

SIMPLE AMENDMENT

SUBSTITUTE AMENDMENT

PROCEDURAL MOTION

AMENDMENT BY ALD. HAMILTON

FILE NO.131800

VERSION: PROPOSED SUBSTITUTE

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

ITEM: Unfinished Business

COMMON COUNCIL

TEXT OF MOTION

I move to amend the Proposed Substitute by establishing that public passenger vehicle inspections shall only be required as determined by a random or other selection process or when identified by complaint by the police department, the department of public works or the city clerk.

ANALYSIS OF AMENDMENT

Currently, public passenger vehicle inspections—with certain exemptions—are required 1) prior to the issuance of any new public passenger vehicle permit, 2) during the designated renewal inspection period, 3) when replacing any vehicle, 4) when transferring any permit, if the transfer involves the replacement of the vehicle, and 5) when directed by the police department or the city clerk for any additional inspection on a random selection basis or when identified by complaint.

In addition, notwithstanding the above-mentioned events for which inspections are required, current provisions establish that during the permit period taxicabs shall be inspected not fewer than 2 times and all other types of public passenger vehicles shall be inspected at least once.

Upon amendment, public passenger vehicle inspections shall only be required as determined by a random or other selection process or when identified by complaint by the police department, the department of public works or the city clerk, and that no minimum number of inspections shall be required during the permit period.

This amendment provides the department of public works with increased efficiency and greater control over the number of inspections conducted weekly, provides the department the flexibility to redirect labor hours now required for designated renewal inspection periods—which are eliminated under this amendment—to instead expand the number of hours or days per week regular inspections are performed, and allows for the remaining available labors hours to be redirected to address the repair and maintenance backlog of city vehicles and equipment.

In addition, because this amendment eliminates the prerequisite inspection for vehicle replacements, the amount of time a public passenger vehicle operator is out of service when replacing a vehicle due to a crash, mechanical issue, vehicle age restriction or other reason would be reduced. Under this amendment, the operator could immediately place the replacement vehicle in service and would be subject to an inspection at a future date as directed by the department of public works.

This amendment does not amend the current provisions relating to requiring reinspection of any vehicle that is found in violation of any of the vehicle standards and equipment requirements, removing from public service any vehicle that is found to be in a hazardous condition and unsafe for public patronage, or administratively suspending permits for failing to submit the vehicle on the designated date and time for any inspection or reinspection or for failing to correct violations found during any inspection.

TEXT OF AMENDMENT

Part 1. Section 100-50-1-a and b of the code is amended to read:

100-50. Public Passenger Vehicle Permits.

1. PERMIT REQUIRED. a. No vehicle owner or lessee shall operate his or her vehicle, or allow his or her vehicle to be operated, as a public passenger vehicle for hire upon the streets of the city without the vehicle owner or lessee first obtaining for the vehicle a permit ~~[[and current inspection sticker]]~~ as provided in this section.

b. No person shall operate a public passenger vehicle for hire upon the streets of the city without the vehicle owner or lessee first obtaining for the vehicle a permit ~~[[and current inspection sticker]]~~ as provided in this section.

Part 2. Section 100-50-11-b-3 of the code is repealed.

Part 3. Section 100-50-11-b-4 and 5 of the code is renumbered 100-50-11-b-3 and 4.

Part 4. Section 100-50-11-g-1-0 of the code is amended to read:

11. ISSUANCE.

g-1. If a permittee first files a statement with the city clerk signed in the presence of a notary public designating an individual who is authorized to represent the permittee, the authorized representative may pick up from the city clerk a permit issued to the permittee after the permittee~~[[:]]>>~~has filed an affidavit with the city clerk for a duplicate permit.<<

Part 5. Section 100-50-11-g-1-a and b of the code is repealed.

Part 6. Section 100-50-12-e-1 of the code is amended to read:

12. REGULATIONS.

e-1. No permit may be transferred to any other vehicle unless the owner or lessee of the vehicle is also the permittee, demonstrates financial responsibility for the vehicle ~~[[, the vehicle has a current inspection sticker]]~~ and the owner has paid the required vehicle replacement fee. The city clerk shall be notified of all vehicle replacements.

Part 7. Section 100-51-1 to 5 of the code is repealed and recreated to read:

100-51. Vehicle Inspection. 1. INSPECTION REQUIRED. a. A public passenger vehicle permittee shall submit his or her vehicle for inspection on the designated date and time for any inspection or reinspection required under this section.

b. The department of public works shall conduct inspections under this section.

c. The commissioner of public works may designate one or more additional parties, businesses or agencies, subject to approval by the common council, to conduct inspections under terms and conditions that will ensure substantially similar quality and costs as if conducted by the department.

2. WHEN REQUIRED. A vehicle inspection conducted by the department of public works or its designee shall be required as determined by a random or other selection process or when identified by complaint by the police department, the department of public works or the city clerk.

3. NOTICE OF INSPECTION. Notice of inspection including the time and place of inspection shall be provided by the department of public works by U.S. first class mail, postage prepaid, at least 3 days prior to inspection.

4. ELIGIBILITY. No vehicle shall be inspected unless, prior to inspection, the permit, certificate of vehicle registration, and, if a meter fare taxicab, meter permit and meter inspection slip are presented to the inspecting officer.

5. INSPECTION REPORT. The department of public works shall report the results of each inspection to the city clerk in a form and manner prescribed by the city clerk. The report shall include vehicles appearing for inspection, vehicles passing inspection, vehicles removed from public service, reasons for removal of vehicles from public service and vehicles failing to appear for inspection. The department of public works shall also provide the city clerk with information related to the costs of inspections upon request.

Part 8. Section 100-51-6 and 7 of the code are repealed.

Part 9. Section 100-51-8 of the code is renumbered 100-51-6.

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