

1 The Transportation, Energy and Utilities Committee offers its first  
2 substitute to file no. 2013-554:

3  
4 Introduced by Council Member Joost & Co-sponsored by CM Jones:  
5

6 **ORDINANCE 2013-554**

7 AN ORDINANCE AMENDING CHAPTER 220, ORDINANCE  
8 CODE (VEHICLES FOR HIRE) PART 1 (GENERAL  
9 PROVISIONS); AMENDING SECTION 220.102  
10 (DEFINITIONS) TO REPLACE THE "DIRECTOR OF  
11 NEIGHBORHOODS" TO "DIRECTOR OF OFFICE OF  
12 ECONOMIC DEVELOPMENT"; TO ADD A NEW DEFINITION  
13 FOR "DIGITAL DISPATCH SERVICE"; AMENDING THE  
14 DEFINITIONS OF "LIMOUSINE" AND "PRE-ARRANGED  
15 CONTRACTUAL CARRIER"; AMENDING SECTION 220.104  
16 (SPECIFIC AUTHORITY OF DIRECTOR AND  
17 DEPARTMENT) TO ADD A NEW SUBSECTION (E) TO  
18 REQUIRE THE DEPARTMENT TO CREATE AN ONLINE  
19 DATABASE OF PERMITTED OWNERS AND DRIVERS; TO  
20 ADD A NEW SUBSECTION (F) TO REQUIRE THAT  
21 DIGITAL DISPATCH SERVICES VERIFY INSURANCE AND  
22 PERMITS OF THE COMPANIES AND DRIVERS UTILIZED,  
23 AND TO COMPLY WITH ALL OTHER APPLICABLE LAWS;  
24 TO ADD A NEW SUBSECTION (G) TO REQUIRE AN  
25 INSPECTION OF TRIP LOGS; AMENDING SECTION  
26 220.213 (PERIODIC INSPECTION OF VEHICLE FOR  
27 HIRE) TO REQUIRE THAT ANY VEHICLE CONTRACTED  
28 WITH A DIGITAL DISPATCH SERVICE BE INSPECTED  
29 EVERY 120 DAYS; PROVIDING AN EFFECTIVE DATE.

30  
31 **BE IT ORDAINED** by the Council of the City of Jacksonville:

1           Section 1.        Amending Chapter 220 (Vehicles for Hire),  
2 Ordinance Code. Chapter 220 (Vehicles for Hire), Ordinance Code,  
3 is hereby amended to read as follows:

4                           CHAPTER 220. VEHICLES FOR HIRE

5                           PART 1. GENERAL PROVISIONS

6   \* \* \*

7           **Sec. 220.102. - Definitions.**

8                   As used in this Chapter:

9   \* \* \*

10 (c) *Director* means the Director of the Office of Economic  
11 Development Neighborhoods.

12 (d) Digital Dispatch Service means a business or company that  
13 contracts with a licensed vehicle-for-hire business or company to  
14 provide digital dispatch service of limousines, sedans or  
15 prearranged contractual carriers to members of the public who seek  
16 transportation service, via a computer, a mobile phone application,  
17 text, email or Web-based reservation, by advance reservation. A  
18 digital dispatch service may also be referred to as a third party  
19 contractor operating in the vehicle for hire industry.

20 ~~(d)~~(e) *For-hire business* means an entity operating one or more  
21 vehicles for hire other than as a for-hire driver, regardless  
22 of the form of organization of the entity and regardless of  
23 whether the vehicles so operated are owned or leased by the  
24 entity or are owned by individual members of the entity.

25 ~~(e)~~(f) *For-hire driver* means a person holding a valid for-hire  
26 driver's permit issued by the Department under Part 3.

27 ~~(f)~~(g) *For-hire driver's permit* means the written authority  
28 granted by the City to drive a vehicle for hire within the  
29 General Services District.

30 ~~(g)~~(h) *Limousine* means a specialized vehicle not equipped with a  
31 taximeter and for hire only by prearrangement at an estimated

1 rate ~~charged per hour~~, or fixed in advance, and provided also  
2 that each such vehicle for hire is: (1) chauffeured  
3 ~~chauffered~~, (2) a luxury class passenger vehicle built or  
4 modified for the purpose of a limousine as defined and  
5 recognized by the limousine industry or a Smart way vehicle  
6 certified by the United States Environmental Protection  
7 Agency. The Smart way vehicle shall have a minimum wheel base  
8 requirements of 105 inches. ~~and (3) operated on a reserved,~~  
9 ~~hourly basis for a continuous period.~~ A vehicle which is held  
10 out to be a limousine or which has an appearance deceptively  
11 similar to a limousine is a limousine for the purposes of this  
12 Chapter. A limousine may also be used to provide digital  
13 dispatch transportation service as defined in subsection (d)  
14 of this Part.

15 ~~(h)~~ (i) *Medallion* means the tangible symbol that a permit has  
16 been granted to operate the vehicle for hire to which it is  
17 physically attached.

18 ~~(i)~~ (j) *Owner* means the person in whose name a vehicle for hire  
19 is registered, as shown on the motor vehicle tag registration  
20 issued by the Tax Collector.

21 ~~(j)~~ (k) *Permit* means the written authority to operate a  
22 particular vehicle for hire issued pursuant to Part 2.

23 ~~(k)~~ (l) *Pre-arranged contractual carrier* means a vehicle for hire  
24 which is not equipped with a taximeter and is not used as a  
25 taxicab, and which charges passengers a fare based on a  
26 written or electronically transmitted agreement to provide  
27 transportation to the customer ~~30 minutes~~ in advance of  
28 boarding from a specific location. A Digital Dispatch Service  
29 may satisfy this requirement by providing the customer an  
30 option to view, electronically, the place of pick-up, the  
31 destination, the rate, the estimated charge, the name of the

1 driver or vehicle for hire business or company, and the  
2 vehicle license plate number. and at an agreed upon rate. The  
3 key factor in determining the cost of a prearranged vehicle  
4 for hire service shall be an agreed-upon fixed rate that  
5 exceeds the normal hourly rate for one hour and not the  
6 distance traveled. Notwithstanding anything to the contrary,  
7 pre-arranged contractual carrier includes vehicles used for  
8 the sole purpose of transporting guests or customers of a  
9 lodging facility, resort or rental car company. A pre-arranged  
10 contractual carrier may also be used to provide digital  
11 dispatch transportation service as defined in subsection (d)  
12 of this Part.

13 ~~(1)~~ (m) *Shuttle vehicle* means a vehicle for hire with a capacity  
14 of at least eight persons, including the driver, which is not  
15 equipped with a taximeter and is not used as a taxicab or for  
16 cruising, except:

- 17 (1) Sight-seeing cars and buses,
- 18 (2) Ambulances and funeral home shuttle vehicles, and
- 19 (3) Motor vehicles operated exclusively by private contract  
20 carriers under written contracts for the transportation  
21 solely of employees of one or more business concerns;

22 And operating to and from fixed points of pickup and discharge  
23 for a fixed rate or fare. Excluded from this definition is a  
24 vehicle which is a luxury motor vehicle equipped to carry not  
25 more than four persons, including the driver, wherein the  
26 vehicle is hired for a fixed period of time and at a fixed  
27 contractual rate or charge. A vehicle which is held out to be  
28 a shuttle vehicle or which has an appearance deceptively  
29 similar to a shuttle vehicle is a shuttle vehicle for the  
30 purposes of this Chapter.

- 31 (4) School buses and church buses meeting the following

1 requirements:

2 (i) School buses used for the transportation of pupils  
3 to and from school or to and from school activities,  
4 and which are owned, operated, rented or leased by  
5 the Duval County School Board or any private school  
6 in Duval County; and

7 (ii) Church buses used for the transportation of persons  
8 to and from church or to and from church activities,  
9 and which are owned, operated, rented or leased by  
10 any church in Duval County.

11 ~~(m)~~ (n) *Taxicab* means a vehicle for hire with a capacity of not  
12 more than eight persons, including the driver, except:

13 (1) Sight-seeing cars and buses,

14 (2) Ambulances and funeral home shuttle vehicles, and

15 (3) Motor vehicles operated exclusively by private contract  
16 carriers under written contracts for the transportation  
17 solely of employees of one or more business concerns;

18 And not operating over a fixed or defined route but routed  
19 under the direction of the person hiring the vehicle. A  
20 vehicle which is held out to be a taxicab or which has an  
21 appearance deceptively similar to a taxicab is a taxicab for  
22 the purposes of this Chapter.

23 ~~(n)~~ (o) *Taximeter* means a mechanical or electronic device which  
24 calculates and displays a predetermined rate and indicates the  
25 charge for the hire of a taxicab and which may also record and  
26 indicate a fare, rate or charge based on waiting time, extra  
27 passengers, initial charge and other fares, rates or charges  
28 as are permitted or required by this Chapter.

29 ~~(o)~~ (p) *Taxi stand*, unless the context indicates otherwise,  
30 includes taxi stands exclusively for use by metered taxicabs,  
31 exclusively for use by unmetered taxicabs and for use by both

1 metered and unmetered taxicabs.

2 ~~(p)~~ (q) Van means a passenger vehicle recognized as either a  
3 full-size passenger van or a passenger vehicle on a van or  
4 truck chassis. The term shall not include a cargo or panel  
5 van.

6 ~~(q)~~ (r) Vehicle for hire means any taxicab, shuttle, prearranged,  
7 limousine and any other motor vehicle with driver transporting  
8 passengers for a fare, fee, or other charge in Duval County.  
9 The term vehicle for hire, by definition, excludes:

- 10 (1) School and church buses as defined in subsection (k) of  
11 this Section;  
12 (2) Sightseeing cars and buses;  
13 (3) Ambulances;  
14 (4) Funeral home vehicles;  
15 (5) Interstate buses;  
16 (6) Horse-drawn carriages; and  
17 (7) Jacksonville Transportation Authority vehicles.

18 \* \* \*

19 **Sec. 220.104. - Specific authority of Director and Department.**

20 establishment of online database; requirement to provide trips  
21 logs; requirement for digital dispatch service to mandate  
22 licensure, insurance and other requirements.

23 In addition to all other authority granted to the Director and  
24 the Department, designated employees under this Chapter, each of  
25 them (and, under rules promulgated by the Director, other qualified  
26 employees of the Department) is authorized:

27 (a) To make periodic physical inspections of vehicles for  
28 hire to ascertain that the provisions of this Chapter are  
29 being complied with by the various permit holders and  
30 for-hire drivers.

31 (b) To ascertain that taximeters are being operated

1 accurately and at all times when a passenger is in a  
2 taxicab with the driver.

3 (c) To inspect the records of owners of vehicles for hire at  
4 their respective places of business.

5 (d) To suspend the operation of a vehicle for hire found to  
6 be in violation of the provisions of this Chapter, as  
7 provided in Part 2.

8 (e) No later than December 31, 2013, the Department shall  
9 create and maintain an online public database, which  
10 shall contain the names of active, permitted drivers,  
11 medallion holders and vehicle descriptions. The online  
12 database shall be updated within 48 hours of a change to  
13 the status of permitted drivers, medallion holders and  
14 vehicle descriptions.

15 (f) A Digital Dispatch Service shall require the following of  
16 any company and related driver(s) for which it provides  
17 dispatch services:

18 (1) Have and maintain valid and adequate insurance,  
19 including without limitation liability insurance,  
20 business insurance, and such other insurances as are  
21 considered market practice for the operation of the  
22 vehicle to cover any anticipated risks, damages, or  
23 losses, in conformity with standard market practice and  
24 in conformance with applicable regulations or licensing  
25 requirements;

26 (2) Adhere to and observe all applicable laws,  
27 regulations, rules, statutes, or ordinances governing the  
28 operation of vehicles for hire, including without  
29 limitation local laws and regulations;

30 (3) Hold, comply, and at all times continue to hold and  
31 comply with all permits, licenses, and other governmental

1 authorizations necessary for conducting, carrying out,  
2 and continuing their activities, operations, and business  
3 in general;

4 (g) All businesses, companies and drivers in the vehicle for  
5 hire industry that are licensed or permitted by the  
6 Department shall provide the Department their trip logs,  
7 upon request, to address any complaints or enforcement  
8 action.

9 \* \* \*

10 **Sec. 220.213 - Periodic inspection of vehicle for hire.**

11 The owner of a vehicle for hire shall subject the vehicle to a  
12 complete and thorough inspection by the Department under rules  
13 promulgated by the Director according to the following schedule:

14 (a) Taxicabs—One time every 120 days.

15 (b) Limousines, vans and buses—One time every 12 months but  
16 no later than July 14 every year.

17 (c) All other vehicles for hire, including prearranged  
18 carriers—One time every 120 days.

19 (d) Any vehicle which is contracted with a Digital Dispatch  
20 Service as described in Section 220.104(f)—One time every  
21 120 days.

22 (e) All vehicles for hire must be inspected prior to being  
23 put into service. This inspection requirement for pre-arranged  
24 contract carriers applies to vehicles owned by the pre-arranged  
25 contract carrier or leased by the pre-arranged contract carrier for  
26 more than 30 days, and applies to any leased vehicle regardless of  
27 lease length for which the pre-arranged contract carrier is  
28 responsible for maintenance of the vehicle. Notwithstanding the  
29 foregoing, pre-arranged contract carriers must comply with the  
30 requirements of this Section if the carrier utilizes the same  
31 nonregistered vehicles for hire for more than a total of 60 days in



1 any calendar year.

2           **Section 2.           Effective Date.** This ordinance shall become  
3 effective upon signature by the Mayor or upon becoming effective  
4 without the Mayor's signature.

5

6 Form Approved:

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8     /s/ Paige Hobbs Johnston

9 Office of General Counsel

10 Legislation prepared by Cherry A. Shaw

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