



ORDINANCE NO. 28303

1 AN ORDINANCE relating to the License Code; amending Chapter 6B.220 of the
2 Tacoma Municipal Code, For-Hire Regulations, by amending
3 Sections 6B.220.140, 6B.220.200, 6B.220.230, and 6B.220.390 thereof to
4 align vehicle insurance requirements with recently adopted state
5 requirements for transportation network companies; clarify responsibility for
6 submittal of quarterly license fees and trip reports; and add a requirement
7 that for-hire plates be returned to the City when for-hire vehicles have been
8 removed from service.

9 WHEREAS for-hire vehicle owners are required to obtain a license to
10 operate within the City, and

11 WHEREAS the license application requires that several conditions be met
12 prior to issuance, including the requirement that for-hire vehicles have liability
13 insurance which meets or exceeds the requirements of RCW 46.72.050, and

14 WHEREAS, during the 2015 legislative session, the Washington State
15 Legislature passed ESSB 5550, establishing new insurance requirements for the
16 operation of transportation network companies ("TNC") vehicles in the state, said
17 requirements to become effective on July 24, 2015, and

18 WHEREAS staff recommends to amend the TMC to align the City's for-hire
19 vehicle insurance requirements with newly enacted state law, and

20 WHEREAS the proposed amendment also includes the following changes:

21 (1) clarifying language that for-hire transportation companies submit the quarterly
22 \$0.10 ride fees and trip report for each affiliated vehicle, rather than for-hire vehicle
23 owners submitting the reports; and (2) a requirement that when for-hire vehicles are
24 removed from service, the for-hire plate shall be returned to the City, and failure to
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return the plate within the designated time period will be considered a Class "B"

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violation; Now, Therefore,

BE IT ORDAINED BY THE CITY OF TACOMA:

That Chapter 6B.220 of the Tacoma Municipal Code, For-Hire Regulations,
is hereby amended by amending Sections 6B.220.140, 6B.220.200, 6B.220.230,
and 6B.220.390 thereof, to read as set forth in the attached Exhibit "A."

Passed _____

Mayor

Attest:

City Clerk

Approved as to form:

Deputy City Attorney



EXHIBIT "A"

**Chapter 6B.220
For-Hire Regulations**

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

A. The fees are hereby fixed as follows:

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

Description	Fees
For-hire driver license	\$50
For-hire driver license replacement	\$ 5
For-hire vehicle license	\$75
For-hire vehicle replacement plate	\$25
Taximeter inspection	\$50
Taximeter inspection re-scheduling fee	\$50

2. Accessible services fund.

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

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

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

3. Transportation network company license.

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

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

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



B. Exemptions.

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

- a. Accessible for-hire vehicles; or
- b. TNC affiliated vehicles.

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

- a. TNC affiliated drivers.

* * *

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

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

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

- 1. Vehicle owner’s full name, home address, home and business telephone number;
- 2. Vehicle information, the make, model, year, vehicle identification number, Washington State vehicle license plate number, and any other vehicle information required by rule or regulation promulgated under this chapter;
- 3. Information as requested by the Director pertaining to any for-hire driver’s, for-hire vehicle license suspension, denial, or revocation, imposed in connection with a for-hire vehicle owned or leased by the owner within the last three (3) years;
- 4. Certificate or Proof of an Insurance policy;
 - a. If the City does not already have on file evidence that each for-hire vehicle has liability insurance that meet the requirements of this section, provide evidence with the City that each for-hire vehicle has liability insurance in an amount no less than required by 1) RCW 46.72.050, as it exists or as hereinafter amended, for non-TNC for-hire vehicles, or 2) ESSB 5550, section 2*, as it exists or as hereinafter amended, for TNC for-hire vehicles, at any time while active on an application dispatch service and/or ‘operating a for-hire vehicle.’ The insurance policy, and any related for-hire driver contracts if applicable, must be submitted to the Director. The insurance policy shall:
 - (1) At a minimum be issued by either: a) an admitted carrier in the State of Washington with an A.M. Best Rating of not less than B VII or b) a surplus line insurers with an A.M. Best Rating of not less than B+ VII;
 - (2) Name the City of Tacoma as an additional insured;
 - (3) Provide that the insurer will notify the Director, in writing, of any cancellation and/or non-renewal at least thirty (30) days before that cancellation and/or non-renewal takes effect; and
 - (4) Not include aggregate limits, or named driver requirements or exclusions. Other limitations or restrictions beyond standard insurance services office (ISO) business auto policy form are subject to approval by the Director.
 - b. An insurance policy of underinsured motorist coverage indicating 1) a minimum combined single limit coverage of three hundred thousand dollars (\$300,000) or split level coverage of one hundred thousand dollars (\$100,000) per person, three hundred thousand dollars (\$300,000) per accident for



[non-TNC for-hire vehicles or 2\) the amounts required by ESSB 5550 section 2*](#), as it exists or as hereinafter amended, for TNC for-hire vehicles;

1 5. State of Washington vehicle registration;

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

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

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

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

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

22 (1) The identifying number of the taximeter;

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

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

25 (4) The date of inspection;

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

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

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

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

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

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

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



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

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

* [RCW citation provided when ESSB 5550 is codified.](#)

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

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

B. It is unlawful to operate a for-hire vehicle not licensed pursuant to the provisions of this chapter or which for-hire vehicle license has been suspended or revoked. The for-hire vehicle owner and affiliated for-hire transportation services company are jointly and severally responsible for immediately surrendering the for-hire vehicle license plate to the Director upon revocation or suspension. When a summary suspension of a for-hire vehicle license or annual business license is issued according to 6B.10.145, the for-hire vehicle plate must be returned to the Director within three (3) business days of the date the summary suspension is issued. A TNC shall deactivate any affiliated for-hire vehicle owner from their online-enabled application upon revocation or suspension of the for-hire vehicle owner’s license.

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

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

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

1. Driving without a valid for-hire driver’s license and/or a for-hire transportation services company knowingly allowing an affiliated for-hire driver to drive without a valid for-hire driver’s license;
2. Driving without a valid for-hire vehicle license plate or for-hire vehicle endorsement and/or a for-hire transportation services company knowingly allowing an affiliated for-hire driver to drive without a valid for-hire vehicle license plate or for-hire vehicle endorsement;
3. Driving without valid insurance as required in 6B.220.200 and/or a for-hire transportation services company knowingly allowing an affiliated for-hire driver to drive without valid insurance as required in 6B.220.200;
4. Operating a for-hire vehicle with a revoked or suspended for-hire vehicle and/or for-hire driver’s license and/or a for-hire transportation services company knowingly allowing an affiliated for-hire driver to operate a for-hire vehicle with a revoked or suspended for-hire vehicle and/or for-hire driver’s license; or



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

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

- 1. The vehicle equipment found not to be up to safety standards, including, but not limited to, windshield, tires, spare tire/jack, headlights, four-ways, blinkers, brake light, tail/back up lights, horn, windshield wipers, glass/window, door handle, seat belts, brake, accelerator emergency brake, mirrors, speedometer, taximeter;
- 2. Allowing vehicle insurance to lapse;
- 3. Not clearly displaying to passengers a for-hire driver’s license in the vehicle or a TNC driver not showing the for-hire driver’s license upon request by a passenger or City official;
- 4. Not posting or providing rates in writing in the for-hire vehicle or on an online enabled app or website which explain the rate structure and is transparent to the rider prior to accepting the ride; or
- 5. The for-hire vehicle is not clean, interior lights are not working or the body of the vehicle has defects.

6. The for-hire vehicle license plate is not returned to the City within five (5) business days of retiring or removing a vehicle from service or within three (3) business days from the day a summary suspension is issued according to 6B.10.145, for a for-hire vehicle license or for-hire transportation services business license.

D. Penalties for violations shall be as follows:

Violation	Penalty
A	\$500
B	\$75

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

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