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COUNCIL BILL NO. 2016- 244

GENERAL ORDINANCE NO. _____

AN ORDINANCE

1 AMENDING the Springfield City Code by repealing language contained in Chapter 118
2 Vehicles for Hire, and adding new regulations for Transportation
3 Network Companies and Drivers. (The Finance and Administration
4 Committee recommends approval.)
5 _____

6 WHEREAS, the transportation industry is adapting with the addition of new
7 technology; and

8
9 WHEREAS, transportation network companies are using digital networks and
10 software applications to connect drivers with passengers; and

11
12 WHEREAS, these regulations amend existing city code to prepare for this new
13 type of transportation for hire.

14
15 NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF
16 SPRINGFIELD, MISSOURI, as follows, that:

17
18 Section 1 - The Springfield City Code, Chapter 118 Vehicles For Hire, is hereby
19 amended as follows:

20
21 Note: Underlined language has been added and ~~stricken~~ language has been deleted.

22
23 ARTICLE II. - TAXICABS, COURTESY CARS AND AIRPORT LIMOUSINES
24 DIVISION 1. - GENERALLY

25
26 Sec. 118-31. - Definitions.

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

30
31 *Airport limousine* means a public vehicle operating with a legal agreement
32 with a mass transit facility and using the mass transit facility as its departure or
33 destination point, and which is not licensed by the U.S. Department of

34 Transportation or applicable state agency if such license would exempt the
35 vehicle from local regulation.

36
37 *Airport limousine fixed route.* An airport limousine shall be deemed to
38 operate over a designated fixed route where the destination and/or
39 commencement of each trip is from the same location.

40
41 *Color scheme* means the designation of the dome light color and any paint
42 and/or lettering to be placed on the doors of the taxicab or airport limousine, and
43 the insignia or logo of the taxicab or airport limousine company, and may consist
44 of a description of the paint of the entire taxicab or airport limousine.

45
46 *Courtesy car* means any vehicle operated to or from a motel or hotel
47 which is designed to carry patrons of the motel and hotel to or from fixed
48 locations in the city, or any vehicle used by an establishment arranging
49 sightseeing or other similar tours for the purpose of transporting patrons of such
50 establishment without charge.

51
52 *Cruising* means the continuous or repeated operation of any taxicab along
53 any street or alley for the purpose of obtaining or picking up passengers.

54
55 *Director* means the Director of Finance, or his or her designee.

56
57 *Driver* means the person who is driving or who is in actual physical control
58 of a taxicab, transportation network vehicle, courtesy car, or airport limousine,
59 whether as owner or agent, servant or employee of an owner.

60
61 *Driver's permit* means authorization by the city to a particular individual to
62 operate taxicabs, transportation network vehicles, or airport limousines within the
63 city upon meeting the criteria set forth in this article.

64
65 *Immoral purpose* includes any of those acts prohibited by RSMo 567.010
66 et seq., as amended.

67
68 *Interest in taxicab, transportation network vehicle, or airport limousine*
69 *company.* A person shall be deemed to have an interest in a taxicab or airport
70 limousine company when he is a sole proprietor, partner or limited partner of the
71 firm or business holding a taxicab or airport limousine license under this article or
72 which is required to obtain a license under this article; has in his control, either
73 through direct ownership or through the ownership of a spouse or minor child, ten
74 percent or more of the outstanding stock of such taxicab or airport limousine

75 company; or has a security interest in over 50 percent of the tangible assets of
76 the firm or business.

77
78 *Licensee* means the holder of the taxicab or airport limousine company
79 license.

80
81 *Owner* and operator mean any person who derives, or has the right to
82 derive, income directly or indirectly from the operation of one or more taxicabs,
83 transportation network vehicles, courtesy cars, or airport limousines.

84
85 *Permittee* means the holder of a transportation network company permit.

86
87 *Rate zone* means the area of the city to which a certain trip rate of an
88 airport limousine applies.

89
90 *Specialty passenger service* means the use of specialty passenger
91 vehicles for the transportation of passengers at special events or activities or for
92 the transportation of passengers in areas established by the city manager or his
93 designee as special activity areas.

94
95 *Specialty passenger vehicles* means buses, motorized trolleys or similar
96 motor vehicles equipped to transport five or more passengers in three or more
97 rows of seats and the design of which exhibits unique or unusual characteristics
98 that add to the ambiance of a special event or special activity area in which
99 specialty passenger service is being allowed.

100
101 *Taxicab* means all motor vehicles operated as public carriers of
102 passengers for hire over other than fixed routes, but shall not include
103 transportation network vehicles.

104
105 *Taxicab company* means a person who owns controls or operates at least
106 one taxicab which transports passengers for hire.

107
108 *Taxicab owner* and owner mean any person who has any interest in the
109 title of a taxicab which is recognized under state law.

110
111 *Taximeter* means a mechanical instrument or device by which the charge
112 for hire of a taxicab, at a predetermined rate, is mechanically calculated and
113 registered, either for distance traveled or for waiting time, or both, and upon
114 which such charge shall be indicated by means of figures which are electrically

115 lighted each time the taximeter's flag is thrown from the non-earning to the
116 earning position.

117
118 Transportation network company driver means an individual who operates
119 a motor vehicle that is:

- 120 (1) owned, leased, or otherwise authorized for use by the individual;
121 (2) not a taxicab, courtesy car, or airport limousine; and
122 (3) used to provide transportation network company services.

123
124 Transportation network company means an entity for which a permit has
125 been issued pursuant to this chapter and operating in Springfield, Missouri, that
126 uses a digital network or software application service to connect passengers to
127 transportation network company services provided by transportation network
128 company drivers. A transportation network company is not deemed to own,
129 control, operate or manage the vehicles used by transportation network company
130 drivers, and is not a taxicab association.

131
132 Transportation network company services means transportation of a
133 passenger between points chosen by the passenger and prearranged with a
134 transportation network company driver through the use of a transportation
135 network company digital network or software application. Transportation network
136 company services shall begin when a transportation network company driver
137 accepts a request for transportation received through the transportation network
138 company's digital network or software application service, continue while the
139 transportation network company driver transports the passenger in the
140 transportation network vehicle, and end when the passenger exits the
141 transportation network vehicle. Transportation network company service is not a
142 taxicab or street hail service.

143
144 Transportation network vehicle means any vehicle used to provide a
145 transportation network service including any time when a driver is logged onto
146 the transportation network company's Internet-enabled application or digital
147 platform showing that the driver is available to pick up passengers, when a
148 passenger is in the vehicle, when the provider's dispatch records show that the
149 vehicle is dispatched, or when the driver has accepted a dispatch and is en route
150 to provide transportation network services to a passenger.

151
152 Transporting passengers for hire. A person transports passengers for hire
153 if he provides transportation for passengers and derives therefrom, directly or
154 indirectly, any financial benefit.

156 *Vehicle permit* means authorization by the city to the owner of the taxicab,
157 transportation network vehicle, or airport limousine to operate a particular vehicle
158 as a taxicab, transportation network vehicle, or airport limousine within the
159 corporate limits of the city.

160
161 *Waiting time* means the time when a taxicab is not in motion, from the time
162 of acceptance of a passenger to the time of discharge, but not including any time
163 the taxicab is not in motion due to mechanical breakdown, traffic conditions or
164 any cause other than the request, act or fault of a passenger.

165
166 (G.O. No. 5391, § 1, 7-6-2004)

167
168 **Cross reference**— Definitions generally, § 1-2.

169
170 Sec. 118-32. - Penalty.

171
172 Any person who violates the provisions of this article shall be subject to a
173 fine and penalty under section 1-7 for each trip he makes while not in
174 compliance, except that failure to have requisite permits and/or licenses shall
175 constitute a separate violation for each day the person fails to comply with the
176 provisions of this article.

177
178 Sec. 118-33. - Injunctive relief.

179
180 In addition to the penalties set forth in this article, the city attorney is
181 hereby authorized to file and obtain injunctions on behalf of the city against
182 persons who are violating provisions of this article. If the city seeks injunctive
183 relief from the circuit court for violations of this article, penalty provisions set forth
184 in this article shall not apply to any person violating this article.

185
186 Sec. 118-34. - Intent of article; findings.

187
188 The city council hereby finds and declares that it is the intent of this article
189 to provide for a unified transportation system based upon considerations of public
190 health, safety and welfare and a determination of public convenience and
191 necessity. The city council further finds and declares that the operation of motor
192 vehicles to carry passengers for hire in violation of the provisions of this article
193 affects the public health, safety and welfare and constitutes a public nuisance
194 because it involves the operation of a business on the streets of the city without
195 obtaining the necessary authority, permits, or licenses.

196
197 Sec. 118-35. - Applicability of article; exceptions.

- 199 (a) This article shall apply whenever a passenger to be transported for hire is picked up
200 within the city limits, regardless of his destination, but shall not be applicable if the
201 passenger is picked up outside the city limits and is discharged within the city limits.
- 202 (b) This article shall not apply to transportation provided as follows:
- 203 (1) By any persons operating a transportation system which is funded in whole or in
204 part by a federal, state or local governmental agency.
- 205 (2) By renting a vehicle for a minimum period of two hours to not more than one
206 person, provided that a vehicle which is so rented shall not otherwise be used
207 as a taxicab, courtesy car, transportation network vehicle, or airport limousine
208 within the provisions of this article.
- 209 (3) If the passenger is picked up outside the city limits and is discharged within the
210 city limits.
- 211 (4) By any person who possesses a permit issued by the Interstate Commerce
212 Commission or state public service commission to transport passengers for
213 hire, over which person the city has no authority.
- 214 (5) By any business regulated in whole by the federal or state government and to
215 which local regulations would not apply.

216
217 Sec. 118-36. - License, permit, or other authorization required for transport of
218 passengers for hire.

219
220 It shall be unlawful for any person to carry passengers for hire in a motor
221 vehicle or operate or maintain a business which carries passengers for hire in
222 motor vehicles within the city, unless the person is authorized to operate such a
223 motor vehicle for hire under this Code or federal or state law.

224
225 Sec. 118-37. - Proof of insurance and inspection of vehicles prerequisite to issuance of
226 license or permit.

227
228 (1) The director of ~~finance~~ shall have the authority to issue or renew a license or
229 permit to operate a taxicab, transportation network, or airport limousine company as
230 provided in this article, but no license or permit shall be issued or renewed until the
231 applicant has produced proof of insurance as required by this article and all vehicles to
232 be operated by or on behalf of ~~the~~ a taxicab or airport limousine company have been
233 inspected and approved ~~by the chief of police or his designee under this article, and~~
234 ~~specifically section 118-498.~~

235
236 Sec. 118-38. - License and permit requirements.

237
238 It shall be unlawful for any person to engage in the business of transporting
239 passengers for hire within the city except as follows:

- 240 (1) Any person ~~operating a taxicab who has obtained a driver's permit to operate a~~
241 ~~taxicab~~, who is operating a taxicab that has a valid vehicle permit, and either
242 holds a taxicab company license as required by section 118-36 or is employed
243 as an agent or employee of a licensed taxicab company or is operating his
244 vehicle under another's license as permitted by section 118-36.

- 245 (2) Any person operating an airport limousine who has obtained a permit to operate
246 an airport limousine and who has a valid current business license as required
247 by section 118-36.
- 248 (3) Any person operating a courtesy car whose operation is exempt from licensing
249 as provided by section 118-39.
- 250 (4) Any person operating a commercial trolley bike who either has a valid current
251 business license as required by section 106-611 or is employed as an agent or
252 employee of a licensed commercial trolley bike company.
- 253 (5) Any person operating a transportation network company who has obtained a
254 permit pursuant to the provisions of this article.

255
256 (G.O. No. 6209, § 4, 7-13-2015)

257
258 Sec. 118-39. - Exemption of courtesy cars from license requirement.

259 The operation of a courtesy car shall be exempt from the licensing
260 provisions of this article when operated in accordance with the following:

- 261 (1) The courtesy car shall be operated by a hotel, ~~or~~ motel, or adult or child
262 daycare facility as an adjunct of its business.
- 263 (2) The courtesy car shall carry no passengers other than employees of the hotel,
264 ~~or~~ motel, or adult or child daycare facility operating the courtesy car, except to
265 transport patrons of the hotel, ~~or~~ motel, or adult or child daycare facility ~~to and~~
266 ~~from an airport or bus station.~~
- 267 (3) The courtesy car shall serve only one hotel, ~~or~~ motel, or adult or child daycare
268 facility; provided, however, that two or more hotels, ~~or~~ motels, or adult or child
269 daycare facilities having the same ownership may be served by the same
270 courtesy car.
- 271 (4) No consideration shall be paid by the passenger or charged by the operator for
272 the services provided, except such services may be a service normally provided
273 to patrons of a motel or hotel. No additional charge may be made for providing
274 such service, either at the time the service is provided or on the customer's
275 ~~motel or hotel~~ bill.
- 276 (5) The vehicle shall be identified as a courtesy car with the name of each hotel, ~~or~~
277 motel, or adult or child daycare facility served by the courtesy car clearly shown
278 on the outside of the vehicle.
- 279 (6) The owner of the courtesy car shall comply with all laws of the state with
280 respect to vehicle safety, vehicle inspection and method of operation.
- 281 (7) The owner shall carry the minimum insurance requirements established under
282 this article for taxicabs, airport limousines and courtesy cars.

283
284 Sec. 118-40. - Application for license or permit.

285
286 Application for a taxicab, transportation network, or airport limousine
287 company license or permit under this article shall be made to the director of
288 finance. Such application shall be verified under oath and shall set forth the
289 following:

- 290 (1) A full identification of the applicant and all persons having an interest in the
291 license or permit if granted.
- 292 (2) The residence and business address and the citizenship of all members of any
293 firm or partnership and of all officers, directors and stockholders of any
294 corporation applying.
- 295 (3) Whether or not the applicant or any of the persons to be interested in the
296 license or permit, if granted, has been convicted of the violation of any national,
297 state or municipal law.
- 298 (4) Proof of financial responsibility, including but not limited to the following:
- 299 a. ~~Balance sheet and income statement prepared by a certified public~~
300 ~~accountant or public accountant and which contains the same information~~
301 ~~as the balance sheet and income statement required by section 118-48(2).~~
- 302 ba. Statement of any unpaid claims or unsatisfied judgments against the
303 applicant, other persons interested in the license or permit, if granted, or
304 any other person with whom the applicant has been either associated or
305 employed, for damages resulting from the negligent operation of a vehicle.
- 306 eb. Statement of any unpaid claims or unsatisfied judgments ~~not covered in~~
307 ~~subsection (4)a of this section~~ which have arisen in the past six years, and
308 an explanation of each transaction giving rise to such unpaid claims or
309 unsatisfied judgments.
- 310 ec. Submission of required proof of insurance, ~~bonds and security pursuant to~~
311 ~~sections 118-46 and 118-47.~~
- 312 ~~(5) The past experience that the applicant has had in rendering taxicab, airport~~
313 ~~limousine, courtesy car, or other public passengers for hire service in any~~
314 ~~municipality, including but not limited to the names of supervisors, the names~~
315 ~~and addresses of taxicab companies the applicant has operated for, dates of~~
316 ~~service and municipalities.~~
- 317 ~~(6)~~5 Whether or not any permit or license issued to the applicant or other person
318 interested in the license or permit, if granted, has been revoked, and, if so, the
319 circumstances of such revocation.
- 320 ~~(7)~~6 The number of taxicabs, transportation network company vehicles, or airport
321 limousines proposed to be operated.
- 322 ~~(8)~~7 A complete description of the vehicles to be used in the proposed operation,
323 including but not limited to vehicle make, model, VIN and color scheme, and a
324 complete description of the proposed operation. This subsection shall not apply
325 to transportation network companies.
- 326 ~~(9)~~8 The color scheme, name and characteristic insignia to be used to designate the
327 vehicles of the applicant as approved by the director ~~of finance~~. This subsection
328 shall not apply to transportation network companies.
- 329 a. The color scheme may not duplicate that of an already licensed taxicab or
330 airport limousine company, including the primary color to be placed on the
331 doors, or be so close in design as to cause confusion among the public as
332 to the identity of the taxicab or airport limousine company, and must be
333 consistently used on each and every vehicle operated under the taxicab or
334 airport limousine company license.

335 b. Any taxicab vehicle in service on January 31, 1996, shall not be required to
336 be changed to conform to the color scheme of the taxicab company, with
337 the exception of the dome light, to comply with this section. Any taxicab
338 vehicle placed in service after January 31, 1996, shall comply with this
339 section. If, at the time of the effective date of the ordinance from which this
340 article is derived, two taxicab companies are using the same or similar color
341 schemes, the taxicab company which first used the color scheme may
342 continue using the color scheme. All other taxicab companies shall
343 designate a different color scheme for future use; provided, however, no
344 two taxicab companies may designate a color that is a different shade of a
345 color designated by another company as its primary or main color. By way
346 of example, but not limitation, should one company designate yellow as its
347 primary, main or distinctive color, no other shade of yellow may be
348 permitted.

349 (9) An individual, together with the individuals name, address, e-mail address, and
350 telephone number, who is authorized to represent the company in the capacity
351 of a registered agent, and authorized to accept notices and tickets issued
352 pursuant to this Chapter.

353 (10) A schedule of proposed fares for the transportation network services.

354 (11) A statement signed by the applicant that they will obey all laws, rules,
355 regulations, policies, and procedures that govern companies regulated by this
356 chapter.

357 (12) A statement signed by the applicant that they will not allow drivers to utilize
358 their service until the drivers have met all requirements of this chapter and are
359 in good standing with the director.

360 (13) No transportation network company permittee shall disable, eliminate or
361 otherwise prevent access to the transportation network company's application
362 by the licensing official or designee of the licensee's official for purposes of
363 enforcing this chapter.

364 ~~(104) Such further information as the chief of police or director of finance may~~
365 ~~require.~~

366
367 Sec. 118- 41. - Responsibilities of Taxicab, Transportation Network, and Airport
368 Limousine Companies for self-regulating drivers.

369 (1) A taxicab, transportation network, or airport limousine company shall be
370 responsible for conducting a background check prior to allowing a driver to provide
371 transportation for hire and/or transportation network services. A taxicab, transportation
372 network, or airport limousine company shall, at a minimum, verify that all drivers meet
373 the following requirements:

374 a. The driver is at least 18 years of age;

375 b. The driver has all required licenses under the laws of the state of
376 Missouri to operate a taxicab, transportation network company vehicle, or
377 airport limousine;

378 c. The driver has not been convicted within the past seven years of

379 1. Any felony; or

380 2. Misdemeanor involving driving under the influence, reckless
381 driving, hit and run, or any other driving related offense or any
382 misdemeanor violent offense or sexual offense.

383 d. The driver is not a match in the United States Department of Justice
384 National Sex Offender Public website; and

385 e. The driver has not had more than three moving violations in the prior
386 three-year period of time, or one of the following major violations in the
387 prior three-year period of time:

388 1. Attempting to evade the police,

389 2. Reckless driving, or

390 3. Driving on a suspended or revoked license.

391
392 (2) Taxicab, transportation network, and airport limousine companies shall
393 establish a zero tolerance policy on the use of drugs or alcohol while its drivers are
394 providing transportation for hire and/or transportation network services.

395 (3) Taxicab, transportation network, and airport limousine companies shall
396 immediately suspend any of its drivers from transporting passengers for hire upon
397 receiving a passenger complaint concerning a driver, and shall conduct a commercially
398 reasonable investigation to determine whether the complaint is valid. Such suspension
399 shall be for at least the time period reasonably necessary for the taxicab, transportation
400 network, or airport limousine company and the city to investigate the complaint.

401 (4) Taxicab, transportation network, and airport limousine companies shall not
402 allow any driver to provide transportation for hire and/or transportation network services
403 for the company if that driver is currently suspended by another taxicab, transportation
404 network, or airport limousine company or that driver has been removed or prohibited by
405 that company from transporting passengers for hire.

406 (5) Taxicab, transportation network, and airport limousine companies shall keep
407 and maintain detailed records relevant to the requirements of this section for the
408 purposes of documentation and verifying enforcement and shall promptly make all such
409 records available to the Director upon request.

410 (6) If a person files a complaint with the city against a driver or a taxicab,
411 transportation network, or airport limousine company, or if the city is investigating non-
412 compliance or a code violation, the city may inspect the taxicab, transportation network,
413 or airport limousine company's records as reasonably necessary to investigate and
414 resolve any complaint or violation.

415 (7) Taxicab and airport limousine companies shall make the drivers identification
416 available to passengers by posting the drivers identification in a conspicuous manner
417 inside the taxicab or airport limousine. Transportation network companies shall make
418 the transportation network company driver information available through the
419 transportation network company's digital network or application.

420
421 Sec. 118-442. - Granting or denial of license or permit.

422
423 Whenever any applicant for a taxicab, transportation network company, or
424 airport limousine company license or permit shall have complied with all the
425 conditions and regulations pertaining to the filing of his application, the director of

426 ~~finance~~ shall issue the license or permit unless the information contained in the
427 application demonstrates that it is not in the best interests of the public health
428 and safety of the residents of the city that a license or permit should be issued. If
429 an application for a license or permit is denied, the applicant shall have the right
430 to a hearing before a hearing officer designated by the city manager, in
431 accordance with the procedures set forth in section 118-434 for revocation of a
432 license or permit.

433
434 Sec. 118-423. - Transfer of license or permit.

435
436 No taxicab, transportation network, or airport limousine company license
437 or permit issued under this article or any interest in such license or permit shall
438 be transferred from one person to another. However, nothing in this section shall
439 prevent the cancellation, release or other termination of a security interest in the
440 tangible or intangible assets of the business entity holding the taxicab,
441 transportation network, or airport limousine company license or permit if such
442 cancellation, release or other termination of the security interest is executed by
443 and between the holder of the taxicab, transportation network, or airport
444 limousine company license or permit and the holder of the security interest or
445 approved assignee thereof.

446
447 Sec. 118-434. - Revocation and/or suspension of license or permit.

- 448
449 (a) The director ~~of finance~~ shall notify the licensee or permittee, and any person
450 holding a financial interest in the taxicab, transportation network, or airport
451 limousine company as shown on the records of the director ~~of finance~~ or the
452 application for a license or permit, of any violation of this article which he has
453 reason to believe exists and state whether based on such violation the director is
454 seeking to revoke or suspend the license or permit, by certified mail, to the address
455 listed by the taxicab, transportation network vehicle, or airport limousine company
456 on its license or permit application. Within ten days of the notice of the violation, a
457 request in writing may be made to the director ~~of finance~~ by the person holding a
458 taxicab, transportation network, or airport limousine company license or permit, as
459 shown by the records of the finance department and on the application for a license
460 or permit, for an administrative hearing before a hearing officer designated by the
461 city manager. Such hearing shall be held under the rules of administrative
462 procedure, and the hearing officer shall take evidence and issue a ruling on whether
463 or not the taxicab, transportation network, or airport limousine company has violated
464 any of the following conditions. If such is found, the hearing officer may revoke
465 and/or suspend the license or permit to operate a taxicab, transportation network, or
466 airport limousine company. If no request in writing for a hearing is received within
467 the ten-day period, the director ~~of finance~~ shall have power to revoke and/or
468 suspend any such taxicab, transportation network, or airport limousine company
469 license or permit for the following reasons:

- 470 (1) The violation of any provision of this article.
- 471 ~~(2) When it has been proved to the director of finance by a preponderance of the~~
- 472 ~~evidence before him that the holder of such taxicab or airport limousine~~
- 473 ~~company license has discontinued operation for a period of more than 30~~
- 474 ~~consecutive days.~~
- 475 (32) That such licensee or permittee has knowingly continued to employ a driver in
- 476 violation of this article, a driver who has violated provisions of this article, or
- 477 whose driving activity on behalf of the taxicab, transportation network, or airport
- 478 limousine company is not covered by insurance as required under this article.
- 479 (43) Whenever it shall appear that a license or permit issued under this article has
- 480 been obtained by misrepresentation or fraud.
- 481 (54) That the licensee or permittee has knowingly continued to employ a driver who
- 482 has refused service to an individual without proper cause or that such person
- 483 encourages such practice to be the method of operation or has violated the
- 484 provisions of this article.
- 485 (6) ~~That the licensee failed to replace a canceled security or bond required by this~~
- 486 ~~article within 15 days, excluding Saturdays, Sundays or legal holidays, from the~~
- 487 ~~director of finance's receipt of notice of cancellation.~~
- 488 (75) That the licensee or permittee has refused or permitted others under its license
- 489 or permit to refuse to provide a receipt upon request to any passenger that
- 490 contains the amount charged for service, the number assigned to the taxicab or
- 491 airport limousine driver by the ~~chief of police~~ director, and the number of the
- 492 taxicab or airport limousine.
- 493 (86) That the licensee or permit has charged or permitted others under its license or
- 494 permit to charge fares in excess of those on file with the ~~director of finance~~ as
- 495 provided in section 118-127.
- 496 (97) That such licensee or permittee has permitted the use of the same number
- 497 assigned to a vehicle by the licensee or permittee pursuant to section 118-54
- 498 for more than one vehicle at the same time.
- 499 (b) When a taxicab, transportation network, or airport limousine company license or
- 500 permit has been revoked and/or suspended, no vehicle shall continue to operate
- 501 under the name, logo, insignia or color scheme of such taxicab, transportation
- 502 network, or airport limousine company.
- 503 (c) The taxicab, transportation network, or airport limousine company license or permit
- 504 of any person shall be forthwith revoked by the ~~director of finance~~ whenever he
- 505 shall have received a certificate from any court or clerk thereof showing that such
- 506 person has failed to satisfy, within 30 days, any final judgment upon which
- 507 execution has been lawfully issued against such a person for damages on account
- 508 of bodily injury, death or damage to property resulting from the ownership,
- 509 maintenance, use or operation of a taxicab, transportation network vehicle,
- 510 courtesy car or airport limousine; except that this provision shall not apply to any
- 511 person who has presented an acceptable plan to settle such judgment.

512
513 Sec. 118-445. - Ownership of vehicles.

514

515 No taxicab, transportation network company, or airport limousine owner
516 shall sell or lease, directly or indirectly, to a taxicab, transportation network, or
517 airport limousine driver, a taxicab, transportation network vehicle, or airport
518 limousine or sign for such taxicab, transportation network vehicle, or airport
519 limousine so as to obligate the taxicab, transportation network company, or
520 airport limousine owner on behalf of the taxicab, transportation network
521 company, or airport limousine driver for the payment of the vehicle to third
522 parties.

523
524 Sec. 118-456. - Eligibility for license or permit after revocation.

525
526 Whenever a taxicab, transportation network, or airport limousine company
527 license or permit issued under this article has been revoked by the director of
528 finance for any of the reasons set forth in section 118-434, ~~excepting subsection~~
529 ~~(2) or (6)~~, no license or permit shall be issued to such person nor shall such
530 person be allowed an interest in a license or permit for a period of not less than
531 two years.

532
533 Sec. 118-467. - Vehicle insurance requirements.

534
535 (a) Before any license or permit is issued for the operation of a taxicab or airport
536 limousine, the taxicab or airport limousine company shall file with the director of
537 ~~finance~~ a policy of insurance issued by an insurance company duly licensed to
538 transact business in ~~the state~~ Missouri, covering separately or in a schedule
539 attached to such policy each vehicle licensed or permitted to be operated under the
540 direction and control of such company. Such policy shall cover legal liability for
541 bodily injuries or death of one person to the extent of ~~\$50,000.00~~ 25,000.00 and
542 subject to such limits as to injury or death of one person, of ~~\$100,000.00~~ 50,000.00
543 on account of any one accident resulting in injuries to or death of more than one
544 person, and of ~~\$25,000.00~~ 10,000.00 for damage to property on account of any one
545 accident.

546
547 (b) Before any license or permit is issued for the operation of a transportation network
548 company, the transportation network company shall file with the director a policy of
549 insurance by an insurance company duly licensed to transact business in
550 Missouri, covering separately or in a schedule attached to such policy each vehicle
551 licensed or permitted to be operated under the direction and control of such
552 company. Such policy shall be consistent with the below:

553 1. The following automobile insurance requirements shall apply while a
554 transportation network company driver is logged onto the transportation
555 network company's digital network and is available to receive transportation
556 requests but is not engaged in transportation network services:

557 (a) primary automobile liability insurance in the amount of at least
558 \$50,000.00 for death and bodily injury per person, \$100,000.00 for death
559 and bodily injury per incident, and \$25,000.00 for property damage; and

560 (b) uninsured motorist coverage in an amount not less than the limits set
561 forth under state law; and

562 2. The following automobile insurance requirements shall apply while a
563 transportation network company driver is engaged in transportation network
564 services:

565 (a) primary automobile liability insurance in the amount of at least one
566 million dollars for death, bodily injury, and property damage; and

567 (b) uninsured motorist coverage in an amount not less than the limits set
568 forth under state law.

569 3. The coverage required in Sec. 118-46(b) may be satisfied by any of the
570 following:

571 (a) Automobile insurance maintained by the transportation network
572 company; or

573 (b) Automobile insurance maintained by the transportation network
574 company driver; or

575 (c) Any combination of paragraphs (a) and (b).

576
577 ~~(b)~~(c) All such policies shall provide that they may not be canceled unless written notice
578 of proposed cancellation is delivered to the office of the director of finance at least
579 30 days prior to the date of the proposed cancellation. If the taxicab, transportation
580 network, or airport limousine company licensee, permittee, or other responsible
581 party shall fail within the period specified in such notice of cancellation to provide
582 proof of insurance as provided in subsection (a) of this section, then the license or
583 permit affected by such cancellation shall be revoked as of the day such insurance
584 ceases to be in force and effect, and thereafter it shall be unlawful for such owner or
585 other responsible party to operate taxicabs, transportation network vehicles, or
586 airport limousines in the city. If the taxicab, transportation network, or airport
587 limousine company or responsible third party shall file a policy of insurance as
588 required by this section within 30 days after the date of such revocation, then such
589 revocation shall be lifted.

590 ~~(e)~~(d) All taxicab, transportation network, or airport limousine companies shall annually
591 file with the director of finance a monthly list showing the year, make, model, VIN
592 number, record of owner, and company providing insurance coverage for each and
593 every taxicab, transportation network vehicle, or airport limousine in service under
594 its license or permit. No taxicab, transportation network vehicle, or airport limousine
595 shall be placed in service or permitted to operate under the taxicab, transportation
596 network vehicle, or airport limousine license or permit unless it is shown on such list
597 within 30 days of being placed in service.

598 (e) If insurance maintained by a driver in subsection b(1) or b(2) of this section has
599 lapsed or does not provide the required coverage, insurance maintained by a
600 transportation network company shall provide the coverage required by this section
601 beginning with the first dollar of a claim and the transportation network company
602 shall have the duty to defend such claim. If the insurance maintained by the driver
603 does not otherwise exclude coverage for loss or injury while the driver is logged on
604 to any transportation network company's digital network or while the driver provides
605 transportation network services, but does not provide insurance coverage at the

606 minimum limits required by subsection b(1) or b(2) of this section, the transportation
607 network company shall maintain insurance coverage that provides excess coverage
608 beyond the driver's policy limits up to the limits required by subsection b(1) or b(2)
609 of this section, as applicable.

610 (f) Coverage under an automobile insurance policy maintained by the transportation
611 network company shall not be dependent on a personal automobile insurer first
612 denying a claim nor shall a personal automobile insurance policy be required to first
613 deny a claim.

614 (g) A transportation network company driver shall carry proof of coverage satisfying
615 subsections b(1) and b(2) of this section with him or her at all times during his or her
616 use of a vehicle in connection with a transportation network company's digital
617 network. In the event of an accident, a transportation network company driver shall
618 provide this insurance coverage information to the directly interested parties,
619 automobile insurers, and investigating police officers, upon request. Upon such
620 request, a transportation network company driver shall also disclose to directly
621 interested parties, automobile insurers, and investigating police officers whether the
622 driver was logged on to the transportation network company's digital network or
623 providing transportation network services at the time of the accident

624 .
625 (h) The transportation network company shall disclose in writing to transportation
626 network company drivers the following before they are allowed to accept a request
627 for transportation network company services on the transportation network
628 company's digital network:

629 1. The insurance coverage, including types of coverage and the limits for each
630 coverage, that the transportation network company provides while the transportation
631 network company driver uses a personal vehicle in connection with a transportation
632 network company's digital network; and

633 2. That the transportation network company driver's own automobile insurance
634 policy might not provide any coverage while the driver is logged on to the
635 transportation network company's digital network and is available to receive
636 transportation requests or is engaged in transportation network company services
637 depending on the policy's terms.

638 (i) A transportation network company shall make the following disclosure to a
639 prospective driver in the prospective driver's terms of service:
640 IF THE VEHICLE THAT YOU PLAN TO USE TO PROVIDE TRANSPORTATION
641 NETWORK COMPANY SERVICES HAS A LIEN AGAINST IT, USING THE
642 VEHICLE FOR TRANSPORTATION NETWORK COMPANY SERVICES MAY
643 VIOLATE THE TERMS WITH THE LIEN HOLDER.
644 IF A TRANSPORTATION NETWORK COMPANY'S INSURER MAKES A
645 PAYMENT FOR A CLAIM COVERED UNDER COMPREHENSIVE COVERAGE
646 OR COLLISION COVERAGE, THE TRANSPORTATION NETWORK COMPANY
647 SHALL CAUSE ITS INSURER TO ISSUE THE PAYMENT DIRECTLY TO THE
648 BUSINESS REPAIRING THE VEHICLE OR JOINTLY TO THE OWNER OF THE
649 VEHICLE AND THE PRIMARY LIENHOLDER ON THE COVERED VEHICLE.

650 The disclosure set forth in this subsection shall be placed prominently in the
651 prospective driver's written terms of service, and the prospective driver shall
652 acknowledge the terms of service electronically or by signature.

653
654 ~~Sec. 118-47. — Proof of liquid assets or posting of security.~~

655
656 ~~Before any taxicab or airport limousine company license is issued for the~~
657 ~~operation of a taxicab or airport limousine, the applicant shall file with the director~~
658 ~~of finance proof of \$5,000.00 in liquid assets. The holder of the taxicab or airport~~
659 ~~limousine company license shall maintain the liquidity of these assets and not~~
660 ~~allow the value of the assets to fall below \$5,000.00. In lieu of this, the applicant~~
661 ~~may post security in the same denomination either by posting a bond by a~~
662 ~~corporate surety authorized to do business in the state or by posting an escrow~~
663 ~~agreement. The bond or the escrow shall state that it is for the benefit of all~~
664 ~~creditors of the applicant which are unsecured or which are not protected by the~~
665 ~~insurance required in section 118-46.~~

666
667 ~~Sec. 118-48. - Renewal of license or permit.~~

668
669 ~~The director of finance shall renew taxicab, transportation network, or~~
670 ~~airport limousine company licenses or permits annually as required by section~~
671 ~~118-36 to any applicant who can show the following:~~

- 672 (1) That all personal property taxes on vehicles operated as part of the business
673 have been paid.
- 674 (2) ~~That the applicant has filed a balance sheet and income statement prepared by~~
675 ~~a certified public accountant, which statement shall cover the 12-month period~~
676 ~~ending December 31 of the preceding calendar year and shall show that the~~
677 ~~business has not less than \$5,000.00 in liquid assets.~~
- 678 (3) ~~The names and addresses of the owner, partners, limited partners,~~
679 ~~stockholders, officers and creditors of the corporation.~~
- 680 (4) ~~The percent of stock ownership of every stockholder.~~
- 681 (5) ~~Adequate proof that all taxicabs or airport limousines operated by or for the~~
682 ~~benefit of the taxicab or airport limousine company have been inspected and~~
683 ~~approved by the chief of police director or his designee within 12 months prior~~
684 ~~to the date of submission of the application.~~
- 685 (6) ~~That the applicant has a current valid taxicab, transportation network, or airport~~
686 ~~limousine company license or permit.~~
- 687 (7) ~~That the applicant has filed with the director of finance a dress code with which~~
688 ~~the applicant shall require its drivers to comply, which code shall include~~
689 ~~minimum requirements of dress and personal cleanliness which shall include a~~
690 ~~collared shirt, slacks or skirt, and a badge to be worn on the front of the shirt~~
691 ~~which shows at least the number assigned by the chief of police director to the~~
692 ~~driver and the name of the taxicab or airport limousine company under whose~~
693 ~~license the driver is operating a taxicab or airport limousine.~~
- 694 (8) ~~That the applicant has tendered payment of all required fees.~~

695 (97) That the applicant has provided proof of insurance as required by section 118-
696 467.
697

698 Sec. 118-49. - Vehicle equipment and inspections.
699

700 (a) Required equipment. Every ~~vehicle~~ taxicab and airport limousine ~~governed by this~~
701 ~~article~~ shall have and maintain the following equipment:

702 (1) All appliances required by this Code and other ordinances of the city and the
703 laws of the state for motor vehicles.

704 (2) Two doors affording direct entrance and exit to and from both the front and rear
705 seats; provided, however, minivans may have one side door, which may be on
706 the nondriver's side, as a means of direct entrance and exit from rear seats.

707 (3) An adequate light in the passenger compartment, controlled by a switch control
708 in the passenger compartment.

709 (4) A speedometer in good working order.

710 (5) Cards containing the following:

711 a. A card located in the passenger compartment, not less than four inches by
712 six inches in size, which shall have plainly printed thereon the name of the
713 taxicab or airport limousine company, its business address and telephone
714 number, and the current schedule of fares on file with the director ~~of finance~~
715 as provided in division 3 of this article to be charged for the conveyance of
716 passengers.

717 b. A separate card provided by the director ~~of finance~~ to be located in the
718 passenger compartment, not less than four inches by six inches in size,
719 which shall have plainly printed thereon the address and telephone number
720 where the customer may register complaints and comments about the
721 taxicab or airport limousine service, and a list of the rights of customers
722 granted by this article.

723 (6) The vehicle permit issued by the ~~chief of police~~ director.

724 (7) A permanent device for affixing the daily log sheet.

725 (8) A side-view mirror attached to both the left and right sides of the vehicle.

726 (9) A card located in the passenger compartment on which there shall be the
727 statement that it is unlawful to refuse service to any member of the general
728 public when presently unoccupied except for the reason that such person is
729 intoxicated, is using profanity, is abusive, desires to use the service to commit
730 unlawful acts, presents an unreasonable risk of harm or injury to the driver, or
731 cannot pay. However, this provision shall not apply to courtesy cars.

732 (10) A display of the number assigned to the taxicab or airport limousine by the
733 taxicab or airport limousine owner or taxicab or airport limousine company
734 under whose license or permit the vehicle is operated which has each number
735 no less than one inch in height and readily discernible by any person sitting in a
736 seat intended for use by a passenger.

737 (11) For taxicabs, a taximeter as follows: A taxicab shall be equipped with a
738 taximeter of a size and design approved by the ~~chief of police~~ director and
739 which conforms to the following requirements:

- 740 a. Each taximeter must be driven direct from the taxicab transmission or
741 connected with the speedometer driving shaft to the taximeter head itself.
- 742 b. Each taximeter must register upon visual counters the following miles:
743 1. Total miles.
744 2. Miles paid.
745 3. Number of units.
746 4. Number of trips.
747 5. Number of extras.
- 748 c. Each taximeter must be furnished with a tamperproof switch and system of
749 electrical distribution so that when the taximeter flag is in the vacant or
750 nonearning position the "vacant" sign on top of the taxicab will be lighted,
751 and when the meter flag is thrown to an earning position the fare indicator
752 of the taximeter will be lighted.
- 753 d. There shall be an electrical light or sign located on the top of each taxicab,
754 of a size and design approved by the ~~chief of police~~ director and which is
755 connected to the taximeter in the means prescribed in this article, so that
756 such light or sign will be electrically lighted when the taxicab is vacant.
- 757 (b) Annual inspection. ~~Every vehicle governed by this article~~ Taxicabs and airport
758 limousines shall be inspected annually by the ~~chief of police~~ director or his designee
759 for all items of equipment required by the provisions of this section or other
760 provisions of this article.
- 761 (c) Additional inspections; reinspections; issuance of inspection sticker. All Every
762 ~~vehicle~~ taxicabs and airport limousines involved in a motor vehicle accident in which
763 over \$500.00 damage was done to such vehicle shall be required to be reinspected.
764 Also, the city shall have access to any maintenance records of ~~any vehicle~~ all
765 taxicabs and airport limousines upon request and may order a reinspection at any
766 time after the expiration of 30 days from the date of a previous inspection, provided
767 there is reason to believe that the vehicle's operation does not comply with the
768 provisions of this article or that the vehicle is dangerous or unsafe or is not being
769 properly maintained or used. If the vehicle cannot be approved upon a reinspection,
770 the director ~~of finance~~ shall first order such vehicle's operation to be discontinued
771 for a period of 15 days in which the owner of the vehicle may request a second
772 reinspection. If the owner of the vehicle does not request the second reinspection or
773 if the vehicle cannot be approved upon the second reinspection, the director ~~of~~
774 ~~finance~~ shall revoke the license or permit corresponding to such vehicle. An
775 inspection sticker shall be issued for each vehicle which passes the required
776 inspection and shall be affixed on the vehicle by the city in a visible location.
- 777 (d) Inspection sticker required. It shall be unlawful to operate a taxicab or airport
778 limousine on the city streets without a current valid inspection sticker affixed thereto.
779 The inspection sticker shall be valid for a period not to exceed one year from the
780 date it is issued and shall not be transferred to any other vehicle.

781
782 Sec. 118-50. - Cleanliness and condition of vehicles.

783
784 Every vehicle governed by this article shall be kept in a clean and sanitary
785 condition and shall be swept and dusted at least once a day. Every vehicle shall

786 be kept in such condition of repair as may be reasonably necessary to provide for
787 the safety of the public and for continuous and satisfactory operation. For
788 transportation network companies, a vehicle that does not meet the requirements
789 of this Section shall, upon notice to the transportation network company, be
790 deactivated from the platform.

791 Sec. 118-51. - Refusal of service.

792
793
794 It shall be unlawful for a driver of a taxicab or airport limousine to refuse
795 service to a member of the general public except when such person is
796 intoxicated, uses profanity, is abusive, desires to use the service for an illegal
797 purpose, presents an unreasonable risk of harm or injury to the driver, or is
798 unable to pay the legal fare. However, a driver of a taxicab, courtesy car,
799 transportation network vehicle, or airport limousine shall not be required to
800 provide service to an individual under the age of 12 without an adult passenger
801 accompanying him or an individual who has as his destination point or departure
802 point a mass transit terminal facility with which the operator does not have an
803 operating agreement. A driver of a courtesy car shall not refuse service to any
804 patron of the establishment with which the courtesy car is operated in conjunction
805 unless such patron is intoxicated, uses profanity, is abusive, presents an
806 unreasonable risk of harm or injury to the driver, is violating any city ordinance, or
807 desires service for an illegal purpose.

808
809 Sec. 118-52. - Daily log of trips.

810
811 Every taxicab or airport limousine licensee shall provide at the beginning
812 of each driver's tour of duty a log sheet which is numbered in sequence. The
813 driver shall maintain such log sheet by departure time, departure location,
814 destination location, destination time and fare charged. The licensee shall collect
815 such log sheets at the end of every driver's tour of duty and maintain such
816 records for inspection by the ~~chief of police and the director of finance~~ for a
817 period of one year.

818
819 Sec. 118-53. - Records of vehicles.

820
821 Every taxicab or airport limousine licensee shall keep a record, in the
822 manner prescribed by the ~~director of finance~~, of all cars for which certificates are
823 on file with the ~~director of finance~~, showing the serial number, and, if operated,
824 the hours of operation, the name of the driver and the hours of work of each
825 driver, or, if the taxicab is not in operation, the reason therefor. Such records
826 shall be maintained for a period of one year and shall be available to the ~~chief of~~
827 ~~police and the director of finance~~ upon request.

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Sec. 118-54. - Information to be displayed on vehicles.

(1) Every vehicle governed by this article, except transportation network vehicles, shall have a serial number which shall be painted on the sides and back thereof in figures of at least three inches in height. The name of the operating company shall be painted thereon in a conspicuous manner. The rates on file with the director of finance as required by this article shall be painted on both sides of all taxicabs in letters and figures at least two inches in height. No legend except the name of the operating company, vehicle number, rates and telephone number may be used on the sides of any vehicle. The color scheme, name and characteristic insignia used to designate vehicles shall not be changed except upon approval of the director of finance.

(2) Transportation network vehicles shall display a valid vehicle permit in a manner prescribed by the director.

Sec. 118-55. - Removal of vehicle markings upon sale or disposition of vehicle.

No taxicab or airport limousine company or taxicab or airport limousine owner shall sell or otherwise dispose of any taxicab or airport limousine without first removing or obliterating the vehicle markings required by section 118-54, unless such vehicle is to be used as a taxicab or airport limousine of the same company. Upon sale or other disposition, the taxicab or airport limousine company or owner shall notify the director of finance of such sale or disposition and the reason for the sale or disposition on the list required under section 118-467.

~~Sec. 118-56. - Office and telephone required.~~

~~No holder of a taxicab or airport limousine company license shall operate in the city without having an office and a telephone in a commercially zoned location for receiving and dispatching calls.~~

Sec. 118-57. - Reports of violations by drivers.

A licensee or permittee under this article shall report to the police department of finance the violation by a driver of ~~any of the operating company's rules and~~ any violation of any municipal, state or federal law committed by a driver.

Sec. 118-58. - Use or possession of intoxicating beverages or controlled substances by owner, driver or employees.

871 No taxicab, transportation network, or airport limousine owner, driver or
872 employee, while on duty, shall have in his possession intoxicating liquor or non-
873 intoxicating beer or controlled substances or drink or consume such items while
874 on duty. No driver shall knowingly purchase, carry or transport intoxicating liquor
875 or nonintoxicating beer or controlled substances. However, a passenger may
876 have in his possession unopened containers of intoxicating liquor or
877 nonintoxicating beer. No driver, owner or employee of any owner of a taxicab or
878 airport limousine company shall have in his possession at or near his office,
879 place of business or garage any intoxicating liquor or nonintoxicating beer or
880 controlled substances of any kind.

881 **Cross reference**— Alcoholic beverages, ch. 10.

882
883 Sec. 118-58.- Taxicabs and airport limousine shall not operate as transportation
884 network vehicles or provide transportation network services.

885
886 No taxicab or airport limousine shall operate as and no taxicab or airport
887 limousine owner shall allow a taxicab or airport limousine vehicle to operate as a
888 transportation network vehicle for the purpose of offering transportation network
889 services.

890
891
892 Sec. 118-59. - Use of vehicle for unlawful purpose.

893
894 No person shall use a vehicle governed by this article for any unlawful
895 purpose, nor shall any owner or driver knowingly permit such unlawful use. When
896 such unlawful use has occurred with the knowledge of the owner or driver of
897 such vehicle, and he shall be duly convicted thereof, the director ~~of finance~~ shall
898 revoke the permit to operate such vehicle and the ~~chief of police~~ director shall
899 also revoke the permit of such driver.

900
901 Sec. 118-60. - Refusal to pay fare.

902
903 No person shall hire or permit himself to be carried as a passenger for hire
904 in any taxicab, transportation network vehicle, courtesy car or airport limousine in
905 the city and refuse to pay the fare for such trip.

906
907 Sec. 118-61. - Disposition of property found in vehicles.

908
909 A driver shall deliver all lost or misplaced property found in the vehicle to
910 the holder of the taxicab or airport limousine company license for such vehicle at
911 the end of the driver's tour of duty. The taxicab or airport limousine company
912 shall keep such property for 24 hours, or a shorter time if the rightful owner of

913 such property requests the release of such property. At the end of 24 hours, the
914 taxicab or airport limousine company shall deliver such property, or the name
915 and address of the owner of and description of such property, to the city police
916 department. Transportation network drivers shall deliver all lost or misplaced
917 property found in the vehicle to the city police department at the end of 24 hours
918 and if possible, provide the name and address of the owner of and a description
919 of such property to the city police department.

920
921 Sec. 118-62. - Manner of operation of taxicabs.

922 Taxicabs shall be operated in the following manner:

- 923
924
- 925 (1) Determination of fare. A taxicab must use a taximeter in determining the fare to
926 be charged. No other or different fare shall be charged to a passenger than is
927 recorded on the reading face of such taximeter for a trip, except that any
928 taxicab may charge a rate lower than that so recorded.
 - 929 (2) Operation of taximeter. A driver of a taxicab equipped with a taximeter, while
930 carrying passengers or under employment, shall not display the taximeter flag
931 affixed to such taximeter in such a position as to denote that such vehicle is not
932 employed or in such a position as to denote that he is employed at a rate of fare
933 different from that to which he is entitled under the provisions of this article. It
934 shall be the duty of each such driver to call the attention of passengers to the
935 amount registered, and the taxicab flag shall not be changed to the "vacant"
936 position until after the fare is paid.
 - 937 (3) Acceptance of additional passengers. No driver of a taxicab having a passenger
938 in his taxicab shall solicit or accept for carriage any other passenger without the
939 consent of the original passenger. If two or more passengers are transported to
940 different destinations, the taximeter shall be reset at the end of each trip, and if
941 they are transported to the same destination only the original fare shall be
942 charged.
 - 943 (4) Taxicab routes. No owner or driver of a taxicab shall cause or permit such
944 taxicab to be operated along routes in a manner similar to that of mass
945 transportation vehicles operating along definite routes or between specific
946 termini, or along fixed routes. Any owner or driver who operates, causes to be
947 operated, or permits to be operated any taxicab persistently and repeatedly to
948 and from, around or in the vicinity of any theater, railroad station, hotel or any
949 other place of public gathering, or repeatedly along a street when there is
950 nearby a suitably located taxicab stand, shall be construed to be operating such
951 taxicab along a route.

952
953 Sec. 118-63. - Number of passengers in taxicabs, transportation network vehicles, and
954 airport limousines.

955
956 There shall not be more passengers than that recommended by the
957 manufacturer of the vehicle, including the driver, carried in a taxicab.

958 transportation network vehicle, or airport limousine at one time. The front seat of
959 a taxicab, transportation network vehicle, or airport limousine shall only be
960 occupied by the driver and one passenger.
961

962 Sec. 118-64. - Manner of operation of airport limousines and courtesy cars.
963

964 (a) Courtesy cars. Courtesy cars shall be operated in the following manner:

- 965 (1) Restrictions on patronage. Drivers shall not offer service nor shall the owner
966 permit the offering of service to any person other than a patron of a motel or
967 hotel, or a patron of a business arranging sightseeing tours or other similar
968 tours.
- 969 (2) Trip origins and destinations. Trip origins and destinations shall be fixed
970 locations, which locations shall have been registered with the director of ~~finance~~
971 ~~prior~~ to the carrying of passengers to such locations. Courtesy cars shall not be
972 operated so that a trip destination or departure is to or from a mass transit
973 terminal facility with which the operator does not have an operating agreement.
- 974 (3) Payment of charges. The trip rate may either be charged to all patrons of the
975 motel, hotel or other temporary residence business or a business arranging
976 sightseeing tours or other similar tours when a person becomes a patron, or the
977 trip rate may be charged to only those patrons who engage the courtesy car or
978 to the owner of any business or facility which is the trip destination's approved
979 fixed location.
- 980 (4) Maximum number of passengers. The maximum number of passengers in a
981 courtesy car at any given time shall be that number set by the ~~chief of police~~
982 director when the vehicle is inspected under section 118-49.

983 (b) Airport limousines. Airport limousines shall be operated in the following manner:

- 984 (1) Route. Airport limousines shall operate over fixed routes only, and such
985 limousines shall operate closed-door from the point where the passenger is
986 picked up to the point where the passenger is delivered. Airport limousines shall
987 not be operated so that a trip departure is from a mass transit terminal facility
988 with which the operator does not have an operating agreement.
- 989 (2) Rate of fare. The trip rate shall be charged each passenger in accordance with
990 the rate zone corresponding to the destination or commencement of the trip for
991 each passenger.
- 992 (3) Maximum number of passengers. There shall not be more than 12 persons,
993 inclusive of the driver, in an airport limousine at any given time.
- 994 (4) Operating agreement with airport. An airport limousine may not operate without
995 a valid operating agreement with the body, board or authority legally in charge
996 of the airport.
- 997 (5) Compliance with airport regulations. The owners, drivers and employees of an
998 airport limousine service shall operate the airport limousines in a manner which
999 will comply with all rules and regulations of the body, board or authority legally
1000 in charge of the airport, if such rules and regulations, and all amendments
1001 thereto, have been filed with the director of ~~finance~~ and ~~chief of police~~ prior to
1002 their effective date.
1003

1004 Sec. 118-65. - Specialty passenger service.
1005

1006 A specialty passenger service shall comply with all provisions of Chapter
1007 118 applicable to taxicabs including driver's licensing requirements unless
1008 specifically excluded or modified by this section.

- 1009 (1) In addition to the information required in the application for a taxicab company
1010 license, an applicant operating a specialty passenger service shall submit a
1011 plan describing the vehicle(s) to be used and stating the types of events or
1012 activities at which the service will operate. If the service is to be operated in a
1013 special activity area, the plan shall set out in detail the area of and manner of
1014 operation of the service in the area. Any plan is to include the place of and
1015 length of stops and shall set forth the streets to be used and shall affirm that no
1016 structures, traffic control devices or utility wires shall be an obstruction to the
1017 operation of the service. The director of finance shall have available a form
1018 setting out additional information needed in the plan. Further information may
1019 be requested before a final decision is reached.
- 1020 (2) The plan must be approved by the City Manager or his designee. A special
1021 activity area may be established if deemed appropriate to implement the plan.
1022 The impact to the City Utility bus service shall be considered and direct
1023 competition with established service routes is to be avoided unless the events
1024 or special activity area cannot be adequately served during a special event or
1025 during times of need for additional passenger service. If the plan is found to be
1026 in the best interest of the city and if all requirements are met to assure the
1027 public health and safety, the plan may be approved. If during the term of the
1028 license, public health or safety issues arise, the city may require a modification
1029 of the plan to address those issues. A request to amend the plan may be filed
1030 by the licensee during the license period and the review of the proposed
1031 amendment shall proceed as above outlined.
- 1032 (3) Paragraphs (a) (2), (7) and (11) of Section 118-49 shall not apply to a specialty
1033 passenger service. Specialty passenger vehicles shall have at least two means
1034 of ingress and egress accessible by passengers.
- 1035 (4) Section 118-52 shall not apply to specialty passenger service. A specialty
1036 passenger service must have an approved plan on file with the city authorizing
1037 all passenger transportation that is undertaken by the service. It is unlawful to
1038 transport passengers in violation of the approved plan, in the absence of a plan,
1039 in violation of any applicable provision of Chapter 118 or other provisions of the
1040 city code, state statutes or federal rule, regulation or law.
- 1041 (5) The requirements of Section 118-54 shall apply to a specialty passenger
1042 service; however, the proposed plan of operation may include a request to
1043 modify the requirements including a change of color scheme or legend so long
1044 as such change reasonably relates to the events or special activity area being
1045 served.
- 1046 (6) Section 118-62 shall not apply to specialty passenger service. The operation of
1047 the specialty passenger service shall be in line with the approved plan and
1048 approved fee schedule.

1049 (7) Section 118-63 shall not apply to specialty passenger service. The occupancy
1050 of a specialty passenger vehicle shall not exceed the manufacturers stated
1051 capacity. The capacity shall be prominently displayed.
1052

1053 (G.O. No. 5391, § 2, 7-6-2004)
1054

1055 Section 118-66.-Manner of Operation of Transportation Network Companies
1056

1057 (1) A transportation network company shall not disclose a passenger's personally
1058 identifiable information to a third party unless: the passenger consents, disclosure is
1059 required by a legal obligation, or disclosure is required to protect or defend the terms of
1060 use of the service or to investigate violations of those terms. In addition to the
1061 foregoing, a transportation network company shall be permitted to share a passenger's
1062 name and/or telephone number with the transportation network company driver
1063 providing transportation network company services to such passenger in order to
1064 facilitate correct identification of the passenger by the transportation network company
1065 driver, or to facilitate communication between the passenger and the transportation
1066 network driver.

1067 (2) No transportation network driver shall solicit passengers for transportation in a
1068 transportation network vehicle on any public way or at any public airport or operate a
1069 transportation network vehicle so as to cruise in search of patronage. No such
1070 transportation network vehicle shall be parked on any public way for a time longer than
1071 is reasonably necessary to accept passengers in answer to a call for service, and no
1072 passenger shall be accepted for any trip in such vehicle without previous engagement
1073 for such trip at a fixed charge or donation through the business office or transportation
1074 network service from which the vehicle is operated.

1075 (3) Every transportation network vehicle operated on the streets of the city shall be
1076 maintained in clean and serviceable condition and in adequate repair. Every vehicle
1077 shall be substantially free from damage. All vehicles shall have no loose hanging metal,
1078 body molding or chrome stripping. The complete exhaust system shall be intact and in
1079 good working order. No vehicle shall operate with large dents or major body damage,
1080 nor shall it operate with large areas of unpainted or rusted metal. All vehicles shall have
1081 required fenders, bumpers, doors, door handles, lights and air conditioner, all of which
1082 shall be in good working order. All vehicles shall be equipped with brakes capable of
1083 stopping and holding the vehicle under all reasonable conditions, and shall have at least
1084 one door in addition to the driver's door affording direct entrance and exit to and from
1085 the passenger compartment. Failure to meet all above listed requirements shall cause
1086 the vehicle to be found unfit or unsuited for public use, and such vehicle may be ordered
1087 off the streets of the city.
1088

1089 118-67. - Audit Procedures

1090 (1) For the sole purpose of verifying that a transportation network company is in
1091 compliance with the requirements of this chapter and no more than annually, the
1092 director shall have the right to visually inspect a sample of records that the
1093 transportation network company is required to maintain. The sample shall be chosen
1094 randomly by the director in a manner agreeable to both parties. The audit shall take

1095 place at a mutually agreed location. Any record furnished to the director may exclude
1096 information that would tend to identify specific drivers or riders.

1097 (2) In response to a specific complaint against any transportation network company
1098 driver or transportation network company, the director is authorized to inspect records
1099 held by the transportation network company that are necessary to investigate and
1100 resolve the complaint. Any record furnished may exclude information that would tend to
1101 identify specific drivers or riders, unless the identity of a driver or rider is necessary to
1102 resolve the complaint.

1103
1104 Secs. 118-668—118-80. - Reserved.

1105
1106 **DIVISION 2. - DRIVERS**

1107
1108 ~~Sec. 118-81. - Permit required; minimum age.~~

1109
1110 ~~No person shall drive a taxicab or airport limousine unless duly granted a~~
1111 ~~permit as provided in this division and having attained the age of 18 years.~~

1112
1113 ~~Sec. 118-82. - Application for permit.~~

1114 ~~(a) Every applicant for a permit as a driver of a taxicab or airport limousine shall make~~
1115 ~~application to the chief of police on forms to be supplied by the chief of police.~~
1116 ~~Driver permits, or the reasons for not granting a permit, shall be supplied to an~~
1117 ~~applicant within 15 days following the date the application is received by the chief of~~
1118 ~~police. However, an interim permit may be issued if, in a review of the application,~~
1119 ~~paperwork reveals no irregularities and the reviewing official has no reason to~~
1120 ~~believe that the application will not be approved.~~

1121 ~~(b) The applicant shall provide such information as the chief of police may require,~~
1122 ~~including, but without limitation, the following:~~

1123 ~~(1) The applicant's name, age, residence, race, nationality, place of birth,~~
1124 ~~citizenship, length of time resident in the city, marital status, height, weight, and~~
1125 ~~color of eyes and hair. The applicant shall include the addresses of all~~
1126 ~~residences for the five years preceding the application.~~

1127 ~~(2) Previous experience as a taxicab, airport limousine or other similarly classified~~
1128 ~~vehicle driver by date, employer and locality; and, if there is previous~~
1129 ~~experience, whether any license or permit was revoked or suspended and the~~
1130 ~~date, locality and reason for such revocation or suspension.~~

1131 ~~(3) Previous history of arrests and/or convictions for any felony, misdemeanor or~~
1132 ~~ordinance violation, including traffic violations, giving the particulars of each,~~
1133 ~~and prior terminations of employment or contracts as a taxicab or airport~~
1134 ~~limousine driver.~~

1135 ~~(4) The names and current telephone numbers and addresses of three persons~~
1136 ~~who have known the applicant personally for at least 12 months preceding the~~
1137 ~~date of the application.~~

1138 ~~(5) The fingerprints of the applicant.~~

1139 ~~(6) At least three recent photographs of the applicant, which shall be of such size~~
1140 ~~as may be required by the chief of police.~~

- 1141 ~~(7) Proof of legal age required to obtain any license required to operate a vehicle~~
1142 ~~licensed pursuant to this article.~~
- 1143 ~~(8) Demonstration of ability to speak and understand the English language and to~~
1144 ~~read and recognize street signage.~~
- 1145 ~~(9) Proof of a valid chauffeur's license issued to the applicant under the laws of the~~
1146 ~~state, or a valid license which would authorize the applicant to operate a taxicab~~
1147 ~~or airport limousine under the laws of the state, and submission to the chief of~~
1148 ~~police of the certificate of registration furnished the applicant under RSMo~~
1149 ~~301.002 et seq. The number thereon shall be noted on the application for the~~
1150 ~~permit.~~
- 1151 ~~(10) Submission of a certificate of physical examination by a physician licensed to~~
1152 ~~practice in the state, which shall recite the following matters:~~
- 1153 ~~a. The applicant is free of defective vision or has corrected vision to at least~~
1154 ~~20-20 in both eyes.~~
- 1155 ~~b. The applicant is free of defective hearing, epilepsy, vertigo, heart trouble,~~
1156 ~~and any other infirmity, physical or mental, which would render applicant~~
1157 ~~unfit for safe operation of a public vehicle.~~
- 1158 ~~c. The applicant is free from communicable diseases.~~
- 1159 ~~(11) As a part of the physical examination, a certificate or other public record~~
1160 ~~showing that the applicant has been tested and passed drug and alcohol~~
1161 ~~screening at least equal to the screening requirements set by the United States~~
1162 ~~Department of Transportation for motor carrier drivers with respect to the~~
1163 ~~number and types of drugs or controlled substances tested, which certificate~~
1164 ~~must have been issued no more than five days prior to the date of application.~~
- 1165 ~~(12) Whether the applicant has completed a course in first aid and life saving~~
1166 ~~administered under the American Red Cross or a course similar in content to~~
1167 ~~the American Red Cross administered first aid and life saving course. Such~~
1168 ~~completion of a course shall not be a requirement for the issuance of a driver's~~
1169 ~~permit, but such completion, when evidenced, shall be noted on the driver's~~
1170 ~~permit.~~
- 1171 ~~(c) As a part of the application, the applicant shall sign a release of information form~~
1172 ~~which shall permit the director or the chief of police to release information contained~~
1173 ~~in the application to any law enforcement agency.~~

1174

1175 ~~Sec. 118-83. Examination of applicant for permit.~~

1176

1177 ~~After complying with the provisions of section 118-82, every applicant shall~~
1178 ~~be examined by the chief of police or his duly authorized subordinate as to the~~
1179 ~~applicant's knowledge of the provisions of this article, knowledge of the city, and~~
1180 ~~knowledge of local traffic regulations. An applicant shall not take the examination~~
1181 ~~more than twice in any 14-day period. Should an applicant fail to pass the~~
1182 ~~examination four times in a 28-day period, he shall not be permitted to take the~~
1183 ~~examination for a period of three months. The applicant may also be required by~~
1184 ~~the chief of police to demonstrate the skill and ability with which the applicant~~
1185 ~~operates a motor vehicle.~~

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~~Sec. 118-84. - Issuance and display of permit.~~

~~Before issuing a permit to drive a taxicab or airport limousine, the chief of police shall investigate the facts set out in the application and shall not grant a permit to drive a taxicab or airport limousine to any person who has been convicted of a violation of the criminal laws of any state or the United States defined as a felony and who has served any part of such sentence within five years of the date of such application, or who, in the opinion of the chief of police is not physically fit or otherwise qualified to operate a taxicab, courtesy car or airport limousine in the city; except that the chief of police may issue a license to such person when the person has shown evidence of criminal rehabilitation in accordance with RSMo 314.200. Upon being satisfied that the applicant is qualified and upon proof of payment of the fees required by this article, the chief of police shall issue a driver's permit to the applicant, which shall be valid for a period of three years; provided, however, nothing in this section shall be construed as requiring the issuance of a driver's permit to a person who is a resident of a halfway house or similar facility. The permit shall be prominently displayed in the taxicab or airport limousine at all times while the driver is operating the taxicab or airport limousine. The permit shall include a photograph of the driver and the number assigned to the driver by the chief of police.~~

~~Sec. 118-85. - Notice of denial of permit.~~

~~If a driver's permit is not granted by the chief of police, the chief of police shall furnish the applicant the reasons for such refusal.~~

~~Sec. 118-86. - Appeal of denial of permit.~~

~~Whenever the chief of police shall have refused to authorize the issuance of a driver's permit, the applicant, within ten days after the date of the notice of such refusal, may file a request in writing to the chief of police for an appeal before a hearing examiner designated by the city manager. The hearing examiner shall conduct a hearing at which he may either consider such appeal on the evidence produced before the chief of police or permit the introduction of new evidence and new tests. In the event of an adverse decision, the applicant shall have a right of appeal from the date of the city hearing examiner's decision to circuit court pursuant to RSMo 536.010 et seq.~~

~~Sec. 118-87. - Reapplication for permit after denial.~~

1227 When an applicant has been denied a driver's permit for reasons other
1228 than failing the examination pursuant to section 118-83, no new application shall
1229 be considered for a period of one year.

1230 ~~Sec. 118-88. -- Identification card.~~

1231
1232
1233 At the time of issuance of a driver's permit, the chief of police shall also
1234 issue an identification card, upon which shall be affixed one of the photographs
1235 and the number assigned to the driver and filed with the chief of police. The
1236 identification card shall be carried at all times by the driver when the permittee is
1237 driving a taxicab or airport limousine, and it shall be displayed on demand to any
1238 police officer.

1239
1240 ~~Sec. 118-89. -- Renewal of permit.~~

- 1241
1242 ~~(a) Drivers' permits issued pursuant to this division may be renewed every three years~~
1243 ~~by the chief of police if the permittee makes application as provided for in section~~
1244 ~~118-82. The permittee shall submit with the application for renewal a certificate of~~
1245 ~~physical examination as in the case of an original application, which certificate, in~~
1246 ~~order to be accepted, must have been issued within 30 days of the date of~~
1247 ~~application. The permittee shall also submit a certificate or other public record of~~
1248 ~~passing drug and alcohol screening as provided in section 118-82 (b)(11), which~~
1249 ~~certificate, in order to be accepted, must have been issued within five days prior to~~
1250 ~~the date of application. The chief of police may require submission of other facts as~~
1251 ~~he deems necessary.~~
1252 ~~(b) If a permittee does not make application for renewal of the driver's permit to the~~
1253 ~~chief of police prior to expiration of a current permit, the permittee shall be required~~
1254 ~~to pay a delinquent application fee. If the permittee fails to renew the driver's permit~~
1255 ~~within 30 days succeeding the expiration of a prior permit, the permittee shall be~~
1256 ~~required to make an original application.~~

1257
1258 ~~Sec. 118-90. -- Smoking while carrying passengers.~~

1259
1260 Drivers of taxicabs or airport limousines are prohibited from smoking while
1261 carrying passengers who object to their smoking.

1262
1263 ~~Sec. 118-91. -- Notification of change of address.~~

1264
1265 Every holder of a driver's permit shall have his residence address on file
1266 with the chief of police and in case of change shall notify the chief of police and
1267 any taxicab or airport limousine companies for whom the driver is operating a
1268 taxicab or airport limousine in writing within five days. Failure to notify the chief of
1269 police of a change in address may result in revocation of the permit.

1271 ~~Sec. 118-92. - Drivers to remain in or near vehicle; dress and appearance of driver;~~
1272 ~~wearing of badge.~~

1273

1274 ~~The driver of any taxicab or airport limousine shall remain in or beside the~~
1275 ~~vehicle at all times when such vehicle is standing upon the public streets, except~~
1276 ~~that the driver may aid a passenger already engaged by the driver with luggage~~
1277 ~~or from a building into the vehicle or out of the vehicle to a building or when~~
1278 ~~conducting business in conjunction with his employment. The driver shall also~~
1279 ~~maintain a neat and clean general appearance and shall be dressed at all times~~
1280 ~~while on duty in a collared shirt, slacks or skirt, and wear a badge on the front of~~
1281 ~~the shirt which lists at least the number assigned to the driver by the chief of~~
1282 ~~police and the taxicab or airport limousine company under whose license he is~~
1283 ~~operating the taxicab or airport limousine. At the discretion of the driver, the~~
1284 ~~badge may list the first and/or last name of the driver.~~

1285

1286 ~~Sec. 118-93. - Procedure for revocation of permit.~~

1287

1288 ~~Whenever a driver's permit is subject to revocation, a driver's permit may~~
1289 ~~only be revoked by the chief of police after ten days' written notice by registered~~
1290 ~~mail to the permittee and only after a hearing if the permittee makes a request of~~
1291 ~~the chief of police in writing within the ten-day period for a hearing before the~~
1292 ~~hearing examiner of the city.~~

1293

1294 ~~Sec. 118-94. - Altering or defacing permit, identification card, rate card or log sheet.~~

1295

1296 ~~No permittee shall deface any permit, identification card, rate card or daily~~
1297 ~~log sheet, or remove, tamper with or alter a rate card displayed in a taxicab or~~
1298 ~~airport limousine. In case of any violation of this provision, the chief of police shall~~
1299 ~~revoke the driver's permit. Such revocation shall be in addition to any other~~
1300 ~~penalty imposed.~~

1301

1302 ~~Sec. 118-95. - Revocation of permit for conviction of certain offenses, driving with~~
1303 ~~excessive blood alcohol level, or failure to pass drug test.~~

1304

1305 ~~Conviction of driving while intoxicated or driving when blood contains~~
1306 ~~alcohol of 0.08 percent or more by weight in a personal vehicle, or leaving the~~
1307 ~~scene of any accident, or operating a taxicab or airport limousine when blood~~
1308 ~~contains 0.05 percent or more by weight of alcohol, or failure to pass or submit to~~
1309 ~~a drug test requested by the director of finance or by the chief of police upon~~
1310 ~~probable cause, shall operate as a revocation of any driver's permit issued under~~
1311 ~~this division, and such driver shall not be eligible to receive a new permit for a~~

1312 period of one year from the date of such conviction, except in accordance with
1313 RSMo 314.200.

1314
1315 (~~G.O. No. 5391, § 3, 7-6-2004~~)

1316
1317 ~~Sec. 118-96. -- Violation marks:~~

1318
1319 ~~(a) For the purpose of regulating permittees under this division, the chief of police is~~
1320 ~~authorized to establish a system of violation marks for the violation of traffic~~
1321 ~~ordinances and ordinances pertaining to taxicabs, transportation network vehicles,~~
1322 ~~airport limousines and other public vehicles, in accordance with the following~~
1323 ~~classified schedule:~~

1324 ~~(1) Class I. Four violation marks shall be entered for each conviction of an offense~~
1325 ~~under any of the following sections:~~

106-19	One-way streets and alleys.
106-79	Obedience to police and fire department officials.
106-128	Immediate notice to police department.
106-129	Written reports required.
106-130	Reports when driver unable to report.
106-153	Obedience required.
106-157	Flashing signals.
106-181	Vehicles to keep to righthand side of street.
106-190	Passing other vehicles traveling in same direction.
106-191	Stopping for school bus.
106-203	Careless and imprudent driving.
106-231	Speed greater than reasonable and prudent.
106-232	Speed limit within central business districts and university district.
106-234	Speed limit outside central business district.

106-235	Speed limit on approach to certain intersections.
106-236	Speed limit in school zones.
106-281	Vehicles required to stop or yield right-of-way prior to entering through streets.
106-300	Stopping, standing or parking prohibited in specified places.
118-498	Vehicle inspection and equipment.
118-510	Refusal of service.
118-521	Daily log of trips.
118-543	Information to be displayed on vehicles.
118-587	Use or possession of intoxicating beverages or controlled substances by owner, driver or employees.
118-598	Use of vehicle for unlawful purpose.
118-621	Manner of operation.
118-88	Identification card.

- 1326 -
- 1327 ~~(2) Class II. One violation mark shall be entered for each conviction under any~~
- 1328 ~~traffic ordinance or ordinance governing taxicabs, transportation network~~
- 1329 ~~vehicles, airport limousines or other public vehicles not included in Class I.~~
- 1330 ~~(3) Class III. In addition to violation marks entered on convictions as provided in~~
- 1331 ~~Classes I and II, the chief of police may, after hearing, enter marks for minor~~
- 1332 ~~violations of rules and regulations, not exceeding one mark in any single case.~~
- 1333 ~~(b) When a permittee receives 12 violation marks in accordance with the schedule~~
- 1334 ~~provided in this section during any 12-month period, it shall be mandatory upon the~~
- 1335 ~~chief of police to suspend the permit of the driver for a period of 30 days. Upon~~
- 1336 ~~completion of the suspension period, a permittee shall have his total of violation~~
- 1337 ~~marks reduced by one-half.~~
- 1338 ~~(c) Whenever a permittee has accumulated sufficient violation marks to require a~~
- 1339 ~~second suspension within an 18-month period, the chief of police shall not suspend~~
- 1340 ~~but shall revoke the driver's permit, and such driver shall not be eligible to receive a~~
- 1341 ~~new permit for a period of one year from the date of such revocation.~~
- 1342
- 1343 ~~Sec. 118-97. - Revocation of permit for driving while permit is suspended.~~

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~~Whenever a permittee is convicted of driving a vehicle for which a driver's permit is required during a period for which the permit has been suspended, the chief of police shall revoke the permit of such driver, and such driver shall not be eligible to receive a new permit for a period of one year from the date of such revocation.~~

~~Sec. 118-98. — Revocation of permit for other causes.~~

~~(a) The chief of police shall revoke the permit of any driver whenever the chief finds any of the following causes to exist:~~

- ~~(1) The permittee has obtained a permit by false statements in the application for such permit or upon misrepresentation.~~
- ~~(2) The permittee has become physically or mentally incapable of driving a vehicle.~~
- ~~(3) The permittee has been convicted of a felony.~~
- ~~(4) The permittee has been convicted of a misdemeanor or ordinance violation involving moral turpitude.~~

~~(b) In addition to the powers to revoke under subsection (a) of this section, the chief of police shall have continuing jurisdiction as to permits granted under this division. In the event of misconduct or acts on the part of a permittee which would be sufficient to justify the refusal of a permit in the case of an original application, the chief of police may revoke a license already granted.~~

~~Sec. 118-99. — Notice of hearing involving permit or suspension or revocation of permit.~~

~~The chief of police director shall notify the driver of any hearing involving the driver's permit, of any suspension, or of any revocation of a driver's permit by registered mail directed to the last residence address of the driver on file with the chief of police director. Notice of suspension or revocation shall require the driver to surrender the driver's permit and identification card.~~

~~Sec. 118-100. — Eligibility for permit after three revocations.~~

~~Whenever a permittee has had the driver's permit revoked three times, the permittee shall not be entitled thereafter to make application for a new permit except with the approval of the city manager.~~

~~Sec. 118-100. — Authority to establish additional regulations.~~

~~The chief of police and director of finance are hereby authorized and empowered to establish and adopt such procedures required to carry out the intent of this article.~~

~~Sec. 118-102. — Replacement of lost or stolen permits.~~

1388
1389 A charge of \$10.00 shall be paid to the director of finance by the holder of
1390 a driver's permit for the replacement of the permit when misplaced, lost or stolen.

1391
1392 Secs. 118-40382—118-120. - Reserved.

1393
1394 DIVISION 3. - FEES, CHARGES AND RATES

1395
1396 Sec. 118-121. - Payment of fees and charges by licensees and permittees.

- 1397
1398 (a) It shall be unlawful for a person to operate a taxicab, transportation network
1399 company, airport limousine, or courtesy car service prior to the payment of all fees
1400 and charges required by this article and by the various provisions of this Code.
1401 Failure to pay any annual fees, charges or taxes established by this article or the
1402 various provisions of this Code is grounds for revocation of any permit or license
1403 issued to such person, and revocation shall not be deemed the exclusive remedy
1404 available to the city.
1405 (b) It shall be unlawful for a person to drive a taxicab, transportation network vehicle,
1406 airport limousine or courtesy car prior to the payment of all fees and charges
1407 required by this article and by the various provisions of this Code, and this is
1408 grounds for revocation of any permit or license issued to such person, and
1409 revocation shall not be deemed the exclusive remedy available to the city.

1410
1411 Sec. 118-122. - Application fee for taxicab or airport limousine company license.

1412
1413 There is hereby established an application fee for a taxicab, transportation
1414 network, or airport limousine company license or permit. Such fee shall be such
1415 amount as established by ordinance from time to time. Such fee shall be paid
1416 prior to the acceptance of the application for a license or permit by the director of
1417 finance. Failure to pay such fee shall be grounds for refusing to accept and
1418 process an application for a license or permit. The proceeds shall be used to
1419 defray the cost of processing the application for a taxicab, transportation network,
1420 or airport limousine company license or permit. The application fee shall not in
1421 any part be refunded to the applicant.

1422
1423 ~~Sec. 118-123. - Application fee for driver's permit.~~

1424
1425 ~~There is hereby established an application fee of such amount as~~
1426 ~~established by ordinance from time to time for a driver's permit or renewal~~
1427 ~~thereof. Such fee shall be paid to the director of finance, who shall then issue a~~
1428 ~~receipt to the applicant. The chief of police shall not accept an application for a~~
1429 ~~driver's permit without such a receipt. The application fee shall defray the cost of~~
1430 ~~processing the application, the cost of any hearing, the cost of testing, and other~~
1431 ~~administrative costs and shall include the initial annual driver's permit fee. If this~~

1432 ~~application is withdrawn or if the permit is not issued to the applicant, the director~~
1433 ~~of finance shall refund to the applicant an amount equal to one-half the cost of~~
1434 ~~the driver's permit.~~

1435

1436 Sec. 118-1243. - License fee for taxicab or airport limousine company.

1437

1438 The taxicab or airport limousine company's license fee is hereby
1439 established as that fee which is set out in subsection 70-84(132).

1440

1441 ~~Sec. 118-125. - Delinquent application fee for driver's permit.~~

1442

1443 ~~There is hereby established a delinquent application fee for making~~
1444 ~~application for a renewal of a driver's permit. Such fee shall be such amount as~~
1445 ~~established by ordinance from time to time and shall be assessed in accordance~~
1446 ~~with the provisions of sections 118-48 and 118-89.~~

1447

1448 Sec. 118-1264. - Vehicle inspection fee.

1449

1450 There is hereby established a vehicle inspection fee, which shall be
1451 assessed against the operator each time the vehicle is inspected or reinspected
1452 pursuant to this article. No approval of a vehicle shall be given until such
1453 inspection fee is paid to the director of finance or his authorized agent. Such fee
1454 shall be such amount as established by ordinance from time to time.

1455

1456 Sec. 118-1275. - Taxicab rates.

1457

- 1458 (a) The maximum rates charged to passengers of any taxicab company shall be on file
1459 with the director of finance. The rates shall be posted in each taxicab vehicle and
1460 visible to all passengers. Taxicab companies may only change the maximum rates
1461 to be charged to passengers by filing a notice with the director of finance 30 days in
1462 advance of any rate change. Failure to notify the director of finance of a change in
1463 rates 30 days in advance, or charging a passenger more than the rates on file, may
1464 result in a one-year suspension of the taxicab company license or the permit of the
1465 driver involved, or both. Notwithstanding the foregoing language, taxicab companies
1466 may change their rates only once every 180 days.
- 1467 (b) Notwithstanding the provisions of subsection (a), any taxicab company may charge
1468 a rate lower than those rates on file for the company with the director of finance.

1469

1470 Sec. 118-1286. - Airport limousine rates.

- 1471 (a) The maximum rates charged to passengers of any airport limousine company shall
1472 be on file with the director of finance. The rates shall be posted in each airport
1473 limousine and visible to all passengers. Airport limousines may only change the
1474 maximum rates to be charged to passengers by filing a notice with the director of
1475 finance 30 days in advance of any rate change. Failure to notify the director of

1476 ~~finance~~ of a change in rates 30 days in advance, or charging a passenger more
1477 than the rates on file, may result in a one-year suspension of the airport limousine
1478 company license or the permit of the driver involved, or both. Notwithstanding the
1479 foregoing language, airport limousine companies may change their rates only once
1480 every 180 days.

1481 (b) Notwithstanding the provisions of subsection (a), any airport limousine company
1482 may charge a rate lower than those rates on file for the company with the director of
1483 ~~finance~~.

1484

1485 Sec. 118-127. - Transportation network services rates

1486

1487 (a) Transportation network vehicles shall be for hire at a charge fixed by written
1488 agreement in advance which shall entitle the passenger contracting for
1489 transportation network services to the exclusive use of the vehicle for the individual
1490 or group during the agreed term of the hiring or for transportation to the specific
1491 destination, whichever the case may be. The transportation network company must
1492 provide a passenger with the rate in advance of the ride. Within 24 hours of the
1493 conclusion of the trip, a driver shall give the passenger a legible receipt showing:

1494

(1) The rate;

1495

(2) Total fare;

1496

(3) How the fare was calculated;

1497

(4) The mileage;

1498

(5) The time;

1499

(6) The name and phone number of the company;

1500

(7) The name of the driver; and

1501

(8) The vehicle.

1502

The receipt may be submitted to the passenger electronically if the passenger is in
1503 agreement.

1504

1505 (b) Fares established for transportation network and sightseeing vehicles shall be filed
1506 with the director at least two (2) days before they shall become effective. It shall be
1507 unlawful to charge any fare for transportation network services other than the fares
1508 filed with the director in accordance with this section.

1509

1510 (c) Transportation network companies shall provide the passenger with a photo of the
1511 driver, including the make and model of the vehicle and license plate number that
1512 will be picking up the passenger. Further, the transportation network company will
1513 provide vehicles with GPS systems that will provide not only directions to the
1514 destination but will allow the transportation network vehicle to be monitored as to its
1515 route.

1516 (d) Each transportation network company shall maintain accurate records disclosing the
1517 number of trips per vehicle and the hours used. Such records shall be provided to
1518 the director upon request.

1519

1518 Secs. 118-1298—118-150. - Reserved.

1519

1520 Section 2 – The section and subsection numbers shown herein shall be used
1521 unless the City Clerk or the codifier of the City Code assign a different section or
1522 subsection number to the language.

1523
1524 Section 3 – Savings Clause. Nothing in this ordinance shall be construed to
1525 affect any suit or proceeding now pending in any court or any rights acquired or liability
1526 incurred nor any cause or causes of action occurred or existing, under any act or
1527 ordinance repealed hereby. Nor shall any right or remedy of any character be lost,
1528 impaired, or affected by this ordinance.

1529
1530 Section 4 – Severability Clause. If any section, subsection, sentence, clause, or
1531 phrase of this ordinance is for any reason held to be invalid, such decision shall not
1532 affect the validity of the remaining portions of this ordinance. The Council hereby
1533 declares that it would have adopted the ordinance and each section, subsection,
1534 sentence, clause, or phrase thereof, irrespective of the fact that any one or more
1535 sections, subsections, sentences, clauses, or phrases be declared invalid.

1536
1537 Section 5 – This ordinance shall be in full force and effect from and after
1538 passage.

1539
1540
1541 Passed at meeting: _____

1542
1543 _____
1544 Mayor

1545
1546 Attest: _____, City Clerk

1547
1548 Filed as Ordinance: _____

1549
1550 Approved as to form: Amanda R. Callaway, Assistant City Attorney

1551
1552 Approved for Council action: Greg Burt, City Manager

EXPLANATION TO COUNCIL BILL NO: 2016- 244

FILED: 10-25-16

ORIGINATING DEPARTMENT: City Manager's Office

PURPOSE: Amending the Springfield City Code by repealing language contained in Chapter 118 Vehicles for Hire, and adding new regulations for Transportation Network Companies and Drivers.

BACKGROUND INFORMATION: The transportation industry is adapting with the addition of new technology. Transportation Network Companies (TNC's) are utilizing digital networks and software applications to connect drivers with passengers. Our current taxi regulations do not fit the advent of this new technology, and therefore TNC's are not able to operate in Springfield based on the lack of authorizing code provisions. The Springfield Convention and Visitor's Bureau has also noted that visitors to Springfield have inquired about the ability to utilize a TNC for transportation services.

The TNC topic was referred to the City Council Finance and Administration Committee. Council Bill No. 2016-064 was sent by the Committee to City Council on March 21, 2016. At that meeting Council Bill No. 2016-064 was tabled and the topic of TNCs was referred back to the Committee. The Committee met on August 19, 2016, September 20, 2016, and October 4, 2016. At the October 4, 2016, meeting the Committee voted to send the new Council Bill for Council Consideration.

This proposed Council Bill contains several differences from the original bill presented to Council on March 21, 2016, which include but are not limited to:

- The minimum age requirement for a taxicab, airport limousine, or TNC driver is 18 years of age, which is our current minimum age.
- The City will no longer require a driver of a taxicab, airport limousine, or transportation network vehicle to obtain a permit issued by the City. The City will instead require the taxicab, transportation network, or airport limousine company to ensure their drivers meet certain requirements including:
 - the driver is at least 18 years of age;
 - the driver has the required license under Missouri law;
 - the driver has not been convicted within the last seven years of any felony or any misdemeanor involving driving under the influence, reckless driving, hit and run, or any other driving related offense or any misdemeanor violent offense or sexual assault;
 - the driver is not a match on the U.S. Department of Justice National Sex Offender Public website; and
 - the driver has not had more than three moving violations in the prior three-year period of time, or one of the following major violations in the prior

three-year period of time: attempting to evade the police, reckless driving, or driving on a suspended or revoked license.

- The insurance limits for taxicab companies and airport limousine companies has been amended to be \$50,000 for bodily injury or death of one person, \$100,000 for any one accident resulting in injuries to or death of more than one person, and \$25,000 for damage to property.
- The insurance limits for transportation network companies has been amended to be consistent with 2016 Senate Bill 947. The state mandatory minimum insurance requirements for TNC's will change on April 1, 2017 pursuant to Senate Bill 947. The same requirements will be enforced pursuant to this Ordinance from the date this Ordinance is enacted until April 1, 2017. On that date, Section 379.1702 RSMo will go into effect. The following automobile insurance requirements shall apply while a TNC driver is logged onto the network and available to receive requests but is not engaged in a prearranged ride: primary automobile liability insurance amount of at least \$50,000 for death and bodily injury per person, \$100,000 for death and bodily injury per incident, and \$25,000 for property damage. When the TNC driver is engaged in a prearranged ride, Springfield Code from the time of enactment until April 1, 2017 and thereafter pursuant to Section 379.1702 will require that TNC's and drivers will collectively, maintain primary automobile liability insurance in the amount of at least one million dollars for death, bodily injury, and property damage.

REMARKS: The bill is recommended by the City Council Finance & Administration Committee.

Submitted by:


Amanda Callaway, Assistant City Attorney

Recommended by:


Collin Quigley, Assistant City Manager

Approved by:


Greg Burris, City Manager