			

This section should only be completed if a subsequent request will be made to increase or decrease the current position count.

FISCAL IMPACT TO CURRENT BIENNIAL BUDGET: \$0

ARE THE EXPENDITURES AND REVENUES PLANNED AND BUDGETED? Yes

IF EXPENSE IS NOT BUDGETED, PLEASE EXPLAIN HOW THEY ARE TO BE COVERED.

Expenses are budgeted and covered.



RESOLUTION NO. 39018

1 A RESOLUTION relating to collective bargaining; authorizing the execution of a
2 Collective Bargaining Agreement negotiated between the City of Tacoma
3 and Teamsters Local Union No. 313, effective retroactive to January 1, 2014,
4 through December 31, 2017.

5 WHEREAS the City has, for years, adopted the policy of collective
6 bargaining between the various labor organizations representing employees and
7 the administration, and

8 WHEREAS this resolution allows for the execution of the proposed four-
9 year (2014-2017) Collective Bargaining Agreement (“CBA”) between the City and
10 Teamsters Local Union No. 313 (“Union”), on behalf of the employees
11 represented by said Union, and

12 WHEREAS the bargaining unit consists of approximately 127 budgeted,
13 full-time equivalent (“FTE”) positions assigned to General Government, and

14 WHEREAS the proposed CBA provides for a wage increase of 2 percent
15 retroactive to January 1, 2014; an increase of 2.2 percent effective January 1, 2015,
16 based on 100 percent of the increase in the Consumer Price Index (CPI-W) June
17 index, with a minimum of 2 percent and a maximum of 4 percent; wages for 2016
18 will also increase by an amount to be based on 100 percent of the CPI-W June
19 index, with a minimum of 2 percent and a maximum of 4 percent, and
20

21 WHEREAS in 2016 the parties agree to reopen the contract in order to
22 bargain for 2017 wages only, and the outcome of the negotiations will be the basis
23 for the compensation effective January 1, 2017, and

24 WHEREAS, other provisions of the agreement include clarifying language
25 regarding timelines on the grievance procedure; vacation bidding in the Solid Waste
26



1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26

Division; language regarding work gloves and foul weather gear being turned in prior to replacement; and language in the Agreement that the City will pay costs associated with maintaining CDL licenses for employees in positions that require them, and

WHEREAS it appears in the best interest of the City that the proposed CBA between said Union and the City be approved; Now, Therefore,

BE IT RESOLVED BY THE COUNCIL OF THE CITY OF TACOMA:

That the proper officers of the City are hereby authorized to execute the Collective Bargaining Agreement negotiated between the City of Tacoma and Teamsters Local Union No. 313, effective retroactive to January 1, 2014, through December 31, 2017, said documents to be substantially in the form of the proposed document on file in the office of the City Clerk.

Adopted _____

Mayor

Attest:

City Clerk

Approved as to form:

Deputy City Attorney



RESOLUTION NO. 39019

1 BY REQUEST OF DEPUTY MAYOR WOODARDS, AND COUNCIL MEMBER
2 WALKER

3 A RESOLUTION adopting the proposed Equity and Empowerment Initiative
4 Framework.

5 WHEREAS, at their 2014 Annual Work Session, the Tacoma City Council
6 selected an equity and empowerment initiative as their top policy priority, and

7 WHEREAS the City Manager also identified the creation of this initiative as
8 one of his top administrative priorities of 2014, and

9 WHEREAS, the City of Tacoma defines equity as “when everyone has
10 access to the opportunities necessary to satisfy their essential needs, advance
11 their well-being and achieve their full potential,” and

12 WHEREAS, the community has expressed strong support for an equity
13 initiative in both the 2014 National Community Survey responses and the Tacoma
14 2025 Strategic Visioning process, and

15 WHEREAS efforts to implement equity citywide will only be successful with
16 the support and engagement of the community, and

17 WHEREAS, in addition to a stated mission and vision, the proposed
18 framework for the City’s Equity and Empowerment Initiative is centered on five
19 primary goals: (1) City of Tacoma Workforce Reflects the Community it Serves; (2)
20 Purposeful Community Outreach and Engagement; (3) Equitable Service Delivery
21 to all Residents and Visitors; (4) Support Human Rights and Opportunities for
22 Everyone to Achieve their Full Potential; and (5) Commitment to Equity in Local
23 Government Decision-making, and
24
25
26



1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26

WHEREAS the proposed Equity and Empowerment Initiative framework aligns best with the following strategic policy priorities: (1) strengthen and support public safety, human services, public education, and diverse higher learning opportunities in Tacoma; (2) foster neighborhood, community, and economic development vitality and sustainability; and (3) encourage and promote an open, effective, results-oriented organization; Now, Therefore,

BE IT RESOLVED BY THE COUNCIL OF THE CITY OF TACOMA:

Section 1. That the City Council hereby adopts the proposed Equity and Empowerment Initiative framework substantially in the form on file in the office of the City Clerk.

Section 2. That the City Council directs the City Manager to utilize the necessary administrative resources to implement this framework.

Adopted _____

Mayor

Attest:

City Clerk

Approved as to form:

Deputy City Attorney



ORDINANCE NO. 28224

1
2
3 AN ORDINANCE related to the vacation of City right-of-way; vacating a portion
4 of the South Adams Street right-of-way northerly of South 62nd Street;
5 and adopting the Hearing Examiner's Findings, Conclusions, and
6 Recommendations related thereto.

7 WHEREAS all steps and proceedings required by law and by resolution
8 of the City Council to vacate the portion of the right-of-way hereinafter
9 described have been duly taken and performed; Now, Therefore,

10 BE IT ORDAINED BY THE CITY OF TACOMA:

11 Section 1. That the City Council hereby adopts the Hearing Examiner's
12 Findings, Conclusions, and Recommendations as contained in the Hearing
13 Examiner's Report and Recommendation to the City Council bearing File
14 No. 124.1340 and dated April 28, 2014, which Report is on file in the office of
15 the City Clerk.
16
17
18
19



1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26

Section 2. That the portion of the South Adams Street right-of-way northerly of South 62nd Street, described as follows:

The Easterly 11 feet of South Adams Street adjacent to and abutting Lots 1 through 4, inclusive, Block 6, Cowan's Addition to Tacoma, Washington, according to the Plat thereof, recorded in Volume 5 of Plats at Page 57, Records of Pierce County Auditor;

Situate in the Southeast Quarter of the Southeast Quarter of Section 24, Township 20 North, Range 02 East of the W.M., within the City of Tacoma, County of Pierce, State of Washington;

is hereby vacated, and the land so vacated is hereby surrendered and attached to the property bordering thereon, as a part thereof, and all right or title of the City in and to the portion of the right-of-way so vacated does hereby vest in the owners of the property abutting thereon, all in the manner provided by law; provided, however, that there is hereby retained and reserved, pursuant to the statutes of the state of Washington, the following easements, to-wit:

TACOMA POWER

A public easement shall be reserved over the vacated area for overhead and underground facilities.



1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26

TACOMA WATER

A public easement shall be reserved over the vacated area adjacent to Lots 3 and 4 (southerly 50 feet of the vacated area) to allow the existing water meter to remain in place.

Passed _____

Mayor

Attest:

City Clerk

Approved as to form:

Deputy City Attorney

Property description approved:

Chief Surveyor
Public Works Department

Location: A portion of South Adams Street, northerly of vacated
South 62nd Street
Petitioner: HG Holdings, LLC
Vacation Req. No. 124.1340



ORDINANCE NO. 28249

1 AN ORDINANCE relating to the Compensation Plan; amending Section 1.12.355
 2 of the Tacoma Municipal Code to implement rates of pay and compensation
 3 for employees represented by District Lodge #160, on behalf of Local
 4 Lodge #282 of the International Association of Machinists and Aerospace
 5 Workers, WWTP Maintenance Supervisors' Unit.

BE IT ORDAINED BY THE CITY OF TACOMA:

6 Section 1. That Section 1.12.355 of the Tacoma Municipal Code is
 7 hereby amended effective retroactive to January 1, 2013, to read as follows:

8 * * *

Code	A	Job Title	1	2	3	4	5
5102		WWTP Maintenance Supervisor	<u>37.42</u>	<u>39.37</u>	<u>41.41</u>	<u>43.56</u>	<u>45.81</u>

Code	A	Job Title	1	2	3	4	5
5102		WWTP Maintenance Supervisor	<u>38.82</u>	<u>40.76</u>	<u>42.80</u>	<u>44.94</u>	<u>47.18</u>

12 * * *

13 Section 2. That Section 1.12.355 of the Tacoma Municipal Code is hereby
 14 amended effective retroactive to January 1, 2014, to read as follows:

16 * * *

Code	A	Job Title	1	2	3	4	5
5102		WWTP Maintenance Supervisor	<u>38.82</u>	<u>40.76</u>	<u>42.80</u>	<u>44.94</u>	<u>47.18</u>

Code	A	Job Title	1	2	3	4	5
5102		WWTP Maintenance Supervisor	<u>39.32</u>	<u>41.29</u>	<u>43.35</u>	<u>45.52</u>	<u>47.79</u>

20 * * *

21 Section 3. That Section 1.12.355 of the Tacoma Municipal Code is hereby
 22 amended effective as provided by law, to read as follows:

23

24

25

26



Code	A	Job Title	1	2	3	4	5
5102		WWTP Maintenance Supervisor	<u>39.32</u>	<u>41.29</u>	<u>43.35</u>	<u>45.52</u>	<u>47.79</u>

Code	A	Job Title	1	2	3	4	5
5102		WWTP Maintenance Supervisor	<u>40.82</u>	<u>42.79</u>	<u>44.85</u>	<u>47.02</u>	<u>49.29</u>

Section 4. That Section 1 of this ordinance shall become effective retroactive to January 1, 2013. That Section 2 of this ordinance shall become effective retroactive to January 1, 2014. That Section 3 of this ordinance shall become effective as provided by law.

Passed _____

Mayor

Attest:

City Clerk

Approved as to form:

Deputy City Attorney



ORDINANCE NO. 28250

1 AN ORDINANCE relating to land use regulations associated with Initiative 502;
2 extending interim land use regulations for a six-month term,
3 to May 16, 2015, concerning the production, processing, and retail sale of
4 recreational marijuana.

5 WHEREAS Initiative 502 ("I-502"), approved by Washington voters in
6 November 2012, provides a framework for licensing and regulating the production,
7 processing, and retail sale of recreational marijuana, and

8 WHEREAS the Washington State Liquor Control Board ("WSLCB") is
9 tasked with establishing rules and procedures to implement I-502 and determining
10 a "maximum number of retail outlets that may be licensed in each county," and

11 WHEREAS, according to the WSLCB's timeline, the rules became effective
12 on November 16, 2013, and the state began accepting applications for all license
13 types on November 18, 2013, and

14 WHEREAS, on November 5, 2013, the City Council adopted Substitute
15 Ordinance No. 28182, and enacted the interim land use regulations concerning the
16 production, processing, and retail sale of recreational marijuana, effective for one
17 year from November 17, 2013, to November 16, 2014, and

18 WHEREAS the interim regulations were intended to provide policy and
19 regulatory guidance to facilitate the review, in a proactive and timely manner, of
20 those marijuana license applications within the City limits that were expected to
21 come forward starting December 2013, and
22
23
24
25
26



1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26

WHEREAS the interim regulations were also intended to provide adequate time for the City to evaluate the operations and impacts of the licensed marijuana businesses and allow the state to rectify the outstanding problems with the existing, largely unregulated medical marijuana system before deliberating on a permanent local regulatory resolution, and

WHEREAS the WSLCB did not begin issuing marijuana production and processing licenses until March 2014, and marijuana retailing licenses until July 2014, and as of early September 2014, only two production/processing licenses and three retail licenses within Tacoma have been issued, and

WHEREAS, while the state legislature deliberated regarding potential changes to address the medical marijuana industry in 2014, they have not as yet adopt any changes, and

WHEREAS, considering the fledgling stage of recreational marijuana licensing and operation within the City, the unresolved issues regarding medical marijuana at the state level, and the unresolved conflict between Initiative 502 and federal law, it is premature to develop a permanent regulatory resolution, and

WHEREAS it is in the best interest of the City to keep the interim regulations in effect upon their expiration in November 2014 and extending the interim land use regulations for a six-month term, to May 16, 2015; Now, Therefore,



1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26

BE IT ORDAINED BY THE CITY OF TACOMA:

Section 1. That the City Council hereby extends the interim land use regulations for a six-month term, to May 16, 2015, concerning the production, processing, and retail sale of recreational marijuana.

Passed _____

Mayor

Attest:

City Clerk

Approved as to form:

City Attorney



SUBSTITUTE ORDINANCE NO. 28251

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26

AN ORDINANCE relating to the Tax and License Code; repealing in its entirety and reenacting Chapter 6B.220 of the Tacoma Municipal Code (“TMC”), “Taxicab Regulations,” to change the title to “For-Hire Regulations,” to address regulation of taxi service and other types of for-hire transportation services, and continue to provide for the safe, fair and efficient operation of all for-hire vehicles and for-hire drivers in the City.

WHEREAS the City has regulated the taxi industry to provide for safe operation of taxicabs since 1942, and

WHEREAS the most recent change to the taxi regulations was in 2006 when several new requirements were established to enhance the safety and appearance of taxicabs and improve driver safety and knowledge of the City, and

WHEREAS there is a discrepancy in regulatory requirements currently in the Tacoma Municipal Code (“TMC”) between taxi services and other types of for-hire transportation services, such as Uber and Lyft, that provide online applications or websites that connect drivers with passengers, and

WHEREAS repealing and reenacting Title 6B.220, to change the title to For-hire Regulations, and align with the City’s strategic policy to strengthen and support public safety, human services, public education, and diverse higher learning opportunities in Tacoma and the proposed changes in the Ordinance will enhance public safety by requiring safety regulations for all for-hire vehicles and for-hire drivers providing transportation services in Tacoma and provide more options to citizens and visitors, and

WHEREAS the new For-Hire regulations will impose a small fee on those for-hire drivers using for-hire vehicles not meeting accessibility requirements. These



fees will be used to support this For-hire Code and regulate this business industry and to support the City's goal to encourage Accessible for-hire vehicles, and

WHEREAS the City recognizes that the Washington State Legislature may consider state legislation in 2015 related to for-hire companies and may impose new insurance requirements ; Now, Therefore,

BE IT ORDAINED BY THE CITY OF TACOMA:

1. After the end of the 2015 State Legislative session, the City will review any state legislation related to for-hire companies and assess whether any changes to Tacoma Municipal Code 6B.220 should be made.
2. That Chapter 6B.220 of the Tacoma Municipal Code ("TMC") is hereby repealed and reenacted to address regulation of taxi service and other types of for-hire transportation services and continue to provide for the safe, fair and efficient operation of all for-hire vehicles and for-hire drivers in the City, as set forth in the attached Exhibit "A."

Passed _____

Mayor

Attest:

City Clerk

Approved as to form:

Deputy City Attorney



EXHIBIT "A"

Chapter 6B.220

TAXICAB REGULATIONS

(Repealed and reenacted by Ord. 26701 Ex. A, passed Apr. 3, 2007)

Sections:

- 6B.220.100 Scope, authority and purpose.
- 6B.220.105 License required—Taxicab vehicle and taxicab driver.
- 6B.220.110 License inspection.
- 6B.220.115 Definitions.
- 6B.220.120 Fees—License and inspection.
- 6B.220.125 Financial and operating data.
- 6B.220.130 Reports to the Director.
- 6B.220.200 Taxicab—Vehicle license application.
- 6B.220.205 Taxicab and owners—Criminal background check and fingerprints.
- 6B.220.210 Taxicab vehicle license—Standards for license denial.
- 6B.220.215 Taxicab vehicle license—Fees, expiration and renewal.
- 6B.220.220 Transfer of taxicab vehicle license.
- 6B.220.225 Taxicab—Owner surrender of taxicab vehicle license.
- 6B.220.300 Taxicab driver license application.
- 6B.220.305 Criminal background check/Fingerprints/Photograph.
- 6B.220.310 Taxicab driver—Requirements.
- 6B.220.312 Taxicab driver—Medical certification requirement.
- 6B.220.313 Taxicab driver—Training program.
- 6B.220.314 Taxicab driver—Written and oral examination.
- 6B.220.315 Form of taxicab driver's license.
- 6B.220.320 Taxicab driver—Standards for license denial.
- 6B.220.325 Taxicab driver license expiration and renewal.
- 6B.220.330 Taxicab driver temporary license.
- 6B.220.335 Taxicab driver's license—Application & renewal fee.
- 6B.220.400 Taxicab owner—Operating responsibilities.
- 6B.220.405 Repealed.
- 6B.220.410 Taxicab owner—Approval of color scheme and uniform.
- 6B.220.415 Identification of taxicab.
- 6B.220.420 Complaints.
- 6B.220.425 Taxicab—Vehicle operating requirements.
- 6B.220.430 Destruction, replacement, retirement or inactivity of a taxicab.
- 6B.220.435 Taxicab owner responsibilities.
- 6B.220.500 Taxicab driver operating standards.
- 6B.220.505 Conduct of drivers.
- 6B.220.510 Items lost and found.
- 6B.220.515 Taxicab driver passenger relations standards.
- 6B.220.520 Taxicab driver soliciting and cruising standards.
- 6B.220.600 Taxicab driver taxicab meter/rates standards.
- 6B.220.605 Establishment of taxicab stands.
- 6B.220.610 Taxicab driver taxi stand standards.
- 6B.220.615 Taxicab stand licenses.
- 6B.220.620 Parking.



6B.220.700 Rates.

6B.220.800 License suspension & revocation—Taxicab owner, taxicab vehicle, and taxicab driver.

6B.220.805 License violations and penalties—Taxicab owner, taxicab vehicle, and taxicab driver.

6B.220.100—Scope, authority and purpose.

A. This chapter applies to all taxicab owners and all taxicab drivers operating within the City of Tacoma.

B. This chapter is an exercise of the City of Tacoma's police powers and authority pursuant to Chapter 46.72 RCW and Chapter 81.72 RCW to license taxicabs and taxicab drivers. Some of its regulatory purposes are to increase the safety, reliability, cost effectiveness, and the economic viability and stability of privately operated taxicab companies within the City of Tacoma.

C. The purpose of this chapter is to provide for the safe, fair and efficient operation of taxicabs. The taxicab industry should be allowed to operate without unnecessary restraint. However, because taxicabs constitute an essential part of the City's transportation system and because transportation so fundamentally affects the City's well being and that of its citizens, some regulation is necessary to insure that the public safety is protected, the public need provided, and the public convenience promoted. It is not the purpose of this Chapter to displace competition with regulation or monopoly public service.

(Ord. 27601 Ex. A; passed Apr. 3, 2007)

6B.220.105—License required—Taxicab vehicle and taxicab driver.

It shall be unlawful for any person, firm or corporation to hold out, advertise, solicit, operate, drive or use any vehicle as a taxicab in the City of Tacoma without having first obtained the licenses required pursuant to the provisions of this chapter.

(Ord. 28154 Ex. A; passed Jun. 11, 2013; Ord. 27863 Ex. A; passed Dec. 15, 2009; Ord. 27601 Ex. A; passed Apr. 3, 2007)

6B.220.110—License inspection.

The inspection of taxicabs, inspection and sealing of taximeters, the examining of the qualifications of applicants for taxicab licenses and licenses to drive taxicabs and the enforcing of the provisions of this chapter shall be under the supervision and control of the Director. The Director, Chief of Police, and duly appointed City of Tacoma law enforcement, tax and license, and road use compliance officers, further have authority to maintain constant vigilance over all taxicabs to see that they are kept in a condition of continued fitness for public use, and to this end their officers and inspectors may inspect all taxicabs on the complaint of any citizen, or from time to time as it or the Director or Chief of Police may deem necessary or convenient.

(Ord. 27601 Ex. A; passed Apr. 3, 2007)

6B.220.115—Definitions.

For the purposes of this chapter 6B.220 of the Tacoma Municipal Code, the following terms, phrases, words, and their derivations shall have the meaning given herein; words not defined herein which are defined in Title 6, shall have the same meaning or be interpreted as provided in Title 6 and if not defined there shall have their ordinary and common meaning; when not inconsistent with the context, words used in the present tense include the future, words in the plural number include the singular number, words in the singular number include the plural number, and the use of any gender shall be applicable to all genders whenever the sense requires; the words "shall" and "will" are mandatory and the word "may" is permissive; a reference to this chapter shall mean this Chapter 6B.220 of the official code of the City as amended from time to time; if specific provisions of law referred to herein are renumbered, then the reference shall be read to refer to the renumbered provision:

A. "Affiliated taxicab" means a taxicab licensed or associated to a particular taxicab owner by using their approved color scheme and trade name.

B. "Approved Mechanic" means a mechanic who 1) has met the automotive requirements of the National Institute for Automotive Service Excellence, 2) does not own, lease or drive a taxicab, and 3) has no financial interest, including any employment interest, in any taxicab or in any owner that owns or leases taxicabs.



1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26

C. "Certificate of Camera Operation" means a prescribed document, provided by the City or provided from the camera's testing software, and completed by the taxicab owner who owns the taxicab trade name and approved color scheme, certifying that a particular digital security camera system is operational, the triggers operate properly, the test image provides a clear picture, the date on the image is accurate, and the camera lens is properly aimed.

D. "Certificate of Safety" means a prescribed document provided by the City completed by an approved mechanic certifying that a particular vehicle meets all vehicle safety standards set forth in this chapter and in regulations adopted pursuant to this chapter.

E. "Classic car" means an automobile that was high priced when new, is currently of superior appearance, is a fine or distinctive automobile, that has been restored or maintained to current maximum professional standards of quality in every area, with components operating and appearing as new, and showing very minimal wear.

F. "Committed a violation" or any derivation thereof means that a licensee has been issued a Notice of Violation and either has not contested the violation or did contest the violation and did not prevail.

G. "Contract rate" means the rate specified in a written contract signed by both parties before the dispatch of a taxicab for the services identified in the contract. Contracts for package delivery may be made on an oral basis.

H. "Director" means the Director of the Finance Department of the City, or any officer, agent, or employee of the City designated to act on the Director's behalf.

I. "Driver" and "Operator" shall mean the person physically engaged in driving a taxicab, whether or not said person is the owner of or has any financial interest in the ownership of said taxicab.

J. "Licensee" means any person or entity licensed under this chapter.

K. "Operating a taxicab" means having a passenger in a taxicab, the taxicab is parked in a taxi zone, the taximeter is engaged, the office dispatch records show the vehicle has been dispatched, the taxicab top light is illuminated, the trip sheet shows that the vehicle has started a shift and there is no entry for ending a shift or the taxicab driver has offered transportation services to a passenger.

L. "Operating in the City of Tacoma" means owning, leasing, advertising, driving, occupying and/or otherwise operating a taxicab that at any time transports any passenger or item for compensation from a point within the geographical confines of the City of Tacoma. The taxicab is considered to be operating during the administering of inspections at a City inspection facility and while parked in a taxicab stand. The term does not include being in control of a taxicab that is physically inoperable.

M. "Person with disabilities" means any individual with a disability who has a sensory, mental, or physical impairment that substantially limits one or more of life's major activities; is medically cognizable or diagnosable; has a record or history of such impairment; or is regarded as having such an impairment. People with disabilities include ambulatory persons whose capacities are hindered by sensory disabilities such as blindness or deafness, such mental disabilities as cognitive impairments or emotional illness, and physical disabilities that still permit the person to walk comfortably, or a combination of these disabilities. It also includes a semi-ambulatory person who requires such special aids to travel as canes, crutches, walkers, respirators, or human assistance, and a non-ambulatory person who must use wheelchairs or wheelchair like equipment to travel.

N. "Taxicab owner" means a person who owns and operates a taxicab(s) using an approved color scheme, trade name and dispatch services or a person who allows other people to affiliate a taxicab to the taxicab owner's color scheme, trade name and dispatch services.

O. "Taxicab" shall mean every motor vehicle held out to the public for hire as a common carrier, that carries signs or indicia of a taxicab, including the words "taxi," "taxicab," or "cab"; for transportation of individuals or articles, subject to call by the public generally, where the route traveled or destination is controlled by the customer, the fare is calculated on the basis of an amount recorded and indicated on a taximeter, or by a special contract rate permitted under this chapter, or based on an initial fee, distance traveled, waiting time, or any combination thereof as permitted under this chapter, and which is duly licensed by the City of Tacoma under the terms of this chapter; provided that, taxicab shall not mean:



1. School buses operating exclusively under a contract to a school district;

2. Ride sharing vehicles under chapter 46.74 RCW;

3. Limousine carriers licensed under chapter 46.72A RCW;

4. Vehicles used by nonprofit transportation providers solely for elderly or persons with disabilities and their attendants under chapter 81.66 RCW;

5. Vehicles used by auto transportation companies licensed under chapter 81.68 RCW;

6. Vehicles used to provide courtesy transportation at no charge to and from parking lots, hotels, and rental offices; and;

7. Vehicles licensed under, and used to provide “charter party carrier” and “excursion service carrier” services as defined in, and required by, Chapter 81.70 RCW.

P. “Taxicab driver” means any person operating taxicabs as a driver for any owner and who is duly authorized by the City of Tacoma as a taxicab driver under the terms of this chapter.

Q. “Taxicab Plate” means a numbered metal identification plate, issued by the City, permanently affixed to and prominently displayed on the rear of a taxicab.

R. “Taxicab Stand” shall mean that portion of any street set aside and designated as parking or standing space to be occupied by taxicabs;

S. “Taximeter” means any mechanical or electronic device or instrument which, based upon a predetermined rate or rates, automatically calculates and displays, by means of figures, a fare based on distance traveled, time elapsed, or any combination thereof.

T. “Waiting Time” means time during which the taxicab is under the direction of a passenger and the taxicab is not moving.

U. “Wheelchair accessible taxicab” means a taxicab designed or modified to transport passengers in wheelchairs or other mobility devices where passengers can board the taxicab via a ramp or lift.

(Ord. 28154 Ex. A; passed Jun. 11, 2013; Ord. 27863 Ex. A; passed Dec. 15, 2009; Ord. 27601 Ex. A; passed Apr. 3, 2007)

6B.220.120 — Fees — License and inspection.

The fees are hereby fixed as follows:

<u>Description</u>	<u>Fees</u>
<u>For-hire taxi driver license</u>	<u>—\$ 50</u>
<u>For hire driver replacement license</u>	<u>—\$ 5</u>
<u>Taxi stand</u>	<u>—\$175</u>
<u>Taxicab</u>	<u>—\$175</u>
<u>Replace taxicab plate fee</u>	<u>—\$ 25</u>
<u>Inspection rescheduling fee</u>	<u>—\$ 25</u>
<u>Vehicle re-inspection fee</u>	<u>—\$ 25</u>
<u>Wheelchair accessible taxicab annual license fee</u>	<u>Waived</u>

(Ord. 28154 Ex. A; passed Jun. 11, 2013; Ord. 27863 Ex. A; passed Dec. 15, 2009; Ord. 27601 Ex. A; passed Apr. 3, 2007)



6B.220.125—Financial and operating data:

A. The Director may require a taxicab owner or driver to report financial and operating data, in such form and at such times as the Director requires. The taxicab owner or driver shall compile the necessary data and submit reports to the Director. A taxicab driver shall not fail to timely submit complete records to the taxicab owner. A taxicab owner shall not fail to timely submit required reports to the Director.

B. Except as otherwise required by law, information submitted to the Director shall be used within the City government only.

C. The Director shall have the right to examine any and all books, records, or files relating to the operation of taxicabs or any person holding a license issued pursuant to this chapter, including, but not limited, such insurance policies, certificates and coverages as required pursuant to this chapter.

D. Immediate access to any record required under this chapter to be created and maintained by the taxicab owner or drivers, shall be made available to law enforcement officers of the City of Tacoma to assist in the investigation of any crime.

(Ord. 27601 Ex. A; passed Apr. 3, 2007)

6B.220.130—Reports to the Director:

A. Every taxicab owner shall immediately notify the Director upon the taxicab owner having knowledge of any of the following occurrences:

1. Any arrest, conviction, bail forfeiture or other final adverse finding of or by the taxicab driver of the owner's affiliated taxicab, for any criminal offense that occurs during, or arises out of, the driver's operation of such taxicab;

2. Any arrest, conviction, bail forfeiture or other final adverse finding of or by the taxicab driver of the owner's affiliated taxicab for any criminal offense involving theft, robbery, burglary, assault, sex crimes, drugs, prostitution, moral turpitude, or any related offense;

3. Any vehicle accident required to be reported to the State of Washington involving any taxicab operated by the taxicab driver of the owner's affiliated taxicab; or,

4. Any restriction, suspension or revocation of such taxicab driver's motor vehicle driver's license.

B. Every taxicab driver shall immediately report to the Director and the taxicab owner, the occurrence of the following:

1. Any arrest, charge, or conviction of the taxicab driver for any criminal offense, or commitment of a violation, that occurs during, or arises out of, the taxicab driver's operation of a taxicab;

2. Any arrest, charge or conviction of the taxicab driver for any criminal offense involving theft, robbery, burglary, assault, sex crimes, drugs, prostitution, moral turpitude, or any related offense;

3. Any vehicle accident required to be reported to the State of Washington involving any taxicab operated by the taxicab driver; or,

4. Any restriction, suspension or revocation of the taxicab driver's motor vehicle driver's license.

5. Any changes in health or medical condition of a taxicab driver that might render the driver to be unfit for the safe operation of any taxicab vehicle.

(Ord. 27863 Ex. A; passed Dec. 15, 2009; Ord. 27601 Ex. A; passed Apr. 3, 2007)

6B.220.200—Taxicab—Vehicle license application:

A. The taxicab owner is responsible for filing with the City a taxicab vehicle license application, on forms approved by the Director, for each affiliated taxicab that is operated in Tacoma. The taxicab owner must sign and swear to the application, which shall include the information specified in subsection B of this section:

B. The taxicab vehicle license application shall include the following information:



1. Ownership type:

1 a. If the owner is an individual, the owner's full name, home address, home and business telephone number and date of birth (which shall be at least eighteen years prior to the date of application), or

2 b. If the owner is a corporation, partnership or other legal entity, the names, home addresses, telephone
3 numbers and date of birth (which must be at least eighteen years before the date of application) for the
4 corporation's or entity's officers, directors, general and managing partners, registered agents, and each person
5 vested with authority to manage or direct the affairs of the legal entity or to bind the legal entity in dealings
6 with third parties; the corporation's, partnership's or entity's true legal name, state of incorporation or
7 partnership registration (if any), business address and telephone and facsimile numbers and State of
8 Washington business license number, and any other information that the Director may reasonably require.

9 2. Vehicle information, including the taxicab vehicle number assigned by any regulatory agency, the make,
10 model, year, vehicle identification number, Washington State vehicle license plate number, and any other
11 vehicle information required by rule or regulation promulgated under this chapter;

12 3. Information as requested by the Director pertaining to any driver's, for hire vehicle or taxicab license
13 suspension, denial, non renewable or revocation, imposed in connection with a taxicab or for hire vehicle
14 owned or leased by the owner within the last three (3) years;

15 4. Criminal history, as requested by the Department, of the owner, or if the owner is a business entity, of the
16 persons specified in subsection 6B.220.200.B.1.b above;

17 5. An insurance policy or proving compliance with this chapter and chapter 46.72 RCW, as now or hereafter
18 amended, for each taxicab vehicle for which a license is sought. The insurance policy shall:

19 a. Be issued by an admitted carrier in the State of Washington with an A.M. Best's Rating of not less than A-
20 and not be less than A.M. Best's Financial Size Category VII; provided however, that the Director may
21 temporarily suspend any or all of these requirements if no other viable insurance options are available to the
22 industry;

23 b. Name the City of Tacoma as an additional insured, and

24 c. Provide that the insurer will notify the Director, in writing, of any cancellation at least thirty (30) days before
25 that cancellation takes effect;

26 6. An insurance policy of underinsured motorist coverage indicating a minimum coverage of one hundred
27 thousand dollars (\$100,000) per person, and three hundred thousand dollars (\$300,000) per accident, or a
28 certificate of self insurance issued pursuant to RCW 46.29.630;

29 7. State of Washington vehicle registration;

30 8. Certificate of Safety as required pursuant to Subsection 6B.220.425 D;

31 9. The color scheme the applicant taxicab owner proposes to require for each affiliated taxicab, and two (2) 2" X 2" sample color chips;

32 10. A detailed description of the uniform the applicant taxicab owner proposes to require for drivers of
33 affiliated taxicabs, including the style, fabric and color;

34 11. Copy of State of Washington For hire vehicle certificate;

35 12. Certificate of Camera Operation as required pursuant to Subsection 6B.220.425.O;

36 13. Any other documents required by regulations promulgated under this chapter.

37 14. The above application and information must also be completed and supplied during any annual license
38 renewal.

39 C. The taxicab owner applicant must inform the Director in writing within seven (7) days if any of the
40 information provided pursuant to subsection (B) changes, ceases to be true or is superseded in any way by new
41 information.



(Ord. 28154 Ex. A; passed Jun. 11, 2013; Ord. 27863 Ex. A; passed Dec. 15, 2009; Ord. 27601 Ex. A; passed Apr. 3, 2007)

6B.220.205 — Taxicab and owners — Criminal background check and fingerprints.

All applicants for a taxicab vehicle license must consent to be fingerprinted for a criminal background check. In the event that the applicant owner is a company, then Chief Executive Officer of the applicant owner company and any other officers of the applicant as the Director may by rule require, must consent to be fingerprinted for a criminal background check.

(Ord. 27863 Ex. A; passed Dec. 15, 2009; Ord. 27601 Ex. A; passed Apr. 3, 2007)

6B.220.210 — Taxicab vehicle license — Standards for license denial.

A. The Director shall deny any taxicab vehicle license application if the Director determines that such license should not be issued pursuant to the provisions of 6B.10 of the Tacoma Municipal Code, and further if the Director determines that:

1. The applicant has failed to submit a complete, satisfactory application pursuant to TMC 6B.220.200;

2. The applicant has made any material misstatement or omission in the application for a license;

3. The applicant fails to meet one or more of the applicant or vehicle requirements of a taxicab licensee pursuant to this chapter; and/or

4. Within three (3) years of the date of application, the applicant, or if the applicant is a business entity any officer, director, general partner, managing partner or principal of the applicant, has had a conviction, bail forfeiture or other final adverse finding for offenses pertaining to hit and run, reckless driving, attempting to elude a police officer, vehicular assault, vehicular homicide, driving under the influence of alcohol or controlled substances or related offense as in RCW 46.61.502, RCW 46.61.503 RCW 46.61.504, or has been a Habitual Traffic Offender as found by the Washington State Department of Licensing, criminal fraud, larceny, theft, prostitution, extortion, racketeering, robbery, violation of the Uniform Controlled Substances Act, or an offense involving moral turpitude, where such crime involved the use of a taxicab.

B. The Director may deny any taxicab vehicle license application if the Director determines that:

1. Within ten (10) years of the date of application, the applicant or, if the applicant is a business entity, any officer, director, general partner, managing partner or principal of the applicant, has had a conviction, bail forfeiture, or other final adverse finding involving crimes including but not limited to offenses pertaining to prostitution, gambling, physical violence, or other offenses directly related to the applicant's honesty, integrity, or moral turpitude including but not limited to fraud, larceny, burglary, extortion, income tax evasion, delivery, possession with intent, or manufacture of controlled substances or any attempt, conspiracy, or solicitation to commit such offenses and/or reasonably related to the applicant's ability to operate a taxicab, including but not limited to hit and run, reckless driving, attempting to elude a police officer, vehicular assault, vehicular homicide, driving under the influence of alcohol or controlled substances or related offense as in RCW 46.61.502, RCW 46.61.503 RCW 46.61.504, or has been a Habitual Traffic Offender as found by the Washington State Department of Licensing;

2. Within two (2) years of the date of application, the applicant, or if the applicant is a business entity any officer, director, general partner, managing partner or principal of the applicant, has been found, either through a criminal conviction, bail forfeiture or other final adverse finding (including in a civil suit or administrative proceeding), or it has been proven by a preponderance of the evidence regardless of whether the same act was charged as a civil infraction or a crime, to have exhibited past conduct in driving or operating a taxicab or operating a taxicab business which would lead the Director to reasonably conclude that the applicant will not comply with the provisions of the chapter related to vehicle requirements and the safe operation of the vehicle;

3. Within two (2) years of the date of application, the applicant, or if the applicant is a business entity any officer, director, general partner, managing partner or principal of the applicant, has engaged in the business of operating any taxicab within the City of Tacoma without a current valid license from the City of Tacoma;



1 4. Within twelve (12) months of the date of application, the applicant has violated and/or caused or knowingly
permitted a driver to violate, any Pierce County or City of Tacoma ordinance or regulation pertaining to the
operation of taxicabs while in that jurisdiction, if such violation would constitute grounds for license revocation
or denial if occurring within the City; and/or

2 5. Within twelve (12) months of the date of application, the applicant has had its City of Tacoma taxicab
license revoked.

3 C. Denial of an annual taxicab vehicle license is subject to appeal pursuant to Chapter 6B.10 of the Tacoma
Municipal Code.

4 (Ord. 27863 Ex. A; passed Dec. 15, 2009; Ord. 27601 Ex. A; passed Apr. 3, 2007)

5 **6B.220.215—Taxicab vehicle license—Fees, expiration and renewal.**

6 A. Each taxicab owner subject to the terms of this Chapter shall pay an annual taxicab vehicle license fee per
6B.220.120 times the maximum number of licensed vehicles or such other fee as may be set from time to time
by the City Council.

7 B. Upon payment of the correct license fee by the taxicab owner and compliance with all other requirements for
issuance of a taxicab vehicle license, the Director shall issue a license without hearing.

8 C. Notwithstanding the provisions of 6B.10 of the Tacoma Municipal Code, Taxicab vehicle licenses shall
expire on June 30th. The license renewal fee for temporary licenses issued under 6B.220.105 C which expire on
December 31, 2007 and renewing on January 1, 2008 shall be prorated in the amount of one half the annual
license fee and shall expire on June 30, 2008. Each taxicab owner must renew the taxicab vehicle license every
year. No taxicab vehicle license may be renewed unless all outstanding penalties assessed against the taxicab
owner or any taxicab driver operating a taxicab of the taxicab owner are paid in full and the renewal fee and all
inspections fees have been paid to the Director. The Director may deny any renewal application if grounds exist
for the Director to deny a license.

9 D. License fees paid under this subsection shall be used for the administration and enforcement of this chapter.

10 E. Denial of an annual taxicab vehicle renewal license is subject to appeal pursuant to Chapter 6B.10 of the
Tacoma Municipal Code.

11 (Ord. 27601 Ex. A; passed Apr. 3, 2007)

12 **6B.220.220—Transfer of taxicab vehicle license.**

13 Notwithstanding the provisions of 6B.10 of the Tacoma Municipal Code, a taxicab vehicle license may not be
transferred.

14 (Ord. 27601 Ex. A; passed Apr. 3, 2007)

15 **6B.220.225—Taxicab—Owner surrender of taxicab vehicle license.**

16 It is unlawful to operate a taxicab not licensed pursuant to the provisions of this chapter or which taxicab
vehicle license has been suspended or revoked. The taxicab owner and taxicab driver(s) are jointly and
severally responsible for immediately surrendering the taxicab plate and taxicab vehicle license to the Director
upon revocation or suspension.

17 (Ord. 27601 Ex. A; passed Apr. 3, 2007)

18 **6B.220.300—Taxicab driver license application.**

19 A. A taxicab driver must complete, sign, swear to and file with the Director a taxicab driver license application
on forms provided by the Director to include the following information:

20 1. Name, aliases, residence and business addresses, residence and business telephone numbers;

21 2. Place and date of birth, height, weight, color of hair and eyes;

22 3. Social security number and Washington State driver's license number.



4. The applicant's criminal history for the last ten (10) years;

5. Information indicating whether or not the applicant has ever had a taxicab driver's, for hire or driver's license suspended, revoked, or denied and for what cause;

6. A signed statement authorizing the Director to obtain a current copy of the applicant's driving record from the Washington State Department of Licensing;

7. Such other information as may be reasonably required by regulation promulgated under this chapter.

B. All applications for taxicab driver's licenses become void if the applicant, for any reason other than delay caused by the City, fails or neglects to complete the application process or obtain a license within sixty (60) days of submitting an application.

(Ord. 27863 Ex. A; passed Dec. 15, 2009; Ord. 27601 Ex. A; passed Apr. 3, 2007)

6B.220.305 — Criminal background check/Fingerprints/Photograph.

All applicants for a taxicab driver's license must consent to be fingerprinted for a state and federal criminal background check and shall submit with his or her application two current full face photographs of the applicant and one current right profile photograph of the applicant, each of said photographs to be of the size of two inches square. One full face and one right profile photograph shall become a part of the applicant's license, if issued; and the other full face photograph shall be filed with the application. Applicants previously licensed and fingerprinted under Chapter 6B.220 may be required to again be fingerprinted if reapplication is not received within five years of initial licensing.

(Ord. 28154 Ex. A; passed Jun. 11, 2013; Ord. 27601 Ex. A; passed Apr. 3, 2007)

6B.220.310 — Taxicab driver — Requirements.

A. Must be twenty one years of age or over at the time the application is filed with the Director;

B. Must have a valid Washington State Drivers License and social security number;

C. Must submit a physician's certification certifying his fitness as a taxicab driver upon initial application and every three years thereafter;

D. Must submit a letter from the taxicab owner which indicates which taxicabs the applicant is authorized to operate;

E. Must have completed a training program offered or approved by the Director;

F. Must successfully complete an exam as further defined in this chapter; and

G. Must submit proof that the applicant is a United States citizen or has documentation, as required by the United States Department of Homeland Security, Citizenship and Immigration Services, that the applicant is authorized to work in the United States.

(Ord. 28154 Ex. A; passed Jun. 11, 2013; Ord. 27863 Ex. A; passed Dec. 15, 2009; Ord. 27601 Ex. A; passed Apr. 3, 2007)

6B.220.312 — Taxicab driver — Medical certification requirement.

All taxicab drivers' licenses issued prior to the effective date of this ordinance will be required to submit a medical certification with their first application for renewal of their taxicab driver's license after the effective date of this ordinance.

No taxicab driver shall be issued a taxicab driver's license who is not of sound physique or is subject to epilepsy, vertigo, heart trouble, or any other infirmity of body or mind which might render him unfit for the safe operation of any taxicab.

A. A medical examination and certification shall be required upon initial application, and every three (3) years thereafter, on the anniversary date of the license; provided, however, the Director may at any time require any



taxicab driver licensee or applicant to be reexamined if it appears that the licensee has become physically or mentally unfit to be a taxicab driver.

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26

B. An examination shall be performed by a physician licensed to practice in Washington State under Chapter 18.71 RCW and the required medical certification shall be completed following that physician's physical examination of the applicant.

C. The scope of the certificate form and the examination shall be prescribed by the Director.

D. A Washington State Department of Transportation medical certification meets the requirements of this section, as long as it was signed no more than three (3) months prior to the date of initial application, or in case of the three (3) year renewal certification no more than three (3) months prior to the date of renewal.

(Ord. 28154 Ex. A; passed Jun. 11, 2013; Ord. 27863 Ex. A; passed Dec. 15, 2009)

6B.220.313 — Taxicab driver — Training program.

All taxicab driver's licenses issued prior to the effective date of this ordinance will be required to complete the training program approved by the Director within 60 days of submitting their first application for renewal of their taxicab driver's license after the effective date of this ordinance.

A. All for hire driver applicants are required to complete a training program providing information about the history and geography of the Puget Sound area, defensive driving, use of emergency procedures and equipment for the driver's personal safety, and enhancement of driver passenger relations, appearance and communication skills.

B. The training shall be required upon initial application. Every three years thereafter, the applicant may be required to complete a refresher course.

C. The Director shall assure that this training is offered by the City or offered by another public or private entity, or offered by both. If training offered by a non city entity, certification for purposes of obtaining or renewing a license pursuant to this chapter is contingent upon the Director's approval that contents and training staff capability are equivalent to what would be provided through the City.

(Ord. 27863 Ex. A; passed Dec. 15, 2009)

6B.220.314 — Taxicab driver — Written and oral examination.

All taxicab drivers' licenses issued prior to the effective date of this ordinance will be required to pass the written and/or oral examination within 60 days of submitting their first application for renewal of their taxicab driver's license after the effective date of this ordinance.

A. An applicant for an initial taxicab driver's license shall be required to successfully pass a written and/or oral examination.

B. The written examination shall test the applicant's knowledge of the chapter requirements dealing with fare determination, driver passenger relations, and conduct including the applicant's ability to understand oral and written directions in the English language, vehicle safety requirements and driver regulations, risk factors for crimes against for hire drivers, emergency procedures and taxicab equipment for driver's personal safety. The written examination shall also test the applicant's geographical knowledge of the City of Tacoma and surrounding areas and local public and tourist destinations and attractions. The Director shall prescribe the content of the examination.

C. The oral examination shall test the applicant's ability to speak and understand English sufficiently to perform the responsibilities of a taxicab driver.

D. The written or oral examination is not required for the renewal of a taxicab driver's license unless the applicant's license has remained expired for more than one year.

(Ord. 28154 Ex. A; passed Jun. 11, 2013; Ord. 27863 Ex. A; passed Dec. 15, 2009)



6B.220.315 — Form of taxicab driver's license.

The taxicab driver's license shall be in form as determined by the Director and shall be approximately five and one half inches in height and eight and one half inches in length and shall have contained under a sealed transparent cover, in such manner that the contents cannot be altered or substituted, one set of the photographs of the licensee, together with a physical description of the licensee and his or her signature. The license shall contain the words "Taxicab Driver's License, City of Tacoma," the number of the license and the name of the licensee. Such license shall show the date of expiration thereof and shall be displayed on the vehicle's dashboard inside each taxicab in such location that the license is clearly visible from the passenger compartment at all times that the licensee is operating, driving or using said taxicab.

(Ord. 28154 Ex. A; passed Jun. 11, 2013; Ord. 27601 Ex. A; passed Apr. 3, 2007)

6B.220.320 — Taxicab driver — Standards for license denial.

A. The Director shall deny any taxicab driver's license application if the Director determines that such license should not be issued pursuant to the provisions of 6B.10 of the Tacoma Municipal Code or further determines that the applicant:

1. Has made any material misstatement or omission in the application for a license;
2. Fails to meet any of the requirements of a taxicab driver contained in Subsections 6B.220.300, 6B.220.310, 6B.220.312, 6B.220.313 or 6B.220.314;
3. Has had a bail forfeiture, conviction, or other final adverse finding for offenses pertaining to hit and run, reckless driving, attempting to elude a police officer, vehicular assault, vehicular homicide, driving under the influence of alcohol or controlled substances, or related offense as in RCW 46.61.502, RCW 46.61.503 RCW 46.61.504 or anyone found to be a Habitual Traffic Offender by the Washington State Department of Licensing, within three (3) years of the date of application;
4. Has been convicted of a "Sex offense" or "Kidnapping offense" against a minor pursuant to RCW Title 9 or 9A;
5. Is required to register as a sex offender pursuant to RCW 9A.44.130.

B. The Director may deny any taxicab driver license application if the Director determines that the applicant:

1. Has had a bail forfeiture, conviction or other final adverse finding involving offenses pertaining to prostitution, gambling, physical violence, or other offenses directly related to the applicant's honesty, integrity, or moral turpitude including but not limited fraud, larceny, burglary, extortion, delivery, possession with intent, or manufacture of controlled substances or any attempt, conspiracy, or solicitation to commit such offenses, and/or any other offense directly related to the driver's ability to operate a taxicab, including without limitation to driving under the influence of alcohol or controlled substances or related offense as in RCW 46.61.502, RCW 46.61.503 or RCW 46.61.504 hit and run, reckless driving, attempting to elude a police officer, vehicular assault, vehicular homicide, anyone found to be a Habitual Traffic Offender by the Washington State Department of Licensing, provided that such bail forfeiture or conviction was within ten (10) years of the date of application; or
2. Has been found, either through a criminal conviction, bail forfeiture, or other final adverse finding (including in a civil suit or administrative proceeding), or it has been proven by a preponderance of the evidence regardless of whether the same act was charged as a civil infraction or a crime, to have exhibited past conduct in driving or operating a taxicab that causes the Director reasonably to conclude that the applicant will not comply with the provisions of the chapter related to driver/operator conduct and the safe operation of the vehicle.

C. Denial of issuance of a taxicab driver license is subject to appeal pursuant to 6B.10 of the Tacoma Municipal Code.

(Ord. 27863 Ex. A; passed Dec. 15, 2009; Ord. 27601 Ex. A; passed Apr. 3, 2007)



6B.220.325—Taxicab driver license expiration and renewal.

A. All taxicab driver’s licenses issued pursuant to the provisions of this subtitle shall be effective as of the first day of the month of issuance regardless of the actual date of issue and shall expire one (1) year from the date of issuance.

B. Each taxicab driver must renew the taxicab driver’s license every year. No taxicab driver’s license may be renewed unless all outstanding penalties against the taxicab driver are paid in full to the Director and the taxicab driver has, within 30 days prior to or after expiration of the taxicab driver’s license, filed a renewal application with the Director and paid the renewal fee. All taxicab drivers’ licenses may be renewed annually by the Director after initial issuance by the City, with new photographs supplied yearly, and new criminal background check. Whenever the license furnished by the City shall become worn out, damaged, faded or otherwise unfit for use, the City may require that such license be destroyed and the licensee shall furnish new photographs as required by this chapter and purchase a new license.

C. The Director shall deny any renewal application if grounds exist for the Director to deny a license pursuant to 6B.220.320. If no such grounds exist, the Director shall examine all Department records on the taxicab driver and may deny the renewal if grounds exist that would justify denial under 6B.10.

D. Denial of renewal of a taxicab driver license is subject to appeal pursuant to Chapter 6B.10 of the Tacoma Municipal Code.

(Ord. 28154 Ex. A; passed Jun. 11, 2013; Ord. 27863 Ex. A; passed Dec. 15, 2009; Ord. 27601 Ex. A; passed Apr. 3, 2007)

6B.220.330—Taxicab driver temporary license.

A. In the event that the Director has not issued or taken final action upon a taxicab driver’s license application within fifteen days of the date such completed taxicab driver’s license application is filed, the Director, upon request of the applicant, may issue a temporary taxicab driver license to an applicant who has filed a complete license application and meets the requirements of 6B.220.310. The temporary license is valid for a period not to exceed sixty (60) days from the date of the application and shall not be extended or renewed. Only one temporary license may be issued to the same person within any two (2) year time period.

B. The temporary license shall not be transferable or assignable and shall be valid only for operating the taxicab(s) specified by the Director on the license.

C. The temporary license shall become void immediately upon (1) suspension, revocation or expiration of the applicant’s Washington State driver’s license, (2) issuance of the taxicab driver’s license, or (3) the Director’s denial of the taxicab driver’s license application, regardless whether the applicant appeals that denial.

(Ord. 27863 Ex. A; passed Dec. 15, 2009; Ord. 27601 Ex. A; passed Apr. 3, 2007)

6B.220.335—Taxicab driver’s license—Application & renewal fee.

An applicant for a taxicab driver’s license and renewal thereof shall submit to the Director an application as required pursuant to 6B.220.300 and a nonrefundable fee per 6B.220.120 or such other fee as may be set from time to time by the City Council. Fees paid under this subsection shall be used for the administration and enforcement of this chapter.

(Ord. 27601 Ex. A; passed Apr. 3, 2007)

6B.220.400—Taxicab owner—Operating responsibilities.

In addition to meeting the license application requirements set forth in 6B.220.200, any owner of a taxicab licensed and operating under this chapter, shall comply with the following minimum standards:

A. Maintain a business office that:

1. Has a business telephone number that is listed in the telephone book and can be answered during all hours of operation;



- 2. ~~Has a mailing address where the taxicab owner representative will accept mail; and~~
- 3. ~~Stores all records that this chapter requires the taxicab owner to maintain;~~
- 1 B. ~~Ensure that each affiliated taxicab is insured as required pursuant to this chapter;~~
- 2 C. ~~Ensure that each affiliated taxicab maintains the taxicab owner's color scheme and identification and that~~
- 3 ~~each taxicab driver while operating an affiliated taxicab maintains and wears approved uniforms and adheres to~~
- 4 ~~the taxicab passenger relations standards pursuant to 6B.220.515;~~
- 5 D. ~~Maintain on file at the taxicab owner's place of business proof of insurance required pursuant to this~~
- 6 ~~chapter;~~
- 7 E. ~~Accept on behalf of any owner or driver of an affiliated taxicab all correspondence from the Director to that~~
- 8 ~~owner or driver;~~
- 9 F. ~~Deliver to the owner and taxicab driver of an affiliated taxicab any correspondence from the Director to that~~
- 10 ~~owner or driver as soon as reasonably possible after the taxicab owner receives such correspondence;~~
- 11 G. ~~Collect and store for at least two (2) years, trip sheet records of every trip for affiliated taxicabs, including~~
- 12 ~~daily logs of taxicabs in service, together with the driver's name, taxicab number and summary of trip sheet~~
- 13 ~~totals, all in a form as prescribed by the Director and required pursuant to Subsection 6B.220.600.J;~~
- 14 H. ~~Collect and provide the following service information to the Director annually, at a time set by regulation~~
- 15 ~~adopted pursuant to this chapter:~~
- 16 1. ~~Number of service requests (trips);~~
- 17 2. ~~Average number of taxicabs operating during the year;~~
- 18 3. ~~Average number of operating hours per week per taxicab;~~
- 19 4. ~~Total paid trip miles for the past year per taxicab, and;~~
- 20 I. ~~Maintain a dispatch system in operation during the taxicab companies' hours of operation each day, utilizing~~
- 21 ~~two-way radios or wireless device communication and capable of providing reasonably prompt service in~~
- 22 ~~response to requests received by telephone. The use of wireless communication devices while driving shall be~~
- 23 ~~utilized according to RCW 46.61.667, which prohibits the holding of a wireless communications device while~~
- 24 ~~driving. By no later than December 31, 2010, all taxicab companies shall maintain a dispatch system in~~
- 25 ~~operation during the taxicab companies' hours of operation each day, utilizing two-way radios communicating~~
- 26 ~~with taxicabs equipped and operated so that it can be contacted continuously by two-way radio communication~~
- ~~using a central dispatch radio base station or contracted dispatch service in response to a telephone, internet, or~~
- ~~other request for service by a prospective passenger. The dispatch system shall be located at the business office~~
- ~~of the taxicab owner, unless otherwise authorized by the Director;~~
- J. ~~Comply with all regulations promulgated pursuant to this chapter;~~
- K. ~~Permit the Director to carry out inspections without notice of all taxicab records required to be kept under~~
- ~~this chapter;~~
- L. ~~Pay all penalties imposed by the Department that are either not contested or are upheld after review; and~~
- M. ~~Maintain facilities and personnel sufficient to insure that every taxicab operated by the taxicab owner~~
- ~~complies with the requirements of this chapter.~~
- (Ord. 28154 Ex. A; passed Jun. 11, 2013; Ord. 27601 Ex. A; passed Apr. 3, 2007)
- 6B.220.405 — Refusal of service. Repealed by Ord. 28154.**
- (Ord. 28154 Ex. A; passed Jun. 11, 2013; Ord. 27601 Ex. A; passed Apr. 3, 2007)



6B.220.410 — Taxicab owner — Approval of color scheme and uniform.

1 A. The Director shall have final approval over the taxicab owner's color scheme and uniform for each of its
2 affiliated taxicabs, in order to ensure that there is no risk of confusion between the colors of different taxicab
3 owners, and to ensure that the color scheme and uniform meet the requirements of this chapter. Once a color
4 scheme and uniform have been approved by the Director, the taxicab owner must submit a vehicle license
5 application according to the requirements in 6B.220.200 within 90 days of notification of color scheme
6 approval.

7 B. Uniforms shall include full length pants (hemmed slack material), collared shirt, and shoes. Summer
8 uniforms can include Bermuda shorts (hemmed slack material) that extend down to within two (2) inches of the
9 top of the knee cap and which are of a similar color and pattern to the uniform full length pants. Winter
10 uniforms can include a sweater or jacket which is of a similar color to the uniform pants or shirt. The uniform
11 may be modified in individual cases as necessary to 1) avoid interfering with the taxicab driver's religious
12 beliefs and/or 2) accommodate the taxicab driver's disability or disabilities. Drivers shall not wear as an outer
13 garment any of the following: undershirt or underwear, tank tops, body shirts (see through mesh), swimwear,
14 jogging or warm up suits or sweatshirts or similar attire, shorts or trunks (jogging or bathing), sandals, or any
15 similar clothing.

16 C. No two taxicab owners shall have the same colors, unless the owners provide evidence to the satisfaction of
17 the Director that they have the right under a franchise, license, lease or other similar agreement with a taxicab
18 company to use the color scheme of such taxicab company. If there exists any conflict or apparent conflict
19 between color schemes presented by a taxicab owner in its application for a taxicab license with any other
20 licensee(s) or applicant(s), the Director shall, after notice to all interested parties, and hearing of their respective
21 contentions, find the true facts and determine the matter and advise all interested parties. The Director's
22 decision shall be final.

23 D. Nothing herein contained shall be construed as prohibiting the same licensee from using several different
24 colors, designs, or dresses, provided that the same have been in actual bona fide use prior to the passage of this
25 chapter and that they do not conflict with those of any other licensee having a prior claim thereto.

26 No such license shall be issued if the color scheme, design or dress to be used upon the vehicle is the same or
similar to that being used by another licensee and as set forth in such licensee's application, unless the use of
such color scheme, design or dress be consented to in writing by all other licensees who use or adopt such
similar or same color scheme, design or dress, which agreement shall be filed with the City.

(Ord. 28154 Ex. A; passed Jun. 11, 2013; Ord. 27601 Ex. A; passed Apr. 3, 2007)

6B.220.415 — Identification of taxicab.

1 A. Every taxicab shall be equipped with and maintain an operating top light.

2 B. Taxicabs shall prominently and uniformly display on the outside of each such taxicab, on both sides, the full
3 name of the taxicab owner, the cab number, the telephone number of that owner where service can be
4 requested, and the word "taxi," "taxicab," or "cab."

5 C. The cab number shall be issued by the Director and will be coordinated with the taxicab license plate
6 number. Each cab number shall be at least 3" x 2" in size.

7 D. Every affiliated taxicab shall be painted in the colors of the taxicab owner as approved by the Director.

(Ord. 28154 Ex. A; passed Jun. 11, 2013; Ord. 27601 Ex. A; passed Apr. 3, 2007)

6B.220.420 — Complaints.

1 A. Every taxicab shall be equipped with a consumer information board conspicuously posted in a prominent
2 place within the passenger compartment. Such consumer information board shall include, at a minimum, the
3 taxicab vehicle name and number, the driver's taxicab driver license number, a consumer survey and complaint
4 card and shall display the following notice: "The driver of this taxicab is required by the Tacoma City Code to
5 give a receipt for services provided to any passenger who requests one. If you have a complaint about a taxicab,
6 contact the taxicab owner (name, address, phone number) or the Director (mailing address), (phone number)."



The size, shape, color, type of material, size of characters, location of the notice, or other relevant factors shall be subject to the Director's approval.

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26

B. The taxicab owner shall maintain a log of, and forward to the Director upon request, each oral or written customer complaint that the taxicab owner receives about the taxicab owner, lessee of a taxicab, or driver of a licensed taxicab. Where applicable, the taxicab owner should include a notice of the action taken by the taxicab owner to resolve the complaint and the disposition.

C. The taxicab owner shall provide to the Director, annually or more often if so required by the Director, a report of the number of complaints received regarding:

(1) driver conduct sorted by driving behavior, communication, personal dress or hygiene;

(2) vehicle condition sorted by appearance, mechanical and/or safety;

(3) service response; and

(4) lack of driver knowledge of route or requested destination;

D. The Director shall have the power to investigate any and all complaints concerning possible violations of this chapter or regulations adopted hereunder, order corrective action to be taken by the taxicab owner or taxicab driver, and assess civil administrative penalties as provided in this chapter.

(Ord. 27601 Ex. A; passed Apr. 3, 2007)

6B.220.425 – Taxicab – Vehicle operating requirements.

In addition to the minimum requirements set forth herein, the Director may recommend to the City Council and the City Council may establish such safety and quality requirements applicable to the operation of all taxicabs as are necessary to ensure a standard of excellence for the operation of taxicabs in the City of Tacoma. No taxicab licensed by the City may lawfully operate within the City of Tacoma unless the following minimum vehicle requirements are met:

A. All applicable licenses required pursuant to this chapter are in force for the taxicab;

B. The affiliated taxicab complies with the approved color scheme of the taxicab owner;

C. The vehicle has insurance as required by this chapter provided, that if an insurance policy is canceled, or a vehicle is deleted from the policy, proof of a new policy including the vehicle must be filed with the Director before the vehicle is canceled or deleted from the previous policy;

D. An approved mechanic has issued a valid Certificate of Safety for the vehicle within the last license year. Attached to this Certificate of Safety must be a certification stating that the taxicab has passed an emissions tests conducted by an Authorized Emission Specialist who has been certified by the Washington State Department of Ecology. The Certificate of Safety and emission certification remain valid, if the vehicle is sold, until the next renewal date;

E. The taxicab displays a taxicab plate with a current year decal issued by the Director;

F. All rates, including discounts or special rates, and all taxicab numbers and letters are displayed in the manner prescribed pursuant to Subsection 6B.220.700.H.;

G. The vehicle contains a map of Tacoma and the region published within the past two (2) years, which will be displayed to any passenger upon request;

H. The taxicab is equipped with a taximeter meeting the requirements of Subsection 6B.220.600. By no later than December 31, 2010, the taxicab shall be equipped with a properly sealed, working, and accurate receipt-issuing taximeter or receipt issuing mobile data terminal;

I. The taxicab contains no scanner or other type of receiver that is capable of monitoring another taxicab company's assigned frequency, except as otherwise permitted by the Director;



1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26

J. The taxicab is equipped and operated so that it can be contacted continuously by two way radio or wireless communication device. The use of wireless communication devices while driving shall be utilized according to RCW 46.61.667, which prohibits the holding of a wireless communications device while driving. By no later than December 31, 2010, all taxicabs shall be equipped and operated so that it can be contacted continuously by two way radio communication using a central dispatch radio base station or contracted dispatch service in response to a telephone, internet, or other request for service by a prospective passenger;

K. Every taxicab will be equipped with such safety equipment as is required by state or federal law, or this chapter.

L. Every taxicab shall be equipped with seat belts or other restraining devices for every passenger;

M. By no later than December 31, 2010, all taxicabs and all taxicab companies shall be equipped with a global positioning system capable at all times of readily identifying the location of each affiliated taxicab cab. Such system must be capable of recording the locations and times and maintaining records and making them available to law enforcement, and has to be transmitting information to someone;

N. By no later than December 31, 2010, all taxicabs and all taxicab companies shall be equipped with a monitored silent alarm system that sends a silent alarm to the taxicab dispatch office;

O. All taxicabs must be equipped with an operable digital security camera system. The digital security camera system shall be capable of retaining images for at least five calendar days, shall provide a clear view of the driver and passenger that is unobstructed, and shall have status indicator light(s) so the driver knows whether the camera is functioning properly and when images are being taken.

The taxicab owner must perform inspection and testing of the cameras and shall provide a Certificate of Camera Operation completed within the previous 10 days of the inspection date.

Access to images shall be limited to the taxicab owner who owns the taxicab trade name and color scheme. Images shall also be provided to law enforcement personnel for the investigation and prosecution of crimes. Nothing in this subsection O shall be construed to remove a law enforcement agency's obligation to comply with all applicable laws in obtaining access to digital security camera images, including the requirement to obtain a search warrant if needed.

A sign must be affixed to the outside of both rear doors, plainly visible to passengers upon entering the vehicle, stating that images of passengers will be made by the security camera system. These signs shall contain the following wording:

VEHICLE EQUIPPED WITH SECURITY CAMERA. ALL OCCUPANTS WILL BE PHOTOGRAPHED.

Equivalent wording or symbols may be approved by the Director. In addition, a privacy notice must be displayed in the rear seating area of the vehicle that contains the following wording: DIGITAL CAMERA IMAGES OF ALL PASSENGERS ARE BEING RECORDED IN ORDER TO IMPROVE DRIVER SAFETY. IMAGES ARE PERIODICALLY RECORDED OVER AND ARE NOT RETAINED EXCEPT WHEN USED FOR THE INVESTIGATION OF CRIMES;

P. A taxicab must maintain a continuous connection between the taximeter and the computer dispatch system, if such system is installed;

Q. Vehicle age requirements:

The vehicle's model year shall be no more than nine (9) years prior to the date of applications. For example, vehicles licensed on July 31 of 2009, must be 2000 models or newer. All vehicles purchased and licensed after September 1, 2007, must meet this 9-year age limit. Replacement of vehicles under this subsection shall be on an oldest vehicle first basis unless permission is granted by the Director, and

R. Any other requirements set forth in regulations adopted pursuant to this chapter.

(Ord. 28154 Ex. A; passed Jun. 11, 2013; Ord. 27601 Ex. A; passed Apr. 3, 2007)



6B.220.430—Destruction, replacement, retirement or inactivity of a taxicab:

1 A. The taxicab owner shall notify the Director in writing within five (5) working days whenever a taxicab is
destroyed, rendered permanently inoperable, sold or is taken out of service by the owner for any reason.

2 B. Any vehicle that, for a period of at least ninety (90) consecutive days, is not legally operated as a taxicab,
shall be considered retired and the taxicab vehicle license for each retired vehicle shall be deemed abandoned
3 and void. The licensee shall immediately surrender the taxicab plate and year decal, for each such vehicle to the
4 Director. Abandoned licenses may not be transferred or reinstated by any means without the Director's prior
written permission. The Director, in considering whether to grant such permission shall consider the following
nonexclusive factors:

5 (1) The licensee must submit a written request for an extension of time that states the specific reason additional
6 time is required, identifies a plan and timetable for placing the taxicab in service within the shortest possible
time, and attaches all documents substantiating the factual information contained in the request.

7 (2) The plan and timetable submitted must reflect a reasonable approach for placing a taxicab in service within
the shortest possible time frame;

8 (3) If the Director determines that the request for an extension of time should be granted, the Director may
9 grant the licensee no more than thirty (30) additional calendar days (in addition to the original ninety (90) days)
to place the taxicab back into service;

10 (4) No extensions will be granted to any licensee who is unable to meet the basic operational costs, including
liability insurance, regulatory fees, and normal maintenance and repairs of operating a taxicab;

11 (5) No more than one extension will be granted for each taxicab license during its license year.

12 (Ord. 27601 Ex. A; passed Apr. 3, 2007)

13 **6B.220.435—Taxicab owner responsibilities.**

14 A. The owner of a taxicab shall ensure the taxicab is being operated only by a driver who holds a valid taxicab
driver's license;

15 B. The taxicab owner shall maintain a business address and a mailing address where the owner can accept mail,
and a business telephone in working order that can be answered during all hours of operation. The taxicab
16 owner's office or dispatch center may suffice for this requirement;

17 C. The taxicab owner and driver permits and consents to the Department's inspection of the taxicabs without
notice;

18 D. The owner of a taxicab shall ensure that the taxicab driver complies with operating and conduct standards
described in this chapter;

19 E. The taxicab owner shall comply, and shall ensure that the taxicab driver complies, with any applicable
regulations promulgated under this chapter.

20 (Ord. 27601 Ex. A; passed Apr. 3, 2007)

21 **6B.220.500—Taxicab driver operating standards.**

22 A. A taxicab driver shall not operate a taxicab without first obtaining and maintaining a valid taxicab driver's
license.

23 B. No taxicab driver whose license has been revoked by the Director shall apply for a new license for one (1)
24 year from the effective date of such revocation.

25 C. A taxicab driver shall complete daily vehicle safety checklists, in a form and content approved by the
Director. Daily vehicle checklists shall include a list of vehicle equipment to be checked before starting each
26 shift, including but not limited to the lights, brakes, tires, steering, seat belts, taximeter seal, and other vehicle
equipment to see that they are working properly.



D. A taxicab driver, before starting each shift, shall ensure that the taxicab plate, taxicab vehicle license, vehicle registration and proof of insurance card are in the taxicab.

1

E. A taxicab driver shall not operate a taxicab unless the interior and the exterior of the taxicab are clean and in good repair.

2

F. A taxicab driver shall not transport more passengers than the number of seat belts available nor more luggage than the taxicab capacity will safely and legally allow.

3

G. A taxicab driver shall allow the Director to inspect the taxicab without notice at any reasonable time or place.

4

H. A taxicab driver shall pay all penalties imposed by the Department that are either not contested or are ultimately upheld.

5

(Ord. 27863 Ex. A; passed Dec. 15, 2009; Ord. 27601 Ex. A; passed Apr. 3, 2007)

6

6B.220.505 — Conduct of drivers.

7

No taxicab driver shall:

8

A. Allow another person to use his taxicab driver’s license or temporary license;

9

B. Operate any taxicab while consuming or while under the influence of alcohol, or in a negligent or reckless manner or in a manner contrary to the laws of the City or the State of Washington;

10

C. Operate any taxicab while consuming or while under the influence of drugs, unless such drugs are available commercially over the counter, or are being taken pursuant to a doctor’s prescription, and, in any case, such drug usage does not impair the driver’s ability to operate the taxicab;

11

D. Use a taxicab in the commission of any crime; nor

12

E. Sleep in the taxicab.

13

(Ord. 28154 Ex. A; passed Jun. 11, 2013; Ord. 27601 Ex. A; passed Apr. 3, 2007)

14

6B.220.510 — Items lost and found.

15

Taxicab drivers shall examine their taxicabs at the end of each shift and turn over any items left by a passenger within the taxicab to the taxicab owner. The taxicab owner shall maintain a written record of all items turned over to it. This record shall contain a description of the item, the date it was turned in, the cab in which it was found, and the driver who turned in the item. The item shall be examined and the owner identified and notified, if possible. If the item is claimed, a record shall be made of the name and address of the claimant. No item shall be disposed of, other than by return to its owner, within 90 days of the date it is turned in, and if disposed after 90 days, of a record must be made of its disposition.

16

17

18

19

(Ord. 27601 Ex. A; passed Apr. 3, 2007)

6B.220.515 — Taxicab driver-passenger relations standards.

20

A. A taxicab driver shall wear the uniform adopted by the taxicab owner and approved by the Director;

21

B. A taxicab driver’s clothes shall be neat and clean at all times that the driver is on the driver’s shift. The term “neat and clean” as it relates to clothes shall mean that all clothing is unwrinkled, clean, free from soil, grease and dirt and without unrepaired rips or tears;

22

C. A taxicab driver shall be clean and well-groomed at all times while on duty. “Clean” means that state of personal hygiene, body, hair and scalp cleanliness, absence of excessive perfumes or colognes, and absence of offensive body odor normally associated with frequent clothes laundering and bathing or showering. “Well-groomed” means beards and mustaches are groomed and neatly trimmed, and scalp and facial hair is neatly trimmed, and combed or brushed;

23

24

25

D. A taxicab driver shall provide customers with professional and courteous service at all times;

26



1 E. A taxicab driver shall not engage in threatening or disruptive conduct, or use loud, profane, abusive or
2 obscene language offensive to the passenger, while operating a taxicab;

3 F. A taxicab driver shall not smoke in a Taxicab. "Smoke" or "smoking" means the carrying or smoking of any
4 kind of lighted pipe, cigar, cigarette, or any other lighted smoking equipment;

5 G. A taxicab driver shall not refuse a request for service because of the driver's position in line at a taxicab
6 stand; a passenger may select any taxicab in line.

7 H. A taxicab driver shall not drive a passenger to his destination by any other than the most direct and safe
8 route, unless requested to do so by the passenger;

9 I. A taxicab driver shall at all times assist a passenger by placing luggage or packages (under fifty (50) pounds)
10 in and out of the taxicab;

11 J. A taxicab driver shall not refuse to transport in the taxicab any passenger's wheelchair which can be folded
12 and placed in either the passenger, driver, or trunk compartment of the taxicab, an assist dog or guide dog to
13 assist disabled or persons with disabilities, groceries, packages or luggage when accompanied by a passenger;

14 K. A taxicab driver shall effective December 31, 2010, upon request, provide each passenger a receipt upon
15 payment of the fare. The receipt shall accurately show the date and time, place of pickup and delivery, the
16 amount of the fare, the taxicab name, number and association, and the printed name and taxicab driver's license
17 number of the taxicab driver;

18 L. A taxicab driver shall not permit any person or pet to ride in the taxicab unless that person or pet
19 accompanies, or is in the vehicle at the request of, a fare paying individual. This requirement shall not apply to
20 uniformed driver trainees;

21 M. It shall be unlawful for any person to engage in any work or employment for more than 12 hours in any 24-
22 hour period of time during any part of which he is engaged in the occupation of driver for a taxicab;

23 N. A taxicab driver shall not refuse to transport any person except when:

24 1. The taxicab driver has already been dispatched on another call;

25 2. The passenger is acting in a suspicious, disorderly or threatening manner, or otherwise causes the taxicab
26 driver to reasonably believe that the taxicab driver's health or safety, or that of others, may be endangered;

3. The passenger cannot, upon request, show ability to pay the fare;

4. The passenger refuses to state a specific destination upon entering the taxicab.

O. A taxicab driver shall be able to provide a reasonable amount of change, and if correct change is not
available, no additional charge will be made to the passenger in attempting to secure the change;

P. A taxicab driver shall not charge a fare higher than that authorized by this chapter for passenger
transportation or defraud a passenger; and

Q. A taxicab driver shall not in any way make any discriminatory charges to any person, or make any rebate or
in any manner reduce the charge to any person unless such is in conformity with the discounts or surcharges
contained in the filed rates.

(Ord. 28154 Ex. A; passed Jun. 11, 2013; Ord. 27863 Ex. A; passed Dec. 15, 2009; Ord. 27601 Ex. A; passed
Apr. 3, 2007)

6B.220.520—Taxicab driver soliciting and cruising standards.

A. A taxicab driver may solicit passengers only from the driver's seat or standing immediately adjacent to the
taxicab (within 12 feet), and only when the taxicab is safely and legally parked.

B. A taxicab driver shall not use any other person to solicit passengers.

C. A taxicab driver shall not hold out the taxicab for designated destinations.



(Ord. 27601 Ex. A; passed Apr. 3, 2007)

6B.220.600—Taxicab driver taxicab meter/Rates standards.

A. A taxicab driver shall not operate any taxicab that is not equipped with a taximeter. Every such taximeter shall be sealed and in good working order and accurate operating condition and shall at all times comply with the specifications, tolerances, and other technical requirements as adopted by the National Conference on Weights and Measures and set forth at Section 5.54 of the National Institute of Standards and Technology Handbook 44 of Specifications, Tolerances, and Other Technical Requirements for Weighing and Measuring Devices, 2003. Every taximeter shall be inspected, sealed and certified at installation, at change in rate, and within 1 year of the last inspection. A certificate of inspection certifying compliance with this chapter shall be issued by the Director upon each required taximeter inspection and the taximeter shall upon each such inspection be sealed by the Director. Such certificate of inspection shall include:

1. The identifying number of the taximeter;
2. The make, model and license number of the taxicab in which the taximeter is installed;
3. The name of the taxicab owner;
4. The date of inspection;
5. A certification that the taximeter has been inspected and approved as operating within the limits of accuracy as specified by this Section and on the basis of rates on file with the Director under this chapter;
6. The signature of the individual making the certification; and
7. A copy of the certificate shall be kept on file in the office of the taxicab owner.

B. No taxicab shall be operated with a taximeter which does not operate within the tolerances as adopted by the National Conference on Weights and Measures and set forth at Subsection T of Section 5.54 of the National Institute of Standards and Technology Handbook 44 of Specifications, Tolerances, and Other Technical Requirements for Weighing and Measuring Devices, 2003. A certificate of inspection may be examined or a taximeter re-inspected by any police officer or the Director at any time during normal business hours. No taximeter shall be used unless the same carries thereon an unbroken seal affixed thereto by the qualified taximeter repair service or the Director.

C. For the purpose of checking the accuracy of said taximeter, the taxicab to which the same is fixed shall be made available to the City of Tacoma at such times as the Chief of Police or Director may direct.

D. No license shall be issued for a taxicab until the taximeter attached thereto shall have been inspected and found to be accurate and sealed, and the annual inspection fee paid. By no later than December 31, 2010 the taxicab shall be equipped with a properly sealed, working, and accurate receipt issuing taximeter or receipt-issuing mobile data terminal.

E. A taxicab driver must activate the taximeter at the beginning of each trip and deactivate the taximeter upon completion of the trip. Beginning of a trip means the point where the passenger is seated and the forward motion of the vehicle begins. It shall be the duty of the driver to call the attention of passengers to the amount registered and the taxicab flag shall be placed in a non-recording position until the fare is paid. It shall be unlawful for any person owning, operating or driving a taxicab to operate or drive such taxicab unless such taximeter is used in determining the fare to be charged, and no other or different fare shall be charged to the passenger than is recorded on the reading face of said taximeter for the trip.

F. No driver of a taxicab, while carrying passengers or otherwise in service, shall display the signal affixed to the taximeter in such a position as to denote such vehicle is not in service, or in such position as to denote that it is in service at a rate of fare different from that to which the driver is entitled under the provisions of this chapter.

G. A taxicab driver shall assure that the meter reading is visible from a normal passenger position at all times.

H. A taxicab driver shall not operate a taxicab that does not have the rate posted as required by the chapter.



I. A taxicab driver shall not ask, demand or collect any rate or fare other than as specified on the meter, or pursuant to special rates or contract rates on file with the Director.

J. A taxicab driver shall complete daily trip sheets, in a form and content approved by the Director, and shall show all trips in an accurate and legible manner as each trip occurs. Daily trip sheets shall include the following information:

1. Driver's name and for hire license number;

2. Owner's name and vehicle name and number;

3. Vehicle for hire license number;

4. Beginning and ending odometer reading;

5. Beginning and ending time of each shift worked;

6. Date, time, place or origin, and dismissal of each trip;

7. Fare collected;

8. Number of passengers;

9. "No shows"; and

10. Contract rates or special rates.

K. A taxicab driver shall allow the Director to inspect the daily trip sheet at any time, without notice.

L. A taxicab driver shall turn in completed trip sheets to the taxicab owner at least weekly.

(Ord. 27863 Ex. A; passed Dec. 15, 2009; Ord. 27601 Ex. A; passed Apr. 3, 2007)

6B.220.605 — Establishment of taxicab stands.

A. The City Council may, by resolution or ordinance upon the recommendation of the Director, establish nonexclusive taxicab stands. The areas so established by the City Council as nonexclusive taxicab stands shall be identified by curb use signs. When the City Council establishes nonexclusive taxicab stands, the location thereof shall be specifically described in the ordinance or resolution creating the same.

B. The right to occupy said nonexclusive taxicab stands shall be shared in common with other taxicabs which qualify for use of said areas as hereinafter set forth.

(Ord. 27601 Ex. A; passed Apr. 3, 2007)

6B.220.610 — Taxicab driver taxi stand standards.

A. A taxicab driver shall not leave the taxicab unattended in a taxicab stand for more than fifteen (15) minutes. Such vehicles will be impounded by order of the Director, Chief of Police or duly appointed City of Tacoma law enforcement officer.

B. A taxicab driver shall occupy a taxicab stand only when available for service.

C. A taxicab driver shall not perform engine maintenance or repairs on the taxicab while at a taxicab stand.

(Ord. 27601 Ex. A; passed Apr. 3, 2007)

6B.220.615 — Taxicab stand licenses.

A. No person shall stop or park in a taxicab stand without having paid the current annual taxicab vehicle license fee pursuant to this chapter.

B. Any taxicab owner desiring to allow its affiliated taxicabs to stop or park at a taxicab stand shall, on or before January 31 of that year submit an application and pay the required fees or its application for a taxicab stand license shall be denied.

(Ord. 27863 Ex. A; passed Dec. 15, 2009; Ord. 27601 Ex. A; passed Apr. 3, 2007)



6B.220.620—Parking:

1 ~~It shall be unlawful to park or leave any taxicab except at a taxicab stand or parking area designated or~~
2 ~~approved for the use of taxicabs; provided, however, that nothing herein shall prohibit an operator from parking~~
3 ~~his or her taxicab in an area designated or approved for such use for periods not exceeding 10 minutes to allow~~
4 ~~the operator to purchase meals or to tend to his or her individual physical needs. Whenever any taxicab is~~
5 ~~parked or left standing within any taxicab stand or parking area designated or approved for the use of taxicabs,~~
6 ~~each taxicab shall have in attendance a separate operator. An operator shall be deemed to be in attendance so~~
7 ~~long as he or she is in the immediate vicinity of and within sight of his or her taxicab and not inside any~~
8 ~~building. Taxicabs shall not be parked on public streets except as above set forth.~~

9 ~~(Ord. 27601 Ex. A; passed Apr. 3, 2007)~~

6B.220.700—Rates:

10 ~~A. Every taxicab owner shall file with the Director a schedule of rates to be charged for the services of~~
11 ~~affiliated taxicabs it operates.~~

12 ~~B. The rate schedule filed with the Director may contain special rates for zone fares, ride sharing, taxi pooling,~~
13 ~~fixed route service, or any other special services offered by the owner. Each rate schedule shall also include a~~
14 ~~meter based fare that shall not exceed the maximum fare as may be established pursuant to Subsection~~
15 ~~6B.220.700.C.~~

16 ~~C. If the Director determines that a maximum fare should be established, the Director shall recommend to the~~
17 ~~City Council, and upon such recommendation, the City Council may adopt, a schedule for the following rates~~
18 ~~which shall be the maximum fare which shall be charged and collected for the transportation of passengers in~~
19 ~~taxicabs for trips within the City:~~

20 ~~1. An initial charge for which one passenger shall be entitled to transportation for a distance not less than 1/18~~
21 ~~mile or fraction thereof;~~

22 ~~2. A charge for waiting time on a per hour basis or proportionate fraction thereof;~~

23 ~~3. Subsequent to the initial charge provided for in Subsection 6B.220.700.C.1., the maximum rate to be charged~~
24 ~~for each 1/18 mile or fraction thereof, and the hourly rate or proportionate fraction thereof for waiting time~~
25 ~~subsequent to the initial charge provided in Subsection 6B.220.700.C.1.;~~

26 ~~4. An additional charge for each extra passenger; and~~

~~5. The Director shall develop an index for considering the raising or lowering of maximum meter based rates~~
~~no less frequently than every two years.~~

~~D. Except as otherwise specified in the rate schedule, where passengers board or leave the cab at different~~
~~points, the last person leaving the cab is responsible for the entire fare. Passengers may make whatever~~
~~arrangements for payment of the fare between themselves that they desire. One flag drop shall be made at the~~
~~beginning of the trip but not again until all passengers have been delivered to their respective destinations.~~

~~E. Where a passenger is being transported, no extra charge is to be made for transporting any items belonging~~
~~to that passenger, including personal luggage and aids necessary for travel by persons with disabilities, if those~~
~~items fit within the interior of the taxicab, including the trunk, each item can be carried by a single person, and~~
~~all such items can be carried by the passenger or passengers and the driver in a single trip to the taxicab.~~

~~F. No charge is to be made for time lost or distance traveled while the taxicab is disabled. No charge is to be~~
~~made for traveling empty while en route to pick up a passenger, unless the person requesting the taxicab refuses~~
~~to hire it after it arrives, in which case an amount equal to the minimum charge on file as specified in~~
~~Subsection 6B.220.700.C.1 of this Section may be made.~~

~~G. A taxicab owner may make written contractual arrangements to charge contract rates other than those~~
~~specified in the filed rate schedules, provided that these contracts not be made effective prior to filing with the~~
~~Director in the same manner as prescribed for rate schedules.~~



H. A clear and complete summary of the rate schedule filed with the Director shall be printed on a rate card to be posted in a conspicuous place in the passenger compartment of every taxicab, and a summary of the meter rate in a form approved by the Director shall be placed in a manner to be visible from the outside of every taxicab. The form of the rate summaries shall be subject to the review and approval of the Director prior to their being posted. When a change of rate schedule is filed with the Director, the taximeter, rate card, and rates posted shall be converted for every taxicab as soon as practicable. The rates posted shall not vary from those used in the taximeter in any taxicab in service.

I. No person shall charge, or cause or allow any person to charge any fare other than the applicable fare from rate schedules posted on the taxicab or from contracts approved by the Director.

J. Every driver of a taxicab shall have the right to demand payment of the legal fare in advance and may refuse to carry a passenger unless such legal fee is prepaid. No driver of a taxicab shall carry any other person other than the passenger first employing the taxicab without the consent of such passenger.

K. In the event of a dispute over a fare, the passenger shall pay the fare demanded by the driver. The driver shall give the passenger a receipt noting the amount of the fare and a description of the trip. The passenger may apply to the Director for a refund of any overcharge and ask that the driver be disciplined.

(Ord. 28154 Ex. A; passed Jun. 11, 2013; Ord. 27601 Ex. A; passed Apr. 3, 2007)

6B.220.800 — License suspension & revocation — Taxicab owner, taxicab vehicle, and taxicab driver.

A. If three (3) or more Class ‘A’ violations are found and a subsequent penalty issued to a taxicab owner or its affiliated taxicabs or taxicab drivers within any 365 day period, the taxicab vehicle licenses associated with that taxicab owner may be temporarily suspended for up to a five (5) day period.

B. Any license issued under this chapter including a taxicab vehicle license or taxicab driver license may be revoked or suspended by the Director pursuant to Section 6B.10.140 or 6B.10.145 of the Tacoma Municipal Code or as otherwise provided pursuant to this chapter. In addition, any license revocation or suspension may be appealed pursuant to Section 6B.140 or 6B.10.145 as appropriate.

(Ord. 27863 Ex. A; passed Dec. 15, 2009; Ord. 27601 Ex. A; passed Apr. 3, 2007)

6B.220.805 — License violations and penalties — Taxicab owner, taxicab vehicle, and taxicab driver.

A. Any person found with violations as provided in 6B.220.805 shall be subject to a civil penalty as described below. It is the responsibility of the taxicab owner to contact appropriate city staff to request inspection for compliance with this code.

B. Class ‘A’ violations include but are not limited to:

1. Driving without a valid taxicab driver’s license;
2. Driving without a valid taxicab vehicle license plate;
3. Driving without valid insurance as required in 6B.220.200;
4. Operating a taxicab with a revoked or suspended taxicab vehicle or and/or driver’s license;
5. Using a taxicab in the commission of a crime.

Class ‘B’ violations are related to vehicle safety standards that include not having one or more of the following:

1. The vehicle equipment found not to be up to safety standards, including, but not limited to, windshield, tires, spare tire/jack, headlights, four ways, blinkers, brake light, tail/back up lights, horn, windshield wipers, glass/window operate, door handle, seat belts, brake, accelerator emergency brake, mirrors, speedometer, taxi meter;
2. Failure to appear for inspection scheduled by the Director;



1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26

3. Allowing vehicle insurance to lapse; or

4. Any other vehicle safety standard identified on the Vehicle Safety Checklist.

Class 'C' violations are vehicle and driver standards that include not having one or more of the following:

1. Taxicab drivers license displayed on the vehicle's dashboard clearly visible to passengers, exterior phone number on cab, cab number on both sides of vehicle, exterior rates posted on cab, interior rates posted, consumer complaint form, map of Tacoma (not older than 2 years), trip sheets, vehicle safety checklist, upholstery, mats, carpet, driver in uniform, dirt, stains or litter in vehicle, trunk clean with liner, body defects, interior lights.

C. Penalties for violations shall be as follows:

<u>Violation</u>	<u>Penalty</u>
<u>A</u>	<u>\$500</u>
<u>B</u>	<u>\$75</u>
<u>C</u>	<u>\$25</u>

D. Any penalty issued under this subsection may be appealed pursuant to the process in Section 6B.10.265. (Ord. 28154 Ex. A; passed Jun. 11, 2013; Ord. 27863 Ex. A; passed Dec. 15, 2009)



6B.220 For-Hire Regulations
(repealed in its entirety and reenacted)

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26

Sections:

- 6B.220.100 Scope, authority and purpose.
- 6B.220.110 License required – For-hire transportation services company, for-hire vehicle and for-hire driver.
- 6B.220.120 License inspection.
- 6B.220.130 Definitions.
- 6B.220.140 Fees - License and inspection; Exemptions.
- 6B.220.150 License expiration and renewal.
- 6B.220.160 For-hire transportation services company - For-hire data.
- 6B.220.170 For-hire transportation services company - Reports to the Director.
- 6B.220.180 For-hire transportation services company - Responsibilities.
- 6B.220.190 For-hire transportation services company - Approval of color scheme.
- 6B.220.200 For-hire vehicle - License application and requirements.
- 6B.220.210 For-hire vehicle - Standards for license denial; Appeal.
- 6B.220.220 For-hire vehicle - Transfer of for-hire vehicle license.
- 6B.220.230 For-hire vehicle - Owner surrender of for-hire vehicle license.
- 6B.220.240 For-hire vehicle - Operating requirements.
- 6B.220.250 For-hire driver - License application and requirements.
- 6B.220.260 For-hire driver - Criminal background check and fingerprints.
- 6B.220.270 For-hire driver - Certification of fitness to drive.
- 6B.220.280 For-hire driver - Training program.
- 6B.220.290 For-hire driver - Examination.
- 6B.220.300 For-hire driver - Standards for license denial; Appeal.
- 6B.220.310 For-hire driver - Temporary license.
- 6B.220.320 For-hire driver - Operating standards.
- 6B.220.330 For-hire driver - Reports to the Director.
- 6B.220.340 For-hire driver - Passenger relations standards.
- 6B.220.350 For-hire driver - Soliciting and cruising standards.
- 6B.220.360 For-hire stand - Establishment of for-hire stands.
- 6B.220.370 For-hire stand - For-hire driver standards.
- 6B.220.380 License suspension and revocation - For-hire transportation services company, for-hire vehicle and for-hire driver; Appeal.
- 6B.220.390 License violations and penalties - For-hire transportation services company, for-hire vehicle and for-hire driver; Appeal.

6B.220.100 Scope, authority and purpose.

A. This chapter applies to all for-hire transportation services companies, for-hire vehicle owners and all for-hire drivers operating within the City of Tacoma.

B. This chapter is an exercise of the City of Tacoma's police powers and authority pursuant to Chapter 46.72 RCW and Chapter 81.72 RCW to license for-hire vehicles and for-hire drivers. The regulatory purposes include increased safety, reliability, cost-effectiveness, and economic viability and stability of privately-operated for-hire transportation services within the City of Tacoma.

C. The purpose of this chapter is to provide for the safe, fair and efficient operation of for-hire vehicles. For-hire vehicles are a component of the City's transportation system and because transportation so fundamentally affects the City's well-being and that of its citizens, some regulation is necessary to insure that the public safety is protected, the public need provided, and the public convenience promoted. It is not the purpose of this Chapter to displace competition with regulation. This chapter is not intended to regulate limousines and is consistent and compliant with RCW Chapter 46.72A.



6B.220.110 License required – For-hire transportation services company, for-hire vehicle and for-hire driver.

1 It shall be unlawful for any person, firm or corporation to hold out, advertise, offer information or a method to
2 obtain a third party for-hire transportation service, solicit, operate, drive or use any vehicle as a for-hire in the
3 City of Tacoma without having first obtained the licenses required pursuant to the provisions of this subtitle.

6B.220.120 License inspection.

4 The inspection of for-hire vehicles, inspection and sealing of taximeters, the examining of the qualifications of
5 applicants for for-hire vehicle licenses and licenses to drive for-hire vehicles and the enforcing of the provisions
6 of this chapter shall be under the supervision and control of the Director and may be enforced by the Chief of
7 Police, duly appointed City of Tacoma law enforcement, tax and license, and road use compliance officers.

6B.220.130 Definitions.

8 For the purposes of this chapter 6B.220 of the Tacoma Municipal Code, the following terms, phrases, words,
9 and their derivations shall have the meaning given herein; words not defined herein which are defined in Title
10 6, shall have the same meaning or be interpreted as provided in Title 6.

11 A. “Accessible for-hire vehicle” means a for-hire vehicle designed or modified to transport passengers in
12 wheelchairs or other mobility devices where passengers can board the for-hire vehicle via a ramp or lift.

13 B. “Affiliated for-hire vehicle” means a for-hire vehicle licensed or associated to a particular for-hire
14 transportation services company by using their application dispatch services, approved color scheme and/or
15 trade name.

16 C. “Application” or “app” means a program or piece of software most commonly downloaded to a device
17 including but not limited to a computer and/or a mobile device, that is designed to fulfill a particular purpose
18 and/or provides content such as text, graphics, images, maps, communications, banking, payment services,
19 music, software, audio, video, information or other materials available to users of the computer, mobile device
20 and/or other device.

21 D. “Application dispatch” means technology that allows consumers to directly request transportation services
22 from for-hire drivers and/or for for-hire drivers to accept compensation for transportation services via the
23 internet using electronic devices, computer devices or mobile interfaces such as, but not limited to smartphone
24 and tablet applications. The app may include mapping services to show the locations of available for-hire
25 drivers.

26 E. “Approved Mechanic” means a mechanic who 1) has met the automotive requirements of the National
27 Institute for Automotive Service Excellence, 2) does not own, lease or drive a for-hire vehicle, and 3) has no
28 financial interest, including any employment interest, in any for-hire vehicle or in any owner that owns or
29 leases for-hire vehicles.

30 F. “Certificate of Safety” means a prescribed document approved by or provided by the Director completed by
31 an approved mechanic certifying that a particular vehicle passed a uniform vehicle safety inspection, and that
32 the vehicle is mechanically sound and fit for driving. The approved mechanic is responsible for checking that
33 the plates, decals, customer notices as required by the City are legible and properly displayed as specified by
34 the Director by rule.

35 G. “Classic car” means an automobile that was high priced when new, is currently of superior appearance, is a
36 fine or distinctive automobile, that has been restored or maintained to current maximum professional standards
37 of quality in every area, with components operating and appearing as new, and showing very minimal wear.

38 H. “Commercial activity” means the time a for-hire driver accepts a trip request through an online-enabled app
39 or platform until the completion of the ride.

40 I. “Compensation” means remuneration or anything of economic value that is provided, promised, suggested,
41 or donated primarily in exchange for services rendered.



1 J. “Director” means the Director of the Finance Department of the City, or any officer, agent, or employee of the City designated to act on the Director’s behalf.

2 K. “Dispatch Services” means a service which connects for-hire drivers to persons seeking transportation or persons engaging in peer-to-peer transportation whether via radio, phone, internet, mobile application, computer or other mechanical or electronic means.

3 L. “For-hire driver” means a TNC affiliated driver or a person physically engaged in driving a for-hire vehicle that is providing or soliciting transportation services, ridesharing and/or peer-to-peer transportation, whether or not said person is the owner of or has any financial interest in the ownership of said for-hire vehicle or whether or not the person is using an app, a dispatch service, an information service and/or similar method to provide transportation services for compensation.

4 M. “For-hire Stand” shall mean that portion of any street set aside and designated as parking or standing space to be occupied by for-hire vehicles.

5 N. “For-hire Transportation Services Company” means:

6 1. A person who owns and operates a for-hire vehicle(s) and uses their own City approved color scheme and trade name;

7 2. A person who does not own and operate a for-hire vehicle but allows other people to affiliate a for-hire vehicle to the for-hire transportation services company’s color scheme, trade name and/or dispatch services or;

8 3. A transportation network company as defined in this chapter.

9 O. “For-hire Vehicle” means any motor vehicle, whether a personal vehicle, fleet or commercial vehicle, or TNC affiliated vehicle held out to the public for hire as a common carrier or used for the transportation of persons ~~or items~~ for compensation; subject to call by the public generally, where the route traveled or destination is controlled by the customer, the compensation is calculated on the basis of an amount recorded and indicated on a taximeter, a mobile device app or an application dispatch service, by a written contract or invoice signed by both parties, or based on an initial fee, distance traveled, waiting time, or any combination thereof as permitted under this chapter, provided that, for-hire vehicle shall not mean:

10 1. School buses operating exclusively under a contract to a school district;

11 2. Ride-sharing vehicles under chapter 46.74 RCW;

12 3. Limousine carriers licensed under chapter 46.72A RCW;

13 4. Vehicles used by nonprofit transportation providers solely for elderly or persons with disabilities and their attendants under chapter 81.66 RCW;

14 5. Vehicles used by auto transportation companies licensed under chapter 81.68 RCW;

15 6. Vehicles used to provide courtesy transportation at no charge to and from parking lots, hotels, and rental offices; and

16 7. Vehicles licensed under, and used to provide “charter party carrier” and “excursion service carrier” services as defined in, and required by, Chapter 81.70 RCW.

17 P. “For-hire Vehicle Endorsement” means a decal, sticker or similar identification, issued by the City, which is prominently displayed on the rear of a for-hire vehicle, identifying that the vehicle is licensed to operate in the City.

18 Q. “For-hire Vehicle Owner” means a person that owns a for-hire vehicle.

19 R. “For-hire Vehicle Plate” means a numbered metal identification plate, issued by the City, permanently affixed to and prominently displayed on the rear of a for-hire vehicle.

20 S. “Licensee” means any person or entity licensed under this chapter.

21 T. “Operating a for-hire vehicle” means having a passenger in a for-hire vehicle, the for-hire vehicle is parked in a for-hire stand, the taximeter is engaged in the for-hire vehicle, the dispatch records show the vehicle has



1 been dispatched, the for-hire vehicle top light is illuminated, the trip records show that the for-hire vehicle has
 2 started a shift and there is no record for ending a shift, the for-hire driver is signed into and active on the
 3 application dispatch service, the for-hire driver has offered transportation services to a passenger, the for-hire
 4 driver is engaged in commercial activity or any other facts reasonably showing that a for-hire driver has
 5 offered, or is available to offer, its services to a passenger. Operating a for-hire vehicle does not include using a
 6 personal vehicle for personal use.

7 U. "Operating in the City of Tacoma" means owning, leasing, advertising, driving, occupying and/or otherwise
 8 operating a for-hire vehicle that at any time transports any passenger or item for compensation from a point
 9 within the geographical confines of the City of Tacoma. A for-hire transportation services company is
 10 "operating in the City of Tacoma" if it provides application dispatch services to any affiliated for-hire driver at
 11 any time for the transport of any passenger or item for compensation from a point within the geographical
 12 confines of the City of Tacoma. The term does not include being in control of a for-hire vehicle that is
 13 physically inoperable.

14 V. "Person" means any individual, receiver, administrator, executor, assignee, trustee in bankruptcy, trust,
 15 estate, firm, co-partnership, joint venture, club, company, joint stock company, business trust, municipal
 16 corporation, political subdivision of the state of Washington, corporation, limited liability company,
 17 association, society, or any group of individuals acting as a unit, whether mutual, cooperative, fraternal,
 18 nonprofit, or otherwise, and the United States or any instrumentality thereof.

19 W. "Persons with disabilities" means any individual with a disability who has a sensory, mental, or physical
 20 impairment that substantially limits one of more of life's major activities; is medically cognizable or
 21 diagnosable; has a record or history of such impairment; or is regarded as having such impairment. People with
 22 disabilities include ambulatory persons, whose capacities are hindered by sensory disabilities such as blindness
 23 or deafness, such mental disabilities as cognitive impairments or emotional illness, and physical disabilities that
 24 still permit the person to walk comfortably, or a combination of these disabilities. It also includes a semi-
 25 ambulatory person who requires such special aids to travel as canes, crutches, walkers, respirators, or human
 26 assistance, and a non-ambulatory person who must use wheelchairs or wheelchair-like equipment to travel.

WX. "Taximeter" means any mechanical or electronic device or instrument which, based upon a predetermined
rate or rates, automatically calculates and displays, by means of figures, a fare based on distance traveled, time
elapsed, or any combination thereof.

XY. "Transportation network company (TNC)" means a person operating in the City of Tacoma that enables
TNC affiliated drivers to provide prearranged transportation services for compensation using an online- enabled
TNC application or platform to connect which connects passengers with for-hire drivers using their personal
vehicles and that is subject to the licensing requirements under this chapter.

YZ. "Transportation network company (TNC) affiliated driver" means a for-hire driver affiliated with a
transportation network company.

ZAA. "Transportation network company (TNC) affiliated vehicle" means a personal motor vehicle used for the
transportation of passengers or items for compensation that is affiliated with a transportation network company.
A personal vehicle while used for personal use is not considered a TNC affiliated vehicle.

AABB. "Waiting Time" means time during which the for-hire vehicle is under the direction of a passenger and
the for-hire vehicle is not moving.

6B.220.140 Fees – License and inspection; Exemptions.

A. The fees are hereby fixed as follows:

1. For-hire driver and for-hire vehicle license.

<u>Description</u>	<u>Fees</u>
<u>For-hire driver license</u>	<u>\$ 50</u>
<u>For-hire driver license replacement</u>	<u>\$ 5</u>



1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26

<u>For-hire vehicle license</u>	<u>\$ 75</u>
<u>For-hire vehicle replacement plate</u>	<u>\$ 25</u>
<u>Taximeter inspection</u>	<u>\$ 50</u>
<u>Taximeter inspection re-scheduling fee</u>	<u>\$ 50</u>

2. Accessible services fund.

In addition to the fees specified in subsection 6B.220.140.A.1, as part of the license issuance or renewal fee, for-hire vehicle owners shall pay the following fees:

a. For-hire vehicle owners shall pay a \$0.10 per ride fee for all rides originating in the City of Tacoma for each vehicle not meeting the criteria of an 'Accessible for-hire vehicle' as defined by subsection 6B.220.130.

b. The fees shall be submitted on the 1st day of each calendar quarter beginning on January 1, 2015 on a prescribed document approved by or provided by the Director.

3. Transportation network company license.

a. Each TNC shall pay a \$15,000 licensing fee within 30 days of the effective date of this ordinance or within 30 days prior to making available within the geographical confines of the City their dispatch application services or app which can be used to connect consumers with for-hire drivers who provide for-hire transportation services.

b. The Director may, based on information submitted by a TNC prior to the TNC making available within the geographical confines of the City their dispatch application services or app which can be used to connect consumers with for-hire drivers who provide for-hire transportation services, and after review of administrative and regulatory cost impacts, fix a licensing fee of less than \$15,000.

c. The Director may propose an ordinance to convert to a per ride fee to cover continuing administrative and regulatory costs related to for-hire drivers and for-hire vehicles operating in the City of Tacoma. Such adjustment shall take into account whether a per-ride fee will cover the estimated administrative, enforcement and regulatory costs of this chapter.

B. Exemptions.

1. The for-hire vehicle license fees assessed in this subsection shall not apply to:

a. Accessible for-hire vehicles; or

b. TNC affiliated vehicles.

2. The for-hire driver license fees assessed in this subsection shall not apply to:

a. TNC affiliated drivers.

6B.220.150 License expiration and renewal.

A. For-hire vehicle license.

1. Each for-hire vehicle owner shall pay an annual for-hire vehicle license fee per 6B.220.140 times the number of licensed vehicles.

2. Upon payment of the correct license fee by the for-hire vehicle owner and compliance with all other requirements for issuance of a for-hire vehicle license, the Director shall issue a license.

3. Notwithstanding the provisions of 6B.10 of the Tacoma Municipal Code, for-hire vehicle licenses shall expire on June 30th except that TNC affiliated vehicles shall be effective as of the first day of the month of issuance regardless of the actual date of issue and shall expire one (1) year from the date of issuance. Each for-hire vehicle owner must renew the for-hire vehicle license every year.



1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26

4. No for-hire vehicle license may be renewed unless all outstanding penalties assessed against the for-hire vehicle owner are paid in full, the for-hire transportation services company is in compliance with the provisions of this chapter, and the for-hire vehicle owner has filed a renewal application and paid the renewal fee and all inspection fees.

B. For-hire driver license.

1. All for-hire drivers' licenses issued pursuant to the provisions of this subtitle shall be effective as of the first day of the month of issuance regardless of the actual date of issue and shall expire one (1) year from the date of issuance.

2. Each for-hire driver must renew the for-hire driver's license every year, provide new photographs, and provide or submit to a new updated criminal background check.

3. Effective January 1, 2015, all for-hire drivers' licenses issued pursuant to the provisions of this subtitle shall be effective as of the first day of the month of issuance regardless of the actual date of issue and shall expire two (2) years from the date of issuance.

4. Effective January 1, 2015, each for-hire driver must renew the for-hire driver's license every other year, provide new photographs, and submit to a new criminal background check.

5. No for-hire driver's license may be renewed unless all outstanding penalties against the for-hire driver are paid in full to the Director and the for-hire driver has filed a renewal application and paid the renewal fee.

6. Whenever the for-hire driver license furnished by the City shall become worn out, damaged, faded or otherwise unfit for use, the City may require that such license be destroyed and may require the licensee to furnish new photographs if the City does not have current photos on file that can be used on the replacement license and purchase a replacement license according to the fee established in 6B.220.140.

C. The Director shall deny any renewal application if grounds exist for the Director to deny a license pursuant to 6B.220.210 and 6B.220.300 and may deny the renewal if grounds exist that would justify denial under 6B.10.

D. Denial of renewal of a for-hire vehicle or for-hire driver license is subject to appeal pursuant to Chapter 6B.10 of the Tacoma Municipal Code.

6B.220.160 For-hire transportation services company - For-hire data.

A. The Director shall have the right to examine any ~~and all books, records, or files~~ relating to the compliance ~~operation~~ of a for-hire transportation services company in the City of Tacoma or any person holding a license issued pursuant to this chapter, including, but not limited to, insurance policies, dispatch records, trip records or any other information as required pursuant to this chapter.

B. Immediate access to any records required under this chapter by the for-hire transportation services company, for-hire vehicle owner or for-hire driver shall be made available upon court order to law enforcement officers of the City of Tacoma to assist in the investigation of any crime.

6B.220.170 For-hire transportation services company - Reports to the Director.

A. A for-hire transportation services company shall with 48 hours notify the Director upon the for-hire transportation services company receiving knowledge, at any time during the current for-hire vehicle or for-hire driver license term, of any of the following occurrences involving any affiliated for-hire driver or for-hire vehicle owner:

1. Any arrest and charge, conviction, bail forfeiture or other final adverse finding of the for-hire driver, for any criminal offense that occurs during, or arises out of, the for-hire driver's operation of such for-hire vehicle;

2. Any arrest and charge, conviction, bail forfeiture or other final adverse finding of the for-hire driver for any criminal offense involving theft, robbery, burglary, assault, sex crimes, drugs, prostitution, moral turpitude, or any offense as provided in 6B.220.300;



3. Any vehicle accident required to be reported to the State of Washington involving any for-hire vehicle operated by the for-hire driver; or

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26

4. Any restriction, suspension or revocation of such for-hire driver's motor vehicle driver's license.

B. Every for-hire transportation services company shall on September 1st of every year submit a current list of affiliated for-hire vehicles and for-hire affiliated drivers operating in the City of Tacoma to the Director or consent to an audit of records by the Director that can be conducted at a mutually agreeable location in order to verify that all affiliated drivers and vehicles are properly licensed.

6B.220.180 For-hire transportation services company responsibilities.

The for-hire transportation services company shall:

A. Maintain a business address, mailing address, and email address (if available) where the owner can accept mail, and a business telephone in working order and/or an email address that can be answered during all hours of operation;

B. Comply, and require that all affiliated for-hire vehicle owner(s) and affiliated for-hire driver(s) comply with any applicable regulations promulgated under this chapter;

C. Ensure that each affiliated for-hire vehicle is insured as required pursuant to this chapter;

D. Provide proof of insurance to the Director required pursuant to this chapter;

E. Collect and store for at least two (2) years, records of service request (trip) originating in the City of Tacoma for affiliated for-hire vehicles, including daily records of for-hire vehicles in service, together with the affiliated for-hire driver's name and vehicle number (if available), and lists of all affiliated for-hire vehicles and affiliated for-hire drivers. Records may be maintained electronically;

F. Maintain a dispatch service, application dispatch service or contracted dispatch service, utilizing two-way radios, wireless device communication or an online-enabled application or platform capable of providing reasonably prompt service in response to requests received by telephone, internet, email, online-enabled application or platform or other request for service by a prospective passenger The use of wireless communication devices while driving shall be utilized according to RCW 46.61.667, which prohibits the holding of a wireless communications device while driving;

~~G. Permit the Director to carry out inspections without notice of all for hire vehicle records required to be kept under this chapter;~~

~~H. Permit and consent to the Director's inspection without notice of for hire vehicles operating in the City of Tacoma except when a TNC affiliated vehicle is being used for personal use;~~

IG. Provide a system for passengers to retrieve lost articles;

~~IH. The for-hire transportation services company shall maintain a record of, and forward to the Director upon request, each oral or written customer complaint that the for-hire transportation services company receives regarding regulations pursuant to this Chapter, about the for-hire transportation services company, affiliated for-hire vehicle owner, or affiliated for-hire drivers operating in Tacoma. Where applicable, the for-hire transportation services company should include a notice of the action taken by the for-hire transportation services company to resolve the complaint, the nature of the complaint and the disposition.~~



1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26

21. The Director shall have the power to investigate any and all may request a record of complaints received by a for-hire transportation services company when shall have the power to investigating any and all complaints received by the City concerning possible violations of this chapter or regulations adopted hereunder by the for-hire transportation services company, affiliated for-hire vehicle owner or affiliated for-hire drivers while operating in Tacoma. ;

2. The Director may recommend corrective action to be taken by the for-hire transportation services company, for-hire vehicle owner or for-hire driver, revoke licenses and/or assess civil administrative penalties as provided in this chapter; and

~~KI.~~ Review criminal background checks and driving records for every affiliated for-hire driver and maintain records thereof if the City is not conducting the background and driving record check and the for-hire transportation services company is conducting such checks themselves. If a for-hire driver’s background check or driving record results in any denial standard in accordance with 6B.220.210.A the for-hire driver shall not be permitted to provide transportation services by affiliating with the for-hire transportation services company using the for-hire transportation services company application dispatch or dispatch services and/or approved name and color scheme.

6B.220.190 For-hire transportation services company – Approval of color scheme.

A. When a for-hire transportation services company is going to use a color scheme for their for-hire vehicles and/or affiliated for-hire vehicles, the Director shall have final approval over a for-hire transportation services company’s color scheme for each of its affiliated for-hire vehicles, in order to ensure that there is no risk of confusion between the colors of different for-hire transportation services companies, and to ensure that the color scheme meets the requirements of this chapter. Once a color scheme has been approved by the Director, the for-hire transportation services company must submit a for-hire vehicle license application according to the requirements in 6B.220.190 within 90 days of notification of color scheme approval.

B. No two for-hire transportation services companies shall have the same colors, unless the owners provide evidence to the satisfaction of the Director that they have the right under a franchise, license, lease or other similar agreement with a for-hire transportation services company to use the color scheme of such for-hire transportation services company. If there exists any conflict between color schemes presented by a for-hire transportation services company in its application for a for-hire vehicle license with any other licensee(s) or applicant(s), the Director shall, after notice to all interested parties, and review of their respective contentions, determine the matter and advise all interested parties of the Director’s decision. The Director’s decision shall be final.

C. No such license shall be issued if the color scheme or design to be used upon the vehicle is the same or similar to that being used by another licensee and as set forth in such licensee’s application, unless the use of such color scheme or design be consented to in writing by all other licensees who use or adopt such similar or same color scheme or design, which agreement shall be filed with the City.

D. The for-hire transportation services company shall submit a sample color chips or picture of painted for-hire vehicle prior to filing a for-hire vehicle license application for approval of color scheme.

6B.220.200 For-hire vehicle - License application and requirements.

A. The for-hire vehicle owner is responsible for filing with the City a for-hire vehicle license application, on forms approved by the Director and containing the information outlined in subsection B, for each for-hire vehicle that is owned by such for-hire vehicle owner and operated in Tacoma.

B. The for-hire vehicle license application shall include the following information:

1. Vehicle owner’s full name, home address, home and business telephone number;

2. Vehicle information, , the make, model, year, vehicle identification number, Washington State vehicle license plate number, and any other vehicle information required by rule or regulation promulgated under this chapter;



1 3. Information as requested by the Director pertaining to any for-hire driver's, for-hire vehicle license
2 suspension, denial, or revocation, imposed in connection with a for-hire vehicle owned or leased by the owner
3 within the last three (3) years;

4 4. Certificate or Proof of an Insurance policy.

5 a. If the City does not already have on file evidence that each for-hire vehicle has liability insurance that meet
6 the requirements of this section, provide evidence with the City that each for-hire vehicle has liability insurance
7 in an amount no less than required by RCW 46.72.050, as it exists or as hereinafter amended, at any time while
8 active on an application dispatch service and/or 'operating a for-hire vehicle.' The insurance policy, and any
9 related for-hire driver contracts if applicable, must be submitted to the Director. The insurance policy shall:

10 (1) At a minimum be issued by either: a) an admitted carrier in the State of Washington with an A.M. Best
11 Rating of not less than B VII or b) a surplus line insurers with an A.M. Best Rating of not less than B+ VII;

12 (2) Name the City of Tacoma as an additional insured;

13 (3) Provide that the insurer will notify the Director, in writing, of any cancellation and/or non-renewal at least
14 thirty (30) days before that cancellation and/or non-renewal takes effect; and

15 (4) Not include aggregate limits, or named driver requirements or exclusions. Other limitations or restrictions
16 beyond standard insurance services office (ISO) business auto policy form are subject to approval by the
17 Director.

18 b. An insurance policy of underinsured motorist coverage indicating a minimum combined single limit
19 coverage of three hundred thousand dollars (\$300,000) or split level coverage of one hundred thousand dollars
20 (\$100,000) per person, three hundred thousand dollars (\$300,000) per accident. The underinsured motorist
21 coverage shall include any time while operating a for-hire vehicle or if the vehicle is a personal vehicle while
22 engaging in commercial activity, provided personal automobile insurance shall apply at other times when the
23 personal vehicle is not engaging in commercial activity;

24 5. State of Washington vehicle registration;

25 6. Certificate of Safety or proof that the applicant's vehicle has passed a uniform vehicle safety inspection, as
26 specified by the Director by rule;

1 7. If using a for-hire transportation services company's approved color scheme and name, a letter from the for-
2 hire transportation services company which indicates the applicant is authorized to operate a for-hire vehicle
3 using the for-hire transportation services company's approved color scheme and/or name;

4 8. If applying as a TNC affiliated vehicle, a letter or documentation from the affiliated TNC which indicates the
5 applicant is authorized to affiliate the for-hire vehicle to the TNC using their app and that all for-hire vehicle
6 requirements outlined in this chapter have been met;

7 9. If using a taximeter in the for-hire vehicle the taximeter shall have been inspected and found to be accurate
8 and sealed, and the annual inspection fee paid according to 6B.220.140.

9 a. The taximeter must be sealed and in good working order and in accurate operating condition and shall at all
10 times comply with the specifications, tolerances, and other technical requirements as adopted by the National
11 Conference on Weights and Measures and set forth at Section 5.54 of the National Institute of Standards and
12 Technology Handbook 44 of Specifications, Tolerances, and Other Technical Requirements for Weighing and
13 Measuring Devices, 2003. Every taximeter shall be inspected, sealed and certified at installation, at change in
14 rate, and within 1 year of the last inspection. A certificate of inspection certifying compliance with this chapter
15 shall be issued by the Director upon each required taximeter inspection and the taximeter shall upon each such
16 inspection be sealed by the Director. Such certificate of inspection shall include:

17 (1). The identifying number of the taximeter;



(2). The make, model and license number of the for-hire vehicle in which the taximeter is installed;

(3). The name of the for-hire transportation services company;

(4). The date of inspection;

(5). A certification that the taximeter has been inspected and approved as operating within the limits of accuracy as specified by this Section;

(6) The signature of the individual making the certification; and

(7). A copy of the certificate shall be kept on file in the office of the for-hire transportation services company.

b. No taximeter shall be used unless the same carries thereon an unbroken seal affixed thereto by the qualified taximeter repair service or the Director.

c. For the purpose of checking the accuracy of said taximeter, the for-hire vehicle to which the same is fixed shall be made available to the City of Tacoma at such times as the Director may direct; and

10. Any other documents required by regulations promulgated under this chapter.

C. The for-hire vehicle’s model year shall be no more than ten (10) years prior to the date of application. For example, vehicles licensed effective July 1 of 2014, must be 2004 models or newer. For-hire vehicles meeting the definition of an accessible for-hire vehicle and/or classic car are not subject to a minimum vehicle age requirement.

D. The above application and information must also be completed and supplied as required during any annual license renewal.

E. The for-hire vehicle owner must inform the Director in writing within seven (7) days if any of the information provided pursuant to subsection (B) changes, ceases to be true or is superseded in any way by new information.

6B.220.210 For-hire vehicle – Standards for license denial; Appeal.

A. The Director shall deny any for-hire vehicle license application if the Director determines that such license should not be issued pursuant to the provisions of 6B.10 of the Tacoma Municipal Code, or further if the Director determines that:

1. The applicant has failed to submit a complete, satisfactory application pursuant to TMC 6B.220.200;

2. The applicant has made any material misstatement or omission in the application for a license;

3. The applicant fails to meet one or more of the applicant or vehicle requirements of a for-hire vehicle license pursuant to this chapter; and/or

4. Within three (3) years of the date of application, the applicant, or if the applicant is a business entity any officer or partner, has had a conviction, bail forfeiture or other final adverse finding for offenses pertaining to hit-and-run, reckless driving, attempting to elude a police officer, vehicular assault, vehicular homicide, driving under the influence of alcohol or controlled substances or related offense as in RCW 46.61.502, RCW 46.61.503 RCW 46.61.504, or has been a Habitual Traffic Offender as found by the Washington State Department of Licensing, criminal fraud, larceny, theft, prostitution, extortion, racketeering, robbery, violation of the Uniform Controlled Substances Act, or an offense involving moral turpitude, where such crime involved the use of a for-hire vehicle.

B. The Director may deny any for-hire vehicle license application if the Director determines that:

1. Within ten (10) years of the date of application, the applicant or, if the applicant is a business entity, any officer or partner, has had a conviction, bail forfeiture, or other final adverse finding involving crimes including but not limited to offenses pertaining to prostitution, gambling, physical violence, or other offenses directly related to the applicant’s honesty, integrity, or moral turpitude including but not limited to fraud, larceny, burglary, extortion, income tax evasion, delivery, possession with intent, or manufacture of controlled substances or any attempt, conspiracy, or solicitation to commit such offenses and/or reasonably related to the



1 applicant's ability to operate a for-hire vehicle, including but not limited to hit-and-run, reckless driving,
 2 attempting to elude a police officer, vehicular assault, vehicular homicide, driving under the influence of
 3 alcohol or controlled substances or related offense as in RCW 46.61.502, RCW 46.61.503 RCW 46.61.504, or
 4 has been a Habitual Traffic Offender as found by the Washington State Department of Licensing;

5 2. Within two (2) years of the date of application, the applicant, or if the applicant is a business entity any
 6 officer or partner of the applicant, has been found, either through a criminal conviction, bail forfeiture or other
 7 final adverse finding (including in a civil suit or administrative proceeding), or it has been proven by a
 8 preponderance of the evidence regardless of whether the same act was charged as a civil infraction, crime or
 9 not charged or cited at all, to have exhibited past conduct in driving or operating a for-hire vehicle or operating
 10 a for-hire business which would lead the Director to reasonably conclude that the applicant will not comply
 11 with the provisions of the chapter related to vehicle requirements and the safe operation of the vehicle;

12 3. Within two (2) years of the date of application, the applicant, or if the applicant is a business entity any
 13 officer, director, general partner, managing partner or principal of the applicant, has engaged in the business of
 14 operating any for-hire vehicle within the City of Tacoma without a current valid license from the City of
 15 Tacoma;

16 4. Within twelve (12) months of the date of application, the applicant has violated and/or caused or knowingly
 17 permitted a for-hire driver to violate, any Pierce County or City of Tacoma ordinance or regulation pertaining
 18 to the operation of for-hire vehicles while in that jurisdiction, if such violation would constitute grounds for
 19 license revocation or denial if occurring within the City; and/or

20 5. Within twelve (12) months of the date of application, the applicant has had its City of Tacoma for-hire
 21 vehicle license revoked.

22 C. Denial of an annual for-hire vehicle license is subject to appeal pursuant to Chapter 6B.10 of the Tacoma
 23 Municipal Code.

24 **6B.220.220 For-hire vehicle – Transfer of for-hire vehicle license.**

25 Notwithstanding the provisions of 6B.10 of the Tacoma Municipal Code, a for-hire vehicle license may not be
 26 transferred.

6B.220.230 For-hire vehicle – Owner surrender of for-hire vehicle license.

A. The for-hire vehicle owner shall notify the Director in writing within five (5) working days whenever a for-
hire vehicle is destroyed, rendered permanently inoperable, sold or is taken out of service by the affiliated for-
hire transportation services company for any reason.

B. It is unlawful to operate a for-hire vehicle not licensed pursuant to the provisions of this chapter or which
for-hire vehicle license has been suspended or revoked. The for-hire vehicle owner and affiliated for-hire
transportation services company are jointly and severally responsible for immediately surrendering the for-hire
vehicle license plate to the Director upon revocation or suspension. A TNC shall deactivate any affiliated for-
hire vehicle owner from their online-enabled application upon revocation or suspension of the for-hire vehicle
owner's license.

6B.220.240 For-hire vehicle - Operating requirements.

A. No for-hire vehicle licensed by the City may lawfully operate within the City of Tacoma unless the
following minimum vehicle requirements are met:

1. The vehicle has insurance as required by this chapter. If the insurance policy is canceled proof of a new
policy must be filed with the Director. If the insurance policy lists the vehicles included under the policy and a
vehicle is deleted from an insurance policy, proof of a new policy which includes the vehicle must be filed with
the Director before the vehicle is deleted from the previous policy;

2. An approved mechanic has issued a valid Certificate of Safety based on a uniform vehicle safety inspection
performed within the last license year. The Certificate of Safety remains valid, if the vehicle is sold, until the
next renewal date;



1 3. The for-hire vehicle displays a for-hire vehicle plate with a current year decal issued by the Director when operating a for-hire vehicle or if the for-hire vehicle is a TNC affiliated vehicle prominently display a for-hire vehicle endorsement with a current year decal issued by the Director when operating a for-hire vehicle;

2 4. All public rates, including discounts or special rates, are displayed in writing or otherwise displayed in an application dispatch service or for-hire transportation services company website explaining the rate structure and is transparent to the rider prior to accepting the ride;

3 5. The for-hire vehicle is equipped with a properly sealed, working, and accurate receipt-issuing taximeter or receipt-issuing mobile data terminal or receipt-issuing application dispatch service. Receipts may be sent electronically;

4 6. The for-hire vehicle contains no scanner or other type of receiver that is capable of monitoring another for-hire transportation services company's assigned frequency, except as otherwise permitted by the Director;

5 7. Every for-hire vehicle shall be equipped with seat belts or other restraining devices for every passenger and any other such safety equipment as is required by state or federal law, or this chapter;

6 8. Every for-hire vehicle shall be equipped with consumer information conspicuously posted in a prominent place within the passenger compartment, on the app used to obtain transportation services, and/or in an electronic receipt. Such consumer information shall include, at a minimum, the for-hire vehicle name and number, if applicable, the for-hire driver's name and for-hire driver license number, a consumer survey and complaint card and shall include the following notice: "The driver of this for-hire vehicle is required by the Tacoma City Code to give a receipt for services provided to any passenger who requests one. If you have a complaint about a for-hire vehicle or for-hire driver, contact the for-hire transportation services company (name, address, phone number, email address) or the Director (mailing address, phone number, email address)."
7 If the consumer information is made available on the app or through an electronic receipt or through a combination of such technologies, the consumer shall be provided the opportunity for feedback on the individual ride instead of a consumer survey or complaint card;

8 9. If a for-hire vehicle is issued a for-hire vehicle plate by the Director, the for-hire number on the vehicle shall be coordinated with the for-hire vehicle license plate number;

9 10. Every for-hire vehicle shall be available for inspection by the Director without notice except when a TNC affiliated vehicle is being used for personal use and

10 ~~11. Any other requirements set forth in regulations adopted pursuant to this chapter.~~

11 B. All applications for a for-hire vehicle license become void if the applicant, for any reason other than delay caused by the City, fails or neglects to complete the application process or obtain a license within sixty (60) days of submitting an application.

12 **6B.220.250 For-hire driver - license application and requirements.**

13 A. A for-hire driver must complete, sign, swear to, and file with the Director a for-hire driver license application on forms provided by the Director to include the following information:

14 1. Name, aliases, residence and business addresses, residence and business telephone numbers;

15 2. Place and date of birth (which must be at least twenty-one years of age on date of application), height, weight, color of hair and eyes;

16 3. Social security number and Washington State driver's license number. The applicant must present his/her Washington State driver's license or a copy thereof at time of application;

17 4. Proof that the applicant is a United States citizen or has documentation, as required by the United States Department of Homeland Security, Citizenship and Immigration Services, that the applicant is authorized to work in the United States;

18 5. Documentation that a full criminal background check has been completed on the applicant through Washington State Patrol and Federal Bureau of Investigation criminal databases or through a Director-approved third party vendor and was reviewed as required in 6B.220.180.KI. If a criminal background check is not



1 conducted through a Director-approved third-party vendor, then the for-hire driver shall provide a signed
2 statement to the City authorizing the Director to conduct a full criminal background check through Washington
3 State Patrol and Federal Bureau of Investigation criminal databases and consenting to be fingerprinted;

4 6. Information indicating whether or not the applicant has ever had a for-hire driver's, or driver's license
5 suspended, revoked, or denied and for what cause;

6 7. Documentation that a copy of the applicant's driving abstract from the Washington State Department of
7 Licensing was reviewed as required in 6B.220.180. KI or a signed statement authorizing the Director to obtain a
8 current copy of the applicant's driving abstract from the Washington State Department of Licensing;

9 8. Completion of a for-hire driver training program and successful completion of exam explained in more detail
10 in 6B.220.280 and 6B.220.290;

11 9. A statement under penalty of perjury of their physical and mental fitness to act as a for-hire driver;

12 10. All applicants for a for-hire driver's license shall include with his or her application ~~two current full face~~
13 photographs of the applicant and one current right profile full face digital photograph of the applicant, each of
14 said photographs submitted electronically or consent to be of the size of two inches square. ~~One a full face and~~
15 one right profile photograph taken by the Director. The full face photograph shall become a part of the
16 applicant's license, if issued; and a copy of the ~~other~~ full face photograph shall be filed with the application.;

17 11. If using a for-hire transportation services company's approved color scheme and name, a letter from the for-
18 hire transportation services company which indicates the applicant is authorized to operate a for-hire vehicle
19 using the for-hire transportation services company's approved color scheme and name;

20 12. If affiliating as a for-hire driver to a TNC, a letter or documentation from the TNC which indicates the
21 applicant is authorized to affiliate to the TNC and to use their app and that all for-hire driver requirements
22 outlined in this chapter have been met; and

23 13. Such other information as may be reasonably required by regulation promulgated under this chapter.

24 B. All applications for for-hire driver's licenses become void if the applicant, for any reason other than delay
25 caused by the City, fails or neglects to complete the application process or obtain a license within sixty (60)
26 days of submitting an application.

6B.220.260 For-hire driver - Criminal background check and fingerprints.

1 A. All applicants for a for-hire driver's license must consent to be fingerprinted for a state and national
2 Washington State Patrol and Federal Bureau of Investigation criminal background check; or submit proof that a
3 criminal background check has been conducted by a Director-approved third party vendor.

4 B. Approved vendors, at a minimum must:

5 1. Include local, state and national databases;

6 2. Access at least seven years of database history; and

7 3. Demonstrate competency in providing accurate information.

6B.220.270 For-hire driver –Certification of fitness to drive.

1 A. The for-hire driver must certify upon initial application and thereafter upon renewal of the license on forms
2 provided by the Director that they are physically and mentally fit to be a for-hire driver.

3 B. The Director may at any time require any for-hire driver licensee or applicant to be medically examined if it
4 appears that the licensee has become physically or mentally unfit to be a for-hire driver.

5 1. If so required the medical certification and examination shall be performed by a physician licensed to
6 practice in Washington State under Chapter 18.71 RCW and completed following that physician's physical
7 examination of the applicant.

8 2. The scope of the certificate form and the examination shall be prescribed by the Director.



3. A United States Department of Transportation medical certification meets the requirements of this section.

6B.220.280 For-hire driver – Training program.

1 A. Upon initial application all for-hire driver applicants are required to complete a for-hire driver training
2 program approved by the Director.

3 B. For-hire driver training programs may be completed through a City of Tacoma offered class, a third party
4 vendor approved by the Director or through a Director-approved for-hire transportation services company
5 program. The for-hire driver may be required to pay a fee, as determined by the Director, third party vendor, or
6 for-hire transportation services company, for the training program.

7 C. Content for all training programs must be submitted for approval as required by the Director. For-hire driver
8 training programs shall include but not be limited to:

9 1. Information about defensive driving, use of emergency procedures and equipment for the for-hire driver’s
10 personal safety, risk factors for crimes against for-hire drivers, enhancement of for-hire driver/passenger
11 relations and professional conduct and communication skills; and

12 2. Completion of the National Safety Council Defensive Driving Course or other defensive driving course
13 approved by the Director.

14 D. The Director may request a for-hire driver to take a refresher course if there are reasonable grounds, based
15 on documented complaints and/or violations to require a refresher course.

6B.220.290 For-hire driver – Examination.

16 A. An applicant for an initial for-hire driver’s license shall be required to successfully pass an examination
17 administered by the City, a for-hire transportation services company or an approved third party vendor.

18 B. Examination procedures and content must be approved by the Director and must test the applicant’s:

19 1. Knowledge of the for-hire chapter requirements;

20 2. ~~Ability to understand oral and written English sufficient for fulfilling the minimum acceptable standards for~~
21 ~~a for hire driver;~~

22 3. Knowledge of vehicle safety requirements;

23 4. Knowledge of risk factors for crimes against for-hire drivers, emergency procedures and for-hire equipment
24 for the for-hire driver’s personal safety; and

25 5. Knowledge of the geography of City of Tacoma, Pierce County and surrounding areas, and knowledge of
26 local public and tourist destinations and attractions.

D. The Director may request a for-hire driver to re-take the examination, administered by the City, if there are
reasonable grounds, based on documented complaints and/or violations.

6B.220.300 For-hire driver – Standards for license denial; Appeal.

A. The Director shall deny any for-hire driver’s license application if the Director determines that such license
should not be issued pursuant to the provisions of 6B.10 of the Tacoma Municipal Code or further determines
that the applicant:

1. Has made any material misstatement or omission in the application for a license;

2. Fails to meet any of the requirements of a for-hire driver contained in Subsections 6B.220.250, 6B.220.260,
6B.220.270, 6B.220.280 or 6B.220.290;

3. Has had a bail forfeiture, conviction, or other final adverse finding for offenses pertaining to hit-and-run,
reckless driving, attempting to elude a police officer, vehicular assault, vehicular homicide, driving under the
influence of alcohol or controlled substances, or related offense as in RCW 46.61.502, RCW 46.61.503 RCW
46.61.504 or anyone found to be a Habitual Traffic Offender by the Washington State Department of
Licensing, within three (3) years of the date of application;



1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26

4. Has been convicted of a “Sex offense” or “Kidnapping” offense against a minor pursuant to RCW Title 9 or 9A; or

5. Is required to register as a sex offender pursuant to RCW 9A.44.130.

B. The Director may deny any for-hire driver license application if the Director determines that the applicant:

1. Has had a bail forfeiture, conviction or other final adverse finding involving offenses pertaining to prostitution, gambling, physical violence, or other offenses directly related to the applicant's honesty, integrity, or moral turpitude including but not limited fraud, larceny, burglary, extortion, delivery, possession with intent, or manufacture of controlled substances or any attempt, conspiracy, or solicitation to commit such offenses, and/or any other offense directly related to the driver's ability to operate a for-hire vehicle, including without limitation to driving under the influence of alcohol or controlled substances or related offense as in RCW 46.61.502, RCW 46.61.503 or RCW 46.61.504 hit-and-run, reckless driving, attempting to elude a police officer, vehicular assault, vehicular homicide, anyone found to be a Habitual Traffic Offender by the Washington State Department of Licensing, provided that such bail forfeiture or conviction was within ten (10) years of the date of application; or

2. Has been found, either through a criminal conviction, bail forfeiture, or other final adverse finding (including in a civil suit or administrative proceeding), or it has been proven by a preponderance of the evidence regardless of whether the same act was charged as a civil infraction, crime, or not charged or cited at all to have exhibited past conduct in driving or operating a for-hire vehicle that causes the Director reasonably to conclude that the applicant will not comply with the provisions of the chapter related to driver/operator conduct and the safe operation of the vehicle.

C. Denial of issuance of a for-hire driver license is subject to appeal pursuant to 6B.10 of the Tacoma Municipal Code.

6B.220.310 For-hire driver - Temporary license.

A. In the event that the Director has not issued or taken final action upon a for-hire driver’s license application within fifteen days of the date such completed for-hire driver’s license application is filed, upon request of the applicant the Director, in his/her sole discretion, may issue a temporary for-hire driver license to an applicant who has filed a complete license application and meets the requirements of 6B.220.250. The temporary license is valid for a period not to exceed sixty (60) days from the date of the application and shall not be extended or renewed. Only one temporary license may be issued to the same person within any two (2) year time period.

B. The temporary license shall not be transferable or assignable and shall be valid only for operating the for-hire vehicle(s) specified by the Director on the license.

C. The temporary license shall become void immediately upon (1) suspension, revocation or expiration of the applicant's Washington State driver's license, (2) issuance of the for-hire driver's license, or (3) the Director's denial of the for-hire driver's license application, regardless whether the applicant appeals that denial.

6B.220.320 For-hire driver - Operating standards.

A. A for-hire driver shall not operate a for-hire vehicle without first obtaining and maintaining a valid for-hire driver’s license.

B. No for-hire driver whose license has been revoked by the Director shall apply for a new license for one (1) year from the effective date of such revocation.

C. A for-hire driver shall not operate a for-hire vehicle, before ensuring that the for-hire license plate is securely affixed to the vehicle or the for-hire vehicle endorsement is prominently displayed on the rear of the vehicle and, vehicle registration and proof of insurance card are in the vehicle.

D. A for-hire driver shall not operate a for-hire vehicle, before checking vehicle equipment, including but not limited to the lights, brakes, tires, steering, seat belts and other vehicle equipment to see that they are working properly.



1 E. A for-hire driver shall not operate a for-hire vehicle unless the interior and the exterior of the for-hire vehicle are clean and in good repair.

2 F. A for-hire driver shall not transport more passengers than the number of seat belts available nor more luggage than the for-hire vehicle capacity will safely and legally allow.

3 G. A for-hire driver shall allow the Director to inspect the for-hire vehicle without notice at any reasonable time or place while operating a for-hire vehicle.

4 H. A for-hire driver shall not sleep in the for-hire vehicle while operating a for-hire vehicle.

5 I. When using the taximeter to determine the fare to be charged, a for-hire driver must activate the taximeter at the beginning of each trip and deactivate the taximeter upon completion of the trip. Beginning of a trip means the point where the passenger is seated and the forward motion of the vehicle begins. It shall be the duty of the for-hire driver to call the attention of passengers to the amount registered and the for-hire vehicle flag shall be placed in a non-recording position until the fare is paid. No other or different fare shall be charged to the passenger than is recorded on the reading face of said taximeter for the trip.

6 J. No for-hire driver of a for-hire vehicle using a taximeter, while carrying passengers or otherwise in service, shall display the signal affixed to the taximeter in such a position as to denote such vehicle is not in service.

7 K. A for-hire driver shall assure when using a taximeter that the meter reading is visible from a normal passenger position at all times.

8 L. A for-hire driver shall not operate a for-hire vehicle that does not have the rate(s) displayed in writing, or otherwise provided in an application dispatch service or for-hire transportation services company's website explaining the rate structure and is transparent to the rider prior to accepting the ride

9 **6B.220.330 For-hire driver – Reports to the Director**

10 A. Every for-hire driver shall report within 48 hours to the Director and his or her affiliated for-hire transportation services company, the occurrence of the following:

11 1. Any arrest and charge, charge, or conviction of the for-hire driver for any criminal offense, or commitment of a violation, that occurs during, or arises out of, the for-hire driver's operation of a for-hire vehicle;

12 2. Any arrest and charge, charge or conviction of the for-hire driver for any criminal offense involving theft, robbery, burglary, assault, sex crimes, drugs, prostitution, moral turpitude, or any offense as provided in 6B.220.300;

13 3. Any vehicle accident required to be reported to the State of Washington involving any for-hire vehicle operated by the for-hire driver;

14 4. Any restriction, suspension or revocation of the for-hire driver's motor vehicle driver's license; or

15 5. Any changes in health or medical condition of the for-hire driver that might render the for-hire driver to be unfit for the safe operation of any for-hire vehicle.

16 **6B.220.340 For-hire driver - Passenger relations standards.**

17 A for-hire driver shall be clean and neat in dress and person and present a professional appearance to the public;

18 B. A for-hire driver shall provide customers with professional and courteous service at all times;

19 C. A for-hire driver shall not engage in threatening or disruptive conduct, or use loud, profane, abusive or obscene language offensive with or around the passenger, while operating a for-hire vehicle;

20 D. A for-hire driver shall not smoke in a for-hire vehicle while operating a for-hire vehicle. "Smoke" or "smoking" means the carrying or smoking of any kind of lighted pipe, cigar, cigarette, electronic cigarette or any other lighted smoking equipment;

21 E. A for-hire driver shall not refuse a request for service because of the for-hire driver's position in line at a for-hire stand; a passenger may select any for-hire vehicle in line;



1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26

F. A for-hire driver shall not drive a passenger to his destination by any other than the most direct and safe route and may be aided by a global position system (“GPS”) unless requested to do so by the passenger;

G. A for-hire driver shall assist passengers placing luggage or packages in and out of the for-hire vehicle;

H. A for-hire driver shall not refuse to transport in the for-hire vehicle any passenger’s wheelchair which can be folded and placed in either the passenger, driver, or trunk compartment of the vehicle or a service animal used to assist persons with disabilities, groceries, packages or luggage when accompanied by a passenger;

I. A for-hire driver shall not discriminate against passengers or potential passengers on the basis of race, color, national origin or ancestry, religious belief or affiliation, sex, disability, age, sexual orientation, marital status, gender identity, familial status or honorably discharged veteran or military status as identified in Tacoma Municipal Code Chapter 1.29.040;

J. A for-hire driver shall, upon request, provide each passenger a printed or electronic receipt upon payment of the fare. The receipt shall accurately show the date and time, place of pickup and delivery, the amount of the fare, and the name of the for-hire driver;

K. A for-hire driver shall not permit any person or pet to ride in the for-hire vehicle unless that person or pet accompanies, or is in the vehicle at the request of, a fare-paying individual. This requirement shall not apply to for-hire driver trainees;

L. It shall be unlawful for a TNC driver to engage in commercial activity for more than 12 hours in any 24-hour period of time or for any other for-hire driver to ~~engage in any work or employment~~ operate a for-hire vehicle for more than 12 hours in any 24-hour period of time ~~during any part of which he or she is engaged in the occupation of for-hire driver for a for-hire vehicle;~~

M. A for-hire driver may only decline transport to a passenger when:

- 1. The for-hire driver has already been dispatched on another call;
- 2. The passenger is acting in a suspicious, disorderly or threatening manner, or otherwise causes the for-hire driver to reasonably believe that the for-hire driver’s health or safety, or that of others, may be endangered;
- 3. The passenger cannot, upon request, show ability to pay the fare; or
- 4. The passenger refuses to state a specific destination upon entering the for-hire vehicle;

N. A TNC affiliated driver shall decline transport to a passenger hailing from the street; and

O. If a for-hire driver accepts cash for payment of a fare, the for-hire driver shall be able to provide a reasonable amount of change, and if correct change is not available, no additional charge will be made to the passenger in attempting to secure the change.

6B.220.350 For-hire driver - Soliciting and cruising standards.

When picking up hails and/or soliciting trips off of the street the for-hire driver shall:

- 1. Solicit passengers only from the driver's seat or standing immediately adjacent to the for-hire vehicle and only when the for-hire vehicle is safely and legally parked;
- 2. Not use any other person to solicit passengers; and
- 3. Not hold out the for-hire vehicle for designated destinations.

B. A TNC driver shall not pick up hails or solicit trips from the street.

6B.220.360 For-hire stands - Establishment of for-hire stands.

A. The City Council may, by resolution or ordinance upon the recommendation of the Director, establish nonexclusive for-hire stands. The areas so established by the City Council as nonexclusive for-hire stands shall be identified by curb use signs.



1 B. The right to occupy said nonexclusive for-hire stands shall be shared with other for-hire vehicles which
2 qualify for use of said areas as hereinafter set forth, except that a TNC affiliated vehicle and TNC affiliated
3 driver shall not occupy or solicit passengers from a for-hire stand.

4 **6B.220.370 For-hire stands - For-hire driver standards.**

5 A. A for-hire driver shall not leave the for-hire vehicle unattended in a for-hire stand for more than fifteen (15)
6 minutes. Such vehicles will be impounded by order of the Director, Chief of Police or duly appointed City of
7 Tacoma law enforcement officer.

8 B. A for-hire driver shall occupy a for-hire stand only when available for street or hailed service.

9 C. A for-hire driver shall not perform engine maintenance or repairs on the for-hire vehicle while at a for-hire
10 stand.

11 **6B.220.380 License suspension and revocation – For-hire transportation services company,**
12 **for-hire vehicle, and for-hire driver; Appeal.**

13 A. If three (3) or more Class ‘A’ violations, as outlined in 6B.220.390, are found and a penalty issued to a for-
14 hire transportation services company or its affiliated for-hire vehicle owners or for-hire drivers within any 365
15 day period, one or more of the for-hire vehicle licenses associated with that for-hire transportation services
16 company may be temporarily suspended for up to a five (5) day period.

17 B. Any license issued under this chapter including a for-hire transportation services company license, for-hire
18 vehicle license or for-hire driver license may be revoked or suspended by the Director pursuant to
19 Section 6B.10.140 or 6B.10.145 of the Tacoma Municipal Code, or for a violation of the requirements
20 otherwise provided in this chapter.

21 C. Any license revocation or suspension may be appealed pursuant to Section 6B.140 or 6B.10.145 as
22 appropriate.

23 **6B.220.390 License violations and penalties – For-hire transportation services company, for-**
24 **hire vehicle, and for-hire driver; Appeal.**

25 A. Any person found with violations shall be subject to a civil penalty as described below. It is the
26 responsibility of the for-hire transportation services company to contact appropriate city staff to request
27 inspection for compliance with this code.

28 B. Class ‘A’ violations include but are not limited to:

29 1. Driving without a valid for-hire driver’s license and/or a for-hire transportation services company knowingly
30 allowing an affiliated for-hire driver to drive without a valid for-hire driver’s license;

31 2. Driving without a valid for-hire vehicle license plate or for-hire vehicle endorsement and/or a for-hire
32 transportation services company knowingly allowing an affiliated for-hire driver to drive without a valid for-
33 hire vehicle license plate or for-hire vehicle endorsement;

34 3. Driving without valid insurance as required in 6B.220.200 and/or a for-hire transportation services company
35 knowingly allowing an affiliated for-hire driver to drive without valid insurance as required in 6B.220.200;

36 4. Operating a for-hire vehicle with a revoked or suspended for-hire vehicle and/or for-hire driver’s license
37 and/or a for-hire transportation services company knowingly allowing an affiliated for-hire driver to operate a
38 for-hire vehicle with a revoked or suspended for-hire vehicle and/or for-hire driver’s license; or

39 5. Using a for-hire vehicle in the commission of a crime and/or a for-hire transportation services company
40 knowingly allowing an affiliated for-hire vehicle to be used in the commission of a crime.

41 C. Class ‘B’ violations are related to for-hire vehicle and for-hire driver standards that include but are not
42 limited to the following:

43 1. The vehicle equipment found not to be up to safety standards, including, but not limited to, windshield, tires,
44 spare tire/jack, headlights, four-ways, blinkers, brake light, tail/back up lights, horn, windshield wipers,
45 glass/window, door handle, seat belts, brake, accelerator emergency brake, mirrors, speedometer, taximeter;



1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26

2. Allowing vehicle insurance to lapse;

3. Not clearly displaying to passengers a for-hire driver's license on the vehicle's dashboard or a TNC driver not showing the for-hire driver's license upon request by a passenger or City official;

4. Not posting or providing rates in writing in the for-hire vehicle or on an online enabled app or website which explain the rate structure and is transparent to the rider prior to accepting the ride; or

5. The for-hire vehicle is not clean, interior lights are not working or the body of the vehicle has defects.

D. Penalties for violations shall be as follows:

<u>Violation</u>	<u>Penalty</u>
<u>A</u>	<u>\$500</u>
<u>B</u>	<u>\$75</u>

E. Any penalty issued under this subsection may be appealed pursuant to the process in Section 6B.10.265.