

___ SIMPLE AMENDMENT

X SUBSTITUTE AMENDMENT

___ PROCEDURAL MOTION

AMENDMENT BY ALD. BAUMAN

FILE NO.131800

VERSION: SUBSTITUTE 2

TITLE: A substitute ordinance relating to public passenger vehicle licensing, regulation and enforcement.

ITEM: Unfinished Business

COMMON COUNCIL

TEXT OF MOTION

I move to substitute Proposed Substitute B for Substitute 2 and for passage of the ordinance as substituted.

ANALYSIS OF AMENDMENT

Proposed Substitute B differs from Substitute 2 in the following manner:

1. Establishes provisions for the issuance of provisional public passenger vehicle driver's licenses and permits if certain eligibility and filing criteria are met. (See s. 100-70 at page 16.)
2. Establishes that the chief of police may designate one or more additional parties, businesses or agencies, subject to approval by the common council, to conduct investigations under terms and conditions that will ensure substantially similar quality and costs as if conducted by the department (See s. 100-50-8 at page 10.).
3. Further revises various provisions of the code for purposes of correcting errors, clarifying language and eliminating obsolete provisions.

RGP
6/24/14

1 ..Number
2 131800
3 ..Version
4 PROPOSED SUBSTITUTE B
5 ..Reference
6 130903
7 ..Sponsor
8 ALD. BAUMAN, MURPHY, STAMPER, DAVIS, ZIELINSKI, BOHL, PEREZ, KOVAC
9 AND WADE
10 ..Title
11 A substitute ordinance relating to public passenger vehicle licensing, regulation and
12 enforcement.
13 ..Sections
14 81-58.5 rp
15 81-60.5 rp
16 81-68 rp
17 81-76 rp
18 81-89 rp
19 81-101.3 rp
20 81-101.5 rc
21 81-106.5 rp
22 81-125 rp
23 81-126 rp
24 85-34 cr
25 100-2-5 am
26 100-3-2 rc
27 100-3-6.3 cr
28 100-3-6.7 rc
29 100-3-6.9 rc
30 100-3-7 am
31 100-3-7.5 cr
32 100-3-9.5-a am
33 100-3-9.5-e am
34 100-3-11 am
35 100-3-11.5 am
36 100-3-13 rn
37 100-3-13 cr
38 100-3-13.5 rn
39 100-3-14 rn
40 100-3-14 cr
41 100-3-15 rn
42 100-3-16 rn
43 100-3-17 rn
44 100-3-18 rn
45 100-3-19 rn
46 100-3-20 rp

1 100-3-21 rn
2 100-3-22 rn
3 100-3-23 rn
4 100-3-23-0 am
5 100-3-23-f rn
6 100-3-23.5 rn
7 100-3-24 rn
8 100-3-24.5 rn
9 100-3-25 rp
10 100-3-26 rp
11 100-3-27 rp
12 100-3-28 rn
13 100-4-4 am
14 100-4-4-b cr
15 100-50-3-d am
16 100-50-3-e rp
17 100-50-3-f am
18 100-50-4-a rc
19 100-50-4-b-7 am
20 100-50-4-b-8 rn
21 100-50-4-b-8 cr
22 100-50-4-d am
23 100-50-4-f rn
24 100-50-8 am
25 100-50-11-b-2 am
26 100-50-11-d am
27 100-50-11-i rp
28 100-50-12-b-2-0 am
29 100-50-12-c rp
30 100-50-12-d rp
31 100-50-12-e-2 am
32 100-50-12-f rp
33 100-50-12-h rp
34 100-50-12-i rp
35 100-50-12-j rp
36 100-50-13-b am
37 100-50-16-b-4 am
38 100-50-17 rc
39 100-51-1-c am
40 100-51-4-b am
41 100-51-5-a am
42 100-51-5-b am
43 100-51-8-a am
44 100-51.5-1-c-1-0 am
45 100-51.5-1-e am
46 100-51.5-1-f am

1 100-51.5-3-0 am
2 100-51.5-3-a-0 am
3 100-51.5-3-a-6 rp
4 100-51.5-3-d am
5 100-51.5-4-0 am
6 100-51.5-4-c am
7 100-51.5-5-0 am
8 100-51.5-6-0 am
9 100-51.5-7-0 am
10 100-51.5-8-0 am
11 100-51.5-8-a am
12 100-52-1 rp
13 100-52-2 rn
14 100-52-2-a-0 am
15 100-52-3 rn
16 100-52-4 rp
17 100-52-5 rn
18 100-53-5 am
19 100-54-1-a am
20 100-54-2-e am
21 100-54-2-h am
22 100-54-14 rc
23 100-59-1-a rc
24 100-61 (table) rp
25 100-61 rp
26 100-62 am
27 100-62-4 cr
28 Subch. 5, Ch. 100 (title) rc
29 100-70 rc
30 100-72 rp
31 100-74 rp
32 100-76 rp
33 ..Analysis

34 This ordinance revises the following public passenger vehicle licensing, regulation and
35 enforcement provisions:

- 36 1. Eliminates limits on the numbers of taxicab vehicle permits that are currently
37 authorized be issued.
38
- 39 2. Amends and creates certain definitions to accommodate a new class of taxicab
40 operation enabled by internet and telephone networks that are defined as
41 “network vehicles” and “network companies” under this ordinance, but commonly
42 referred to as “rideshare” operations. Vehicles defined as “network vehicles” are
43 included within the definition and classification applicable to taxicabs.
44
- 45 3. Establishes that network vehicles shall be subject to the same permitting and
46 vehicle inspection requirements as other classes of public passenger vehicles.

- 1
- 2 4. Establishes that drivers of network vehicles shall be subject to the same licensing
- 3 and background investigation requirements as other public passenger vehicle
- 4 drivers.
- 5
- 6 5. Standardizes new and renewal permit application fees for all classes of public
- 7 passenger vehicles by increasing permit fees to the same amounts currently
- 8 established for taxicabs.
- 9
- 10 6. Establishes that all public passenger vehicle permit holders and applicants shall
- 11 file as part of new and renewal permit applications detailed plans of operation.
- 12
- 13 7. Establishes provisions for the issuance of provisional public passenger vehicle
- 14 driver's licenses and permits if certain eligibility and filing criteria are met.
- 15
- 16 8. Establishes that the chief of police may designate one or more additional parties,
- 17 businesses or agencies, subject to approval by the common council, to
- 18 conduct investigations under terms and conditions that will ensure substantially
- 19 similar quality and costs as if conducted by the department.
- 20
- 21 9. Repeals the provisions created in Common Council File Number 130903 for
- 22 certifying taxicab affiliations and requiring taxicab vehicle permittees to be
- 23 affiliated.
- 24
- 25 10. Establishes that the city clerk's responsibilities shall include the investigation and
- 26 review of public passenger vehicle operations and the conduct of drivers and
- 27 vehicle permittees as directed by the licensing committee. This responsibility
- 28 extends to issuance of warnings and citations for violations of the regulations and
- 29 orders of the licensing committee or for violations of applicable public passenger
- 30 regulations provided in the code.
- 31
- 32 11. Increases the forfeiture ranges relating to the graduated penalty provisions
- 33 established for violations of ch. 100.
- 34
- 35 12. Revises various provisions of the code for purposes of correcting errors,
- 36 clarifying language and eliminating obsolete provisions.
- 37
- 38 13. Establishes that this ordinance shall take effect September 1, 2014.

39 ..Body

40 Whereas, Following revisions of taxicab licensing and regulation by passage of
41 Common Council File Number 13093 on November, 2013, more than 1,700 entries
42 were received for participation in the lottery for 100 new taxicab permits; and
43

1 Whereas, Network operations, often referred to “rideshare” operations, linking
2 passengers with public passenger vehicles operating as taxicabs through electronic
3 networking applications, were introduced into Milwaukee’s public passenger vehicle
4 market in the early spring of 2014; and
5

6 Whereas, The demand for vehicle permits for traditional taxicab operation and the
7 introduction of new competing models for taxicab services have significantly altered the
8 public passenger vehicle marketplace; and
9

10 Whereas, The Common Council wishes to protect the health, safety and welfare of the
11 public, to promote availability and accessibility of cost-effective public transportation and
12 to encourage innovation in the provision of passenger vehicle services; now, therefore
13 The Mayor and Common Council of the City of Milwaukee do ordain as follows:
14

15 Part 1. Sections 81-58.5, 81-60.5, 81-68, 81-76, 81-89 and 81-101.3 of the code are
16 repealed.
17

18 Part 2. Section 81-101.5 of the code is repealed and recreated to read:
19

20 **81-101.5. Public Passenger Vehicle Permit.**
21

22 1. Each public passenger vehicle permit for a handicapped-elderly vehicle, horse and
23 surrey livery, limousine, motorcycle used for tours, pedicab, or shuttle vehicle shall be
24 issued for a one-year period, expiring on April 30 irrespective of the date of issuance.
25

26 2. Each public passenger vehicle permit for taxicab shall be issued for a one-year
27 period, expiring on October 31, irrespective of the date of issuance.
28

29 3. The fee for each new permit shall be \$284.
30

31 4. The fee for renewal of each permit shall be \$209.
32

33 5. There shall be an additional fee of \$125 for the late filing of a permit renewal
34 application after the date established by the city clerk.
35

36 6. The fee for filing a notice of change of taxicab affiliation shall be \$25.
37

38 7. The fee for changing the agent or officers of a corporation holding a public passenger
39 vehicle permit shall be \$25.
40

41 8. The fee for any special inspection of a public passenger vehicle, as provided in s.
42 100-51, shall be \$125.
43

44 (See s. 100-50.)
45

46 Part 3. Sections 81-106.5, 81-125 and 81-126 of the code are repealed.
47

1 Part 4. Section 85-34 of the code is created to read:

2
3 **85-34. Truth of Statements and Affidavits.** 1. No document submitted to the city clerk
4 by any person relating to any application filed with or license or permit issued through
5 the city clerk's office shall contain false, misleading or fraudulent information or false
6 affidavit.

7
8 2. Any application filed with or license or permit issued through the city clerk's office
9 may be denied, suspended, not renewed or revoked by the common council after notice
10 to the applicant or licensee and a hearing, if the applicant or licensee provided false,
11 misleading or fraudulent information or a false affidavit.

12
13 3. The city clerk may revoke a provisional license without further common council action
14 if he or she determines that the applicant provided false, misleading or fraudulent
15 information.

16
17 4. Except as otherwise expressly provided in this code, any person filing any false,
18 misleading or fraudulent information or false affidavit shall upon conviction be subject to
19 a forfeiture not to exceed \$500 together with the costs of prosecution, and, in default of
20 payment may be imprisoned as provided by law.

21
22 5. The city clerk shall provide on each individual application for any license or permit
23 issued through the city clerk's office notice that a penalty is provided for any false,
24 misleading or fraudulent information or false affidavit provided by any applicant or
25 licensee.

26
27 Part 5. Section 100-2-5 of the code is amended to read:

28
29 **100-2. Purpose.**

30
31 5. Encourage innovation in the provision of ~~[[taxicab and paratransit]]~~>>public
32 passenger vehicle<< services.

33
34 Part 6. Section 100-3-2 of the code is repealed and recreated to read:

35
36 **100-3. Definitions.**

37
38 2. CONTRACT SERVICE means acceptance of a passenger for transportation for a
39 fixed fare by agreement prior to entry of the passenger into the public passenger
40 vehicle.

41
42 Part 7. Section 100-3-6.3 of the code is created to read:

43
44 6.3. FIXED FARE means the amount a passenger may be responsible for paying based
45 upon the combination of any rates and fees or estimates agreed upon by the passenger
46 and confirmed by the driver of a public passenger vehicle upon accepting contract
47 service.

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Part 8. Section 100-3-6.7 of the code is repealed and recreated to read:

6.7. HAIL means signaling the driver of a public passenger vehicle visually or by telephonic or other electronic means indicating a demand for immediate service by a metered vehicle for passenger transportation.

Part 9. Section 100-3-6.9 of the code is created to read:

6.9. HIRE means acceptance for a fee, fare or compensation of any kind of a passenger for transportation by contracted service or upon hail or request for transportation and entry of the passenger into the public passenger vehicle.

Part 10. Section 100-3-9.5-e is amended to read:

e. "Class T" means the holder of the license has met the qualifications to operate the following public passenger vehicles: ~~[[zone and meter fare]]~~ taxicabs.

Part 11. Section 100-3-11 and 11.5 of the code is amended to read:

11. LIMOUSINE means a category of for-hire, unmetered, unmarked ~~[[uniformed]]~~, chauffeur-driven, ground transportation vehicles solely engaged in the business of carrying passengers on a ~~[[prereserved]]~~ contract service basis only.

11.5. MOTORCYCLE means a vehicle as defined in s. 340.01(32), Wis. Stats., and which is used on a ~~[[for hire or contractual]]~~ contract service basis.

Part 12. Section 100-3-20 of the code is repealed.

Part 13. Section 100-3-25 to 27 of the code is repealed.

Part 14. Section 100-3-28 of the code is renumbered 100-3-29.

Part 15. Section 100-3-13 to 19 of the code is renumbered 100-3-15 to 22.

Part 16. Section 100-3-13 and 14 of the code is created to read:

13. NETWORK COMPANY means a transportation company or business that uses an online, digital or electronic platform to connect passengers with network vehicles operated by public passenger vehicle drivers.

14. NETWORK VEHICLE means a public passenger vehicle operated as a taxicab under contract service arranged through a network company.

Part 17. Section 100-3-21 to 24.5 of the code is renumbered 100-3-23 to 28.

Part 18. Section 100-3-23-0 of the code is amended to read:

1
2 **23. PUBLIC PASSENGER VEHICLE** means a vehicle which is used for the
3 transportation of passengers for hire, including ~~[[handicapped-elderly livery]]~~ >>human
4 service vehicle (Class H)<<, horse and surrey livery >>(Class P)<<, ~~[[luxury]]~~ limousine
5 >>(Class L)<<, pedicab >>(Class P)<<, motorcycle used for tours >>(Class M)<<,
6 shuttle vehicle >>(Class L)<<, and ~~[[meter-or-zone-fare]]~~ taxicab >>(Class T)<<. Public
7 passenger vehicle does not include:
8

9 Part 19. Section 100-3-23-f of the code is renumbered 100-3-23-e.

10
11 Part 20. Section 100-4-4 of the code is amended to read:
12

13 **100-4. Licensing Committee.**
14

15 **4. ADMINISTRATIVE OFFICIAL.** >>a.<<The city clerk shall administer all regulations
16 and orders adopted or issued by the committee and shall keep a register of the names
17 of each permittee, together with the permit number and record of financial responsibility
18 as provided in this chapter and the description, make and year of ~~[[such]]~~>>each
19 permitted<< vehicle, with the date and the complete record of inspection made of the
20 vehicle. These records shall be open to public inspection at all reasonable times and
21 shall be public records, extracts of which may be certified for use as evidence by the
22 chief of police.
23

24 Part 21. Section 100-4-4-b of the code is created to read:

25
26 b. The city clerk shall investigate and otherwise review the operation of vehicles and the
27 conduct of drivers and vehicle permittees as directed by the committee and may issue
28 warnings and citations for violations of the regulations and orders of the committee or
29 for violations of other applicable provisions of this chapter assessing reasonable costs
30 related to enforcement of the chapter.
31

32 Part 22. Section 100-50-3-e of the code is repealed.
33

34 Part 23. Section 100-50-3-f of the code is amended to read:
35

36 **100-50. Public Passenger Vehicle Permits.**
37

38 **3. ELIGIBILITY, TAXICABS.**
39

40 f. Notwithstanding the limitations in ~~[[subs. 4-a-3 and]]~~ >>sub.<< 13, a new public
41 passenger vehicle permit may be issued upon surrender of an existing permit to the city
42 clerk and either an application by the permittee to change his or her legal form of
43 business or upon application of a permittee to transfer the permit to another person.
44

45 Part 24. Section 100-50-4-a of the code is repealed and recreated to read:
46

1 **4. APPLICATION.** a. Application for a public passenger vehicle permit shall be filed
2 with the city clerk on forms provided and, except where otherwise expressly provided in
3 this section, shall conform to the requirements in s. 85-12. Completed applications for a
4 new permit shall be accepted by the city clerk for processing in a manner established by
5 the city clerk for submission to the licensing committee.
6

7 Part 25. Section 100-50-4-b-7 of the code is amended to read:
8

9 b-7. The identity of any dispatch services >>or network company<< with which affiliated,
10 if any.
11

12 Part 26. Section 100-50-4-b-8 of the code is renumbered 100-50-4-b-9.
13

14 Part 27. Section 100-50-4-b-8 of the code is created to read:
15

16 b-8. The plan for public passenger vehicle operation including:
17

18 b-8-a. A statement of the experience of the applicant in operating a public passenger
19 vehicle, if any.
20

21 b-8-b. Identification of all public passenger vehicle permits currently issued to the
22 applicant.
23

24 b-8-c. The times at which the public passenger vehicle will be available for service and
25 whether the vehicle will be operated within an affiliation, network company or dispatch
26 service that provides 24-hour service each day of the year.
27

28 b-8-d. The area or areas of the city to be served by the public passenger vehicle or that
29 will be served by an affiliation, network company or dispatch service.
30

31 b-8-e. A description of routine maintenance, including location and frequency of
32 maintenance activities and other vehicle inspections conducted by or on behalf of
33 applicant.
34

35 b-8-f. The manner in which the public passenger vehicle will be operated if not operated
36 and driven by the applicant, including arrangements for leasing, loaning, driver
37 employment or other operation by parties other than the applicant.
38

39 b-8-g. A statement or copy of the written policies for drivers to maintain a clean,
40 professional and orderly appearance together with specific requirements, if any,
41 established by the applicant for driver dress or uniform.
42

43 b-8-h. The applicant's written plan to promote and ensure driver and passenger
44 security.
45

46 b-8-i. A statement of the applicant's process for resolving complaints, including the
47 manner in which complaint records are to be retained and reported to the city clerk.
48

1 b-8-j. The manner in which all accident reports or citations received in the operation of a
2 permitted vehicle shall be retained and made available to the city clerk.

3
4 b-8-k. A description of all proposed vehicle markings, body color or colors, signs or
5 stickers consistent with the requirements in s. 100-51.5.

6
7 Part 28. Section 100-50-4-d of the code is amended to read:

8
9 d. Each corporate applicant applying shall file with its application for a permit a
10 statement by its officers or members showing the names and addresses of all persons
11 who individually hold ~~[[10%]]~~>>20%<< or more of the corporation's total or voting stock,
12 or proxies for that amount of stock, together with the amount of stock or proxies held by
13 each person.

14
15 Part 29. Section 100-50-4-f of the code is renumbered 100-50-4-e.

16
17 Part 30. Section 100-50-8 of the code is amended to read:

18
19 **8. INVESTIGATION.** >>a.<< Each application shall be referred to the chief of police
20 who shall cause an investigation to be made and report the findings to the licensing
21 committee.

22
23 >>b. The chief of police may designate one or more additional parties, businesses or
24 agencies, subject to approval by the common council, to conduct investigations
25 under terms and conditions that will ensure substantially similar quality and costs as if
26 conducted by the department.<<

27
28 Part 31. Section 100-50-11-b-2 and d of the code is amended to read:

29
30 **11. ISSUANCE.**

31
32 b-2. If the vehicle is leased, an approved lease consistent with this chapter ~~[[as a~~
33 ~~handicapped-elderly vehicle, luxury limousine or shuttle vehicle]]~~.

34
35 d. A permit shall be issued only to a vehicle owner, excepting that a permit may be
36 issued to an individual lessee ~~[[of a handicapped-elderly vehicle, luxury limousine or~~
37 ~~shuttle vehicle]]~~ if the vehicle is leased pursuant to this chapter.

38
39 Part 32. Section 100-50-11-i of the code is repealed.

40
41 Part 33. Section 100-50-12-b-2-0 of the code is amended to read:

42
43 **12. REGULATIONS.**

44
45 b. Vehicle Leasing.

1 b-2. A permittee shall own the vehicle for which a permit has been granted as sole
2 titleholder and not as lien holder. However, the licensing committee may recommend
3 the granting of a ~~[[handicapped-elderly vehicle, luxury limousine, motorcycle or shuttle~~
4 ~~vehicle]]~~ permit for a vehicle leased or to be leased by the applicant if:

5
6 Part 34. Section 100-50-12-c and d of the code is repealed.

7
8 Part 35. Section 100-50-12-e-2 of the code is amended to read:

9
10 e. Replacement of Vehicle.

11
12 e-2. No public passenger permits for taxicabs shall be transferred to any motor vehicles
13 ~~[[of model years greater than 10 years old at the time of replacement]]~~ >>not meeting
14 the eligibility requirements provided under s. 100-50-3<<.

15
16 Section 36. Section 100-50-12-f, h to j of the code is repealed.

17
18 Part 37. Section 100-50-13-b of the code is amended to read:

19
20 **13. TRANSFER OF PERMITS.**

21
22 b. Upon expiration of the permit, the surviving spouse or legal representative may apply
23 for the permit in his or her own name. ~~[[The application shall not result in an increase in~~
24 ~~the number of permits in existence.]]~~

25
26 Part 38. Section 100-50-16-b-4 of the code is amended to read:

27
28 **16. PROCEDURE FOR NON-RENEWAL, REVOCATION OR SUSPENSION.**

29
30 b. Grounds for Non-renewal, Suspension or Revocation.

31
32 b-4. Failure of a ~~[[taxicab]]~~ permittee to comply with the written plan of operation ~~[[of the~~
33 ~~certified taxicab affiliation to which the permittee belongs]]~~ >>provided under s. 100-50-
34 4-b-8<<.

35
36 Part 39. Section 100-50-17 of the code is repealed and recreated to read:

37
38 **17. REQUEST TO SURRENDER A PERMIT.** See s. 85-17 for provisions relating to the
39 surrender of permits and the return of surrendered permits.

40
41 Part 40. Section 100-51-1-c of the code is amended to read:

42
43 **100-51. Vehicle Inspection.**

44
45 **1. INSPECTION REQUIRED.**

1 c. ~~[[Upon a finding by the commissioner of public works that the volume of inspections~~
2 ~~requires additional assistance, the]]>>The<< commissioner may ~~[[approve and]]~~~~
3 designate one or more additional parties, businesses or agencies, subject to
4 approval by the ~~[[licensing committee]]>>common council<<, to conduct inspections~~
5 under terms and conditions that will ensure substantially similar quality and costs as if
6 conducted by the department.
7

8 Part 41. Section 100-51-4-b and 5-b of the code is amended to read:
9

10 **4. ELIGIBILITY.**

11
12 b. No vehicle shall be inspected unless, prior to inspection, the permit, certificate of
13 vehicle registration ~~[[, trip sheets for the preceding 90-day period]]~~, and, if a meter fare
14 taxicab, meter permit and meter inspection slip are presented to the inspecting officer.
15

16 **5. RENEWAL INSPECTION DATES.**

17
18 b. Inspection of taxicabs shall be held not less than 2 times in the course of a full permit
19 year at times established by the department of public works and upon notice by the
20 department to the permittee ~~[[or to the permittee's certified taxicab affiliation]]~~. A random
21 inspection conducted upon notice provided under sub. 6-b shall constitute one of the 2
22 inspections required under this paragraph. Notice of inspections including the time and
23 place of inspections shall be provided by the department of public works.
24

25 Part 42. Section 100-51.5-1-c-1-0, e and f of the code is amended to read:
26

27 **100-51.5. Vehicle Standards and Equipment Requirements.**

28
29 **1. GENERAL REQUIREMENTS.**

30
31 c. Vehicle Markings.

32
33 c-1. Each taxicab ~~>>not meeting the definition of network vehicle<<~~ and ~~>>each<<~~
34 shuttle vehicle, excepting a shuttle vehicle meeting the definition in ~~[[s. 100-3-23-b]]~~
35 ~~>>s.100-3-26-b<<~~, shall have the following clearly and permanently marked:
36

37 e. Complaint Placard. Except as provided in par. f, each public passenger vehicle shall
38 have posted, in the passenger compartment in a conspicuous place plainly visible to all
39 occupants of the vehicle, a rate and service complaint placard provided by the city, in
40 substantially the following form:
41

42 Milwaukee ~~[[Taxicab]]~~ Permit Number _____

43 NOTICE TO PASSENGERS

44 The Rates of Fare are:
45
46

1
2 Fill in with approved rates ~~[[and zone map if required]]~~.

3
4 Complaints regarding rates or service may be addressed to:

5
6 License Division Manager, City Clerk's Office
7 Room 105, City Hall, 200 E. Wells St.
8 Milwaukee, WI 53202
9 license@milwaukee.gov

10
11 Complainant: Please provide the name of the driver, vehicle number, company
12 name, trip date and time, and details of the complaint.

13
14 f. Information provided to passengers. ~~[[Luxury limousines and shuttle vehicles
15 meeting the definition under s. 100-3-23-b]]~~ >>Limousines, taxicabs meeting the
16 definition of network vehicle, and shuttle vehicles meeting the definition under s. 100-3-
17 26-b<< shall provide to passengers, at the time the service is contracted for hire, the
18 information provided on the complaint form and rate and service complaint placard
19 required under this subsection.

20
21 Part 43. Section 100-51.5-3-0 and 3-a-0 of the code is amended to read:

22
23 **3. TAXICAB REQUIREMENTS >>(CLASS T)<<.**

24
25 a. Body Colors. >>Except for taxicabs meeting the definition of network vehicle, the<<
26 ~~[[The]]~~ body colors designated for affiliated taxicabs shall be as follows:

27
28 Part 44. Section 100-51.5-3-a-6 of the code is repealed.

29
30 Part 45. Section 100-51.5-3-d of the code is amended to read:

31
32 d. Fuel Efficiency. The legislative reference bureau shall provide a report to the common
33 council on or before July 1, ~~[[2014]]~~>>2015<<, reviewing best practices, strategies and
34 regulation in comparable municipalities for improving fuel efficiency and reducing
35 reliance upon fossil fuels within the city's permitted taxicab fleet. Information shall be
36 organized and provided by the legislative reference bureau with the assumption that fuel
37 standards will be developed and implemented on or before July 1, ~~[[2018]]~~>>2019<<.

38
39 Part 46. Section 100-51.5-4-0, 5-0, 6-0, 7-0, 8-0 and a of the code is amended to read:

40
41 **4. ~~[[HANDICAPPED-ELDERLY]]~~>>HUMAN SERVICE<< VEHICLE REQUIREMENTS**
42 **>>(CLASS H)<<. ~~[[Handicapped-elderly livery]]~~>>Human service<< vehicles shall be**
43 **suited for the transportation of ~~[[handicapped]]~~>>disabled<< or elderly persons who by**
44 **reason of physical or mental infirmity or age cannot be transported on public mass**
45 **transportation vehicles or in taxicabs. These vehicles shall have:**

46
47 **5. HORSE AND SURREY LIVERY REQUIREMENTS >>(CLASS P)<<.**

1
2 **6. MOTORCYCLE USED FOR TOURS REQUIREMENTS >>(CLASS M)<<.**

3
4 **7. PEDICAB REQUIREMENTS >>(CLASS P)<<.**

5
6 **8. LIMOUSINE REGULATIONS >>(CLASS L)<<.**

7
8 a. The exterior of a permitted vehicle may not display any signs, markings or stickers
9 not otherwise required by law>>, except as specifically authorized in an approved plan
10 of operation under s. 100-50-4-b<<.

11
12 Part 47. Section 100-52-1 and 4 of the code is repealed.

13
14 Part 48. Section 100-52-2, 3 and 5 of the code is renumbered 100-52-1 to 3.

15
16 Part 49. Section 100-52-2-a-0 of the code is amended to read:

17
18 **100-52. Rates Established.**

19
20 **2. METER FARE TAXICAB.** a. ~~[[No]]>>Except a taxicab meeting the definition of~~
21 ~~network vehicle, no<< person owning, operating or controlling any motor vehicle~~
22 ~~licensed as a meter fare taxicab [[and operating within the area bounded by Lake~~
23 ~~Michigan on the east and 22000 block west on the west, 12000 block north on the north~~
24 ~~and 11100 block south on the south]] shall charge an amount exceeding the following~~
25 ~~rates:~~

26
27 Part 50. Section 100-54-1-a of the code is amended to read:

28
29 **100-54. Public Passenger Vehicle Driver's License.**

30
31 **1. LICENSE REQUIRED.** a. No person shall operate a public passenger vehicle in the
32 city >>, including a human service vehicle licensed or otherwise regulated by the state
33 of Wisconsin,<<unless the person first holds a valid license issued under this section.
34 ~~[[No person shall operate any vehicle used for the transportation of elderly or~~
35 ~~handicapped persons in the city, regardless of whether the vehicle is licensed or~~
36 ~~otherwise regulated by the state of Wisconsin as a human service vehicle for the~~
37 ~~transportation of elderly or handicapped persons, unless the person first holds a valid~~
38 ~~license issued under this section.]]~~

39
40 Part 51. Section 100-54-2-h of the code is amended to read:

41
42 **2. QUALIFICATIONS.**

43
44 h. Be clean in dress and person and ~~[[, if driving a taxicab,]]~~ shall comply with all
45 applicable written standards of dress and appearance ~~[[of the taxicab~~
46 ~~affiliation]]>>specified in the plan of operation provided under s. 100-50-4-b-8<<.~~

1 Part 52. Section 100-54-14 of the code is repealed and recreated to read:

2
3 **14. REQUEST TO SURRENDER A LICENSE.** See s. 85-17 for provisions relating
4 to the surrender of licenses and the return of surrendered licenses.

5
6 Part 53. Section 100-59-1-a of the code is repealed and recreated to read:

7
8 **100-59. Operating Regulations for all Public Passenger Vehicles.**

9
10 **1. LICENSE TO BE EXHIBITED.**

11
12 a. A driver while operating a public passenger vehicle shall display in a conspicuous
13 location clearly visible to passengers at all times and illuminated at night the license
14 issued under subch. 3. Except for a taxicab driver, the license may be carried on the
15 person of the driver when operating a public passenger vehicle, in lieu of the display
16 requirements under this paragraph.

17
18 Part 54. Table 100-61 of the code is repealed.

19
20 Part 55. Section 100-61 of the code is repealed.

21
22 Part 56. Section 100-62 of the code is amended to read:

23
24 **100-62. Penalty. 1.** Any person who violates any provision of this chapter shall, where
25 no other provisions are expressly made for the enforcement of any forfeitures or
26 penalties under this chapter, upon conviction forfeit not less than ~~[[\$25]]~~>>\$50<< nor
27 more than ~~[[\$500]]~~>>\$750<< together with the costs of prosecution, or in default of
28 payment may be imprisoned ~~[[in the county house of correction for a period not to~~
29 ~~exceed 20 days]]~~>>as provided by law<<.

30
31 **2.** Any person who violates s. 100-50-1 or 100-60-1-b-1 shall upon conviction be subject
32 to the following forfeitures together with the costs of prosecution, and, in default of
33 payment ~~[[be confined in the county jail or house of correction until such forfeiture and~~
34 ~~costs are paid, but not to exceed 40 days]]~~>>may be imprisoned as provided by law<<:

35
36 a. A forfeiture not less than ~~[[\$250 nor more than \$500]]~~>>\$1,500 nor more than
37 \$2,500<< if the person has not committed a previous violation within 24 months of the
38 violation.

39
40 b. A forfeiture not less than ~~[[\$500 nor more than \$750]]~~>>\$2,500 nor more than
41 \$4,000<< if the person has committed a previous violation within 24 months of the
42 violation.

43 c. A forfeiture not less than ~~[[\$750 nor more than \$1000]]~~>>\$4,000 nor more than
44 \$5,000<< if the person has committed 2 or more previous violations within 24 months of
45 the violation.

1 **3.** Any person who violates s. ~~[[100-51.5-1 or 2, s. 100-59-1, 6, 13 or 14, or s. 100-60-2-~~
2 ~~b]]>>100-54-1<<~~ shall upon conviction forfeit not less than ~~[[25]]>>500<<~~ nor more
3 than ~~[[200]]>>1,000<<~~ together with the costs of prosecution, or in default of payment
4 may be imprisoned ~~[[in the county house of correction for a period not to exceed 8~~
5 ~~days]]>>as provided by law<<~~.

6
7 Part 57. Section 100-62-4 of the code is created to read:

8
9 **4.** Multiple violations for the same offense, though occurring on the same date, may be
10 treated as separate violations under this section.

11
12 Part 58. Subchapter 5 of ch. 100 (title) of the code is repealed and recreated to read:

13
14 **SUBCHAPTER 5**
15 **PROVISIONAL LICENSES AND PERMITS**

16
17 Part 59. Section 100-70 of the code is repealed and recreated to read:

18
19 **100-70. Provisional Licenses and Permits.**

20
21 **1. AUTHORITY.** a. A provisional public passenger vehicle driver's license shall
22 authorize the license holder to perform those activities permitted a person holding a
23 regular public passenger vehicle driver's license issued under s. 100-54.

24
25 b. A provisional public passenger vehicle permit shall authorize the holder to perform
26 those activities permitted a person holding a regular public passenger vehicle permit
27 issued under s. 100-50.

28
29 **3. ELIGIBILITY.** Any person who has properly filed with the city clerk a completed
30 application and the required application fee for a regular public passenger vehicle
31 driver's license or permit may apply for a provisional license or permit issued under this
32 subchapter, unless the applicant is subject to the disqualification provisions provided
33 under s. 85-13.

34
35 **5. ISSUANCE.** a. Application for a provisional license or permit shall be filed with the
36 city clerk in writing on forms provided. Upon application, the city clerk shall issue a
37 provisional license or permit to an applicant if the applicant has first filed with the city
38 clerk all of the following items:

39
40 a-1. A completed application and the required application fee for a regular public
41 passenger vehicle driver's license or permit.

42
43 a-2. Evidence of possessing a valid motor vehicle driver's license, excluding
44 occupational licenses, issued by the state of Wisconsin.

45
46 a-3. A statement affirming that within 2 years of the date of application that all of the
47 following are true:

1
2 a-3-a. The applicant has not been convicted of any felony or misdemeanor offense
3 related to a violent offense.

4
5 a-3-b. The applicant has not been convicted of 3 or more moving violations, as defined
6 in s. 343.01(2)(cg), Wis. Stats., arising out of separate incidents or occurrences.

7
8 a-3-c. The applicant has not been convicted of any offense related to operating a motor
9 vehicle while intoxicated.

10
11 a-4. A statement affirming the applicant's understanding that providing false, misleading
12 or fraudulent information or a false affidavit on any application required under this
13 subchapter shall be subject to the penalties provided in s. 85-34.

14
15 b. Any person filing an application for a provisional public passenger vehicle permit
16 shall, in addition to the requirements under par. a, file with the city clerk all of the
17 following items:

18
19 b-1. The current state registration of each motor vehicle naming the applicant as sole
20 title holder and not as lien holder.

21
22 b-2. Evidence of financial responsibility as required under s. 100-53, issued to and
23 covering the applicant.

24
25 **7. EXPIRATION DATE.** A provisional license or permit shall expire 60 days after the
26 date of issuance by the city clerk or upon issuance of the regular license or permit,
27 whichever is sooner, and shall not be renewable.

28
29 **9. REVOCATION.** The city clerk may revoke a provisional license without further
30 common council action if he or she determines that the applicant provided false
31 information on the license application or upon denial by the common council of the
32 holder's application for a regular license or permit.

33
34 Part 60. Section 100-72 to 76 of the code is repealed.

35
36 Part 61. Upon proof of payment of the \$100 fee for filing a notice of intent to make
37 application under s. 81-126-5, repealed in Part 2, a credit of \$50 shall be allowed toward
38 payment of one application fee for a public passenger vehicle permit for a taxicab or
39 limousine if application is made on or before December 31, 2014.

40
41 Part 62. Wherever the term "handicapped" appears in the following sections of the
42 code, the term "disabled" is substituted: 100-3-7, 100-51-4-0, 100-51.5-4-c and 100-53-
43 5.

1 Part 63. Wherever the term "handicapped-elderly liveries" or "handicapped-elderly
2 vehicle" appears in the following sections of the code, the term "human service vehicle"
3 is substituted: 100-3-7, 100-3-9.5-a, 100-50-3-d, 100-51-5-a, 100-52-3, and 100-54-2-e.
4

5 Part 64. Wherever the term "luxury" appears in the following sections of the code, the
6 term is deleted: 100-51-5-a, 100-51-8-a, 100-52-3, and 100-59-1-a.
7

8 Part 65. CROSS REFERENCE CHANGES. The sections in Column A are amended
9 by changing the cross reference listed in Column B to the cross reference listed in
10 Column C.
11

12 A	B	C
13		
14 100-51-8-e	81-101.3	81-101.5-8
15 100-51.5-1-c-1-0	100-3-23-b	100-3-26-b
16 100-51.5-1-c-2	100-3-23-b	100-3-26-b
17 100-51.5-1-d	100-51.5-1-e-1	100-51.5-1-f

18
19 Part 66. This ordinance takes effect September 1, 2014.
20

21 ..LRB

22 APPROVED AS TO FORM
23
24

25 _____
26 Legislative Reference Bureau

27 Date: _____

28 ..Attorney

29 IT IS OUR OPINION THAT THE ORDINANCE
30 IS LEGAL AND ENFORCEABLE
31
32

33 _____
34 Office of the City Attorney

35 Date: _____

36 ..Requester
37

38 ..Drafter

39 LRB151881-4

40 Richard L. Withers

41 6/3/2014
42

43 Richard Pfaff

44 6/24/2014