

ORDINANCE NO. 2014-0019

Adopted by the Sacramento City Council

May 27, 2014

**AMENDING AND ADDING VARIOUS SECTIONS OF CHAPTER 5.136 OF
THE SACRAMENTO CITY CODE RELATING TO TAXICABS**

BE IT ENACTED BY THE COUNCIL OF THE CITY OF SACRAMENTO:

SECTION 1.

Section 5.136.020 of the Sacramento City Code is amended as follows:

A. A definition of "active" is added to read as follows:

"Active," as it relates to any permit, means the permit has been issued pursuant to this chapter, has not been revoked, and has not expired. "Active" includes a permit that is suspended.

B. A definition of "dispatch service" is added to read as follows:

"Dispatch service" means an operation that receives requests for taxi service at a central location and communicates with taxicab drivers to respond to such requests.

C. A definition of "valid" is added to read as follows:

"Valid," as it relates to any permit, means the permit has been issued pursuant to this chapter, is not suspended, is not revoked, and is not expired.

D. Except as amended by subsections A, B and C above, all provisions of section 5.136.020 remain unchanged and in full force and effect.

SECTION 2.

Section 5.136.120 of the Sacramento City Code is amended as follows:

A. Subsection K is added to read as follows:

K. The applicant failed to take or pass a city taxicab drivers test in accordance with section 5.136.290.

B. Except as amended by subsection A above, all provisions of section 5.136.120 remain unchanged and in full force and effect.

SECTION 3.

Section 5.136.180 of the Sacramento City Code is amended to read as follows:

5.136.180 Threats, harassment or abuse.

No taxicab driver shall:

- A. Threaten, harass, or abuse any other person while operating a taxicab;
- B. Prevent or attempt to prevent a customer from entering another taxicab of their choice; or
- C. Prevent or attempt to prevent another taxicab driver from lawfully maneuvering his or her taxicab vehicle into a vacant parking space, whether within a taxicab zone or not.

SECTION 4.

Section 5.136.250 is added to the Sacramento City Code to read as follows:

5.136.250 Taxicab driver dress.

No taxicab driver shall operate a taxicab unless he or she is wearing professionally appropriate clothing.

SECTION 5.

Section 5.136.290 is added to the Sacramento City Code to read as follows:

5.136.290 City taxicab drivers test.

A. Prior to obtaining or renewing a taxicab driver permit, all applicants shall take and pass a city taxicab drivers test that evaluates the applicant's knowledge of city topography and applicable regulations, as well as the applicant's ability to speak and understand directions in English. The director shall establish the method of testing, the contents of the test, and the score required to pass.

B. In addition to any of the penalties and remedies set forth in section 5.136.070, the director may require any taxicab driver who violates a provision of this chapter to take and pass a city taxicab drivers test described in subsection A, above. Notice shall be given to the permittee and to the taxicab fleet association to which the permittee is registered. Notice is effective upon depositing the notice in the U.S. mail first class postage prepaid addressed to the permittee and the taxicab fleet association at the last addresses on record with the director. The driver shall take the test within seven days after the director gives notice of the requirement.

SECTION 6.

Section 5.136.302 is added to the Sacramento City Code to read as follows:

5.136.302 Taxicab vehicle permit limit.

Notwithstanding any contrary provision in this chapter, the city shall not issue a taxicab vehicle permit if there are 450 or more active taxicab vehicle permits at the time the application is submitted, except in the following circumstances:

- A. If a taxicab vehicle permit was active on January 1, 2014, the city may renew that permit;

B. If a person sells a vehicle that has an active taxicab vehicle permit, the City may issue the new owner a taxicab vehicle permit for that vehicle; and

C. If a person replaces a vehicle that has an active taxicab vehicle permit, the City may issue a taxicab vehicle permit for the replacement vehicle, if the taxicab vehicle permit for the replaced vehicle is simultaneously forfeited.

SECTION 7.

Section 5.136.304 is added to the Sacramento City Code to read as follows:

5.136.304 Selection of applicants for new taxicab vehicle permits.

A. Whenever the number of active taxicab vehicle permits falls below 450, the director shall publish a notice in a newspaper of general circulation in the city pursuant to section 6063 of the California Government Code. The notice shall request that any person wishing to be considered for a taxicab vehicle permit should notify the director and provide a date when potential applicants must file a letter of intent to apply for the permit. The director may give additional public notice of the availability of a permit as he or she deems appropriate.

B. The director shall thereafter conduct a lottery among all those expressing interest in the available taxicab vehicle permits and establish a sequence in which potential applicants will be considered for the available permits. Specific rules and procedures for the lottery shall be established by the director and approved by resolution of the city council.

C. If the selected applicant fails to qualify for a taxicab vehicle permit or elects not to proceed with the permit application process, applicants drawn in sequence in the lottery shall be considered until the permit is issued.

SECTION 8.

Section 5.136.310 of the Sacramento City Code is amended to read as follows:

5.136.310 Application for taxicab vehicle permit.

A. An owner, lessee, or holder of a similar interest in a taxicab may apply for a taxicab vehicle permit by filing an application with the director. The application shall be on a form approved by the city manager and may require any information or documentation consistent with the provisions of this chapter.

B. To renew a taxicab vehicle permit, the permittee shall file an application with the director. The application shall be submitted no later than 30 days prior to the vehicle permit expiration date. Untimely applications to renew taxicab vehicle permits are subject to a late penalty in the amount established by resolution of the city council.

C. Every application for a taxicab vehicle permit shall be accompanied by an annual nonrefundable taxicab vehicle permit application fee in the amount established by resolution of the city council.

D. No person shall knowingly make a false statement of fact or knowingly omit any information that is required in an application for a taxicab vehicle permit.

SECTION 9.

Section 5.136.330 is amended to read as follows:

5.136.330 Term of taxicab vehicle permit.

A taxicab vehicle permit issued pursuant to the provisions of this chapter shall be valid for two years from the date it was issued, unless it is suspended or revoked sooner.

SECTION 10.

Section 5.136.355 is added to the Sacramento City Code to read as follows:

5.136.355 Taxicab vehicle age.

A. No person shall operate a taxicab vehicle that is more than eight years old, unless the taxicab vehicle is exempt pursuant to subsection B. The age of a vehicle shall be measured by using January 1st of the model year of the vehicle as the starting date.

B. A taxicab vehicle is exempt from the requirements of subsection A, if the Director finds that the vehicle is rare, historical, or of vintage quality.

C. This section shall not be enforced until January 1, 2019.

SECTION 11.

Section 5.136.392 of the Sacramento City Code is added to read as follows:

5.136.392 Credit card and debit card transactions.

A. No person shall operate a taxicab without a device capable of electronically processing credit card and debit card transactions and printing a receipt.

B. All taxicab drivers shall accept credit card and debit card charges as payment for taxicab services and shall provide the customer with a receipt. The director shall determine the types of credit or debit cards that must be accepted.

SECTION 12.

Section 5.136.394 is added to the Sacramento City Code to read as follows:

5.136.394 Dispatch equipment.

No person shall operate a taxicab without the equipment necessary to communicate with the dispatch service provided by the taxicab fleet association with which the taxicab is registered, pursuant to section 5.136.620.

SECTION 13.

Section 5.136.620 of the Sacramento City Code is amended to read as follows:

5.136.620 Dispatch service.

A. The taxicab fleet association shall provide dispatch service to each of its registered taxicabs during the hours that any of its registered taxicabs are being operated. Dispatch service shall be conducted by two-way radio, mobile data terminal, software application used with a mobile device, or similar communication devices as approved by the director. This section does not preclude taxicab drivers from obtaining requests for service by other means, such as a street hail or telephone call directly to the driver.

B. The taxicab fleet association shall maintain a computerized dispatch log that fully and accurately documents the following information for each request for service made to any of its registered taxicabs:

1. The date and time of the request for service;
2. The origin and destination locations;
3. The taxicab driver and vehicle assigned;
4. The time the trip was completed; and
5. The amount paid for each trip.

C. Entries in the dispatch log shall be available for inspection in the association office for at least three years from the date of the request for service.

SECTION 14.

Section 5.136.220 of the Sacramento City Code is amended to read as follows:

5.136.220 Reporting trips to dispatch service.

A. No taxicab driver shall fail to report a request for service and the resulting trip to their association's dispatch service, including requests made directly to the taxicab driver by hail or by telephone. The report shall be made contemporaneously with the beginning and end of each paid trip, and it shall fully and accurately provide the information required by section 5.136.620.

B. No person shall knowingly make a false statement of fact or knowingly omit any information that is required to be contained in the dispatch log.

Adopted by the City of Sacramento City Council on May 27, 2014, by the following vote:

Ayes: Members Ashby, Cohn, Fong, Hansen, McCarty, Pannell, Schenirer, Warren, and Mayor Johnson.

Noes: None

Abstain: None

Absent: None

Attest:

Shirley A. Concolino

Digitally signed by Shirley A. Concolino
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Shirley Concolino, City Clerk

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