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First Reading: _____
AMENDED SUBSTITUTE
COUNCIL BILL NO. 2016- 244

Second Reading: _____
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 Network
3 Companies and Drivers.
4 _____

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

23
24 Sec. 118-31. - Definitions.

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

28
29 *Airport limousine* means a public vehicle operating with a legal agreement
30 with a mass transit facility and using the mass transit facility as its departure or
31 destination point, and which is not licensed by the U.S. Department of

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

34
35 *Airport limousine fixed route.* An airport limousine shall be deemed to
36 operate over a designated fixed route where the destination and/or
37 commencement of each trip is from the same location.

38
39 *Color scheme* means the designation of the dome light color and any paint
40 and/or lettering to be placed on the doors of the taxicab or airport limousine, and
41 the insignia or logo of the taxicab or airport limousine company, and may consist
42 of a description of the paint of the entire taxicab or airport limousine.

43
44 *Courtesy car* means any vehicle operated to or from a motel or hotel
45 which is designed to carry patrons of the motel and hotel to or from fixed
46 locations in the city, or any vehicle used by an establishment arranging
47 sightseeing or other similar tours for the purpose of transporting patrons of such
48 establishment without charge.

49
50 *Cruising* means the continuous or repeated operation of any taxicab along
51 any street or alley for the purpose of obtaining or picking up passengers.

52
53 *Director* means the Director of Finance, or his or her designee.

54
55 *Driver* means the person who is driving or who is in actual physical control
56 of a taxicab, transportation network vehicle, courtesy car, or airport limousine,
57 whether as owner or agent, servant or employee of an owner, or other
58 designation.

59
60 *Driver's permit* means authorization by the city to a particular individual to
61 operate taxicabs, or airport limousines within the city upon meeting the criteria
62 set forth in this article.

63
64 *Immoral purpose* includes any of those acts prohibited by RSMo 567.010
65 et seq., as amended.

66
67 *Interest in taxicab, transportation network vehicle, or airport limousine*
68 *company.* A person shall be deemed to have an interest in a taxicab or airport
69 limousine company when he is a sole proprietor, partner or limited partner of the
70 firm or business holding a taxicab or airport limousine license under this article or
71 which is required to obtain a license under this article; has in his control, either
72 through direct ownership or through the ownership of a spouse or minor child, ten

73 percent or more of the outstanding stock of such taxicab or airport limousine
74 company; or has a security interest in over 50 percent of the tangible assets of
75 the firm or business.

76
77 *Licensee* means the holder of the taxicab or airport limousine company
78 license.

79
80 *Owner* and operator mean any person who derives, or has the right to
81 derive, income directly or indirectly from the operation of one or more taxicabs,
82 transportation network vehicles, courtesy cars, or airport limousines.

83
84 *Permittee* means the holder of a transportation network company permit.

85
86 *Rate zone* means the area of the city to which a certain trip rate of an
87 airport limousine applies.

88
89 *Specialty passenger service* means the use of specialty passenger
90 vehicles for the transportation of passengers at special events or activities or for
91 the transportation of passengers in areas established by the city manager or his
92 designee as special activity areas.

93
94 *Specialty passenger vehicles* means buses, motorized trolleys or similar
95 motor vehicles equipped to transport five or more passengers in three or more
96 rows of seats and the design of which exhibits unique or unusual characteristics
97 that add to the ambiance of a special event or special activity area in which
98 specialty passenger service is being allowed.

99
100 *Taxicab* means all motor vehicles operated as public carriers of
101 passengers for hire over other than fixed routes, but shall not include
102 transportation network vehicles.

103
104 *Taxicab company* means a person who owns controls or operates at least
105 one taxicab which transports passengers for hire.

106
107 *Taxicab owner* and owner mean any person who has any interest in the
108 title of a taxicab which is recognized under state law.

109
110 *Taximeter* means a mechanical instrument or device by which the charge
111 for hire of a taxicab, at a predetermined rate, is mechanically calculated and
112 registered, either for distance traveled or for waiting time, or both, and upon
113 which such charge shall be indicated by means of figures which are electrically

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

116
117 Transportation network company driver means an individual who operates
118 a motor vehicle that is:

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

122
123 Transportation network company means an entity for which a permit has
124 been issued pursuant to this chapter and operating in Springfield, Missouri, that
125 uses a digital network or online-enabled application service to connect
126 passengers to transportation network company services including prearranged
127 rides provided by transportation network company drivers. A transportation
128 network company is not deemed to own, control, operate or manage the vehicles
129 used by transportation network company drivers, and is not a taxicab
130 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 online-enabled application. Transportation
136 network company services shall begin when a transportation network company
137 driver accepts a request for transportation received through the transportation
138 network company's digital network or online-enabled application service,
139 continue while the transportation network company driver transports the
140 passenger in the transportation network vehicle, and end when the passenger
141 exits the transportation network vehicle. Transportation network company
142 service is not a 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.

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Vehicle permit means authorization by the city to the owner of the taxicab, or airport limousine to operate a particular vehicle as a taxicab, or airport limousine within the corporate limits of the city.

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

(G.O. No. 5391, § 1, 7-6-2004)

Cross reference— Definitions generally, § 1-2.

Sec. 118-32. - Penalty.

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

Sec. 118-33. - Injunctive relief.

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

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

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

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

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

215
216 Sec. 118-36. - License, permit, or other authorization required for transport of
217 passengers for hire.
218

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

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

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

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

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

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

- 244 (2) Any person operating an airport limousine who has obtained a permit to operate
245 an airport limousine and who has a valid current business license as required
246 by section 118-36.
- 247 (3) Any person operating a courtesy car whose operation is exempt from licensing
248 as provided by section 118-39.
- 249 (4) Any person operating a commercial trolley bike who either has a valid current
250 business license as required by section 106-611 or is employed as an agent or
251 employee of a licensed commercial trolley bike company.
- 252 (5) Any person operating a transportation network vehicle must be authorized to
253 access the digital network of a transportation network company that has
254 obtained a 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 dc. 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)~~ 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)~~ The number of taxicabs or airport limousines proposed to be operated.
- 321 ~~(8)~~ A complete description of the vehicles to be used in the proposed operation,
322 including but not limited to vehicle make, model, VIN and color scheme, and a
323 complete description of the proposed operation. This subsection shall not apply
324 to transportation network companies.
- 325 ~~(9)~~ The color scheme, name and characteristic insignia to be used to designate the
326 vehicles of the applicant as approved by the director ~~of finance~~. This subsection
327 shall not apply to transportation network companies.
- 328 a. The color scheme may not duplicate that of an already licensed taxicab or
329 airport limousine company, including the primary color to be placed on the
330 doors, or be so close in design as to cause confusion among the public as
331 to the identity of the taxicab or airport limousine company, and must be
332 consistently used on each and every vehicle operated under the taxicab or
333 airport limousine company license.
- 334 b. Any taxicab vehicle in service on January 31, 1996, shall not be required to
335 be changed to conform to the color scheme of the taxicab company, with

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

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

352 (10) A statement identifying the manner in which proposed fares for transportation
353 network services are calculated.

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 knowingly allow drivers to
358 utilize their service until the drivers have met all requirements of this chapter
359 and are in good standing with the applicant, and have complied with all driver
360 requirements pursuant to state and local law.

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

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

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

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

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

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

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

380 1. Any felony; or

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

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

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

- 389 1. Attempting to evade the police,
- 390 2. Reckless driving, or
- 391 3. Driving on a suspended or revoked license.

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

396 (3) Taxicab, transportation network, and airport limousine companies shall
397 promptly suspend any of its drivers from transporting passengers for hire upon receiving
398 a valid passenger complaint concerning a driver, and shall conduct a commercially
399 reasonable investigation to determine whether the complaint is valid. Such suspension
400 shall be for at least the time period reasonably necessary for the taxicab, transportation
401 network, or airport limousine company and the city (which city investigation shall not
402 exceed ten (10) business days), to investigate the complaint.

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

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

412 (6) If a person files a complaint with the city against a driver or a taxicab,
413 transportation network, or airport limousine company, or if the city is investigating non-
414 compliance or a code violation, the city may inspect the taxicab, transportation network,
415 or airport limousine company's records as reasonably necessary to investigate and
416 resolve any complaint or violation. The director shall provide at least 10 days' notice to
417 the company prior to the inspection.

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

423
424 Sec. 118-442. - Granting or denial of license or permit.
425

426 Whenever any applicant for a taxicab, transportation network company, or
427 airport limousine company license or permit shall have complied with all the
428 conditions and regulations pertaining to the filing of his application, the director of
429 ~~finance~~ shall issue the license or permit unless the information contained in the
430 application demonstrates that it is not in the best interests of the public health
431 and safety of the residents of the city that a license or permit should be issued. If
432 an application for a license or permit is denied, the applicant shall have the right
433 to a hearing before a hearing officer designated by the city manager, in
434 accordance with the procedures set forth in section 118-434 for revocation of a
435 license or permit.

436
437 Sec. 118-423. - Transfer of license or permit.

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

449
450 Sec. 118-434. - Revocation and/or suspension of license or permit.

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

471 suspend any such taxicab, transportation network, or airport limousine company
472 license or permit for the following reasons:

473 (1) The violation of any provision of this article.

474 ~~(2) When it has been proved to the director of finance by a preponderance of the~~
475 ~~evidence before him that the holder of such taxicab or airport limousine~~
476 ~~company license has discontinued operation for a period of more than 30~~
477 ~~consecutive days.~~

478 ~~(3) That such licensee or permittee has knowingly continued to employ or~~
479 ~~otherwise authorize a driver in violation of this article, a driver who has violated~~
480 ~~provisions of this article, or whose driving activity on behalf of the taxicab,~~
481 ~~transportation network, or airport limousine company is not covered by~~
482 ~~insurance as required under this article.~~

483 ~~(4) Whenever it shall appear that a license or permit issued under this article has~~
484 ~~been obtained by misrepresentation or fraud.~~

485 ~~(5) That the licensee or permittee has knowingly continued to employ or otherwise~~
486 ~~authorize a driver who has refused service to an individual without proper cause~~
487 ~~or that such person encourages such practice to be the method of operation or~~
488 ~~has violated the provisions of this article.~~

489 ~~(6) That the licensee failed to replace a canceled security or bond required by this~~
490 ~~article within 15 days, excluding Saturdays, Sundays or legal holidays, from the~~
491 ~~director of finance's receipt of notice of cancellation.~~

492 ~~(7) That the licensee or permittee has refused or permitted others under its license~~
493 ~~or permit to refuse to provide a receipt upon request to any passenger that~~
494 ~~contains the amount charged for service, the number assigned to the taxicab or~~
495 ~~airport limousine driver by the chief of police, director, and the number of the~~
496 ~~taxicab or airport limousine.~~

497 ~~(8) That the licensee or permit has charged or permitted others under its license or~~
498 ~~permit to charge fares in excess of those on file with the director, if applicable of~~
499 ~~finance as provided in section 118-127.~~

500 ~~(9) That such licensee or permittee has permitted the use of the same number~~
501 ~~assigned to a vehicle by the licensee or permittee pursuant to section 118-54~~
502 ~~for more than one vehicle at the same time.~~

503 (b) When a taxicab, transportation network, or airport limousine company license or
504 permit has been revoked and/or suspended, no vehicle shall continue to operate
505 under the name, logo, insignia or color scheme of such taxicab, transportation
506 network, or airport limousine company.

507 (c) The taxicab, transportation network, or airport limousine company license or permit
508 of any person shall be forthwith revoked by the director ~~of finance~~ whenever he
509 shall have received a certificate from any court or clerk thereof showing that such
510 person has failed to satisfy, within 30 days, any final judgment upon which
511 execution has been lawfully issued against such a person for damages on account
512 of bodily injury, death or damage to property resulting from the ownership,
513 maintenance, use or operation of a taxicab, transportation network vehicle,
514 courtesy car or airport limousine; except that this provision shall not apply to any
515 person who has presented an acceptable plan to settle such judgment.

516

517 Sec. 118-445. - Ownership of vehicles.

518
519 No taxicab₁ or airport limousine owner shall sell or lease, directly or
520 indirectly, to a taxicab₁ or airport limousine driver, a taxicab₁ or airport limousine
521 or sign for such taxicab₁ or airport limousine so as to obligate the taxicab₁ or
522 airport limousine owner on behalf of the taxicab₁ or airport limousine driver for the
523 payment of the vehicle to third parties.

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

526
527 Whenever a taxicab₁, transportation network, or airport limousine company
528 license or permit issued under this article has been revoked by the director of
529 finance for any of the reasons set forth in section 118-434, ~~excepting subsection~~
530 ~~(2) or (6)~~, no license or permit shall be issued to such person nor shall such
531 person be allowed an interest in a license or permit for a period of not less than
532 two years.

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

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

547
548 (b) Until April 1, 2017, before any license or permit is issued for the operation of a
549 transportation network company, the transportation network company shall file with the
550 director a policy of insurance by an insurance company duly licensed or eligible to
551 transact business in Missouri, covering separately or in a schedule attached to such
552 policy each vehicle licensed or permitted to be operated under the direction and control
553 of such company. Such policy shall be consistent with the below:

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

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

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

563 2. The following automobile insurance requirements shall apply while a
564 transportation network company driver is engaged in transportation network
565 services:
566 (a) primary automobile liability insurance in the amount of at least one
567 million dollars for death, bodily injury, and property damage; and
568 (b) uninsured motorist coverage in an amount not less than the limits set
569 forth under state law.
570 3. The coverage required in Sec. 118-46(b) may be satisfied by any of the
571 following:
572 (a) Automobile insurance maintained by the transportation network
573 company; or
574 (b) Automobile insurance maintained by the transportation network
575 company driver; or
576 (c) Any combination of paragraphs (a) and (b).
577
578 (c) From and after April 1, 2017, before any license or permit is issued for the operation
579 of a transportation network company, the transportation network company shall file
580 with the director a policy of insurance by an insurance company duly licensed or
581 eligible to transact business in Missouri that meets all requirements of Missouri law
582 concerning insurance requirements for transportation network companies (currently
583 set forth in Section 379.1702 RSMo. which is scheduled to take effect on April 1,
584 2017).
585 ~~(b)~~ (d) All such policies shall provide that they may not be canceled unless written notice
586 of proposed cancellation is delivered to the office of the director of finance at least
587 30 days prior to the date of the proposed cancellation. If the taxicab, transportation
588 network, or airport limousine company licensee, permittee, or other responsible
589 party shall fail within the period specified in such notice of cancellation to provide
590 proof of insurance as provided in subsection (a) of this section, then the license or
591 permit affected by such cancellation may be revoked as of the day such insurance
592 ceases to be in force and effect, and thereafter it shall be unlawful for such owner or
593 other responsible party to operate taxicabs, transportation network vehicles, or
594 airport limousines in the city. If the taxicab, transportation network, or airport
595 limousine company or responsible third party shall file a policy of insurance as
596 required by this section within 30 days after the date of such revocation, then such
597 revocation shall be lifted.
598 ~~(e)~~ (e) All taxicab or airport limousine companies shall annually file with the director of
599 finance a monthly list showing the year, make, model, VIN number, record of owner,
600 and company providing insurance coverage for each and every taxicab or airport
601 limousine in service under its license or permit. No taxicab or airport limousine shall
602 be placed in service or permitted to operate under the taxicab or airport limousine
603 license or permit unless it is shown on such list within 30 days of being placed in
604 service.
605 (f) If insurance maintained by a driver in subsection b(1) or b(2) of this section has
606 lapsed or does not provide the required coverage, insurance maintained by a
607 transportation network company shall provide the coverage required by this section
608 beginning with the first dollar of a claim and the transportation network company

609 shall have the duty to defend such claim. If the insurance maintained by the driver
610 does not otherwise exclude coverage for loss or injury while the driver is logged on
611 to any transportation network company's digital network or while the driver provides
612 transportation network services, but does not provide insurance coverage at the
613 minimum limits required by subsection b(1) or b(2) of this section, the transportation
614 network company shall maintain insurance coverage that provides excess coverage
615 beyond the driver's policy limits up to the limits required by subsection b(1) or b(2)
616 of this section, as applicable.

617 (g) Coverage under an automobile insurance policy maintained by the transportation
618 network company shall not be dependent on a personal automobile insurer first
619 denying a claim nor shall a personal automobile insurance policy be required to first
620 deny a claim.

621 (h) A transportation network company driver shall carry proof of coverage satisfying
622 subsections b(1) and b(2) of this section with him or her at all times during his or her
623 use of a vehicle in connection with a transportation network company's digital
624 network. Such proof of insurance may be kept electronically. In the event of an
625 accident, a transportation network company driver shall provide this insurance
626 coverage information to the directly interested parties, automobile insurers, and
627 investigating police officers, upon request. Upon such request, a transportation
628 network company driver shall also disclose to directly interested parties, automobile
629 insurers, and investigating police officers whether the driver was logged on to the
630 transportation network company's digital network or providing transportation
631 network services at the time of the accident.

632 (i) The transportation network company shall disclose in writing to transportation
633 network company drivers the following before they are allowed to accept a request
634 for transportation network company services on the transportation network
635 company's digital network:

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

640 2. That the transportation network company driver's own automobile insurance
641 policy might not provide any coverage while the driver is logged on to the
642 transportation network company's digital network and is available to receive
643 transportation requests or is engaged in transportation network company services
644 depending on the policy's terms.

645 (j) A transportation network company shall make the following disclosure to a
646 prospective driver in the prospective driver's terms of service:
647 IF THE VEHICLE THAT YOU PLAN TO USE TO PROVIDE TRANSPORTATION
648 NETWORK COMPANY SERVICES HAS A LIEN AGAINST IT, USING THE
649 VEHICLE FOR TRANSPORTATION NETWORK COMPANY SERVICES MAY
650 VIOLATE THE TERMS WITH THE LIEN HOLDER.
651 IF A TRANSPORTATION NETWORK COMPANY'S INSURER MAKES A
652 PAYMENT FOR A CLAIM COVERED UNDER COMPREHENSIVE COVERAGE
653 OR COLLISION COVERAGE, THE TRANSPORTATION NETWORK COMPANY
654 SHALL CAUSE ITS INSURER TO ISSUE THE PAYMENT DIRECTLY TO THE

655 BUSINESS REPAIRING THE VEHICLE OR JOINTLY TO THE OWNER OF THE
656 VEHICLE AND THE PRIMARY LIENHOLDER ON THE COVERED VEHICLE.

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

660
661 ~~Sec. 118-47. - Proof of liquid assets or posting of security.~~

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

673
674 ~~Sec. 118-48. - Renewal of license or permit.~~

675
676 ~~The director of finance shall renew taxicab, transportation network, or~~
677 ~~airport limousine company licenses or permits annually as required by section~~
678 ~~118-36 to any applicant who can show the following:~~

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

701 (86) That the applicant has tendered payment of all required fees.

702 (97) That the applicant has provided proof of insurance as required by section 118-
703 467.

704 Sec. 118-49. - Vehicle equipment and inspections.

705
706
707 (a) Required equipment. Every ~~vehicle~~ taxicab and airport limousine ~~governed by this~~
708 ~~article~~ shall have and maintain the following equipment:

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

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

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

716 (4) A speedometer in good working order.

717 (5) Cards containing the following:

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

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

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

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

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

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

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

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

- 747 a. Each taximeter must be driven direct from the taxicab transmission or
748 connected with the speedometer driving shaft to the taximeter head itself.
749 b. Each taximeter must register upon visual counters the following miles:
750 1. Total miles.
751 2. Miles paid.
752 3. Number of units.
753 4. Number of trips.
754 5. Number of extras.
755 c. Each taximeter must be furnished with a tamperproof switch and system of
756 electrical distribution so that when the taximeter flag is in the vacant or
757 nonearning position the "vacant" sign on top of the taxicab will be lighted,
758 and when the meter flag is thrown to an earning position the fare indicator
759 of the taximeter will be lighted.
760 d. There shall be an electrical light or sign located on the top of each taxicab,
761 of a size and design approved by the ~~chief of police~~ director and which is
762 connected to the taximeter in the means prescribed in this article, so that
763 such light or sign will be electrically lighted when the taxicab is vacant.
764 (b) Annual inspection. ~~Every vehicle governed by this article~~ Taxicabs and airport
765 limousines shall be inspected annually by the ~~chief of police~~ director or his designee
766 for all items of equipment required by the provisions of this section or other
767 provisions of this article.
768 (c) Additional inspections; reinspections; issuance of inspection sticker. All Every
769 ~~vehicle~~ taxicabs and airport limousines involved in a motor vehicle accident in which
770 over \$500.00 damage was done to such vehicle shall be required to be reinspected.
771 Also, the city shall have access to any maintenance records of ~~any vehicle~~ all
772 taxicabs and airport limousines upon request and may order a reinspection at any
773 time after the expiration of 30 days from the date of a previous inspection, provided
774 there is reason to believe that the vehicle's operation does not comply with the
775 provisions of this article or that the vehicle is dangerous or unsafe or is not being
776 properly maintained or used. If the vehicle cannot be approved upon a reinspection,
777 the director ~~of finance~~ shall first order such vehicle's operation to be discontinued
778 for a period of 15 days in which the owner of the vehicle may request a second
779 reinspection. If the owner of the vehicle does not request the second reinspection or
780 if the vehicle cannot be approved upon the second reinspection, the director ~~of~~
781 ~~finance~~ shall revoke the license or permit corresponding to such vehicle. An
782 inspection sticker shall be issued for each vehicle which passes the required
783 inspection and shall be affixed on the vehicle by the city in a visible location.
784 (d) Inspection sticker required. It shall be unlawful to operate a taxicab or airport
785 limousine on the city streets without a current valid inspection sticker affixed thereto.
786 The inspection sticker shall be valid for a period not to exceed one year from the
787 date it is issued and shall not be transferred to any other vehicle.
788

789 Sec. 118-50. - Cleanliness and condition of vehicles.
790

791 Every vehicle governed by this article shall be kept in a clean and sanitary
792 condition ~~and shall be swept and dusted at least once a day~~. Every vehicle shall

793 be kept in such condition of repair as may be reasonably necessary to provide for
794 the safety of the public and for continuous and satisfactory operation. For
795 transportation network companies, a vehicle that does not meet the requirements
796 of this Section shall, upon request to the transportation network company, be
797 suspended from the platform until such time as the vehicle is returned to clean
798 and sanitary condition.
799

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

801
802 It shall be unlawful for a driver of a taxicab or airport limousine to refuse
803 service to a member of the general public except when such person is
804 intoxicated, uses profanity, is abusive, desires to use the service for an illegal
805 purpose, presents an unreasonable risk of harm or injury to the driver, or is
806 unable to pay the legal fare. However, a driver of a taxicab, courtesy car,
807 transportation network vehicle, or airport limousine shall not be required to
808 provide service to an individual under the age of 12 without an adult passenger
809 accompanying him or an individual who has as his destination point or departure
810 point a mass transit terminal facility with which the operator does not have an
811 operating agreement. A driver of a courtesy car shall not refuse service to any
812 patron of the establishment with which the courtesy car is operated in conjunction
813 unless such patron is intoxicated, uses profanity, is abusive, presents an
814 unreasonable risk of harm or injury to the driver, is violating any city ordinance, or
815 desires service for an illegal purpose.
816

817 Sec. 118-52. - Daily log of trips.

818
819 Every taxicab or airport limousine licensee shall provide at the beginning
820 of each driver's tour of duty a log sheet which is numbered in sequence. The
821 driver shall maintain such log sheet by departure time, departure location,
822 destination location, destination time and fare charged. The licensee shall collect
823 such log sheets at the end of every driver's tour of duty and maintain such
824 records for inspection by the ~~chief of police and the director of finance~~ for a
825 period of one year.
826

827 Sec. 118-53. - Records of vehicles.

828
829 Every taxicab or airport limousine licensee shall keep a record, in the
830 manner prescribed by the ~~director of finance~~, of all cars for which certificates are
831 on file with the ~~director of finance~~, showing the serial number, and, if operated,
832 the hours of operation, the name of the driver and the hours of work of each
833 driver, or, if the taxicab is not in operation, the reason therefor. Such records
834 shall be maintained for a period of one year and shall be available to the ~~chief of~~
835 ~~police and the director of finance~~ upon request.
836

837 Sec. 118-54. - Information to be displayed on vehicles.
838

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

848 (2) Transportation network drivers shall keep and display a digital identification at
849 all times while logged into the transportation network company's digital network as
850 evidence that they are authorized to access the network.

851
852
853 Sec. 118-55. - Removal of vehicle markings upon sale or disposition of vehicle.

854
855 No taxicab or airport limousine company or taxicab or airport limousine
856 owner shall sell or otherwise dispose of any taxicab or airport limousine without
857 first removing or obliterating the vehicle markings required by section 118-54,
858 unless such vehicle is to be used as a taxicab or airport limousine of the same
859 company. Upon sale or other disposition, the taxicab or airport limousine
860 company or owner shall notify the director of finance of such sale or disposition
861 and the reason for the sale or disposition on the list required under section 118-
862 467.

863
864 ~~Sec. 118-56. - Office and telephone required.~~

865
866 ~~No holder of a taxicab or airport limousine company license shall operate~~
867 ~~in the city without having an office and a telephone in a commercially zoned~~
868 ~~location for receiving and dispatching calls.~~

869
870 Sec. 118-576. - Reports of violations by drivers.

871
872 A licensee or permittee under this article shall report to the police
873 department of finance any known violation by a driver of any of the operating
874 company's rules and any violation of any municipal, state or federal law
875 committed by a driver.

876
877 Sec. 118-587. - Use or possession of intoxicating beverages or controlled substances
878 by owner, driver or employees.

879
880 No taxicab, transportation network, or airport limousine owner, driver or
881 employee, while on duty, shall have in his possession intoxicating liquor or non-
882 intoxicating beer or controlled substances or drink or consume such items while
883 on duty. No driver shall knowingly purchase, carry or transport intoxicating liquor
884 or nonintoxicating beer or controlled substances. However, a passenger may

885 have in his possession unopened containers of intoxicating liquor or
886 nonintoxicating beer. No driver, owner or employee of any owner of a taxicab or
887 airport limousine company shall have in his possession at or near his office,
888 place of business or garage any intoxicating liquor or nonintoxicating beer or
889 controlled substances of any kind.

890
891 **Cross reference—** Alcoholic beverages, ch. 10.

892
893 Sec. 118-58.- Taxicabs and airport limousine shall not operate as transportation
894 network vehicles or provide transportation network services.

895
896 No taxicab or airport limousine shall operate as and no taxicab or airport
897 limousine owner shall allow a taxicab or airport limousine vehicle to operate as a
898 transportation network vehicle for the purpose of offering transportation network
899 services.

900
901
902 Sec. 118-59. - Use of vehicle for unlawful purpose.

903
904 No person shall use a vehicle governed by this article for any unlawful
905 purpose, nor shall any owner or driver knowingly permit such unlawful use. When
906 such unlawful use has occurred with the knowledge of the owner or driver of
907 such vehicle, and he shall be duly convicted thereof, the director of finance shall
908 revoke the permit to operate such vehicle and the ~~chief of police~~ director shall
909 also revoke the permit of such driver.

910
911 Sec. 118-60. - Refusal to pay fare.

912
913 No person shall hire or permit himself to be carried as a passenger for hire
914 in any taxicab, transportation network vehicle, courtesy car or airport limousine in
915 the city and refuse to pay the fare for such trip.

916
917 Sec. 118-61. - Disposition of property found in vehicles.

918
919 A driver shall deliver all lost or misplaced property found in the vehicle to
920 the holder of the taxicab or airport limousine company license for such vehicle at
921 the end of the driver's tour of duty. The taxicab or airport limousine company
922 shall keep such property for 24 hours, or a shorter time if the rightful owner of
923 such property requests the release of such property. At the end of 24 hours, the
924 taxicab or airport limousine company shall deliver such property, or the name
925 and address of the owner of and description of such property, to the city police
926 department. Unless returned to the property owner through other means,
927 transportation network drivers shall deliver all lost or misplaced property found in
928 the vehicle to the city police department at the end of 48 hours and if possible,
929 provide the name and address of the owner of and a description of such property
930 to the city police department.

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

Taxicabs shall be operated in the following manner:

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

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

There shall not be more passengers than that recommended by the manufacturer of the vehicle, including the driver, carried in a taxicab, transportation network vehicle, or airport limousine at one time. The front seat of a taxicab, transportation network vehicle, or airport limousine shall only be occupied by the driver and one passenger.

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

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

- 976 (1) Restrictions on patronage. Drivers shall not offer service nor shall the owner
977 permit the offering of service to any person other than a patron of a motel or
978 hotel, or a patron of a business arranging sightseeing tours or other similar
979 tours.
- 980 (2) Trip origins and destinations. Trip origins and destinations shall be fixed
981 locations, which locations shall have been registered with the director of ~~finance~~
982 ~~prior~~ to the carrying of passengers to such locations. Courtesy cars shall not be
983 operated so that a trip destination or departure is to or from a mass transit
984 terminal facility with which the operator does not have an operating agreement.
- 985 (3) Payment of charges. The trip rate may either be charged to all patrons of the
986 motel, hotel or other temporary residence business or a business arranging
987 sightseeing tours or other similar tours when a person becomes a patron, or the
988 trip rate may be charged to only those patrons who engage the courtesy car or
989 to the owner of any business or facility which is the trip destination's approved
990 fixed location.
- 991 (4) Maximum number of passengers. The maximum number of passengers in a
992 courtesy car at any given time shall be that number set by the ~~chief of police~~
993 director when the vehicle is inspected under section 118-49.
- 994 (b) Airport limousines. Airport limousines shall be operated in the following manner:
- 995 (1) Route. Airport limousines shall operate over fixed routes only, and such
996 limousines shall operate closed-door from the point where the passenger is
997 picked up to the point where the passenger is delivered. Airport limousines shall
998 not be operated so that a trip departure is from a mass transit terminal facility
999 with which the operator does not have an operating agreement.
- 1000 (2) Rate of fare. The trip rate shall be charged each passenger in accordance with
1001 the rate zone corresponding to the destination or commencement of the trip for
1002 each passenger.
- 1003 (3) Maximum number of passengers. There shall not be more than 12 persons,
1004 inclusive of the driver, in an airport limousine at any given time.
- 1005 (4) Operating agreement with airport. An airport limousine may not operate without
1006 a valid operating agreement with the body, board or authority legally in charge
1007 of the airport.
- 1008 (5) Compliance with airport regulations. The owners, drivers and employees of an
1009 airport limousine service shall operate the airport limousines in a manner which
1010 will comply with all rules and regulations of the body, board or authority legally
1011 in charge of the airport, if such rules and regulations, and all amendments
1012 thereto, have been filed with the director of ~~finance~~ and ~~chief of police~~ prior to
1013 their effective date.

1014
1015 Sec. 118-65. - Specialty passenger service.
1016

1017 A specialty passenger service shall comply with all provisions of Chapter
1018 118 applicable to taxicabs including driver's licensing requirements unless
1019 specifically excluded or modified by this section.

- 1020 (1) In addition to the information required in the application for a taxicab company
1021 license, an applicant operating a specialty passenger service shall submit a

1022 plan describing the vehicle(s) to be used and stating the types of events or
1023 activities at which the service will operate. If the service is to be operated in a
1024 special activity area, the plan shall set out in detail the area of and manner of
1025 operation of the service in the area. Any plan is to include the place of and
1026 length of stops and shall set forth the streets to be used and shall affirm that no
1027 structures, traffic control devices or utility wires shall be an obstruction to the
1028 operation of the service. The director of finance shall have available a form
1029 setting out additional information needed in the plan. Further information may
1030 be requested before a final decision is reached.

1031 (2) The plan must be approved by the City Manager or his designee. A special
1032 activity area may be established if deemed appropriate to implement the plan.
1033 The impact to the City Utility bus service shall be considered and direct
1034 competition with established service routes is to be avoided unless the events
1035 or special activity area cannot be adequately served during a special event or
1036 during times of need for additional passenger service. If the plan is found to be
1037 in the best interest of the city and if all requirements are met to assure the
1038 public health and safety, the plan may be approved. If during the term of the
1039 license, public health or safety issues arise, the city may require a modification
1040 of the plan to address those issues. A request to amend the plan may be filed
1041 by the licensee during the license period and the review of the proposed
1042 amendment shall proceed as above outlined.

1043 (3) Paragraphs (a) (2), (7) and (11) of Section 118-49 shall not apply to a specialty
1044 passenger service. Specialty passenger vehicles shall have at least two means
1045 of ingress and egress accessible by passengers.

1046 (4) Section 118-52 shall not apply to specialty passenger service. A specialty
1047 passenger service must have an approved plan on file with the city authorizing
1048 all passenger transportation that is undertaken by the service. It is unlawful to
1049 transport passengers in violation of the approved plan, in the absence of a plan,
1050 in violation of any applicable provision of Chapter 118 or other provisions of the
1051 city code, state statutes or federal rule, regulation or law.

1052 (5) The requirements of Section 118-54 shall apply to a specialty passenger
1053 service; however, the proposed plan of operation may include a request to
1054 modify the requirements including a change of color scheme or legend so long
1055 as such change reasonably relates to the events or special activity area being
1056 served.

1057 (6) Section 118-62 shall not apply to specialty passenger service. The operation of
1058 the specialty passenger service shall be in line with the approved plan and
1059 approved fee schedule.

1060 (7) Section 118-63 shall not apply to specialty passenger service. The occupancy
1061 of a specialty passenger vehicle shall not exceed the manufacturers stated
1062 capacity. The capacity shall be prominently displayed.

1063
1064 (G.O. No. 5391, § 2, 7-6-2004)

1065 Section 118-66.-Manner of Operation of Transportation Network Companies

1067

1068 (1) A transportation network company shall not disclose a passenger's personally
1069 identifiable information to a third party unless: the passenger consents, disclosure is
1070 required by a legal obligation, or disclosure is required to protect or defend the terms of
1071 use of the service or to investigate violations of those terms. In addition to the
1072 foregoing, a transportation network company shall be permitted to share a passenger's
1073 name and/or telephone number with the transportation network company driver
1074 providing transportation network company services to such passenger in order to
1075 facilitate correct identification of the passenger by the transportation network company
1076 driver, or to facilitate communication between the passenger and the transportation
1077 network driver.

1078 (2) No transportation network driver shall solicit passengers for transportation in a
1079 transportation network vehicle on any public way or at any public airport. No such
1080 transportation network vehicle shall be parked on any public way for a time longer than
1081 is reasonably necessary to accept passengers in answer to a call for service, and no
1082 passenger shall be accepted for any trip in such vehicle without previous engagement
1083 for such trip at a fixed charge or donation through the business office or transportation
1084 network service from which the vehicle is operated.

1085 (3) Every transportation network vehicle operated on the streets of the city shall be
1086 maintained in clean and serviceable condition and in adequate repair. Every vehicle
1087 shall be substantially free from damage. All vehicles shall have no loose hanging metal,
1088 body molding or chrome stripping. The complete exhaust system shall be intact and in
1089 good working order. No vehicle shall operate with large dents or major body damage,
1090 nor shall it operate with large areas of unpainted or rusted metal. All vehicles shall have
1091 required fenders, bumpers, doors, door handles, lights and air conditioner, all of which
1092 shall be in good working order. All vehicles shall be equipped with brakes capable of
1093 stopping and holding the vehicle under all reasonable conditions, and shall have at least
1094 one door in addition to the driver's door affording direct entrance and exit to and from
1095 the passenger compartment. Failure to meet all above listed requirements shall cause
1096 the vehicle to be found unfit or unsuited for public use, and such vehicle may be ordered
1097 off the streets of the city.

1098
1099 118-67. - Audit Procedures

1100 (1) For the sole purpose of verifying that a transportation network company is in
1101 compliance with the requirements of this chapter and no more than annually, and with at
1102 least 7 days notice to the transportation network company, the director shall have the
1103 right to visually inspect a sample of records that the transportation network company is
1104 required to maintain. The sample shall be chosen randomly by the director in a manner
1105 agreeable to both parties. The audit shall take place at a mutually agreed location. Any
1106 record furnished to the director may exclude information that would tend to identify
1107 specific drivers or riders.

1108 (2) In response to a specific complaint against any transportation network company
1109 driver or transportation network company, the director, after providing at least 48 hours
1110 notice to the transportation network company, is authorized to inspect records held by
1111 the transportation network company that are necessary to investigate and resolve the
1112 complaint. Any record furnished may exclude information that would tend to identify

1113 specific drivers or riders, unless the identity of a driver or rider is necessary to resolve
1114 the complaint.

1115
1116 Sec. 118-68. - Smoking restrictions.

1117
1118 Smoking by drivers and passengers shall be prohibited in taxicabs,
1119 transportation network company vehicles, and airport limousines while the driver
1120 is engaged in transporting passengers for hire or providing transportation
1121 network company services.

1122
1123 Secs. 118-669—118-80. - Reserved.

1124
1125 DIVISION 2. - DRIVERS

1126
1127 Sec. 118-81. - Permit required; minimum age.

1128
1129 No person shall drive a taxicab or airport limousine unless duly granted a
1130 permit as provided in this division and having attained the age of 18 years.

1131
1132 Sec. 118-82. - Application for permit.

1133 (a) Every applicant for a permit as a driver of a taxicab or airport limousine shall make
1134 application to the chief of police on forms to be supplied by the chief of police.
1135 Driver permits, or the reasons for not granting a permit, shall be supplied to an
1136 applicant within 15 days following the date the application is received by the chief of
1137 police. However, an interim permit may be issued if, in a review of the application,
1138 paperwork reveals no irregularities and the reviewing official has no reason to
1139 believe that the application will not be approved.

1140 (b) The applicant shall provide such information as the chief of police may require,
1141 including, but without limitation, the following:

1142 (1) The applicant's name, age, residence, race, nationality, place of birth,
1143 citizenship, length of time resident in the city, marital status, height, weight, and
1144 color of eyes and hair. The applicant shall include the addresses of all
1145 residences for the five years preceding the application.

1146 (2) Previous experience as a taxicab, airport limousine or other similarly classified
1147 vehicle driver by date, employer and locality; and, if there is previous
1148 experience, whether any license or permit was revoked or suspended and the
1149 date, locality and reason for such revocation or suspension.

1150 (3) Previous history of arrests and/or convictions for any felony, misdemeanor or
1151 ordinance violation, including traffic violations, giving the particulars of each,
1152 and prior terminations of employment or contracts as a taxicab or airport
1153 limousine driver.

1154 (4) The names and current telephone numbers and addresses of three persons
1155 who have known the applicant personally for at least 12 months preceding the
1156 date of the application.

1157 (5) The fingerprints of the applicant.

- 1158 ~~(6) At least three recent photographs of the applicant, which shall be of such size~~
1159 ~~as may be required by the chief of police.~~
- 1160 ~~(7) Proof of legal age required to obtain any license required to operate a vehicle~~
1161 ~~licensed pursuant to this article.~~
- 1162 ~~(8) Demonstration of ability to speak and understand the English language and to~~
1163 ~~read and recognize street signage.~~
- 1164 ~~(3) Proof of a valid chauffeur's license issued to the applicant under the laws of the~~
1165 ~~state, or a valid license which would authorize the applicant to operate a taxicab~~
1166 ~~or airport limousine under the laws of the state, and submission to the chief of~~
1167 ~~police of the certificate of registration furnished the applicant under RSMo~~
1168 ~~301.002 et seq. The number thereon shall be noted on the application for the~~
1169 ~~permit.~~
- 1170 ~~(10) Submission of a certificate of physical examination by a physician licensed to~~
1171 ~~practice in the state, which shall recite the following matters:~~
- 1172 ~~a. The applicant is free of defective vision or has corrected vision to at least~~
1173 ~~20-20 in both eyes.~~
- 1174 ~~b. The applicant is free of defective hearing, epilepsy, vertigo, heart trouble,~~
1175 ~~and any other infirmity, physical or mental, which would render applicant~~
1176 ~~unfit for safe operation of a public vehicle.~~
- 1177 ~~c. The applicant is free from communicable diseases.~~
- 1178 ~~(11) As a part of the physical examination, a certificate or other public record~~
1179 ~~showing that the applicant has been tested and passed drug and alcohol~~
1180 ~~screening at least equal to the screening requirements set by the United States~~
1181 ~~Department of Transportation for motor carrier drivers with respect to the~~
1182 ~~number and types of drugs or controlled substances tested, which certificate~~
1183 ~~must have been issued no more than five days prior to the date of application.~~
- 1184 ~~(12) Whether the applicant has completed a course in first aid and life saving~~
1185 ~~administered under the American Red Cross or a course similar in content to~~
1186 ~~the American Red Cross administered first aid and life saving course. Such~~
1187 ~~completion of a course shall not be a requirement for the issuance of a driver's~~
1188 ~~permit, but such completion, when evidenced, shall be noted on the driver's~~
1189 ~~permit.~~
- 1190 ~~(c) As a part of the application, the applicant shall sign a release of information form~~
1191 ~~which shall permit the director or the chief of police to release information contained~~
1192 ~~in the application to any law enforcement agency.~~

1193
1194 ~~Sec. 118-83. - Examination of applicant for permit.~~
1195

1196 ~~After complying with the provisions of section 118-82, every applicant shall~~
1197 ~~be examined by the chief of police or his duly authorized subordinate as to the~~
1198 ~~applicant's knowledge of the provisions of this article, knowledge of the city, and~~
1199 ~~knowledge of local traffic regulations. An applicant shall not take the examination~~
1200 ~~more than twice in any 14-day period. Should an applicant fail to pass the~~
1201 ~~examination four times in a 28-day period, he shall not be permitted to take the~~
1202 ~~examination for a period of three months. The applicant may also be required by~~

1203 the chief of police to demonstrate the skill and ability with which the applicant
1204 operates a motor vehicle.

1205
1206 ~~Sec. 118-84. -- Issuance and display of permit.~~

1207
1208 Before issuing a permit to drive a taxicab or airport limousine, the chief of
1209 police shall investigate the facts set out in the application and shall not grant a
1210 permit to drive a taxicab or airport limousine to any person who has been
1211 convicted of a violation of the criminal laws of any state or the United States
1212 defined as a felony and who has served any part of such sentence within five
1213 years of the date of such application, or who, in the opinion of the chief of police
1214 is not physically fit or otherwise qualified to operate a taxicab, courtesy car or
1215 airport limousine in the city; except that the chief of police may issue a license to
1216 such person when the person has shown evidence of criminal rehabilitation in
1217 accordance with RSMo 314.200. Upon being satisfied that the applicant is
1218 qualified and upon proof of payment of the fees required by this article, the chief
1219 of police shall issue a driver's permit to the applicant, which shall be valid for a
1220 period of three years; provided, however, nothing in this section shall be
1221 construed as requiring the issuance of a driver's permit to a person who is a
1222 resident of a halfway house or similar facility. The permit shall be prominently
1223 displayed in the taxicab or airport limousine at all times while the driver is
1224 operating the taxicab or airport limousine. The permit shall include a photograph
1225 of the driver and the number assigned to the driver by the chief of police.

1226
1227 ~~Sec. 118-85. -- Notice of denial of permit.~~

1228
1229 If a driver's permit is not granted by the chief of police, the chief of police
1230 shall furnish the applicant the reasons for such refusal.

1231
1232 ~~Sec. 118-86. -- Appeal of denial of permit.~~

1233
1234 Whenever the chief of police shall have refused to authorize the issuance
1235 of a driver's permit, the applicant, within ten days after the date of the notice of
1236 such refusal, may file a request in writing to the chief of police for an appeal
1237 before a hearing examiner designated by the city manager. The hearing
1238 examiner shall conduct a hearing at which he may either consider such appeal
1239 on the evidence produced before the chief of police or permit the introduction of
1240 new evidence and new tests. In the event of an adverse decision, the applicant
1241 shall have a right of appeal from the date of the city hearing examiner's decision
1242 to circuit court pursuant to RSMo 536.010 et seq.

1243
1244 ~~Sec. 118-87. -- Reapplication for permit after denial.~~

1245
1246 When an applicant has been denied a driver's permit for reasons other
1247 than failing the examination pursuant to section 118-83, no new application shall
1248 be considered for a period of one year.

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

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

~~Sec. 118-89. – Renewal of permit.~~

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

~~Sec. 118-90. – Smoking while carrying passengers.~~

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

~~Sec. 118-91. – Notification of change of address.~~

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

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

~~The driver of any taxicab or airport limousine shall remain in or beside the vehicle at all times when such vehicle is standing upon the public streets, except~~

1295 that the driver may aid a passenger already engaged by the driver with luggage
1296 or from a building into the vehicle or out of the vehicle to a building or when
1297 conducting business in conjunction with his employment. The driver shall also
1298 maintain a neat and clean general appearance and shall be dressed at all times
1299 while on duty in a collared shirt, slacks or skirt, and wear a badge on the front of
1300 the shirt which lists at least the number assigned to the driver by the chief of
1301 police and the taxicab or airport limousine company under whose license he is
1302 operating the taxicab or airport limousine. At the discretion of the driver, the
1303 badge may list the first and/or last name of the driver.
1304

1305 ~~Sec. 118-93. - Procedure for revocation of permit.~~

1306
1307 Whenever a driver's permit is subject to revocation, a driver's permit may
1308 only be revoked by the chief of police after ten days' written notice by registered
1309 mail to the permittee and only after a hearing if the permittee makes a request of
1310 the chief of police in writing within the ten-day period for a hearing before the
1311 hearing examiner of the city.
1312

1313 ~~Sec. 118-94. - Altering or defacing permit, identification card, rate card or log sheet.~~

1314
1315 No permittee shall deface any permit, identification card, rate card or daily
1316 log sheet, or remove, tamper with or alter a rate card displayed in a taxicab or
1317 airport limousine. In case of any violation of this provision, the chief of police shall
1318 revoke the driver's permit. Such revocation shall be in addition to any other
1319 penalty imposed.
1320

1321 ~~Sec. 118-95. - Revocation of permit for conviction of certain offenses, driving with~~
1322 ~~excessive blood alcohol level, or failure to pass drug test.~~

1323
1324 Conviction of driving while intoxicated or driving when blood contains
1325 alcohol of 0.08 percent or more by weight in a personal vehicle, or leaving the
1326 scene of any accident, or operating a taxicab or airport limousine when blood
1327 contains 0.05 percent or more by weight of alcohol, or failure to pass or submit to
1328 a drug test requested by the director of finance or by the chief of police upon
1329 probable cause, shall operate as a revocation of any driver's permit issued under
1330 this division, and such driver shall not be eligible to receive a new permit for a
1331 period of one year from the date of such conviction, except in accordance with
1332 RSMo 314.200.
1333

1334 ~~(G.O. No. 5391, § 3, 7-6-2004)~~

1335
1336 ~~Sec. 118-96. - Violation marks.~~

1337
1338 ~~(a) For the purpose of regulating permittees under this division, the chief of police is~~
1339 ~~authorized to establish a system of violation marks for the violation of traffic~~
1340 ~~ordinances and ordinances pertaining to taxicabs, transportation network vehicles,~~

1341 ~~airport limousines and other public vehicles, in accordance with the following~~
 1342 ~~classified schedule:~~
 1343 ~~(1) Class I. Four violation marks shall be entered for each conviction of an offense~~
 1344 ~~under any of the following sections:~~

106-19	One-way streets and alleys.
106-79	Obedience to police and fire department officials.
106-428	Immediate notice to police department.
106-429	Written reports required.
106-430	Reports when driver unable to report.
106-453	Obedience required.
106-457	Flashing signals.
106-481	Vehicles to keep to righthand side of street.
106-490	Passing other vehicles traveling in same direction.
106-491	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-	Vehicle inspection and equipment.

498	
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.

1345 -

1346 ~~(2) Class II. One violation mark shall be entered for each conviction under any~~
1347 ~~traffic ordinance or ordinance governing taxicabs, transportation network~~
1348 ~~vehicles, airport limousines or other public vehicles not included in Class I.~~

1349 ~~(3) Class III. In addition to violation marks entered on convictions as provided in~~
1350 ~~Classes I and II, the chief of police may, after hearing, enter marks for minor~~
1351 ~~violations of rules and regulations, not exceeding one mark in any single case.~~

1352 ~~(b) When a permittee receives 12 violation marks in accordance with the schedule~~
1353 ~~provided in this section during any 12-month period, it shall be mandatory upon the~~
1354 ~~chief of police to suspend the permit of the driver for a period of 30 days. Upon~~
1355 ~~completion of the suspension period, a permittee shall have his total of violation~~
1356 ~~marks reduced by one-half.~~

1357 ~~(c) Whenever a permittee has accumulated sufficient violation marks to require a~~
1358 ~~second suspension within an 18-month period, the chief of police shall not suspend~~
1359 ~~but shall revoke the driver's permit, and such driver shall not be eligible to receive a~~
1360 ~~new permit for a period of one year from the date of such revocation.~~

1361
1362 ~~Sec. 118-97. - Revocation of permit for driving while permit is suspended.~~

1363
1364 ~~Whenever a permittee is convicted of driving a vehicle for which a driver's~~
1365 ~~permit is required during a period for which the permit has been suspended, the~~
1366 ~~chief of police shall revoke the permit of such driver, and such driver shall not be~~
1367 ~~eligible to receive a new permit for a period of one year from the date of such~~
1368 ~~revocation.~~

1369
1370 ~~Sec. 118-98. - Revocation of permit for other causes.~~

1371
1372 ~~(a) The chief of police shall revoke the permit of any driver whenever the chief finds any~~
1373 ~~of the following causes to exist:~~

- 1374 ~~(1) The permittee has obtained a permit by false statements in the application for~~
1375 ~~such permit or upon misrepresentation.~~
1376 ~~(2) The permittee has become physically or mentally incapable of driving a vehicle.~~
1377 ~~(3) The permittee has been convicted of a felony.~~
1378 ~~(4) The permittee has been convicted of a misdemeanor or ordinance violation~~
1379 ~~involving moral turpitude.~~
1380 ~~(b) In addition to the powers to revoke under subsection (a) of this section, the chief of~~
1381 ~~police shall have continuing jurisdiction as to permits granted under this division. In~~
1382 ~~the event of misconduct or acts on the part of a permittee which would be sufficient~~
1383 ~~to justify the refusal of a permit in the case of an original application, the chief of~~
1384 ~~police may revoke a license already granted.~~

1385
1386 ~~Sec. 118-99. - Notice of hearing involving permit or suspension or revocation of permit.~~
1387

1388 ~~The chief of police director shall notify the driver of any hearing involving~~
1389 ~~the driver's permit, of any suspension, or of any revocation of a driver's permit by~~
1390 ~~registered mail directed to the last residence address of the driver on file with the~~
1391 ~~chief of police director. Notice of suspension or revocation shall require the driver~~
1392 ~~to surrender the driver's permit and identification card.~~

1393
1394 ~~Sec. 118-100. - Eligibility for permit after three revocations.~~

1395
1396 ~~Whenever a permittee has had the driver's permit revoked three times, the~~
1397 ~~permittee shall not be entitled thereafter to make application for a new permit~~
1398 ~~except with the approval of the city manager.~~

1399
1400 ~~Sec. 118-100. - Authority to establish additional regulations.~~

1401
1402 ~~The chief of police and director of finance are hereby authorized and~~
1403 ~~empowered to establish and adopt such procedures required to carry out the~~
1404 ~~intent of this article.~~

1405
1406 ~~Sec. 118-102. - Replacement of lost or stolen permits.~~

1407
1408 ~~A charge of \$10.00 shall be paid to the director of finance by the holder of~~
1409 ~~a driver's permit for the replacement of the permit when misplaced, lost or stolen.~~

1410
1411 ~~Secs. 118-40382—118-120. - Reserved.~~

1412
1413 **DIVISION 3. - FEES, CHARGES AND RATES**

1414
1415 ~~Sec. 118-121. - Payment of fees and charges by licensees and permittees.~~

1416
1417 ~~(a) It shall be unlawful for a person to operate a taxicab, transportation network~~
1418 ~~company, airport limousine, or courtesy car service prior to the payment of all fees~~
1419 ~~and charges required by this article and by the various provisions of this Code.~~

1420 Failure to pay any annual fees, charges or taxes established by this article or the
1421 various provisions of this Code is grounds for revocation of any permit or license
1422 issued to such person, and revocation shall not be deemed the exclusive remedy
1423 available to the city.

1424 (b) It shall be unlawful for a person to drive a taxicab, airport limousine or courtesy car
1425 prior to the payment of all fees and charges required by this article and by the
1426 various provisions of this Code, and this is grounds for revocation of any permit or
1427 license issued to such person, and revocation shall not be deemed the exclusive
1428 remedy available to the city.

1429
1430 Sec. 118-122. - Application fee for taxicab, transportation network company or airport
1431 limousine company license.

1432
1433 There is hereby established an application fee for a taxicab, transportation
1434 network company, or airport limousine company license or permit. Such fee shall
1435 be such amount as established by ordinance from time to time. Such fee shall be
1436 paid prior to the acceptance of the application for a license or permit by the
1437 director of finance. Failure to pay such fee shall be grounds for refusing to accept
1438 and process an application for a license or permit. The proceeds shall be used to
1439 defray the cost of processing the application for a taxicab, transportation network,
1440 or airport limousine company license or permit. The application fee shall not in
1441 any part be refunded to the applicant.

1442
1443 ~~Sec. 118-123. - Application fee for driver's permit.~~

1444
1445 ~~There is hereby established an application fee of such amount as~~
1446 ~~established by ordinance from time to time for a driver's permit or renewal~~
1447 ~~thereof. Such fee shall be paid to the director of finance, who shall then issue a~~
1448 ~~receipt to the applicant. The chief of police shall not accept an application for a~~
1449 ~~driver's permit without such a receipt. The application fee shall defray the cost of~~
1450 ~~processing the application, the cost of any hearing, the cost of testing, and other~~
1451 ~~administrative costs and shall include the initial annual driver's permit fee. If this~~
1452 ~~application is withdrawn or if the permit is not issued to the applicant, the director~~
1453 ~~of finance shall refund to the applicant an amount equal to one-half the cost of~~
1454 ~~the driver's permit.~~

1455
1456 Sec. 118-1243. - License fee for taxicab or airport limousine company.

1457
1458 The taxicab or airport limousine company's license fee is hereby
1459 established as that fee which is set out in subsection 70-84(132).

1460
1461 ~~Sec. 118-125. - Delinquent application fee for driver's permit.~~

1462
1463 ~~There is hereby established a delinquent application fee for making~~
1464 ~~application for a renewal of a driver's permit. Such fee shall be such amount as~~

1465 established by ordinance from time to time and shall be assessed in accordance
1466 with the provisions of sections 118-48 and 118-89.

1467
1468 Sec. 118-1264. - Vehicle inspection fee.

1469
1470 There is hereby established a vehicle inspection fee, which shall be
1471 assessed against the operator each time the vehicle is inspected or reinspected
1472 pursuant to this article. No approval of a vehicle shall be given until such
1473 inspection fee is paid to the director of finance or his authorized agent. Such fee
1474 shall be such amount as established by ordinance from time to time. This section
1475 shall not apply to Transportation Network Company vehicles.

1476
1477 Sec. 118-1275. - Taxicab rates.

- 1478
1479 (a) The maximum rates charged to passengers of any taxicab company shall be on file
1480 with the director of finance. The rates shall be posted in each taxicab vehicle and
1481 visible to all passengers. Taxicab companies may only change the maximum rates
1482 to be charged to passengers by filing a notice with the director of finance 30 days in
1483 advance of any rate change. Failure to notify the director of finance of a change in
1484 rates 30 days in advance, or charging a passenger more than the rates on file, may
1485 result in a one-year suspension of the taxicab company license or the permit of the
1486 driver involved, or both. Notwithstanding the foregoing language, taxicab companies
1487 may change their rates only once every 180 days.
1488 (b) Notwithstanding the provisions of subsection (a), any taxicab company may charge
1489 a rate lower than those rates on file for the company with the director of finance.

1490
1491 Sec. 118-1286. - Airport limousine rates.

- 1492 (a) The maximum rates charged to passengers of any airport limousine company shall
1493 be on file with the director of finance. The rates shall be posted in each airport
1494 limousine and visible to all passengers. Airport limousines may only change the
1495 maximum rates to be charged to passengers by filing a notice with the director of
1496 finance 30 days in advance of any rate change. Failure to notify the director of
1497 finance of a change in rates 30 days in advance, or charging a passenger more
1498 than the rates on file, may result in a one-year suspension of the airport limousine
1499 company license or the permit of the driver involved, or both. Notwithstanding the
1500 foregoing language, airport limousine companies may change their rates only once
1501 every 180 days.
1502 (b) Notwithstanding the provisions of subsection (a), any airport limousine company
1503 may charge a rate lower than those rates on file for the company with the director of
1504 finance.

1505
1506 Sec. 118-127. - Transportation network services rates

- 1507
1508 (a) Transportation network vehicles shall be for hire at a fare or fare structure that is
1509 available to the passenger in advance of requesting the trip. The transportation
1510 network company must provide a passenger with the total fare or a means to obtain

- 1511 a fare estimate under the current fare structure, inclusive of any dynamic pricing
1512 that will be applied to the trip. Within 24 hours of the conclusion of the trip, the
1513 transportation network company shall give the passenger a legible receipt showing:
1514 (1) The rate, if applicable;
1515 (2) Total fare;
1516 (3) The mileage;
1517 (4) The time;
1518 (5) The name of the transportation network company;
1519 (6) The first name of the driver; and
1520 (7) A description of the vehicle.
1521 The receipt may be submitted to the passenger electronically.
1522 (b) Fares established for sightseeing vehicles shall be filed with the director at least two
1523 (2) days before they shall become effective.
1524 (c) Transportation network companies shall provide the passenger with a photo of the
1525 driver, including the make and model of the vehicle and license plate number that
1526 will be picking up the passenger. Further, the transportation network company must
1527 be capable of monitoring transportation network vehicles logged into its digital
1528 network as to location and route and recording these details for every trip taken.
1529 The transportation network company shall make trip details available to the director
1530 to resolve specific complaints.
1531 (d) Each transportation network company shall maintain accurate and detailed records
1532 of all transportation network company services, including, but not limited to: the
1533 times that vehicles are logged into the network; identification information of drivers
1534 and passengers receiving transportation network services; and pickup and drop off
1535 locations for passengers receiving transportation network services. Such records
1536 shall be provided to the director upon request in the event of a complaint.

1537
1538 Secs. 118-1298—118-150. - Reserved.

1539
1540 Section 2 – The section and subsection numbers shown herein shall be used
1541 unless the City Clerk or the codifier of the City Code assign a different section or
1542 subsection number to the language.

1543
1544 Section 3 – Savings Clause. Nothing in this ordinance shall be construed to
1545 affect any suit or proceeding now pending in any court or any rights acquired or liability
1546 incurred nor any cause or causes of action occurred or existing, under any act or
1547 ordinance repealed hereby. Nor shall any right or remedy of any character be lost,
1548 impaired, or affected by this ordinance.

1549
1550 Section 4 – Severability Clause. If any section, subsection, sentence, clause, or
1551 phrase of this ordinance is for any reason held to be invalid, such decision shall not
1552 affect the validity of the remaining portions of this ordinance. The Council hereby
1553 declares that it would have adopted the ordinance and each section, subsection,
1554 sentence, clause, or phrase thereof, irrespective of the fact that any one or more
1555 sections, subsections, sentences, clauses, or phrases be declared invalid.

1556

1557 Section 5 – This ordinance shall be in full force and effect from and after
1558 passage.

1559
1560

1561 Passed at meeting: _____

1562
1563

Mayor

1564
1565

1566 Attest: _____, City Clerk

1567
1568

1568 Filed as Ordinance: _____

1569
1570

1570 Approved as to form: Amanda R. Callaway, Assistant City Attorney

1571
1572

1572 Approved for Council action: [Signature], City Manager

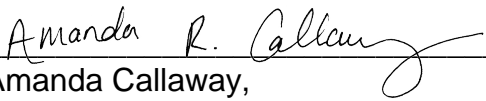
SUPPLEMENTAL EXPLANATION TO SUBSTITUTE COUNCIL BILL NO. 2016-244

ORIGINATING DEPARTMENT: City Manager's Office

REMARKS: During the October 31, 2016 City Council meeting, Councilman Mike Schilling requested a revision to Council Bill No. 2016-244 Substitute 1, further amending the City Code, Chapter 118, 'Vehicles For Hire,' Article II, 'Taxicabs, Courtesy Cars and Airport Limousines,' Division 1, 'Generally,' by adding smoking restrictions to the Code.

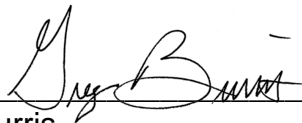
In response to his request, Sec. 118-68. – 'Smoking restrictions' was added, which states that smoking by drivers and passengers shall be prohibited in taxicabs, transportation network company vehicles, and airport limousines while a driver is engaged in transporting passengers for hire or providing transportation network company services.

Submitted by:



Amanda Callaway,
Assistant City Attorney

Approved by:



Greg Burris,
City Manager

EXPLANATION TO SUBSTITUTE 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: General Background re the bill:

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.

Substitute Bill:


This proposed Council Bill contains several differences from the bill that the Committee approved on October 4, 2016. Subsequent to the final Committee meeting, City staff received comments from the industry and held a conference call to discuss feedback to the Committee-recommended version of the bill. Many of the changes are related to use of terminology and remove requirements that do not apply naturally to the TNC structure. Some of those differences are listed below:

- Changes to the requirement that the City provide 10 days notice to the company prior to inspection of a TNC, taxicab, or airport limousine company's records.
- Modifies the requirement that TNC owners do not sell or lease vehicles to TNC drivers.
- Removes the prohibition of TNC drivers against cruising an area while waiting for a ride to connect through the TNC's application.
- It does not amend the insurance amounts for TNCs required prior to April 1, 2017, as set forth in the Committee bill. However, it does provide that after Section 379.1702 RSMo, the state law governing TNC insurance, goes into effect on April 1, 2017, that the City's ordinance will rely upon and incorporate amounts listed in


the state law instead of listing the exact amounts of insurance required in Springfield's city code. This change will allow the state law to be amended which will then change the amount we require under our city code because our city code will only reference the state law instead of listing the specific amounts required.

REMARKS:

Submitted by:


Amanda Callaway, Assistant City Attorney

Recommended by:


Collin Quigley, Assistant City Manger

Approved by:


Greg Burris, City Manager