

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

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

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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:

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

CHAPTER 220. VEHICLES FOR HIRE

PART 1. GENERAL PROVISIONS

* * *

Sec. 220.102. - Definitions.

As used in this Chapter:

* * *

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

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

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

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

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

~~(g)~~ (h) *Limousine* means a specialized vehicle not equipped with a 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

requirements:

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

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

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

(1) Sight-seeing cars and buses,

(2) Ambulances and funeral home shuttle vehicles, and

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

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

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

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

metered and unmetered taxicabs.

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

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

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

* * *

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

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

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

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

(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

any calendar year.

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

Form Approved:

/s/ Paige Hobbs Johnston

Office of General Counsel

Legislation prepared by Cherry A. Shaw

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