

Lyft Milwaukee Public Passenger Vehicle Legislation Amendment (file # 131800)

Strike definition of Network Company at Section 100-2(13). Insert the following definition: Network Company means a transportation company or business that uses an online, digital or electronic platform to connect passengers with network vehicles operated by private drivers.

Strike definition of Network Vehicle at Section 100-2(14). Insert the following definition: Network Vehicle means a private vehicle operated under contract service arranged through a network company.

100-50a. Network Companies

1. Network Company Permit Required.

a. The application for a Network Company Permit shall require:

a-1. The name, date of birth and home address and telephone number of the applicant,

a-2. If the applicant is a corporation or limited liability company, the name of the corporation shall be set forth exactly as it is set forth in its articles of incorporation, together with the names, date of birth and home addresses and telephone numbers of its designated agent and each of its officers or members, if any. If any of the members is a corporation, the provisions of this section pertaining to a corporate applicant shall apply to the corporate officers.

a-3. If the applicant is a partnership, the application shall set forth the name, date of birth and home address and telephone number of each of the partners, including limited partners. If one or more of the partners is a corporation, the provisions of this section pertaining to a corporate applicant shall apply to the corporate partners.

a-4. Evidence of financial responsibility as required by s. 100-53 issued to and covering the applicants.

a-5. The areas of the city to be served by the network company.

a-6. A description of vehicle inspections conducted by or on behalf of the applicant

a-7. The applicant's written plan to promote and ensure driver and passenger security.

a-8. A statement of the applicant's process for resolving complaints, including the manner in which complaint records are to be retained and reported to the city clerk.

a-9. The manner in which all accident reports or citations received in the operation of a permitted vehicle shall be retained and made available to the city clerk.

a-10. A description of all proposed vehicle markings, body color or colors, signs or stickers.

a-11. Each corporate applicant applying shall file with its application for a permit a statement by its officers or members showing the names and addresses of all persons who individually hold 20% or more of the corporation's total or voting

stock, or proxies for that amount of stock, together with the amount of stock or proxies held by each person.

b. CHANGES TO BE REPORTED.

b-1. A permittee shall notify the city clerk whenever there is a change in any information that is reported in the application form or renewal application form. The permittee shall make this notification in writing within 10 calendar days after the change occurs.

c. Fees. Each Network Company shall pay \$5,000 for a Network Company license.

d. Receipts. Upon completion of a trip, the Network Company shall transmit an electronic receipt to the passenger's email address or mobile application documenting the date of the trip, the origination of the trip, the name of the Network Company Operator and a description of the total amount paid, if any. The Network Company shall maintain a website that provides a customer service telephone number or email address.

2. No vehicle owner or lessee shall operate his or her vehicle, or allow his or her vehicle to be operated as Network Company vehicle upon the streets of the City unless he or she has met all the standards provided in this section.

3. VEHICLE INSPECTIONS.

a. No Network Company driver shall operate his or her vehicle, or allow his or her vehicle to be operated on a Network Company digital platform upon the streets of the city unless the Network Company or a third party has performed the following 20-point vehicle inspection:

1. Foot brakes;
2. Emergency brakes;
3. Steering mechanism;
4. Windshield;
5. Rear window and other glass;
6. Windshield wipers;
7. Headlights
8. Tail lights;
9. Turn indicator lights;
10. Stop lights;
11. Front seat adjustment mechanism;
12. Doors (open, close, lock);
13. Horn;
14. Speedometer;
15. Bumpers;
16. Muffler and exhaust system;
17. Condition of tires, including tread depth;
18. Interior and exterior rear view mirrors; and
19. Safety belts for driver and passenger(s).

b. No Network Company driver shall operate his or her vehicle, or allow his or her vehicle to be operated on a Network Company digital platform upon the streets of the city unless the vehicle inspection required under Sections 100-51.5(1)(b) and 100-51.5(2) have been performed by a licensed mechanic within 90 days of the vehicle first operating on the Network Company platform.

#### 4. BACKGROUND CHECKS.

a. No Network Company driver shall operate his or her vehicle, or allow his or her vehicle to be operated on a Network Company digital platform upon the streets of the city unless the driver has successfully passed a background check performed by the City or a City-approved Background Check provider. Any person who has been convicted, within the past seven years, of driving under the influence of drugs or alcohol, or who has been convicted at any time for fraud, sexual offenses, use of a motor vehicle to commit a felony, a crime involving property damage, and/or theft, acts of violence, or acts of terror shall not be permitted to be a Network Company driver.

5. MOTOR VEHICLE DRIVING HISTORY. Any person with (i) more than three (3) moving violations in the three-year period prior to such check, or (ii) a major violation in the three-year period prior to such check (including, but not limited to, attempting to evade the police, reckless driving, or driving on a suspended or revoked license) shall not be permitted to be a Network Company driver.

6. QUALIFICATIONS. Every Network Company driver shall:

- a. Be at least 18 years of age.
- b. Possess a valid motor vehicle driver's license, excluding occupational licenses, issued by the state of Wisconsin.
- c. Has taken a city approved Network Company driver training.
- d. Has passed a criminal background check in compliance with 100-50a(4).
- e. Has passed a driving record check in compliance with 100-50a(5).

7. RATES. Network Companies may charge compensation for service based on distance travelled or time elapsed during service, or based on distance travelled and time elapsed during service, or a flat prearranged fare, or a suggested donation.

8. HOURS OF DRIVERS. No person may require any other person driving a Network Company vehicle upon the public streets to be logged onto the platform for more than 12 hours without taking an eight hour consecutive break.

9. PROHIBITED ACTIVITIES. No Network Company driver shall engage in any prohibited activities laid out in 100-59.9 and 100-59.10.

10. INSURANCE POLICY. A Network Company must comply with Section 100-53.

#### 11. PENALTIES.

a. Any person who violates any provision of this chapter shall, where no other provisions are expressly made for the enforcement of any forfeiture or penalties under this chapter, upon conviction forfeit not less than \$50 nor more than \$750 together with the costs of prosecution.

b. Any Network Company who violates 100-50a.1 shall be subject to the following forfeitures together with the costs of prosecution:

- a) A forfeiture not less than \$1,500 nor more than \$2,500 if the person has not committed a previous violation within 24 months of the violation.
- b) A forfeiture not less than \$2,500 nor more than \$4,000 if the person has committed a previous violation within 24 months of the violation.
- c) A forfeiture not less than \$4,000 nor more than \$5,000 if the person has committed 2 or more previous violations within 24 months of the violation.