



KING COUNTY

1200 King County Courthouse
516 Third Avenue
Seattle, WA 98104

Signature Report

Ordinance

Proposed No. 2023-0230.1

Sponsors von Reichbauer

1 AN ORDINANCE relating to taxicabs and for-hire
2 vehicles; repealing or deleting provisions intended to no
3 longer be in effect in separating the taxicab and
4 transportation network company industries; conforming to
5 changes in state law; adding a new section to K.C.C.
6 chapter 6.64 and repealing Ordinance 17892, Section 6, and
7 K.C.C. 6.64.101, Ordinance 17892, Section 11, and K.C.C.
8 6.64.121, Ordinance 17892, Section 12, and K.C.C.
9 6.64.131, Ordinance 17892, Section 13, and K.C.C.
10 6.64.141, Ordinance 17892, Section 14, and K.C.C.
11 6.64.151, Ordinance 17892, Section 15, and K.C.C.
12 6.64.161, Ordinance 17892, Section 16, and K.C.C.
13 6.64.171, Ordinance 17892, Section 17, and K.C.C.
14 6.64.181, Ordinance 17892, Section 18, and K.C.C.
15 6.64.191, Ordinance 10498, Section 11, as amended, and
16 K.C.C. 6.64.310, Ordinance 10498, Section 12, as
17 amended, and K.C.C. 6.64.320, Ordinance 10498, Section
18 13, as amended, and K.C.C. 6.64.330, Ordinance 10498,
19 Section 14, as amended, and K.C.C. 6.64.340, Ordinance
20 10498, Section 15, as amended, and K.C.C. 6.64.350,

21 Ordinance 10498, Section 18, as amended, and K.C.C.
22 6.64.380, Ordinance 10498, Section 19, as amended, and
23 K.C.C. 6.64.390, Ordinance 10498, Section 20, as
24 amended, and K.C.C. 6.64.400, Ordinance 10498, Section
25 21, as amended, and K.C.C. 6.64.410, Ordinance 10498,
26 Section 22, as amended, and K.C.C. 6.64.420, Ordinance
27 10498, Section 23, as amended, and K.C.C. 6.64.430,
28 Ordinance 10498, Section 24, as amended, and K.C.C.
29 6.64.440, Ordinance 10498, Section 25, as amended, and
30 K.C.C. 6.64.450, Ordinance 10498, Section 26, as
31 amended, and K.C.C. 6.64.460, Ordinance 10498, Sections
32 61 through 68, as amended, and K.C.C. 6.64.670,
33 Ordinance 10498, Sections 86 through 88, as amended, and
34 K.C.C. 6.64.695, Ordinance 10498, Section 89, as
35 amended, and K.C.C. 6.64.700, Ordinance 10498, Section
36 90, as amended, and K.C.C. 6.64.710, Ordinance 10498,
37 Section 92, as amended, and K.C.C. 6.64.730, and
38 Ordinance 10498, Section 94, and K.C.C. 6.64.750.

39 STATEMENT OF FACTS:

40 1. In 2022 Washington regulated the operation of transportation network
41 companies but did not preempt the county's existing regulation of
42 transportation network companies.

43 2. State code constrains the county's ability to modify existing county
44 code addressing transportation network companies and their affiliated
45 vehicles and drivers.

46 3. The county desires to continue comprehensively regulating
47 transportation network companies and their affiliated drivers and vehicles
48 within the constraints set by state code and to align with state code where
49 appropriate.

50 4. The county partners with the city of Seattle to regulate the broader for-
51 hire transportation industry and desires to maintain that partnership under
52 common regulations in the future.

53 5. Due to changes in state law governing the regulation of transportation
54 network companies, modifying an existing King County Code chapter to
55 regulate transportation network companies and establishing a new King
56 County Code chapter to regulate taxicabs and for-hire vehicles best
57 articulates the county's objectives for these industries.

58 BE IT ORDAINED BY THE COUNCIL OF KING COUNTY:

59 SECTION 1. NEW SECTION. There is hereby added to K.C.C. chapter 6.64 a
60 new section to read as follows:

61 This chapter applies to transportation network companies, transportation network
62 company drivers, and transportation network company endorsed vehicles. K.C.C.
63 chapter X.XX (the new chapter created under Ordinance XXXXX (Proposed Ordinance
64 2023-XXXX), Section 1) applies to taxicab associations, for-hire vehicle companies,
65 taxicabs, for-hire vehicles, and the drivers of those vehicles. References to taxicab

66 associations, for-hire vehicle companies, taxicabs, for-hire vehicles, and the drivers of
67 those vehicles remain in this chapter because RCW 46.72B.190 constrains the county
68 from amending ordinances or regulations related to transportation network companies,
69 transportation network company drivers, or transportation network company endorsed
70 vehicles after January 1, 2022. In the event of a conflict between this chapter and K.C.C.
71 chapter X.XX (the new chapter created under Ordinance XXXXX (Proposed Ordinance
72 2023-XXXX), Section 1) , K.C.C. chapter X.XX (the new chapter created under
73 Ordinance XXXXX (Proposed Ordinance 2023-XXXX), Section 1) controls.

74 SECTION 2. The following are hereby repealed:

- 75 A. Ordinance 17892, Section 6, and K.C.C. 6.64.101;
- 76 B. Ordinance 17892, Section 11, and K.C.C. 6.64.121;
- 77 C. Ordinance 17892, Section 12, and K.C.C. 6.64.131;
- 78 D. Ordinance 17892, Section 13, and K.C.C. 6.64.141;
- 79 E. Ordinance 17892, Section 14, and K.C.C. 6.64.151;
- 80 F. Ordinance 17892, Section 15, and K.C.C. 6.64.161;
- 81 G. Ordinance 17892, Section 16, and K.C.C. 6.64.171;
- 82 H. Ordinance 17892, Section 17, and K.C.C. 6.64.181;
- 83 I. Ordinance 17892, Section 18, and K.C.C. 6.64.191;
- 84 J. Ordinance 10498, Section 11, as amended, and K.C.C. 6.64.310;
- 85 K. Ordinance 10498, Section 12, as amended, and K.C.C. 6.64.320;
- 86 L. Ordinance 10498, Section 13, as amended, and K.C.C. 6.64.330;
- 87 M. Ordinance 10498, Section 14, as amended, and K.C.C. 6.64.340;
- 88 N. Ordinance 10498, Section 15, as amended, and K.C.C. 6.64.350;

- 89 O. Ordinance 10498, Section 18, as amended, and K.C.C. 6.64.380;
- 90 P. Ordinance 10498, Section 19, as amended, and K.C.C. 6.64.390;
- 91 Q. Ordinance 10498, Section 20, as amended, and K.C.C. 6.64.400;
- 92 R. Ordinance 10498, Section 21, as amended, and K.C.C. 6.64.410;
- 93 S. Ordinance 10498, Section 22, as amended, and K.C.C. 6.64.420;
- 94 T. Ordinance 10498, Section 23, as amended, and K.C.C. 6.64.430;
- 95 U. Ordinance 10498, Section 24, as amended, and K.C.C. 6.64.440;
- 96 V. Ordinance 10498, Section 25, as amended, and K.C.C. 6.64.450;
- 97 X. Ordinance 10498, Section 26, as amended, and K.C.C. 6.64.460;
- 98 Y. Ordinance 10498, Sections 61 through 68, as amended, and K.C.C. 6.64.670;
- 99 Z. Ordinance 10498, Sections 86 through 88, as amended, and K.C.C. 6.64.695;
- 100 AA. Ordinance 10498, Section 89, as amended, and K.C.C. 6.64.700;
- 101 BB. Ordinance 10498, Section 90, as amended, and K.C.C. 6.64.710;
- 102 CC. Ordinance 10498, Section 92, as amended, and K.C.C. 6.64.730; and
- 103 DD. Ordinance 10498, Section 94, and K.C.C. 6.64.750.

104 SECTION 3. Ordinance 10498, Section 1, as amended, and K.C.C. 6.64.010 are
105 hereby amended to read as follows:

106 The definitions in this section apply throughout this chapter unless the context
107 clearly requires otherwise.

108 A. "Active on a transportation network company dispatch system" or "active on the
109 transportation network company dispatch system" includes, but is not limited to: when the
110 driver is logged onto the transportation network company application dispatch system
111 showing that the driver is available to pick up passengers; when a passenger is in the

112 vehicle; when transportation network company dispatch records show the vehicle is
113 dispatched; or when the driver has accepted a dispatch and is en route to provide
114 transportation services to a passenger.

115 B. "Application dispatch system" means technology that allows consumers to
116 directly request dispatch of for-hire drivers for trips via the Internet using mobile interfaces
117 such as smartphone applications.

118 C. "Approved mechanic " means mechanic or technician who:

119 1. Has successfully passed the examinations of, and met the experience
120 requirements prescribed by, the National Institute for Automotive Service Excellence;

121 2. Has been awarded a certificate in evidence of competence satisfactory to the
122 director; and

123 3. Is not the owner, lessee or driver of a taxicab, for-hire vehicle or transportation
124 network company endorsed vehicle.

125 D. (~~"Contract agreement rate" means the rate specified in a written agreement~~
126 ~~signed by both parties in advance of the dispatch of a taxicab or for hire vehicle for the~~
127 ~~services identified in the contract.~~

128 E.) "Director" means the director of the department of executive services or the
129 director's designee.

130 (~~F.~~) E. "Engage in the business of operating a taxicab or vehicle for hire" means
131 the pickup and transportation of any fare paying passenger from a point within the
132 geographical confines of unincorporated King County, whether or not the vehicle is
133 dispatched from a taxicab stand or office within any other municipal corporation, and
134 whether or not the ultimate destination or route of travel is within the confines of

135 unincorporated King County. A transportation network company is engaged in the
136 business of operating a vehicle for hire if it provides application dispatch services via an
137 application dispatch system to any transportation network company driver at any time for
138 the transport of any passenger for a fare from a point within unincorporated King County.
139 However, nothing in this chapter shall be construed to apply to taxicabs or for-hire vehicles
140 licensed by any other municipal corporation and transporting passengers from a point
141 within the licensing municipality to a destination outside the municipality, whether or not
142 the ultimate destination or route traveled is within unincorporated King County.

143 ~~((G.))~~ F. "Fare" means anything of economic value that is provided, promised or
144 donated primarily in exchange for services rendered.

145 ~~((H.))~~ G. "For-hire driver" means any person in control of, operating or driving a
146 taxicab, for-hire vehicle or transportation network company endorsed vehicle and includes
147 a lessee, owner-operator or driver of taxicabs or for-hire vehicles as an employee.

148 ~~((I.))~~ H. "For-hire vehicle" means a motor vehicle used for the transportation of
149 passengers for hire and not operated exclusively over a fixed and definite route, except:

- 150 1. Taxicabs;
- 151 2. Transportation network company endorsed vehicles;
- 152 3. Passenger vehicles carrying passengers on a noncommercial enterprise basis;
- 153 4. Vehicles or operators expressly exempt by state law from county regulation.

154 ~~((J.))~~ I. "For-hire vehicle company" means a person who represents or owns for-
155 hire vehicles licensed by King County that use the same color scheme, trade name and
156 dispatch services.

157 ~~((K.))~~ J. "For-hire vehicle license" means a for-hire vehicle medallion.

158 ~~((L-))~~ K. "For-hire vehicle owner" means the registered owner of the vehicle as
159 defined by RCW 46.04.460.

160 ~~((M-))~~ L. "Lessee" means a for-hire driver who is an independent contractor or sole
161 proprietor and who has a taxicab or for-hire vehicle lease contract or other form of
162 agreement with a taxicab or for-hire vehicle owner or taxicab association.

163 ~~((N-))~~ M. "Licensee" means all persons, including for-hire drivers, vehicle owners,
164 taxicab associations and transportation network of companies required to be licensed under
165 this chapter.

166 ~~((O-))~~ N. "Medallion" means a certificate issued by the director as evidence that a
167 taxicab or for-hire vehicle license is an intangible property.

168 ~~((P-))~~ O. "Medallion system" means the system that deems a taxicab or for-hire
169 vehicle license to be intangible property that may be used as collateral to secure a loan from
170 a bank or any other financial institution.

171 ~~((Q-))~~ P. "Motor vehicle" means every motorized vehicle by or upon which any
172 person may be transported or carried upon a public street, highway or alley, though
173 vehicles used exclusively upon stationary rail tracks or propelled by use of overhead
174 electric wires shall not come under this chapter.

175 ~~((R-))~~ Q. "Person" means any individual, partnership, association, corporation,
176 firm, institution or other entity, whether or not operated for profit. "Person" does not
177 include:

- 178 1. ~~((a))~~A governmental unit of or within the United States;
- 179 2. An entity operating exclusively under contract with a government entity; or

180 3. That portion of an entity that is operating exclusively under contract with a
181 government entity.

182 ~~((S-))~~ R. "Personal vehicle" means a motor vehicle that is not a taxicab or for-hire
183 vehicle.

184 ~~((T-))~~ S. "Special rate" means discounted rates for senior citizens and disabled
185 persons.

186 ~~((U-))~~ T. "Taxicab" means a motor vehicle used for the transportation of passengers
187 for hire, where the route traveled or destination is controlled by the passenger and the fare
188 is based on an amount recorded and indicated on a taximeter, on an application dispatch
189 system linked to a taximeter, or on a special rate or contracted rate agreement as permitted
190 by this chapter.

191 ~~((V-))~~ U. "Taxicab association" means a person licensed under this chapter who
192 represents or owns taxicabs licensed by King County that use the same color scheme, trade
193 name and dispatch services.

194 ~~((W-))~~ V. "Taxicab association representative" means a person who a taxicab
195 association has authorized to:

- 196 1. File applications and other documents on behalf of the association;
197 2. Receive and accept all correspondence and notices from the county pertaining
198 to the association or its taxicabs, taxicab owners or for-hire drivers operating within the
199 taxicab association.

200 ~~((X-))~~ W. "Taxicab license" means a taxicab medallion.

201 ~~((Y-))~~ X. "Taxicab vehicle owner" means the registered owner of the vehicle as
202 defined in RCW 46.04.460.

203 ~~((Z.))~~ Y. "Taximeter" means any instrument or device by which the charge for hire
204 of a passenger-carrying vehicle is measured or calculated either for the distance traveled by
205 the vehicle or for waiting time, or both, and upon which the calculated charges shall be
206 indicated by means of figures.

207 ~~((AA.))~~ Z. "Trade dress" means the unique visual element associated with a
208 transportation network company that is attached to a transportation network company
209 endorsed vehicle.

210 ~~((BB.))~~ AA. "Transportation network company" means a person licensed under
211 this chapter that provides application dispatch services via an application dispatch system
212 to connect drivers with passengers for the transportation of passengers for fares.

213 ~~((CC.))~~ BB. "Transportation network company driver" means a licensed for-hire
214 driver affiliated with a licensed transportation network company in order to provide
215 transportation to passengers by an application dispatch system.

216 ~~((DD.))~~ CC. "Transportation network company endorsed vehicle" means a vehicle
217 with a transportation network company vehicle endorsement.

218 ~~((EE.))~~ DD. "Transportation network company representative" means a person who
219 a transportation network company has authorized to:

- 220 1. File applications and other documents on behalf of the company;
221 2. Receive and accept all correspondence and notices from the county pertaining
222 to the company or its drivers.

223 ~~((FF.))~~ EE. "Transportation network company vehicle endorsement" means an
224 endorsement on a for-hire driver's license that allows the for-hire driver to use the driver's

225 personal vehicle to affiliate with a transportation network company to provide
226 transportation to passengers by an application dispatch system.

227 ~~((GG))~~ FF. "Wheelchair accessible taxicab" or "wheelchair accessible for-hire
228 vehicle" or "wheelchair accessible transportation network company endorsed vehicle"
229 means a taxicab, for-hire vehicle or transportation network company endorsed vehicle
230 designed or modified to transport passengers in wheelchairs or other mobility devices and
231 conforming to the requirements of the Americans with Disabilities Act and inspected and
232 approved by the director.

233 SECTION 4. Ordinance 17892, Section 20, as amended, and K.C.C. 6.64.211 are
234 hereby amended to read as follows:

235 The director shall not issue a transportation network company license unless
236 the person meets the following requirements:

237 A. Requires that drivers who affiliate with the company:

- 238 1. Possess a for-hire driver's license; and
239 2. When active on the company's dispatch system, operate a vehicle that is a
240 taxicab, for-hire vehicle or transportation network company endorsed vehicle; and

241 B. Files with the director on behalf of the registered owners of endorsed
242 vehicles, or ensures that the registered owners have filed, an insurance policy, and any
243 related driver contracts if applicable, demonstrating that each endorsed vehicle has
244 insurance that complies with state insurance requirements effective at that time. The
245 transportation network company shall provide evidence that each vehicle affiliated with a
246 transportation network company has insurance in an amount no less than required by
247 RCW 46.72.050 and minimum underinsured motorist coverage of one hundred thousand

248 dollars per person and three hundred thousand dollars per accident or in an amount no
249 less than required by ((chapter 48.177)) RCW 46.72B.180, at any time while active on
250 the transportation network company dispatch system. The insurance policy shall:

251 1. Be issued by an admitted carrier in the state of Washington with an A.M.
252 Best Rating of not less than B VII, or show evidence that an exemption has been met
253 allowing for the use of a surplus line insurer with an A.M. Best Rating of not less than
254 B+ VII. However, the director may temporarily suspend any or all of these requirements
255 if no other viable insurance options are available to the industry;

256 2. Name King County, its officers, officials, agents and employees as an
257 additional insured on the insurance policy;

258 3. Provide that the insurer will notify the director in writing of any
259 cancellation or nonrenewal at least thirty days before cancellation or nonrenewal of the
260 policy; and

261 4. Not include aggregate limits, or named driver requirements or exclusions.
262 Other limitations or restrictions beyond standard insurance services office business auto
263 policy form are subject to approval by the director.

264 SECTION 5. Ordinance 17892, Section 24, as amended, and K.C.C. 6.64.251 are
265 hereby amended to read as follows:

266 In addition to meeting the license application requirements in K.C.C. 6.64.211, a
267 transportation network company shall:

268 A. Maintain a mailing address and email address where the company's
269 representative will accept mail;

270 B. When required by the director, forward correspondence from the director to a
271 driver within five business days after receiving the correspondence by first class mail or
272 email and keep a record of the mailings;

273 C. Retain company records, including: copies of drivers' for-hire drivers
274 licenses; copies of drivers' vehicle endorsements; copies of for-hire vehicle licenses or
275 taxicab licenses; vehicle insurance policies; passenger complaints; and dispatch records.
276 Records may be maintained electronically;

277 D. Collect, retain and report the information required under K.C.C. 6.64.780;

278 E. Permit the director to carry out inspections with reasonable notice of all
279 records required to be kept under this chapter;

280 F. Provide secure storage for all items left in a company's driver's vehicle by a
281 passenger and turned in by the driver;

282 G. Require that a passenger be able to view a picture of the driver and vehicle
283 license plate number on the passenger's smart phone, tablet or other mobile device used
284 to connect with the company's dispatch application before the trip is initiated;

285 H. Maintain a nondiscrimination policy that complies fully with all applicable
286 federal, state and local laws that prohibit discrimination;

287 I. Allow any passenger to indicate the need for a wheelchair accessible vehicle
288 and connect the passenger to an accessible vehicle service via an internet link, application
289 or telephone number;

290 J. Notify the director within two working days of having knowledge of the
291 following:

292 1. A conviction or bail forfeiture received by any of the company's drivers for
293 any criminal offense or traffic violation that occurs during or arises out of the driver's
294 operation of a vehicle while active on the company's dispatch system;

295 2. A conviction or bail forfeiture received by any of the company's drivers for
296 any criminal offense reasonably related to the driver's honesty and integrity or ability to
297 operate a vehicle in a safe manner;

298 3. A vehicle accident required by law to be reported to ~~((the))~~ a state agency ~~((of~~
299 ~~Washington))~~ that involves ~~(involving)~~ any of the company's drivers; and

300 4. A restriction, suspension or revocation of a ~~((Washington))~~ state issued
301 driver's license issued to any of the company's drivers;

302 K. Terminate a driver's access to the company's dispatch system immediately
303 upon:

304 1. Receiving notification from the director that the driver does not meet the
305 requirements of K.C.C. 6.64.211.A.; or

306 2. Having knowledge that a driver meets the criteria for the driver's license to be
307 immediately suspended under K.C.C. 6.64.610;

308 L. Maintain a policy that prohibits the company's drivers while active on the
309 company's dispatch system from being under the influence of any alcohol, narcotics,
310 drugs, or prescription or over-the-counter medication that might impair their performance
311 or in any way jeopardize the safety or security of passengers or the public. Provide
312 notice of the policy on the company's website, mobile application and passenger trip
313 confirmations and include in the notice a telephone number, web site link and email

314 address for a passenger to report to the company a driver who the passenger suspects was
315 in violation of the policy during a trip;

316 M. Maintain the rate structure documented with the application or file with the
317 director for approval the documentation required by K.C.C. 6.64.760.C.;

318 N. Require the company's drivers to comply with K.C.C. 6.64.665.

319 O. Provide a written insurance disclosure to the company's drivers that includes
320 the following language: "[insert name of company] confirms that while driver [insert
321 driver's full name] is active on the application dispatch system, the driver's vehicle is
322 insured as required by K.C.C. chapter 6.64"; and

323 P. Pay all penalties assessed against the company. (Ord. 17892 § 24, 2014).

324 SECTION 6. Ordinance 17892, Section 26, as amended, and K.C.C. 6.64.271 are
325 hereby amended to read as follows:

326 A. The director shall not issue a transportation network company vehicle
327 endorsement unless the person meets the following requirements:

328 1. Has a for-hire driver's permit or transportation network company license
329 under this chapter; and

330 2. Is affiliated with a licensed transportation network company.

331 B. The director shall not issue a transportation network company vehicle
332 endorsement unless the vehicle meets the following requirements:

333 1. Has insurance that complies with K.C.C. 6.64.211 and state law;

334 2. Has a certificate of safety as required by K.C.C. 6.64.360; and

335 3. The vehicle's model year is no more than ~~((ten))~~ fifteen years old ~~((, unless~~
336 ~~otherwise allowed by state law))~~.

337 SECTION 7. Ordinance 17892, Section 27, as amended, and K.C.C. 6.64.281 are
338 hereby amended to read as follows:

339 A. An applicant for a transportation network company vehicle endorsement, or a
340 transportation network company on behalf of the applicant, shall file annually with the
341 director a signed application on a form provided by the director to include the following
342 information about the applicant:

343 1. Name, aliases, residence or business address and residence and business
344 telephone numbers;

345 2. If the applicant is an individual, the date of birth, which shall be at least
346 ~~((twenty-one))~~ twenty years before the date of application, height, weight, ~~((color of~~
347 ~~hair))~~ and color of eyes;

348 3. If the applicant is an individual, a ~~((Washington))~~ state issued driver's license
349 number. The applicant shall present the applicant's ~~((Washington))~~ state issued driver's
350 license or a copy at the time of application;

351 4. If the applicant is an individual, evidence of a for-hire driver's license or
352 permit, or an approved application for a for-hire driver's license or permit;

353 5. Vehicle information including vehicle identification number or numbers and
354 ~~((Washington))~~ state issued license plate number or numbers;

355 6. Evidence of vehicle insurance as required in K.C.C. 6.64.211;

356 7. Vehicle certificate of safety required by K.C.C. 6.64.360;

357 8. Whether any of the circumstances in K.C.C. 6.64.291.B. apply to the
358 applicant;

359 9. Evidence that the applicant is affiliated with a transportation network
360 company; and

361 10. Other information as reasonably determined by the director.

362 B. The transportation network company vehicle endorsement consists of a
363 certificate and an endorsement decal affixed to the vehicle. The certificate shall include
364 the following:

365 1. Vehicle identification number;

366 2. Vehicle registered owner's full legal name;

367 3. Vehicle license plate number;

368 4. Endorsement expiration date;

369 5. Unique number; and

370 6. Other information the director may reasonably require.

371 C. A transportation network company vehicle endorsement is valid for not more
372 than one year.

373 D. A person shall not lease, transfer or assign a transportation network company
374 vehicle endorsement.

375 SECTION 8. Ordinance 10498, Section 10, as amended, and K.C.C. 6.64.300 are
376 hereby amended to read as follows:

377 It is unlawful to own or operate, advertise or engage in the business of operating a
378 taxicab, for-hire vehicle or transportation network company endorsed vehicle without first
379 having obtained, for each and every vehicle so used, a taxicab license, for-hire vehicle
380 license or transportation network company vehicle endorsement issued under K.C.C.
381 6.64.281.

382 SECTION 9. Ordinance 10498, Section 27, as amended, and K.C.C. 6.64.500 are
383 hereby amended to read as follows:

384 It is unlawful for any person to drive, be in control of, or operate a taxicab, for-hire
385 vehicle or transportation network company endorsed vehicle in the unincorporated areas of
386 King County without first having obtained a valid for-hire driver's license. K.C.C.
387 6.64.510 through ~~((K.C.C. 6.64.695))~~ K.C.C. 6.64.690 apply to drivers of taxicabs, for-hire
388 vehicles and endorsed vehicles unless the context clearly requires otherwise.

389 SECTION 10. Ordinance 10498, Section 28, as amended, and K.C.C. 6.64.510
390 are hereby amended to read as follows:

391 For an initial for-hire driver's license and annually thereafter, the applicant, or a
392 taxicab association, for-hire vehicle licensee, for hire vehicle company or transportation
393 network company on behalf of the applicant, shall file a signed application on a form
394 approved by the director. The application may be filed online, by email, by United States
395 mail or in person, The application shall include the following: name; height; weight;
396 ~~((color of hair))~~and eyes; residence address; place and date of birth; social security
397 number; ~~((Washington))~~ state driver's license number; aliases; consent to a background
398 check or a copy of a background check as required by K.C.C. 6.64.520; whether the
399 applicant has ever had a license suspended, revoked or denied and for what cause; the
400 information required in K.C.C. 6.64.530 and 6.64.590; and any other information as the
401 director may reasonably require.

402 SECTION 11. Ordinance 10498, Section 30, as amended, and K.C.C. 6.64.530
403 are hereby amended to read as follows:

404 The director shall not issue a for-hire driver's license to a person unless the
405 following requirements about the person are met:

- 406 A. Must be ~~((twenty-one))~~ twenty years ~~((of age))~~ old or older;
- 407 B. Must possess a valid ~~((Washington))~~ state issued driver's license;
- 408 C. Must submit a certificate of fitness;
- 409 D. Must have completed the training program required by K.C.C. 6.64.570; and
- 410 E. Must successfully complete the examination required by K.C.C. 6.64.580~~((; and~~
- 411 ~~((F. Must present documentation, as required by the United States Department of~~
- 412 ~~Homeland Security, that the applicant is authorized to work in the United States))~~.

413 SECTION 12. Ordinance 10498, Sections 31, as amended, and K.C.C. 6.64.540
414 are hereby amended to read as follows:

415 A. Pending final action [on] a for-hire driver's license application, the director
416 shall issue a temporary permit within two business days to an applicant who has:

- 417 1. Filed a complete application as required by K.C.C. 6.64.510 that has been
- 418 reviewed under K.C.C. 6.64.600; and
- 419 2. Passed the examination required by K.C.C. 6.64.580.

420 B. The temporary permit is valid for a period not to exceed sixty days from the
421 date of the application.

422 C. The temporary permit shall not be transferable or assignable.

423 D. The temporary permit shall be immediately null and void if at any time the
424 applicant's ~~((Washington))~~ state issued driver's license becomes expired, suspended or
425 revoked, or following the denial of an application.

426 SECTION 13. Ordinance 10498, Section 38, as amended, and K.C.C. 6.64.610

427 are hereby amended to read as follows:

428 A. A for-hire driver's license shall be immediately suspended and is null and void
429 if:

430 1. At any time the driver's ((Washington)) state issued driver's license expires, is
431 suspended or revoked;

432 2. The director obtains information after license issuance that the driver fails to
433 meet the qualifications of a for-hire driver; or

434 3. The driver is found to be in possession of controlled substances or alcohol
435 while in control of or while operating a vehicle as a for-hire driver;

436 B. The director may suspend or revoke a for-hire driver's license if the director
437 determines that the licensee has:

438 1. Received a conviction or bail forfeiture for a crime that would be grounds for
439 denial as set forth in K.C.C. 6.64.600;

440 2. Failed to comply with the driver standards as set forth in this chapter; or

441 3. A driving record that leads the director to reasonably conclude that the
442 applicant would not operate a vehicle in a safe manner

443 SECTION 14. Ordinance 10498, Sections 47 through 60, as amended, and
444 K.C.C. 6.64.660 are hereby amended to read as follows:

445 A. A driver shall not operate a vehicle under the influence of any alcohol,
446 narcotics, drugs, or prescription or over-the-counter medication that might impair the
447 driver's performance or in any way jeopardize the safety or security of passengers or the
448 public.

449 B. A driver shall, at the end of each trip, check the driver's vehicle for any article
450 that is left behind by any passenger. The articles must be reported as found property on the
451 hotline number, as well as to the taxicab association or transportation network company,
452 and the articles are to be returned to the taxicab association or transportation network
453 company at the end of the shift or sooner. Drivers of for-hire vehicles shall deposit the
454 articles at the for-hire vehicle company, if the company provides a property return service,
455 or the records and licensing services division.

456 C. A driver shall have in the driver's possession and posted as required in K.C.C.
457 6.64.595 a valid for-hire driver's license at any time the driver is driving, in control of or
458 operating a vehicle and the license shall be displayed as prescribed by the director.

459 D. A driver shall comply with any written notice and order by the director.

460 E. A driver shall not operate a vehicle when the vehicle has been placed out-of-
461 service by order of the director.

462 F. A driver shall immediately surrender the vehicle license plate or decal to the
463 director upon written notice that the vehicle is out-of-service.

464 G. A driver shall not be in control of a vehicle for more than ~~((twelve))~~ fourteen
465 consecutive hours ~~((or for more than twelve hours spread over a total of fifteen hours))~~ in
466 any twenty-four-hour period. Thereafter, the driver shall not drive a vehicle until eight
467 consecutive hours have elapsed.

468 H. ~~((A driver shall not drive, be in control of or operate a taxicab or for hire vehicle
469 when the customer information board is not present and contains the information required
470 under K.C.C. 6.64.410.~~

471 ~~I.)~~ A driver shall operate the vehicle with due regard for the safety, comfort and
472 convenience of passengers.

473 ~~((J.))~~ I. A driver shall neither solicit for prostitution nor allow the vehicle to be
474 used for prostitution.

475 ~~((K.))~~ J. A driver shall not knowingly allow the vehicle to be used for the illegal
476 solicitation, transportation, sale or any other activity related to controlled substances.

477 ~~((L.))~~ K. A driver shall deposit all refuse appropriately and under no circumstances
478 may litter.

479 ~~((M.))~~ L. A driver shall not use offensive language, expressions or gestures to any
480 person while the driver is driving, operating or in control of a vehicle.

481 ~~((N.))~~ M. A driver shall not operate a wheelchair accessible taxicab unless the
482 driver has successfully completed the special training requirements in K.C.C. 6.64.570.

483 ~~((O.))~~ N. A driver shall not use a mobile phone unless in hands-free mode,
484 consistent with RCW 46.61.667.

485 SECTION 15. Ordinance 17892, Section 64, and K.C.C. 6.64.665 are hereby
486 amended to read as follows:

487 In addition to meeting the for-hire driver standards in this chapter, a
488 transportation network company's driver shall meet the following standards:

489 A. When active on a transportation network company's application dispatch
490 system, shall drive only the vehicle for which the driver has an endorsement; and

491 B. When driving an endorsed vehicle, shall only provide rides to fare-paying
492 passengers that are booked through a transportation network company's application
493 dispatch system.

494 SECTION 16. Ordinance 10498, Sections 69 through 79, as amended, and
495 K.C.C. 6.64.680 are hereby amended to read as follows:

496 A. When wearing a costume a driver shall display a photograph of the driver
497 dressed in the costume along with the driver's for-hire license.

498 B. A driver shall provide a customer with professional and courteous service at all
499 times.

500 C. ~~((A driver of a taxicab shall not refuse a request for service because of the
501 driver's position in line at a taxicab zone; a passenger may select any taxicab in line.~~

502 ~~D.))~~ D. A driver shall at all times assist a passenger by placing luggage or packages
503 that are under fifty pounds in and out of the vehicle.

504 ~~((E.))~~ D. A driver shall not refuse to transport in the vehicle:

505 1. Any passenger's wheelchair that can be folded and placed in either the
506 passenger, driver or trunk compartment of the vehicle;

507 2. An assist dog or guide dog to assist the disabled or handicapped; and

508 3. Groceries, packages or luggage when accompanied by a passenger.

509 ~~((F.))~~ E. A driver shall provide each passenger an electronic or paper receipt upon
510 payment of the fare.

511 ~~((G.))~~ F. A driver shall use the most direct available route on all trips unless the
512 passenger specifically requests to change the route.

513 ~~((H. A driver of a taxicab shall not refuse to transport any person except when:~~

514 1. ~~The driver has already been dispatched on another call;~~

515 ~~2. The passenger is acting in a disorderly, threatening or suspicious manner, or~~
516 ~~otherwise causes the driver to reasonably believe that the driver's health or safety, or that of~~
517 ~~others, may be endangered;~~

518 ~~3. The passenger cannot, upon request, show ability to pay fare; or~~

519 ~~4. The passenger refuses to state a specific destination upon entering the taxicab.~~

520 ~~F.))~~ G. A driver shall not smoke in the vehicle.

521 ~~((J. A driver of a taxicab or for hire vehicle shall be able to provide a reasonable~~
522 ~~and prudent amount of change, and, if correct change is not available, no additional charge~~
523 ~~may be made to the passenger in attempting to secure the change.~~

524 ~~K.))~~ H. If operating a wheelchair accessible taxicab, wheelchair accessible for-hire
525 vehicle or wheelchair accessible transportation network company endorsed vehicle, a driver
526 shall provide priority service to private pay passengers in wheelchairs or other mobility
527 devices.

528 ~~((L.))~~ I. A driver must be clean and neat in dress and person and present a
529 professional appearance to the public.

530 SECTION 17. Ordinance 10498, Sections 80 through 85, as amended, and
531 K.C.C. 6.64.690 are hereby amended to read as follows:

532 A. A driver shall load or unload passengers at Sea-Tac airport only as permitted by
533 the Sea-Tac International Airport Schedule of Rules and Regulations.

534 B. A driver shall not drive, be in control of or operate a vehicle to pick up
535 passengers at Sea-Tac airport without having on display a Port of Seattle authorized permit.

536 C. A driver shall not solicit on Sea-Tac property.

537 D. ~~((A driver of a taxicab or for hire vehicle may solicit passengers only from the~~
538 ~~driver's seat or standing immediately adjacent to the vehicle, and only when the vehicle is~~
539 ~~safely and legally parked.~~

540 E. ~~A driver of a taxicab or for hire vehicle shall not use any other person to solicit~~
541 ~~passengers.~~

542 F.)) A driver shall not hold himself out for designated destinations.

543 SECTION 18. Ordinance 10498, Section 93, as amended, and K.C.C. 6.64.740
544 are hereby amended to read as follows:

545 A. On or before April 30 of each year, the director shall file an annual report with
546 the council for January 1 through December 31 of the preceding calendar year.

547 B. The report shall include, but not be limited to:

548 1. Number of taxicabs, for-hire vehicles and transportation network company
549 endorsed vehicles in King County, in Seattle only and in both King County and Seattle
550 during the reporting period and during the preceding year;

551 2. Number of drivers licensed in King County only, Seattle only and in both King
552 County and Seattle during the reporting period and during the preceding year;

553 3. Numbers and nature of complaints;

554 4. ~~((Results of a survey of taxicab response times, changes in response times~~
555 ~~from previous reporting periods, and relationship of the actual response times to the~~
556 ~~optimum average response time established by the director under K.C.C. 6.64.730;~~

557 ~~5. A statement on the sufficiency of the number of taxicab licenses in the areas~~
558 ~~served by the King County licensed vehicles and whether there is a need for a new~~
559 ~~determination of additional taxicab service as established in K.C.C. 6.64.700;)) and~~

560 ~~((6.))~~ Any other recommendations deemed appropriate by the director.

561 C. The report required by this section shall be filed in the form of a paper original
562 and an electronic copy with the clerk of the council, who shall retain the paper original and
563 distribute electronic copies to all councilmembers.

564 SECTION 19. Ordinance 10498, Section 95, as amended, and K.C.C. 6.64.760
565 are hereby amended to read as follows:

566 A. ~~((The following apply to taxicab rates:~~

567 1. ~~The taximeter rates governed by this subsection apply when a taxicab is not~~
568 ~~operating on an application dispatch system. The director shall adopt rules to establish the~~
569 ~~rates. Until the director adopts rules, the rates in subsection A.4. of this section apply.~~

570 2. ~~In adopting rules to set taximeter rates, the director shall consider at least the~~
571 ~~following factors:~~

572 a. ~~the information in a report prepared under K.C.C. 6.64.740;~~

573 b. ~~the public need for adequate taxi service at the lowest cost consistent with the~~
574 ~~provision, maintenance and continuation of such a service;~~

575 c. ~~the rates of other licensees operating in similar areas;~~

576 d. ~~the effect of such rates upon transportation of passengers by other modes of~~
577 ~~transportation;~~

578 e. ~~the licensees' need for revenue at a level that under honest, efficient and~~
579 ~~economical management is sufficient to cover the cost of providing adequate taxi service,~~
580 ~~including all operating expenses, depreciation accruals, rents, license fees and taxes of~~
581 ~~every kind, plus an amount equal to a percentage of the cost that is reasonably necessary~~
582 ~~for the replacement of deteriorated taxicabs and a reasonable profit to the licensees; and~~

583 ~~f. consistency of rates with those prescribed by the city of Seattle.~~

584 ~~3. A taxicab shall have one rate on its meter, except a taxicab licensed by both the~~
585 ~~city of Seattle and King County shall have two rates on its meter.~~

586 ~~4. Until the director adopts rules under subsection A.1. of this section, and except~~
587 ~~for special or contract rates as provided for in this chapter, any per trip fee established by~~
588 ~~the Port of Seattle and set forth in any operating agreement or tariff, any toll or charge~~
589 ~~established for roads, bridges, tunnel or ferries, or when operating on an application~~
590 ~~dispatch system, it shall be unlawful for anyone operating a taxicab licensed by King~~
591 ~~County to charge, demand or receive any greater or lesser rate than the following:~~

592 ~~Meter rate~~

- ~~a. drop charge: for passengers for first 1/9 mile \$2.50~~
- ~~b. per mile: for each 1/9 mile or fraction thereof after the first 1/9 mile \$0.30~~
- ~~c. for every one minute of waiting time: waiting time rates \$0.50~~
~~are charged when taxicab speed is less than twelve miles (charged at~~
~~per hour or when customer asks for taxicab to wait \$0.30 per 36~~
~~seconds)~~
- ~~d. extra charge for passengers over two persons, excluding \$0.50~~
~~children under twelve years of age~~
- ~~e. special rates and contract rates as defined in this chapter~~
~~shall be calculated as a percentage of the meter rate or a~~
~~fixed dollar amount per trip.~~

~~all special rates must be filed with the director on a form~~

(1) ~~furnished by the director.~~

~~all meter rates, special rates or contract rates shall be filed~~

(2) ~~once a year at the time of annual application by the taxicab
association.~~

~~licensees may change any filed special rate no more than~~

(3) ~~once a year.~~

~~rates for new contracts acquired or changed during the~~

(4) ~~license year shall be filed within two weeks of filing the
contract and before implementing the contracted rate.~~

~~Contracts must be between taxicab associations or owners
and legal business entities.~~

593 ~~B. This subsection applies to for hire vehicle rates. Every for hire vehicle licensee~~
594 ~~shall, before commencing operating, file with the director all rates and charges with the~~
595 ~~director that apply when the licensee is not operating on an application dispatch system.~~
596 ~~Rates may vary by time of day. All rates and charges shall be conspicuously displayed~~
597 ~~inside the for hire vehicle so as to be readily viewed by the passenger. The manner of~~
598 ~~posting shall be prescribed by the director.~~

599 ~~C.))1. Transportation network companies, taxicab associations and for-hire~~
600 ~~vehicles that use an application dispatch system shall file with the director documentation~~
601 ~~or provide a physical demonstration of the application dispatch rate structure that is visible~~
602 ~~to a passenger before the passenger confirms a ride.~~

603 2. The director shall approve the rate structure as transparent if, when a passenger
604 requests a ride but before the passenger accepts the ride, the application clearly displays:

605 a. the total fare or fare range;

606 b. the rate by distance or time; and

607 c. any variables that may result in a higher fare or additional charges; or

608 3. the cost of the ride is made clear to the passenger before the passenger confirms
609 the ride through an alternative method approved by the director.

610 ~~((D.))~~ B. The rates specified in this section shall not apply to transportation of
611 persons provided pursuant to a written contract that establishes a fare at a different rate for
612 specified transportation and that has been previously filed with the director. No contract
613 may include any provision that directly or indirectly requires exclusive use of the
614 transportation services of the contracting taxicab or for-hire vehicle.

615 ~~((E.))~~ C. It is unlawful to make any discriminatory charges to any person or to
616 make any rebate or in any manner reduce the charge to any person, unless the charge
617 conforms to the discounts or surcharges contained in the filed rates.

618 ~~((F. It is unlawful under the Americans with Disabilities Act to charge a special
619 service vehicle rate that is different from the taxicab rates adopted in subsection A. of this
620 section, except in those instances where the transportation of disabled persons is pursuant
621 to a written contract as specified in subsection D. of this section))~~ D. A transportation
622 network company may not impose additional charges for providing services to persons
623 with disabilities because of those disabilities, consistent with RCW 46.72B.110.

624 SECTION 20. Ordinance 10498, Section 97, as amended, and K.C.C. 6.64.800
625 are hereby amended to read as follows:

- 626 A.1. The director may assess the following civil penalties:
- 627 a. up to ten thousand dollars for each violation of the following:
- 628 (1) K.C.C. 6.64.201; and
- 629 (2) K.C.C. 6.64.251;
- 630 b. up to one thousand dollars for a violation of any of the following:
- 631 (1) ~~((K.C.C. 6.64.121;~~
- 632 ~~(2) K.C.C. 6.64.181;~~
- 633 ~~(3) K.C.C. 6.64.191;~~
- 634 ~~(4)) K.C.C. 6.64.261;~~
- 635 ~~((5)) (2) K.C.C. 6.64.300;~~
- 636 ~~((6)) (3) K.C.C. 6.64.360;~~
- 637 ~~((7) ((K.C.C. 6.64.420));~~
- 638 ~~(8) K.C.C. 6.64.460;~~
- 639 ~~(9)) (4) K.C.C. 6.64.500;~~
- 640 ~~((10)) (5) K.C.C. 6.64.640;~~
- 641 ~~((11)) (6) K.C.C. 6.64.650;~~
- 642 ~~((12)) (7) K.C.C. 6.64.660;~~
- 643 ~~((13)) (8) K.C.C. 6.64.665;~~
- 644 ~~((14) K.C.C. 6.64.670;~~
- 645 ~~(15)) (9) K.C.C. 6.64.680; and~~
- 646 ~~((16)) (10) K.C.C. 6.64.690(;~~and~~~~
- 647 ~~(17) K.C.C. 6.64.695)).~~
- 648 2. In determining a penalty under subsection A.1. of this section, the

649 director shall consider: the size of the business of the violator; the gravity of the
650 violation; the number of past and present violations committed; and the good faith of the
651 violator in attempting to achieve compliance after notification of the violation.

652 B. As an alternative to the civil penalties in subsection A. of this section:

653 1. A violation of K.C.C. 6.64.300, K.C.C. 6.64.500 or K.C.C. 6.64.261 is a
654 Class 1 civil infraction and shall subject the violator to a maximum monetary penalty and
655 default amount of one thousand dollars, inclusive of statutory assessments. An infraction
656 under this subsection shall be initiated and processed under the Infraction Rules for
657 Courts of Limited Jurisdiction, and the director is the enforcement officer under RCW
658 7.80.040. A person who is issued a notice of infraction shall not be assessed a civil
659 penalty under subsection A. of this section for the same violation. In determining
660 whether to issue a notice of infraction instead of a civil penalty under subsection A. of
661 this section, the director shall consider whether it would be a more efficient method of
662 providing notice to persons who are in violation.

663 2. Each subsequent violation of K.C.C. 6.64.300, K.C.C. 6.64.500 or
664 K.C.C. 6.64.261 within five years of the prior violation is a misdemeanor. A person who
665 is prosecuted for the misdemeanor in this subsection shall not be issued a notice of civil
666 infraction or assessed a civil penalty for the same violation. In determining whether to

667 refer a person for prosecution for a misdemeanor, the director shall consider whether it
668 would be a deterrent to future violations.

KING COUNTY COUNCIL
KING COUNTY, WASHINGTON

Dave Upthegrove, Chair

ATTEST:

Melani Pedroza, Clerk of the Council

APPROVED this ____ day of _____, _____.

Dow Constantine, County Executive

Attachments: None