



## Legislation Text

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**File #:** 2014-0187, **Version:** 2

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Clerk 09/09/2014

AN ORDINANCE relating to for-hire transportation, including taxicabs, for-hire vehicles, for-hire drivers and transportation network companies; making technical corrections; amending Ordinance 10498, Section 1, as amended, and K.C.C. 6.64.010, Ordinance 10498, Section 5, as amended, and K.C.C. 6.64.015, Ordinance 10498, Section 6, as amended, and K.C.C. 6.64.025, Ordinance 10498, Section 10, and K.C.C. 6.64.300, Ordinance 10498, Section 11, as amended, and K.C.C. 6.64.310, Ordinance 10498, Section 12, and K.C.C. 6.64.320, Ordinance 10498, Section 13, as amended, and K.C.C. 6.64.330, Ordinance 10498, Section 14, and K.C.C. 6.64.340, Ordinance 10498, Section 15, as amended, and K.C.C. 6.64.350, Ordinance 10498, Section 16, as amended, and K.C.C. 6.64.360, Ordinance 10498, Section 18, as amended, and K.C.C. 6.64.380, Ordinance 10498, Section 19, and K.C.C. 6.64.390, Ordinance 10498, Section 20, and K.C.C. 6.64.400, Ordinance 10498, Section 21, as amended, and K.C.C. 6.64.410, Ordinance 10498, Section 22, as amended, and K.C.C. 6.64.420, Ordinance 10498, Section 23, as amended, and K.C.C. 6.64.430, Ordinance 10498, Section 24, as amended, and K.C.C. 6.64.440, Ordinance 10498, Section 25, as amended, and K.C.C. 6.64.450, Ordinance 10498, Section 26, and K.C.C. 6.64.460, Ordinance 10498, Section 27, as amended, and K.C.C. 6.64.500, Ordinance 10498, Section 28, as amended, and K.C.C. 6.64.510, Ordinance

10498, Section 29, as amended, and K.C.C. 6.64.520, Ordinance 10498, Section 30, as amended, and K.C.C. 6.64.530, Ordinance 10498, Section 31, as amended, and K.C.C. 6.64.540, Ordinance 10498, Section 32, and K.C.C. 6.64.550, Ordinance 10498, Section 33, and K.C.C. 6.64.560, Ordinance 10498, Section 34, as amended, and K.C.C. 6.64.570, Ordinance 10498, Section 35, as amended, and K.C.C. 6.64.580, Ordinance 10498, Section 36, and K.C.C. 6.64.590, Ordinance 17665, Section 20, and K.C.C. 6.64.595, Ordinance 10498, Section 37, as amended, and K.C.C. 6.64.600, Ordinance 10498, Section 38, as amended, and K.C.C. 6.64.610, Ordinance 10498, Section 39, and K.C.C. 6.64.620, Ordinance 10498, Section 40, and K.C.C. 6.64.630, Ordinance 10498, Section 41, and K.C.C. 6.64.640, Ordinance 10498, Sections 42 through 46, and K.C.C. 6.64.650, Ordinance 10498, Sections 47 through 60, as amended, and K.C.C. 6.64.660, Ordinance 10498, Sections 61 through 68, as amended, and K.C.C. 6.64.670, Ordinance 10498, Sections 69 through 79, as amended, and K.C.C. 6.64.680, Ordinance 10498, Sections 80 through 85, and K.C.C. 6.64.690, Ordinance 10498, Sections 86 through 88, and K.C.C. 6.64.695, Ordinance 10498, Section 89, as amended, and K.C.C. 6.64.700, Ordinance 10498, Section 90, as amended, and K.C.C. 6.64.710, Ordinance 10498, Section 92, and K.C.C. 6.64.730, Ordinance 10498, Section 93, as amended, and K.C.C. 6.64.740, Ordinance 10498, Section 95, as amended, and K.C.C. 6.64.760, Ordinance 10498, Section 97, and K.C.C. 6.64.800, Ordinance 10498, Section 100, and K.C.C. 6.64.900 and Ordinance 10498, Section 101, and K.C.C. 6.64.910, adding a new chapter to K.C.C. Title 4A, adding new sections to K.C.C. chapter 6.64, recodifying K.C.C. 6.64.025 and repealing Ordinance 10498, Section 4, and K.C.C. 6.64.007,

Ordinance 10498, Section 7, and K.C.C. 6.64.200, Ordinance 10498, Section 8, and K.C.C. 6.64.210, Ordinance 10498, Section 9, and K.C.C. 6.64.220, Ordinance 10498, Section 17, and K.C.C. 6.64.370, Ordinance 10498, Section 91, and K.C.C. 6.64.720, Ordinance 10498, Section 96, and K.C.C. 6.64.770, Ordinance 10498, Section 98, and K.C.C. 6.64.810, Ordinance 10498, Section 99, and K.C.C. 6.64.820 and Ordinance 10498, Section 102, and K.C.C. 6.64.920, prescribing penalties and declaring an emergency.

BE IT ORDAINED BY THE COUNCIL OF KING COUNTY:

**SECTION 1. Findings:**

- A. Transportation network companies are currently operating in King County without regulation.
- B. On July 14, 2014, the council of the city of Seattle adopted Ordinance 124524 which includes regulations for transportation network companies.
- C. Significant portions of the city of Seattle Ordinance 124524 became effective on August 14, 2014.
- D. Because of the regional nature of for-hire transportation services and the coordination between the city of Seattle and King County to administer licensing programs, it is necessary for public health and safety that this ordinance take effect immediately.

SECTION 2. Ordinance 10498, Section 1, as amended, and K.C.C. 6.64.010 are each hereby amended to read as follows:

~~((For the purposes of this chapter and unless the context plainly requires otherwise, the following definitions apply:))~~ The definitions in this section apply throughout this chapter unless the context clearly requires otherwise.

- A. "Active on a transportation network company dispatch system" or "active on the transportation network company dispatch system" includes, but is not limited to: when the driver is logged onto the transportation network company application dispatch system showing that the driver is available to pick up

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

~~((“Affiliated representative” means the individual within the service organization who has the authority to file special rates and contract agreement rates and charges for a group of affiliated taxicabs, and who is designated as the individual responsible for the receipt of any correspondence or notices pertaining to the service organization or the taxicabs or for hire vehicles operating within the service organization.~~

~~B. “Affiliated taxicab” means a taxicab associated with a service organization.~~

~~C. “Alcohol” means a mixture containing no less than eighty five percent methanol, ethanol or other alcohols, in any combination, by volume.~~

~~D. “Alternative fuel” means a means for propulsion by other than gasoline or diesel fuel. “Alternative fuel” includes:~~

- ~~1. Alcohol;~~
- ~~2. Dual energy;~~
- ~~3. Electricity;~~
- ~~4. Natural gas;~~
- ~~5. Propane; and~~
- ~~6. Human power.~~

~~E.)) B. “Application dispatch system” means technology that allows consumers to directly request dispatch of for-hire drivers for trips via the internet using mobile interfaces such as smartphone applications.~~

C. “Approved mechanic ((facility))” means a ((garage or repair facility that employs)) mechanic((s)) or technician who:

1. ((Who have)) Has successfully passed the examinations of, and met the experience requirements prescribed by, the National Institute for Automotive Service Excellence;

2. ~~((Who have))~~ Has been awarded a certificate~~((s))~~ in evidence of competence satisfactory to the director; and

3. ~~((Who are authorized emission specialists certified by the Washington Department of Ecology;~~

4. ~~None of whom are))~~ Is not the owner, lessee or driver of a taxicab ~~((or))~~, for-hire vehicle or transportation network ~~((or the employee of a taxicab or for-hire vehicle))~~ company endorsed vehicle ~~((; and~~

5. ~~None of whom have a financial interest in a taxicab or for-hire vehicle or taxicab or for-hire vehicle company))~~.

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

~~((G.))~~ E. "Director" means the director of the ~~((King County))~~ department of executive services ~~((and his or her duly appointed representatives))~~ or the director's designee.

~~((H. "Dual energy" means capable of being operated using an alternative fuel and gasoline or diesel fuel.~~

I.) F. "Engage in the business of operating a taxicab or vehicle for hire" means the pickup and transportation of any fare paying passenger from a point within the geographical confines of unincorporated King County, whether or not the vehicle is dispatched from a taxicab stand or office within any other municipal corporation, and whether or not the ultimate destination or route of travel is within the confines of unincorporated King County. A transportation network company is engaged in the business of operating a vehicle for hire if it provides application dispatch services via an application dispatch system to any transportation network company driver at any time for the transport of any passenger for a fare from a point within unincorporated King County. However, nothing in this chapter shall be construed to apply to taxicabs or for-hire vehicles licensed by any other municipal corporation and transporting passengers from a point within the licensing municipality to a destination outside ~~((thereof))~~ the municipality, whether or not the ultimate destination or route traveled is within unincorporated King County.

G. "Fare" means anything of economic value that is provided, promised or donated primarily in exchange for services rendered.

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

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

1. Taxicabs;

2. Transportation network company endorsed vehicles;

~~((2.))~~ 3. Passenger vehicles carrying passengers on a noncommercial enterprise basis; or

~~((3.))~~ 4. Vehicles or operators expressly exempt by ~~((the RCW))~~ state law from county regulation~~((;~~

4. Operators of charter boats).

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

K. "For-hire vehicle license" means a for-hire vehicle medallion.

L. "For-hire vehicle owner" means the registered owner of the vehicle as defined by RCW 46.04.460 ((as now of hereafter amended)).

~~((M. "He" means and includes in all references either he or she.~~

~~N. "His" means and includes in all references either his or her.~~

~~O. "Independent taxicab" means a taxicab that is not affiliated with a service organization.~~

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

~~((Q. "Lessor" means an owner of a taxicab or for hire vehicle who leases, by contract or other form of~~

~~agreement, to a lease driver.~~

R.)) N. "Licensee" means all ((applicants)) persons, including for-hire drivers, vehicle owners ((and service organizations including the affiliated representative)), taxicab associations and transportation network companies required to be licensed under this chapter.

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

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

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

R. "Person" means any individual, partnership, association, corporation, firm, institution or other entity, whether or not operated for profit. "Person" does not include a governmental unit of or within the United States.

S. "Personal vehicle" means a motor vehicle that is not a taxicab or for-hire vehicle.

T. "Provisional insurance period" means the period from the effective date of this section until the earlier of the effective date of changes in state law for insurance requirements applicable to for-hire transportation services or two weeks after the end of the 2015 session of the state Legislature.

~~((T. "Service organization" means a group of taxicabs owned or operated by the same or various owners and using the same color scheme, trade name and dispatch services, and having an affiliated representative.))~~

U. "Special rate" means discounted rates for senior citizens and disabled persons.

~~((V. "Summary suspension" means where conditions exist that are deemed hazardous to life and property, the public official in charge is authorized to immediately stop such hazardous conditions that are in violation of this rule, p to and including suspending the vehicle license.~~

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

W. "Taxicab association" means a person licensed under this chapter who represents or owns taxicabs licensed by King County that use the same color scheme, trade name and dispatch services.

X. "Taxicab association representative" means a person who a taxicab association has authorized to:

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

Y. "Taxicab license" means a taxicab medallion.

~~((X.))~~ Z. "Taxicab vehicle owner" means the registered owner of the vehicle as defined in RCW 46.04.460~~((, as now or hereafter amended))~~.

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

BB. "Trade dress" means the unique visual element associated with a transportation network company that is attached to a transportation network company endorsed vehicle.

CC. "Transportation network company" means a person licensed under this chapter that provides application dispatch services via an application dispatch system to connect drivers with passengers for the transportation of passengers for fares.

DD. "Transportation network company driver" means a licensed for-hire driver affiliated with a licensed transportation network company in order to provide transportation to passengers by an application dispatch system.



EE. "Transportation network company endorsed vehicle" means a vehicle with a transportation network company vehicle endorsement.

FF. "Transportation network company representative" means a person who a transportation network company has authorized to:

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

GG. "Transportation network company vehicle endorsement" means an endorsement on a for-hire driver's license that allows the for-hire driver to use the driver's personal vehicle to affiliate with a transportation network company to provide transportation to passengers by an application dispatch system.

HH. "Wheelchair accessible taxicab" or "wheelchair accessible for-hire vehicle" or "wheelchair accessible transportation network company endorsed vehicle" means a taxicab, for-hire vehicle or transportation network company endorsed vehicle designed or modified to transport passengers in wheelchairs or other mobility devices and conforming to the requirements of the Americans with Disabilities Act and inspected and approved by the director ((or the director's designee)).

SECTION 3. Ordinance 10498, Section 5, as amended, and K.C.C. 6.64.015 are each hereby amended to read as follows:

The executive may execute an interlocal agreement with either the city of Seattle or the Port of Seattle, or both, for the purposes of coordinating and consolidating for-hire driver, taxicab and for-hire vehicle licensing, administration and enforcement, reducing duplication of licensing functions((~~5~~)) and a sharing of license fees as agreed to by the city and county. The agreement may authorize the city to accept and investigate applications for and issue taxicab and for-hire vehicle licenses and license renewals on behalf of the county, but only if the city uses the requirements of this chapter for taxicab and for-hire vehicle licenses. The agreement may authorize the county to accept and investigate applications for and issue either for-hire driver licenses and

license renewals (~~and~~) or taxicab vehicle licenses and license renewals, or both, on behalf of the city, but only if the city agrees to the requirements of this chapter for either driver licenses (~~and~~) or taxicab licenses, or both.

NEW SECTION. SECTION 4. There is hereby added to K.C.C. chapter 6.64 a new section to read as follows:

The director is authorized to adopt rules under the procedures specified in K.C.C. chapter 2.98 for the purpose of implementing this chapter.

NEW SECTION. SECTION 5. There is hereby added to K.C.C. chapter 6.64 a new section to read as follows:

A. The director shall set fees in K.C.C. 6.64.025, as recodified by this ordinance, in accordance with this section.

B. The director shall make available to the public a description of the director's procedures for setting fees. The description shall include information on how to inquire about the director's proposed and adopted fees and public comment opportunities.

C.1. The director shall give at least twenty days' notice of the director's intention to set fees by providing notice:

a. in writing or by electronic format, to:

(1) the clerk of the council;

(2) all council members;

(3) all persons who have made a timely request for advance notice of fee setting; and

(4) all existing fee payers; and

b. by publishing in the official county newspaper a summary of the notice of the proposed action, including the information in subsection C.2. a. through e. of this section.

2. The notice made in subsection C.1. of this section shall:

a. include a reference to this section;

- b. include a reference to the fee type to which the fee will be applied;
- c. include a date and place by which comments must be submitted;
- d. specify whether the proposal is a change or an elimination of a fee;
- e. if the proposal is to change a fee, indicate both the amount of the existing fee and the proposed fee; and
- f. state the reason for and methodology used to determine the proposed new fee.

3. The director shall consider all comments received by the prescribed date for comment before the fee is set.

D. A fee is set when signed by the director. A fee takes effect ten days after it is set.

E. Once a fee is set, the director shall post the amount of the fee in both written and electronic form for inspection, review and copying by the public, including providing a copy, in writing or by electronic format, of the fee to the clerk of the county council and each member of the county council and posting the fee on the Internet.

F. A new fee may not be established unless the fee is approved by the council by ordinance.

NEW SECTION. SECTION 6. There is hereby added to K.C.C. chapter 6.64 a new section to read as follows:

A. King County taxicab and for-hire vehicle licenses shall transition to a medallion system.

B. Persons holding taxicab or for-hire vehicle licenses as of the effective date of this section shall receive one medallion for each taxicab or for-hire vehicle license upon payment of a one-time administrative fee of one hundred dollars. Failure to pay this fee shall result in the denial of the renewal of a taxicab or for-hire vehicle license.

C. King County assumes no liability for any devaluation of a medallion, including but not limited to any devaluation due to regulatory action or market forces. In accepting a medallion, the license holder shall agree to waive any liability, claims, actions, suits, loss, costs, expense judgments, attorneys' fees or damages

resulting directly or indirectly from any act or omission of King County, its officials, officers, employees and agents regarding the valuation or devaluation of the medallion.

D. Taxicab and for-hire vehicle medallions are subject to all regulations in this chapter. The interest of a medallion owner may be suspended or revoked for any reason that substantiates suspension or revocation of a taxicab or for-hire vehicle license. Upon a final order of revocation, a medallion shall be involuntarily transferred.

E. A medallion holder shall not transfer a medallion if revocation proceedings with respect to that medallion have been initiated.

F. The director shall adopt rules in accordance with section 4 of this ordinance to implement this section, including rules governing:

1. Medallion lease agreements;
2. Security interests in medallions;
3. Public auction sales of medallions upon revocation, including procedures for notification of lienholders or persons with security interests and recoupment of the county's costs of conducting the sale;
4. Medallion transfers upon foreclosure, which may include provisions for public auction sale by the director;
5. Medallion transfers in cases of death or incompetence; and
6. Any other rule necessary to implement this section.

SECTION 7. There is hereby established a new chapter in K.C.C. Title 4A. This new chapter shall contain K.C.C. 6.64.025, as recodified by this ordinance.

SECTION 8. K.C.C. 6.64.025, as amended by this ordinance, is hereby recodified as a new section in the new chapter established in section 7 of this ordinance.

SECTION 9. Ordinance 10498, Section 6, as amended, and K.C.C. 6.64.025 are each hereby amended to read as follows:

A. The following (~~(nonrefundable)~~) fees (~~(for taxicab and for-hire vehicles)~~) shall apply until the director adopts fees under subsection B. of this section:

~~((A-))~~ 1. Taxicab or for-hire vehicle (~~(license)~~) fees

Taxicab <u>license</u>	\$450.00
Wheelchair accessible taxicab <u>license</u>	No fee
Taxicab <u>license</u> late fee	\$45.00
For-hire vehicle <u>license</u>	\$450.00
For-hire vehicle <u>license</u> late fee	\$45.00
Vehicle equipment change	\$75.00
Change of owner: July/Dec	\$450.00
Jan/June	\$225.00
Replace taxicab plate	\$25.00
Vehicle inspection rescheduling fee	\$25.00;

~~((B-))~~ 2. For-hire driver fees, except transportation network company drivers

<del>((Taxicab and for-hire license))</del> <u>Driver license</u>	<del>\$(95.00)</del> <u>85.00</u>
<u>Driving abstract</u>	<u>per charge authorized by</u> <u>RCW 46.52.130</u>
<u>License</u> ( <del>(E))</del> <u>late fee</u>	\$15.00
ID photo	\$5.00
Fingerprinting	<u>per charge authorized by</u> <u>RCW 10.97.100</u>
Replacement license	\$5.00
Training fee	per contract
Rescheduling fee	\$15.00;

3. Taxicab association license fee or for-hire vehicle company fee

<u>One to fifteen vehicles</u>	<u>\$250.00</u>
<u>Sixteen to twenty-five vehicles</u>	<u>\$500.00</u>
<u>Twenty-six or more vehicles</u>	<u>\$1,000.00</u>
<u>Late fee</u>	<u>\$100.00; and</u>

4. a. A transportation network company shall pay a quarterly fee of thirty-five cents per ride on a schedule determined by the director for all rides originating in:

(1) unincorporated King County; or

(2) any municipality that contracts with the county for the county to license transportation network companies that operate in the municipality.

b. The fee is for the regulatory and enforcement costs related to the company and its drivers and endorsed vehicles.

B. By February 15, 2015, the director shall review the fees in subsection A. of this section in coordination with the city of Seattle. The purpose of the review shall be to determine the fees that are needed to cover the director's regulatory and enforcement costs. Thereafter, the director may adjust any fee in subsection A. of this section as authorized in section 5 of this ordinance. In adjusting fees, the director shall consider at least the following factors:

1. The projected costs and annual budget for regulatory and enforcement costs related to transportation network companies, taxicabs, for-hire vehicles and for-hire drivers;

2. The need for increased enforcement activities; and

3. The total number of trips across transportation network companies, taxicabs and for-hire vehicles.

C. In addition to the fees under subsection A. of this section, each taxicab licensee, for-hire vehicle licensee or transportation network company shall pay a fee surcharge of ten cents per ride as prescribed in section 10 of this ordinance.

D. After November 16, 2015, the director may adjust the fee surcharge in subsection C. of this section under section 5 of this ordinance. In adjusting the fee surcharge, the director shall consider at least the following factors:

1. Reimbursement already made for purchasing and retrofitting wheelchair accessible taxicabs, for-hire vehicles or transportation network company endorsed vehicles;
2. The estimated need for purchasing and retrofitting wheelchair accessible taxicabs, for-hire vehicles or transportation network company endorsed vehicles in the upcoming year; and
3. Factors that may affect the supply, demand and financial viability of wheelchair accessible taxi rides.

E. Any late fee established in this section applies when an application for license renewal is received later than one working day after the expiration date of the prior license or a scheduled payment for a fee is overdue.

NEW SECTION. SECTION 10. There is hereby added to K.C.C. chapter 6.64 a new section to read as follows:

A. Each taxicab licensee, for-hire vehicle licensee or transportation network company shall pay a fee surcharge of the amount in K.C.C. 6.64.025.C. and D., as recodified by this ordinance, for all rides originating in:

1. Unincorporated King County; or
2. Any municipality that contracts with the county for the county to license taxicabs, for-hire vehicles or transportation network companies that operate in the municipality.

B. The fee surcharge in subsection A. of this section shall be used to offset the operational costs incurred by owners and operators of wheelchair accessible taxi, wheelchair accessible for-hire vehicle or wheelchair accessible transportation network company endorsed vehicle services including, but not limited to, the costs associated with purchasing and retrofitting an accessible vehicle, fuel and maintenance costs and the

time involved in providing wheelchair accessible trips.

C. The director shall adopt rules to establish the conditions and procedure for distributing funds to wheelchair accessible taxicab, wheelchair accessible for-hire vehicle or wheelchair accessible transportation network company endorsed vehicle owners and drivers, including the maximum amount of reimbursement.

NEW SECTION. SECTION 11. There is hereby added to K.C.C. chapter 6.64 a new section to read as follows:

It is unlawful for a person to operate as a taxicab association without first having obtained a taxicab association license under this chapter.

NEW SECTION. SECTION 12. There is hereby added to K.C.C. chapter 6.64 a new section to read as follows:

The director shall not issue a taxicab association license unless the person represents or owns at least fifteen taxicabs licensed by King County.

NEW SECTION. SECTION 13. There is hereby added to K.C.C. chapter 6.64 a new section to read as follows:

A. A person desiring to operate as a taxicab association shall file annually with the director a signed taxicab association application on a form provided by the director. The application shall include the following information:

1. The applicant's: name; business street address and post office box address; business telephone number and business email address at which the taxicab association representative can generally be reached between 9 a.m. and 5 p.m. on all nonholiday weekdays; and Federal Communications Commission-licensed frequencies used for dispatch or response;

2. The form of business entity under which the applicant will operate;

a. if the applicant is an individual, the information in subsection A.1. of this section if not already provided and the date of birth of the owner; or



b. if the applicant is a corporation, partnership or other business entity: the names, home and business addresses, telephone numbers and date of birth of all officers, directors, general and managing partners, registered agents, the association representative and all other persons vested with authority to manage or direct the affairs of the entity or to bind the entity in dealings with third parties; the entity's legal name and state of incorporation; registration, if any, with the Secretary of State of the state of Washington; and state of Washington business license number;

3. The color scheme and two two-inch-by-two-inch sample color chips the applicant proposes to use for each of its taxicabs;

4. For each of the association's taxicabs, the number assigned under K.C.C. 6.64.390 and the name of the vehicle owner;

5. The special or contract agreement rates, or both, that will be charged by the taxicab association's taxicabs;

6. Documentation of the association's application dispatch rate structure as required by section 73.C. of this ordinance, if applicable; and

7. Other information as the director may reasonably require.

B. The applicant shall inform the director in writing within seven days if there is any change to the information provided under subsection A. of this section.

C. An association license is valid for not more than one year and expires annually on December 31.

D. An association license shall not be leased, transferred or assigned.

NEW SECTION. SECTION 14. There is hereby added to K.C.C. chapter 6.64 a new section to read as follows:

A. The taxicab association's ability to satisfy stated criteria for a taxicab association license does not create a right to a license.

B. The director shall deny any association license application if the director determines that:

1. The applicant does not represent or own at least fifteen taxicabs;
2. The application is incomplete or has a misstatement or omission of material fact; or
3. The rate structure is not transparent as required by section 73.C. of this ordinance.

C. The director may deny an annual application for license renewal if the applicant:

1. Has failed to pay all outstanding penalties assessed against the association; or
2. Has failed within five years of the date of application to meet any of the requirements in section 17

of this ordinance.

NEW SECTION. SECTION 15. There is hereby added to K.C.C. chapter 6.64 a new section to read as follows:

The director shall have final approval over the taxicab association's color scheme, in order to ensure that there is no risk of confusion between the colors of different taxicab associations.

NEW SECTION. SECTION 16. There is hereby added to K.C.C. chapter 6.64 a new section to read as follows:

The director may revoke or suspend a taxicab association license if during the license period the association fails to meet any of the requirements in section 17 of this ordinance. In determining whether to suspend or revoke the license, the director shall consider the gravity of the association's noncompliance and whether suspension is appropriate to allow the company time to correct the noncompliance.

NEW SECTION. SECTION 17. There is hereby added to K.C.C. chapter 6.64 a new section to read as follows:

In addition to meeting the license application requirements in section 12 of this ordinance, a taxicab association shall:

A. Maintain a business office that:

1. Is open and personally staffed all nonholiday business days between 9 a.m. and 5 p.m.;
2. Has a toll-free business telephone number that is answered during all hours that its taxicabs are

operating;

3. Has a mailing address at which the taxicab association representative will accept mail;

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

C. Retain association records, including: copies of taxicab owners' licenses; copies of drivers' for-hire licenses; taxicab repair and service records; passenger comment cards; new driver training records; vehicle insurance policies; copies of vehicle registrations; taxicab sign out log or equivalent; and radio, computer or application dispatch records. Records may be maintained electronically;

D. Collect, retain, and report the information required under section 74 of this ordinance;

E. Permit the director to carry out inspections with reasonable notice of all records required to be kept under this chapter and all of the association's taxicabs;

F. Provide secure storage for all items left in an association's taxicab by a passenger and turned in by the driver;

G. Provide radio or computer dispatch during all hours that its taxicabs are operating. Every request for service must be satisfied as long as there are any operating taxicabs not in use, except that drivers may refuse to provide service under K.C.C. 6.64.680.I.;

H. Ensure that each of its taxicabs is insured as required by section 35 of this ordinance;

I. Ensure that each of its taxicabs maintains the association's color scheme and identification;

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

1. A conviction or bail forfeiture received by any driver or owner of an association's taxicab for any criminal offense or traffic violation that occurs during or arises out of operation of a taxicab;

2. A conviction or bail forfeiture received by any driver or owner of an association's taxicab for any criminal offense reasonably related to the driver's fitness to operate a taxicab or the taxicab licensee's fitness to

be licensed;

3. A vehicle accident required to be reported to the state of Washington involving any driver or owner of an association's taxicab; and

4. A restriction, suspension or revocation of a state of Washington driver's license issued to a driver of an association's taxicab;

K. Notify the director within five working days of any new taxicab joining the association or any taxicab leaving the association;

L. Maintain the rate structure documented with the application, if applicable, or file with the director for approval the documentation required by section 73.C. of this ordinance; and

M. Pay all penalties assessed against the association.

NEW SECTION. SECTION 18. There is hereby added to K.C.C. chapter 6.64 a new section to read as follows:

A. A for-hire vehicle company shall:

1. Collect weekly and maintain for-hire vehicle and driver operational records as required by section 74 of this ordinance;

2. Provide quarterly to the director the reports required by section 74 of this ordinance;

3. Comply with the following requirements for a color scheme:

a. use a color scheme distinct from the yellow, orange or green used by taxicabs; and

b. submit two two-inch-by-two-inch sample color chips of the company's proposed color scheme to the director for the director's approval.

B. The director shall deny a proposed color scheme that is composed solely of the yellow, orange or green colors, or any combination thereof, used by taxicabs.

C. If the director has approved a color scheme, a for-hire vehicle company shall submit to the director any proposed change to the approved scheme for a new approval.

NEW SECTION. SECTION 19. There is hereby added to K.C.C. chapter 6.64 a new section to read as follows:

A. It is unlawful for a person to operate as a transportation network company without first having obtained a transportation network company license under this chapter.

B. It is unlawful for a person to operate an application dispatch system unless:

1. The person is a licensed transportation network company; or
2. The person uses the application dispatch system exclusively for taxicabs or for-hire vehicles

consistent with K.C.C. 6.64.760.

NEW SECTION. SECTION 20. There is hereby added to K.C.C. chapter 6.64 a new section to read as follows:

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

A. Requires that drivers who affiliate with the company:

1. Possess a for-hire driver's license; and
2. When active on the company's dispatch system, operate a vehicle that is a taxicab, for-hire vehicle

or transportation network company endorsed vehicle;

B. During the provisional insurance period, ensures that each endorsed vehicle at any time while active on the company's application dispatch system has liability insurance in an amount no less than required by RCW 46.72.050 and minimum underinsured motorist coverage of fifty thousand dollars per person and one hundred thousand dollars per accident. The insurance policy, and any related driver contracts if applicable, must be submitted to the director. The insurance policy shall:

1. At a minimum be issued by either:
  - a. An admitted carrier in the state of Washington with an A.M. Best Rating of not less than B VII; or
  - b. A surplus line insurer with an A.M. Best Rating of not less than B+ VII;

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

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

C. By the first business day after the provisional insurance period:

1. If the state Legislature in its 2015 session enacts requirements that replace the current insurance requirements in chapter 46.72 RCW, files with the director on behalf of the registered owners of endorsed vehicles, or ensures that the registered owners have filed, an insurance policy, and any related driver contracts if applicable, demonstrating that each endorsed vehicle has insurance that complies with state law; or

2. If the state Legislature in its 2015 session does not enact requirements that replace the current insurance requirements in chapter 46.72 RCW, files with the director an insurance policy, and any related driver contracts if applicable, demonstrating that each endorsed vehicle at any time while active on the company's dispatch system has insurance in an amount no less than required by RCW 46.72.050 and minimum underinsured motorist coverage of fifty thousand dollars per person and one hundred thousand dollars per accident. The insurance policy shall:

a. at a minimum be issued by either:

(1) an admitted carrier in the state of Washington with an A.M. Best Rating of not less than B+ VII;

or

(2) a surplus line insurer with an A.M. Best Rating of not less than B+ VII with evidence that an exemption has been met allowing use of a surplus lines insurer;

b. name King County, its officers, officials, agents and employees as an additional insured on the insurance policy;

c. provide that the insurer will notify the director in writing of any cancellation or nonrenewal at least thirty days before cancellation or nonrenewal of the policy; and

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

NEW SECTION. SECTION 21. There is hereby added to K.C.C. chapter 6.64 a new section to read as follows:

A. A person desiring to operate as a transportation network company shall file annually with the director a signed transportation network company license application on a form provided by the director. The application shall include the following:

1. The applicant's: name, business street address and post office box address, business telephone number and business email address at which the transportation network company representative can generally be reached between 9 a.m. and 5 p.m. on all nonholiday weekdays;
2. The form of business entity under which the applicant will operate;
  - a. if the applicant is an individual: the information in subsection A.1. of this section if not already provided and the date of birth of the owner; or
  - b. if the applicant is a corporation, partnership or other business entity: the names, home and business addresses, telephone numbers and of all officers, directors, general and managing partners, registered agents, the company representative and all other persons vested with authority to manage or direct the affairs of the entity or to bind the entity in dealings with third parties; the entity's legal name and state of incorporation; registration, if any, with the Secretary of State of the state of Washington; and state of Washington business license number;
3. The trade dress, if any, the applicant intends to use for each endorsed vehicle, with a photo of the trade dress;
4. Evidence of the insurance required by section 20. of this ordinance;
5. Documentation of the company's application dispatch rate structure as required by section 73.C. of

this ordinance; and

6. Other information as the director may reasonably require.

B. The applicant shall inform the director in writing within seven days if there is any change to the information provided under subsection A. of this section.

C. A transportation network company license is valid for not more than one year.

D. A transportation network company license shall not be leased, transferred or assigned.

NEW SECTION. SECTION 22. There is hereby added to K.C.C. chapter 6.64 a new section to read as follows:

A. The transportation network company's ability to satisfy stated criteria for a transportation network license does not create a right to a license.

B. The director shall deny any company license application if the director determines that:

1. The applicant provides access to its application dispatch system to drivers who do not meet the requirements in section 20.A. of this ordinance;
2. The applicant fails to submit evidence of the insurance required by section 20. of this ordinance;
3. The application is incomplete or has a misstatement or omission of material fact; or
4. The rate structure is not transparent as required by section 73.C. of this ordinance.

C. The director may deny an annual application for license renewal if the applicant:

1. Has failed to pay all outstanding penalties assessed against the company;
2. Has failed within five years of the date of application to meet any of the requirements in section 24 of this ordinance.

NEW SECTION. SECTION 23. There is hereby added to K.C.C. chapter 6.64 a new section to read as follows:

The director may revoke or suspend a transportation network company license if during the license period the transportation network company fails to meet any of the requirements in section 24 of this ordinance.



In determining whether to suspend or revoke the license, the director shall consider the gravity of the association's noncompliance and whether suspension is appropriate to allow the company time to correct the noncompliance.

NEW SECTION. SECTION 24. There is hereby added to K.C.C. chapter 6.64 a new section to read as follows:

In addition to meeting the license application requirements in section 20 of this ordinance, a transportation network company shall:

- A. Maintain a mailing address and email address where the company's representative will accept mail;
- B. When required by the director, forward correspondence from the director to a driver within five business days after receiving the correspondence by first class mail or email and keep a record of the mailings;
- C. Retain company records, including: copies of drivers' for-hire drivers licenses; copies of drivers' vehicle endorsements; copies of for-hire vehicle licenses or taxicab licenses; vehicle insurance policies; passenger complaints; and dispatch records. Records may be maintained electronically;
- D. Collect, retain and report the information required under section 74 of this ordinance;
- E. Permit the director to carry out inspections with reasonable notice of all records required to be kept under this chapter;
- F. Provide secure storage for all items left in a company's driver's vehicle by a passenger and turned in by the driver;
- G. Require that a passenger be able to view a picture of the driver and vehicle license plate number on the passenger's smart phone, tablet or other mobile device used to connect with the company's dispatch application before the trip is initiated;
- H. Maintain a nondiscrimination policy that complies fully with all applicable federal, state and local laws that prohibit discrimination;
- I. Allow any passenger to indicate the need for a wheelchair accessible vehicle and connect the

passenger to an accessible vehicle service via an internet link, application or telephone number;

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

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

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

3. A vehicle accident required to be reported to the state of Washington involving any of the company's drivers; and

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

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

1. Receiving notification from the director that the driver does not meet the requirements of section 20.A. of this ordinance; or

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

L. Maintain a policy that prohibits the company's drivers while active on the company's dispatch system from being under the influence of any alcohol, narcotics, drugs, or prescription or over-the-counter medication that might impair their performance or in any way jeopardize the safety or security of passengers or the public. Provide notice of the policy on the company's website, mobile application and passenger trip confirmations and include in the notice a telephone number, web site link and email address for a passenger to report to the company a driver who the passenger suspects was in violation of the policy during a trip;

M. Maintain the rate structure documented with the application or file with the director for approval the documentation required by section 73.C. of this ordinance;

N. Require the company's drivers to comply with section 64 of this ordinance.

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

P. Pay all penalties assessed against the company.

NEW SECTION. SECTION 25. There is hereby added to K.C.C. chapter 6.64 a new section to read as follows:

A. It is unlawful for a driver to be active on a transportation network company's dispatch system without a for-hire driver's license.

B. It is unlawful for a driver while active on a transportation network company's dispatch system to operate a vehicle other than a taxicab, for-hire vehicle or transportation network company endorsed vehicle.

NEW SECTION. SECTION 26. There is hereby added to K.C.C. chapter 6.64 a new section to read as follows:

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

1. Has a for-hire driver's license under this chapter;
2. Is the registered owner of the vehicle; and
3. Is affiliated with a licensed transportation network company.

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

1. Is personal;
2. Is a passenger car as defined in RCW 46.04.382;
3. Has insurance that complies with section 20 of this ordinance; and
4. Has a certificate of safety as required by K.C.C. 6.64.360.

NEW SECTION. SECTION 27. There is hereby added to K.C.C. chapter 6.64 a new section to read as follows:

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

1. Name, aliases, residence and business address and residence and business telephone numbers;
2. Place and date of birth, which shall be at least twenty-one years before the date of application, height, weight, color of hair and color of eyes;
3. Washington state driver's license number. The applicant shall present the applicant's Washington state driver's license or a copy at the time of application;
4. Evidence of a for-hire driver's license;
5. Vehicle information including vehicle identification number and Washington state license number;
6. Evidence of vehicle insurance as required in section 20 of this ordinance;
7. Vehicle certificate of safety required by K.C.C. 6.64.360;
8. Whether any of the circumstances in section 28.B. of this ordinance apply to the applicant;
9. Evidence that the applicant is affiliated with a transportation network company; and
10. Other information as reasonably determined by the director.

B. The transportation network company vehicle endorsement consists of a certificate, an endorsement sticker affixed to the vehicle owner's for-hire driver's license, and an endorsement decal affixed to the vehicle.

The certificate shall include the following:

1. Vehicle identification number;
2. Vehicle registered owner's full legal name;
3. Vehicle license plate number;
4. Endorsement expiration date;

5. Unique number; and
6. Other information the director may reasonably require.

C. A transportation network company vehicle endorsement is valid for not more than one year and shall expire the same day as the for-hire driver's license it endorses.

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

NEW SECTION. SECTION 28. There is hereby added to K.C.C. chapter 6.64 a new section to read as follows:

A. The director shall deny any transportation network company vehicle endorsement application if the director determines that:

1. The applicant has failed to affiliate with a licensed transportation network company;
2. The applicant fails to meet one or more of the applicant or vehicle requirements under section 26.A.

or B. of this ordinance; or

3. The application is incomplete or has a misstatement or omission of material fact.

B. The director may deny any transportation network company vehicle endorsement application if the director determines that any one or more of the following apply:

1. Within two years of the date of application, the applicant has engaged in the business of operating in unincorporated King County a taxicab or for-hire vehicle for which a license is required while unlicensed or while such license was suspended or revoked;

2. Within twelve months of the date of application, the applicant has violated any city of Seattle, Port of Seattle or King County ordinance or regulation pertaining to the operation of licensed taxicabs or licensed for-hire vehicles while in those jurisdictions, if such a violation would constitute grounds for license revocation or denial if occurring within King County; and

3. Within twelve months of the date of application, the applicant has its King County taxicab or for-hire vehicle license revoked.

NEW SECTION. SECTION 29. There is hereby added to K.C.C. chapter 6.64 a new section to read as follows:

A. A transportation network company endorsement shall be immediately suspended if:

1. At any time the insurance required by section 20 of this ordinance expires, lapses or is cancelled or revoked; or
2. The director places the vehicle out-of-service for a violation of a vehicle standard that is found to be an immediate safety hazard and immediate suspension is necessary to prevent a clear, substantial and imminent hazard to life, safety or property.

B. When an endorsement has been suspended under subsection A. of this section, the operation of the vehicle on a transportation network company dispatch system must cease and the endorsement decal surrendered immediately to the director.

SECTION 30. Ordinance 10498, Section 10, and K.C.C. 6.64.300 are each hereby amended to read as follows:

It is unlawful to own or operate, advertise~~((;))~~ or engage in the business of operating a taxicab ~~((€))~~, for-hire vehicle or transportation network company endorsed vehicle without first having obtained, for each and every vehicle so used, a taxicab ~~((€))~~ license, for-hire vehicle license or transportation network company vehicle endorsement issued under section 27 of this ordinance. ~~((Class M.))~~

SECTION 31. Ordinance 10498, Section 11, as amended, and K.C.C. 6.64.310 are each hereby amended to read as follows:

For ~~((A))~~ an initial taxicab or for-hire vehicle license and annually thereafter, ~~((application shall be filed by))~~ the registered owner of the vehicle ~~((to be used as a taxicab or for hire vehicle)),~~ or a taxicab association or for-hire vehicle company on behalf of the registered owner, shall file a signed application on a form ~~((s provided))~~ approved by the director. The application ~~((shall be signed and sworn to by the applicant and))~~ shall include the following:

A. The full name of the applicant, date of birth, social security number, business address, home address ~~((;))~~ and phone number~~((, and any other applicant information as may be reasonably required))~~;

B. If the applicant is a corporation~~((;))~~; the corporation name, ~~((corporation's))~~ business address and telephone number~~((;))~~; full names, titles, dates of birth, social security numbers, home addresses and phone numbers of each officer~~((, and))~~; the name, address, date of birth~~((;))~~ and phone number of the registered agent of the corporation~~((;))~~; and the corporation's state of Washington business license number ~~((and any other corporation information as may be reasonably required))~~;

C. Vehicle information including ~~((the name and number the taxicab or for-hire vehicle will be operating under;))~~; the make~~((;))~~; model~~((;))~~; year~~((;))~~; vehicle identification number~~((;))~~; Washington state license number ~~((and any other vehicle information as may be reasonably required))~~; taxicab association or for-hire vehicle company with which the vehicle is associated; and vehicle number assigned by the director under K.C.C. 6.64.390;

D. Whether ~~((or not))~~ the applicant or applicants have ever had a license suspended, revoked or denied and for what reason;

E. For a for-hire vehicle, documentation of the for-hire vehicle's application dispatch rate structure as required by section 73.C. of this ordinance, if applicable;

~~((Criminal history information of the applicant, or if a corporation, each officer and registered agent.))~~ F. Any other information the director may reasonably require; and

G. The applicant's consent to:

1. Be referred for fingerprinting, and all applications shall be referred for a state and federal background investigation under RCW 36.01.300 to regulate the issuance of licenses of those engaged in the taxicab and for-hire occupations and activities; or

2. Have a copy of a criminal background check provided directly from a third party approved by the director. The director shall annually issue the list of third parties that are approved to conduct background

checks. Approved third parties shall at a minimum:

- a. include local, state and national databases;
- b. access at least five years of database history; and
- c. demonstrate competency in providing accurate information.

SECTION 32. Ordinance 10498, Section 12, and K.C.C. 6.64.320 are each hereby amended to read as follows:

In addition to the application required in ~~((Section))~~ K.C.C. 6.64.310, the applicant for a taxicab or for-hire vehicle license shall submit ~~((the following))~~:

- A. ~~((State of Washington For Hire Certificate;~~
- B. ) A copy of the ((S))state of Washington vehicle registration;
- ~~((C. Certificate of))~~ B. Vehicle insurance policy as required in ((Section)) by K.C.C. 6.64.350((-);
- ~~((D.))~~ C. Certificate of safety as required in ((Section)) K.C.C. 6.64.360((-);
- ~~((E. City of Seattle Weights and Measures vehicle))~~ D. Taximeter inspection approval as required in  
K.C.C. 6.64.400; and
- ~~((F.))~~ E. Other documents as may be reasonably required.

SECTION 33. Ordinance 10498, Section 13, as amended, and K.C.C. 6.64.330 are each hereby amended to read as follows:

~~((No))~~ The director shall not issue a taxicab or for-hire vehicle license to a person or, if the applicant is a corporation, ((no)) an officer or registered agent, ((shall be issued a taxicab or for-hire vehicle license)) unless the following ((minimum applicant qualifications)) requirements of the person, officer or registered agent are met:

- A. Must be eighteen years of age or older; and
- B. Must present documentation, as required by the United States Department of Homeland Security((~~is~~ Citizenship and Immigration Services Agency)), that the applicant is authorized to work ((and/))or own a



business in the United States.

SECTION 34. Ordinance 10498, Section 14, and K.C.C. 6.64.340 are each hereby amended to read as follows:

~~((No))~~ The director shall not issue a taxicab or for-hire vehicle license to a person, or if the applicant is a corporation, ((no)) an officer or registered agent, ((shall be issued a taxicab or for-hire vehicle license)) unless the following ((minimum)) vehicle requirements are met:

- A. Must meet a color scheme approved by the director;
- B. Must be properly insured as required in K.C.C. 6.64.350;
- C. Must meet the safety standards as required in K.C.C. 6.64.360;
- D. Must ~~((meet the vehicle standards as required in K.C.C. 6.64.370))~~ be a passenger car as defined in

RCW 46.04.382; and

E. Must be associated with:

- 1. A taxicab association, or
- 2. A for-hire vehicle company for the purposes of section 18 of this ordinance.

SECTION 35. Ordinance 10498, Section 15, as amended, and K.C.C. 6.64.350 are each hereby amended to read as follows:

A. During the provisional insurance period, the applicant shall provide an insurance policy declaration or insurance binder proving that each vehicle to be licensed has liability insurance in an amount no less than required by RCW 46.72.050 and minimum underinsured motorist coverage of fifty thousand dollars per person and one hundred thousand dollars per accident at any time while active on an application dispatch system, radio, computer, taxicab or for-hire dispatch system or when a taxicab or for-hire vehicle is operating which includes when: a passenger is in the vehicle; the taxicab is parked in a taxi zone; the taximeter is engaged; the office dispatch records show that the vehicle had been dispatched; the taxicab top light is illuminated; the trip records shows that the vehicle has started a shift and there is no entry for ending a shift; or the for-hire driver

has offered transportation services to a passenger. The insurance policy shall:

1. At a minimum be issued by either:

- a. an admitted carrier in the state of Washington with an A.M. Best Rating of not less than B VII; or
- b. a surplus line insurer with an A.M. Best Rating of not less than B+ VII;

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

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

B. By the first business day after the provisional period:

1. If the state Legislature in its 2015 session enacts requirements that replace the current insurance requirements in chapter 46.72 RCW, file with the director an insurance policy demonstrating that each vehicle to be licensed has insurance that complies with state law.

2. If the state Legislature in its 2015 session does not enact requirements that replace the current insurance requirements in chapter 46.72 RCW:

a. The applicant shall provide an insurance policy (~~((declaration or insurance binder))~~) proving compliance with chapter 46.72 RCW(~~((, as now or hereafter amended,))~~) for each taxicab or for-hire vehicle to be licensed. The policy (~~((declaration or insurance binder))~~) shall also provide that the insurer notify the director of any cancellation(~~((;))~~) in writing(~~((;))~~) at least thirty days before cancellation of the policy;

~~((B-))~~ b. The policy shall be issued by an admitted carrier in the state of Washington with (~~((at least))~~) an (~~((A financial rating by))~~) A.M. Best (~~((, but the director may temporarily suspend either or both of these requirements if no other viable insurance options are available to the industry))~~) rating of not less than B+ VII or a surplus line insurer with an A.M. Best Rating of not less than B+ VII with evidence that an exemption has been met allowing use of a surplus lines insurer;

~~((C-))~~ c. King County, its officers, officials, agents and employees shall be named as an additional

insured on the insurance policy. ~~((Applicant shall provide a copy of the additional insured endorsement;~~

~~D.))~~ d. The policy shall ~~((N))~~not include ~~((self-insured retention, nonstandard deductibles,))~~ aggregate limits~~((, territorial restrictions,))~~ or named driver requirements or exclusions ~~((or any other provisions that limit insurance coverage))~~. Other limitations or restrictions beyond standard business insurance services office business auto policy form are subject to approval by the director; and

~~((E.))~~ e. ((a))All applicants shall maintain a policy of underinsured motorist coverage which runs to the benefit of passengers. ~~((Proof of compliance will be a))~~ The policy declarations or a ~~((binder))~~ certificate of insurance ~~((indicating))~~ shall indicate a minimum coverage of fifty thousand dollars per person~~((;))~~ and one hundred thousand dollars per accident~~((;))~~.

~~((F.))~~ C. If an insurance policy is cancelled, proof of a new policy must be filed before the date of cancellation or the taxicab or for-hire vehicle license is automatically suspended and must be surrendered to the director.

SECTION 36. Ordinance 10498, Section 16, as amended, and K.C.C. 6.64.360 are each hereby amended to read as follows:

A. The ~~((inspection for a))~~ certificate of safety required ~~((in))~~ by section 26 of this ordinance or K.C.C. 6.64.320 shall be ~~((performed))~~ provided by an approved mechanic ~~((facility as defined in this chapter. Such an inspection shall ensure the mechanical and structural integrity of the vehicle and shall include))~~ and shall certify that the following items are mechanically sound and fit for driving:

- ~~((1. Adequate braking system including emergency or auxiliary as per the manufacturer's allowable tolerance;~~
- ~~2. Adequate suspension system to prevent excessive motion when the vehicle is in operation;~~
- ~~3. Adequate steering system as per the manufacturer's allowable tolerance;~~
- ~~4. Exhaust system that is free of leaks, defects, or tampering and that meets State of Washington motor vehicle emissions standards;~~

- ~~5. No fluid leaks, including but not limited to motor oil, antifreeze, transmission fluid, and brake fluid;~~
- ~~6. Air conditioning system free of CFC leaks, if the vehicle has such system;~~
- ~~7. No excessive noise;~~
- ~~8. Mechanically sound;~~
- ~~9. Front end aligned; and~~
- ~~10. Other safety standards as may be required for vehicle safe operation as prescribed by the director.~~

))

1. Foot brakes;
2. Emergency brakes;
3. Steering mechanism;
4. Windshield;
5. Rear window and other glass;
6. Windshield wipers;
7. Headlights;
8. Tail lights;
9. Turn indicator lights;
10. Stop lights;
11. Front seat adjustment mechanism;
12. Doors, including that doors properly open, close and lock;
13. Horn;
14. Speedometer;
15. Bumpers;
16. Muffler and exhaust system;
17. Condition of tires, including tread depth;

18. Interior and exterior rear view mirrors;

19. Safety belts and air bags for driver and a passenger or passengers; and

20. Other items reasonably required by the director.

B. The ~~((taxicab or for hire))~~ vehicle owner or the ~~((service organization))~~ taxicab association shall keep all maintenance and service records for all ~~((of their taxicabs and for hire))~~ vehicles for three years.

C. ~~((The taxicab or for hire vehicle owner or the service organization shall insure that each taxicab or for hire vehicle shall be inspected and obtain a certificate of safety before it is placed into service and thereafter semiannually.))~~ Vehicles shall be maintained following the service standards recommended by the vehicle manufacturer.

D. A vehicle that has been in a collision and determined by the insurance adjuster to be a total wreck or total loss shall not be placed back in service until an approved mechanic with a current certification in structural analysis and damage repair has verified that there is no damage to the vehicle frame.

E. A vehicle shall not be rebuilt or significantly modified from factory specifications.

F. Each vehicle owner shall ensure that the safety standards, conditions and requirements in this section are met and continually maintained.

G. The director shall place a vehicle out of service if the director determines that a violation of this section is an immediate safety hazard and immediate suspension is necessary to prevent a clear, substantial and imminent hazard to life, safety or property.

SECTION 37. Ordinance 10498, Section 18, as amended, and K.C.C. 6.64.380 are each hereby amended to read as follows:

All taxicab and for-hire vehicle licenses shall expire on June 30 of each year.

SECTION 38. Ordinance 10498, Section 19, and K.C.C. 6.64.390 are each hereby amended to read as follows:

The director shall furnish with each taxicab or for-hire vehicle license issued one or more plates, decals

(§) or tags(§) bearing the taxicab or for-hire vehicle number(~~(-as)~~) assigned by the director(§) and the expiration year of the license. All plates, decals or tags shall remain the property of the director.

SECTION 39. Ordinance 10498, Section 20, and K.C.C. 6.64.400 are each hereby amended to read as follows:

A. Each taxicab shall be equipped with a taximeter as prescribed by the director(§).

B. Every taximeter shall be installed at the right side of the driver, either adjoining the cowl or dashboard of the taxicab, and, except for special service vehicles, shall contain only one fare rate(§).

C. The reading face of the taximeter shall at all times be well lighted and (~~(distinctly)~~) readable to passengers(§).

D. Each taxicab meter shall be inspected by the director before the taxicab is placed into service and thereafter annually. Upon satisfactorily passing the meter inspection, a written notice shall be plainly posted and a security seal attached to the taximeter as prescribed by the director(§).

E. The taximeter shall conform to the (~~(requirements prescribed in Weights and Measures)~~) standards in Handbook ((#)44 ((as now or hereafter amended)) published by the national institute of standards and technology.

~~((F. The taximeter must have the capacity of storing the following information:~~

- ~~1. Total trips;~~
- ~~2. Total paid miles;~~
- ~~3. Total miles operated;~~
- ~~4. Total number of fare units and/or fare dollars;~~
- ~~5. Total number of and/or dollars for extras.))~~

SECTION 40. Ordinance 10498, Section 21, as amended, and K.C.C. 6.64.410 are each hereby amended to read as follows:

Each taxicab or for-hire vehicle shall be equipped with a consumer information board(§). ~~((§))~~The size,

material and placement of the consumer information board shall be prescribed by the director. The board shall include, at a minimum, the taxicab or for-hire vehicle name and number, the driver's for-hire driver's license number, the taxi hotline number and consumer survey and complaint cards.

SECTION 41. Ordinance 10498, Section 22, as amended, and K.C.C. 6.64.420 are each hereby amended to read as follows:

It is the responsibility of each taxicab or for-hire vehicle licensee to ensure that the following conditions or requirements are met and continually maintained:

- A. Proof of insurance as required in K.C.C. 6.64.350 is on file with the director (~~((Class M))~~);
- B. Any person driving, operating, in control of or any lessee of the taxicab or for-hire vehicle has been issued a for-hire driver's license and the license is valid (~~((Class M))~~);
- C. The taxicab or for-hire vehicle meets the safety standards in K.C.C. 6.64.360 at all times the vehicle is operating (~~((Class I or M))~~);
- D. ~~((The taxicab or for-hire vehicle meets the vehicle standards in K.C.C. 6.64.370 at all times the vehicle is operating (Class I or M))~~;
- E.) The taxicab or for-hire vehicle owner shall maintain a business address and a mailing address (~~where he~~) at which the owner can accept mail, and a business telephone in working order that can be answered during normal business hours, Monday through Friday, and during all hours of operation (~~((Class I))~~);
- E. A for-hire vehicle must maintain the rate structure documented with the application, if applicable, or file with the director for approval the documentation required by section 73.C. of this ordinance; and
- F. A wheelchair accessible taxicab licensee must personally operate the vehicle a minimum of thirty hours per week for at least forty weeks per year for three years following the date of issuance of a new wheelchair accessible taxicab license. If a licensee fails to fulfill the minimum use requirement in any one year within the three years following the date of issuance, the license shall be subject to revocation (~~((Class I))~~); and
- G. ~~A for-hire driver shall have a valid King County taxicab or for-hire vehicle license to operate a~~

~~taxicab or for-hire vehicle in the county. (Class I or M)).~~

SECTION 42. Ordinance 10498, Section 23, as amended, and K.C.C. 6.64.430 are each hereby amended to read as follows:

A. The director shall deny any taxicab or for-hire vehicle (~~owner~~) license application if the director determines that the applicant(~~(s)~~) or, if a corporation, any of the officers or registered agent:

1. Has made a(~~ny material~~) misstatement or omission of material fact in the application (~~for a license~~);
2. Fails to meet any of the applicant or vehicle requirements of a taxicab or for-hire vehicle owner licensee;
3. Has had, within five years of the date of application, a criminal conviction(~~(s)~~) or bail forfeiture (~~or other adverse finding~~) for crimes pertaining to alcohol or controlled substances (~~within five years of the date of application where such~~) when the crime involved the use of a taxicab or for-hire vehicle.

B. The director may deny any taxicab or for-hire vehicle (~~owner~~) license application if the director determines that the applicant:

1. Has had, within five years of the date of application, a criminal conviction(~~(s)~~) or a bail forfeiture (~~or other adverse finding~~) involving crimes reasonably related to the applicant's ability to operate a taxicab or for-hire business, including, but not limited to, prostitution, gambling, fraud, larceny, extortion or income tax evasion(~~(, but only if such a criminal conviction, bail forfeiture or other adverse finding was within five years of the date of application)~~);
2. Has been found, either through a criminal conviction, bail forfeiture, (~~or other adverse finding, including~~) judgment in a civil suit or decision in an administrative proceeding, or it has been proven by a preponderance of the evidence regardless of whether the same act was charged as a civil infraction or a crime, to have exhibited past conduct in driving or operating a taxicab or for-hire vehicle or operating a taxicab or for-hire business that would lead the director to reasonably conclude that the applicant will not comply with the



provisions of the chapter related to vehicle requirements and the safe operation of the vehicle; or

3. Engaged in the business of operating any taxicab or for-hire vehicle for which a license is required while unlicensed or while such license was suspended or revoked.

SECTION 43. Ordinance 10498, Section 24, as amended, and K.C.C. 6.64.440 are each hereby amended to read as follows:

A. The license for ~~((A))~~ a taxicab or for-hire vehicle ~~((owner's license))~~ shall be immediately suspended if:

1. At any time the insurance ~~((as))~~ required ~~((in))~~ by K.C.C. 6.64.350 expires, lapses~~((;))~~ or is cancelled or ~~((is))~~ revoked;
2. The taximeter security seal is missing, broken or tampered with;
3. The director places the vehicle out-of-service for a violation of a vehicle standard that is found to be an immediate safety hazard and ~~((summary))~~ immediate suspension is necessary to prevent a clear, substantial and imminent hazard to life, safety or property;
4. The vehicle owner fails to comply with a written notice ~~((of violation or notice of correction))~~ and order within the prescribed time; or
5. ~~((It is discovered))~~ The director obtains information after license issuance that the applicant or, if the applicant is a corporation, any of the officers or registered agent, failed to meet the applicant qualifications in K.C.C. 6.64.330 or that the vehicle failed to meet the vehicle qualifications in K.C.C. 6.64.340 at the time the license was issued.

B. The director may suspend or revoke the license for a taxicab or for-hire vehicle ~~((owner's license))~~ if the director determines that the licensee has:

1. Received a criminal conviction~~((;))~~ or a bail forfeiture ~~((or other adverse finding))~~ for a crime that would be grounds for denial ~~((as set forth))~~ in K.C.C. 6.64.430;
2. ~~((Been found to have exhibited a))~~ A record that would lead the director to reasonably conclude that

the taxicab or for-hire vehicle owner licensee would not comply with the provisions of the chapter related to vehicle standards or operating requirements;

3. Allowed the operation of a taxicab or for-hire vehicle that does not meet the safety standards and the vehicle standards as set forth in this chapter;

4. Submitted a safety inspection form that was not completed by an approved mechanic (~~(facility as defined in this chapter)~~); or

5. (~~Provided false information in connection with the annual industry reporting required in this chapter; or~~

6.)) If licensed as a wheelchair accessible taxicab(~~(;)~~);

a. failed to personally operate the vehicle for a minimum of thirty hours per week for at least forty weeks per year as required by K.C.C.6.64.420.F.; or

b. failed to provide priority service to private pay passengers in wheelchairs or other mobility devices(~~(; or~~

~~c. failed to comply with any of the requirements in the wheelchair accessible taxicab demonstration project operating agreement)~~)).

SECTION 44. Ordinance 10498, Section 25, as amended, and K.C.C. 6.64.450 are each hereby amended to read as follows:

A. (~~The~~) A taxicab vehicle owner shall notify the director within five working days whenever a taxicab is destroyed, rendered permanently inoperable(~~(;)~~) or is sold.

B. A replacement vehicle must be placed in service within sixty days of the date the original vehicle is removed from service unless prior written permission has been obtained from the director. (~~It is the intent of this section that the director i~~)In granting ((such)) permission for a licensee to take longer than sixty days in placing a replacement vehicle in service, the director should give((s due)) consideration to the operating situation of the ((permit holder)) licensee ((on a case-by-case basis. The following guidelines are to be used in

~~granting permission for a permit holder to take longer than sixty days in placing a replacement vehicle in service and also consider the following~~). For granting the permission under this subsection, the following also shall apply:

1. The licensee must submit a written request for an extension of time, stating the specific reason additional time is required, attaching documents to substantiate the factual information in the request and identifying a plan and timetable for placing the replacement vehicle in service~~((Written documents sufficient to substantiate the factual information contained in the request should also be submitted))~~;

2. The plan and timetable submitted must reflect a reasonable approach for placing the vehicle in service within the shortest possible time ~~((frame))~~;

3. An additional period ~~((of time))~~ not to exceed sixty ~~((calendar))~~ days may be granted to a ~~((permit holder))~~ licensee in case of severe personal illness or other similar hardship;

4. An additional period ~~((of time))~~ not to exceed thirty ~~((calendar))~~ days may be granted to a licensee in case of extensive vehicle repairs or other similar reason;

5. No extension~~((s will))~~ shall be granted to any ~~((permit holder))~~ licensee who is unable to meet the basic operational costs, including liability insurance, regulatory fees and normal maintenance and repairs of operating a taxicab vehicle; and

6. No more than one extension ~~((in time will))~~ may be granted for each vehicle ~~((permit))~~ during its license year.

C. When a ~~((permit holder))~~ licensee permanently retires any taxicab vehicle from service and does not replace it within sixty days, the ~~((permit))~~ license for ~~((each))~~ the retired vehicle shall be considered abandoned and ~~((null and))~~ void. The ~~((permit holder))~~ licensee shall immediately surrender ~~((each related))~~ the taxicab plate to the director. ~~((Such))~~ An abandoned ~~((permits may))~~ license shall not be restored or transferred by any means and shall be considered revoked.

SECTION 45. Ordinance 10498, Section 26, and K.C.C. 6.64.460 are each hereby amended to read as

follows:

When a vehicle has been placed out-of-service, or a taxicab or for-hire vehicle license has been suspended or revoked, the operation of the taxicab or for-hire vehicle must cease~~((;))~~ and the vehicle license plate or decal and taxicab or for-hire vehicle license surrendered immediately to the director. ~~(((Class M)))~~

SECTION 46. Ordinance 10498, Section 27, as amended, and K.C.C. 6.64.500 are each hereby amended to read as follows:

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

SECTION 47. Ordinance 10498, Section 28, as amended, and K.C.C. 6.64.510 are each hereby amended to read as follows:

For an initial for-hire driver's license and annually thereafter, ((F))the applicant, or a taxicab association, for-hire vehicle licensee, for-hire vehicle company or transportation network company on behalf of the applicant, shall file a((n)) signed application on a form ((furnished)) approved by the director((, which shall be signed and sworn to by the applicant and)). The application may be filed online, by email, by United States mail or in person. The application shall include the following: name((;)); height((;)); weight((;)); color of hair and eyes((;)); residence address((;)); place and date of birth((;)); social security number((;)); Washington state driver's license number((;)); aliases((;)); ~~(((criminal history information,))~~ consent to a background check or a copy of a background check as required by K.C.C. 6.64.520; whether ((or not)) the applicant has ever had a license suspended, revoked or denied and for what cause((, medical certificate as required in K.C.C. 6.64.560)); the information required in K.C.C. 6.64.530 and 6.64.590; and ((such)) any other information as the director may ((be)) reasonably require((d)).

SECTION 48. Ordinance 10498, Section 29, as amended, and K.C.C. 6.64.520 are each hereby

amended to read as follows:

All applicants for a for-hire driver's license shall:

A. ~~((b))~~Be referred for fingerprinting, and all applications shall be referred for a state and ~~((national Washington State Patrol and Federal Bureau of Investigation criminal))~~ federal background ~~((check))~~ investigation under RCW 36.01.300 to regulate the issuance of licenses of those engaged in the taxicab and for-hire occupations and activities. ~~((Information relating to the applicants' criminal history, including nonconviction data, shall be forwarded to the records and licensing services division for review))~~; or

B. Have a copy of a criminal background check provided directly from a third party approved by the director. The director shall annually issue the list of third parties that are approved to conduct background checks. Approved third parties shall at a minimum:

1. Include local, state and national databases;
2. Access at least five years of database history; and
3. Demonstrate competency in providing accurate information.

SECTION 49. Ordinance 10498, Section 30, as amended, and K.C.C. 6.64.530 are each hereby amended to read as follows:

~~((No person shall be issued))~~ The director shall not issue a for-hire driver's license to a person unless the ~~((person possesses the minimum following qualifications as further defined in this chapter))~~ following requirements about the person are met:

- A. Must be twenty-one years of age or older;
- B. Must possess a valid ~~((state of))~~ Washington state driver's license;
- C. Must submit a ~~((physician's))~~ certificate~~((ion))~~ ~~((certifying the person's))~~ of fitness ~~((as a for-hire driver upon initial application and every three years thereafter))~~;
- D. ~~((Must submit a letter from the taxicab vehicle owner that has been approved by the service organization, if applicable, that indicates which taxicab or taxicabs the applicant is authorized to operate;~~

~~E.))~~ Must have completed ~~((a))~~ the training program ~~((offered or approved by the director))~~ required by K.C.C. 6.64.570;

~~((F.))~~ E. Must successfully complete ~~((a written exam as further defined in this chapter))~~ the examination required by K.C.C. 6.64.580; and

~~((G.))~~ F. Must present documentation, as required by the United States Department of Homeland Security ~~((s Citizenship and Immigration Services Agency)),~~ that the applicant is authorized to work in the United States.

SECTION 50. Ordinance 10498, Section 31, as amended, and K.C.C. 6.64.540 are each hereby amended to read as follows:

A. ~~((Upon application for))~~ Pending final action on a for-hire driver's license ~~((and successful completion of the written and oral examination,))~~ application, the director ~~((may, at his or her discretion,))~~ shall issue a temporary permit ~~((, which shall entitle the applicant to operate a taxicab or for hire vehicle))~~ within two business days ~~((pending final action upon the applicant's application for a period not to exceed sixty days from the date of the application))~~ to an applicant who has:

1. Filed a complete application as required by K.C.C. 6.64.510 that has been reviewed under K.C.C. 6.64.600; and

2. Passed the examination required by K.C.C. 6.64.580.

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

C. The temporary permit shall not be transferable or assignable ~~((and shall be valid only for the taxicab or taxicabs or for hire vehicle or vehicles to which the permit was originally issued)).~~

~~((C.))~~ D. The temporary permit shall be immediately null and void ~~((should))~~ if at any time the applicant's Washington state driver's license becomes expired, suspended or revoked, or following the denial of an application. ~~((The permit shall remain null and void pending the resolution of any appeal as provided.~~

~~D.~~ In cases where the applicant fails to complete the license issuance process, a temporary license will

not be issued, unless the incomplete license application was filed at least two years preceding the application under consideration.))

SECTION 51. Ordinance 10498, Section 32, and K.C.C. 6.64.550 are each hereby amended to read as follows:

((All)) An application((s)) for a for-hire driver's license((s)) shall become null and void after sixty days from the date of filing if the applicant, for any reason, fails or neglects to complete the application process or obtain a license.

SECTION 52. Ordinance 10498, Section 33, and K.C.C. 6.64.560 are each hereby amended to read as follows:

A. ~~The ((medical certification examination required under K.C.C. 6.64.530 shall be performed by a licensed physician who shall certify the applicant's fitness as a for-hire driver.))~~ applicant shall certify on a form prescribed by the director that the applicant is physically and mentally fit to be a for-hire driver.

B. ~~((The scope of the examination and the certificate form shall be prescribed by the director.~~

C. ~~The examination shall be required upon initial application, and every three years thereafter; provided, however, t))~~ The director may at any time ((at his discretion)) require any for-hire licensee or applicant to be ((re-examined)) medically examined if it appears that the licensee has become physically or mentally incapacitated to such a degree ((sø)) as to render the applicant or licensee unfit for a for-hire driver. The examination shall be performed by a physician licensed to practice in the state of Washington. The director shall prescribe the scope of the examination and provide a certificate form for the physician to complete.

SECTION 53. Ordinance 10498, Section 34, as amended, and K.C.C. 6.64.570 are each hereby amended to read as follows:

A. ((All)) An initial for-hire driver applicant((s-are)) is required to complete:

1. Before filing an application, a training program providing information about ((the history and geography of the Puget Sound area,)) defensive driving, use of emergency procedures and equipment for the

driver's personal safety, ~~((and))~~ risk factors for crimes against for-hire drivers, enhancement of driver~~((/))~~ and passenger relations, ~~((appearance))~~ professional conduct and communication skills((-)); and

2. Before the end of the temporary permit period under K.C.C. 6.64.540, the National Safety Council Defensive Driving Course.

B. ~~((The training shall be required upon initial application. Every three years thereafter, the applicant shall be required to complete a refresher course that covers, at a minimum, driver personal safety.))~~ A currently licensed for-hire driver shall satisfy the requirements of subsection A. of this section if:

1. A taxicab association, for-hire vehicle company or transportation network company with which the driver is affiliated requests that the driver receive a refresher course; or

2. The director has reasonable grounds, based on documented complaints or violations, to believe that a refresher course is necessary.

C. The director shall assure that this training is offered by the county or offered by another public or private entity, or offered by both. ~~((F))~~ The director shall annually approve the content and testing processes for training offered by a noncounty entity~~((, certification for purposes of obtaining or renewing a license pursuant to this chapter is contingent upon the director's approval that contents and training staff capability are equivalent to what would be provided through the county)).~~

D. A for-hire driver who operates a wheelchair accessible taxicab must successfully complete a separate training program for the special needs of passengers in wheelchairs including, but not limited to, loading and tie-down procedures and door-to-door service.

SECTION 54. Ordinance 10498, Section 35, as amended, and K.C.C. 6.64.580 are each hereby amended to read as follows:

A. An applicant for an initial for-hire driver's license shall be required to successfully complete an (( ~~written and oral~~ )) examination. ~~((Existing for-hire driver licensees who have not completed the written oral examination are required to do so at the time the for-hire license is renewed.))~~



B. The ~~((written))~~ examination shall test the applicant's knowledge of the ~~((chapter))~~ requirements dealing with fare determination, driver-passenger relations, conduct including the applicant's ability to understand oral and written directions in the English language, vehicle safety requirements ~~((and))~~, transportation network company vehicle endorsement and driver regulations, risk factors for crimes against for-hire drivers, emergency procedures and taxicab equipment for driver's personal safety. The ~~((written))~~ examination shall also test the applicant's geographical knowledge of King County and surrounding areas and local public and tourist destinations and attractions. ~~((The director shall prescribe the content of the examination.))~~

C. ~~((The oral examination shall test the applicant's ability to speak and understand English sufficiently to perform the responsibilities of a for-hire driver. A certified diploma from an accredited secondary or post-secondary institution located in the United States or a country where English is the primary language spoken may waive the oral test requirement.))~~ The ~~((written))~~ examination is not required for the renewal of a for-hire driver's license unless the applicant's license has remained expired for more than one year.

D. The director shall assure that these examinations are offered by the county or offered by another public or private entity, or offered by both. The director shall annually approve the content and procedures for examinations offered by a noncounty entity.

SECTION 55. Ordinance 10498, Section 36, and K.C.C. 6.64.590 are each hereby amended to read as follows:

Each applicant for a for-hire driver's license shall provide a current copy, or authorize the director to obtain a current copy, of ~~((his))~~ the applicant's driving ~~((record))~~ abstract from the Washington ~~((S))~~state Department of Licensing.

SECTION 56. Ordinance 17665, Section 20, and K.C.C. 6.64.595 are each hereby amended to read as follows:

A. A for-hire license that has been approved from an application filed online, by email or by United

States mail shall be picked up directly from the director, and the applicant shall show photo identification.

B. The ~~((taxicab and for-hire vehicle))~~ for-hire driver's license shall be in a form as determined by the director ~~((and a))~~. When issued to an applicant who is affiliated with a transportation network company, the license shall display "for-hire permit." A copy of the license shall be ~~((displayed approximately five and one-half inches in height and eight and one-half inches in length and shall be contained under a sealed transparent cover, in such a manner that the contents cannot be altered or substituted,))~~ placed inside each taxicab ~~((in such a location))~~ or for-hire vehicle or transportation network company endorsed vehicle so that the license is clearly visible from the passenger compartment at all times that the licensee is operating, driving or using the vehicle.

SECTION 57. Ordinance 10498, Section 37, as amended, and K.C.C. 6.64.600 are each hereby amended to read as follows:

~~((For a person holding a for-hire license on or for a person applying for a for-hire license:))~~

A. The director shall deny any initial or renewal application for a for-hire driver license ~~((renewal or application))~~ if the director determines that the applicant:

1. Has made a ~~((ny material))~~ misstatement or omission of material fact in the application ~~((for a license))~~;
2. Fails to meet any of the qualifications of a for-hire driver;
3. Has had, within five years of the date of application, a criminal conviction~~((s))~~ or a bail forfeiture ~~((or other adverse finding))~~ for a crime pertaining to hit-and-run, reckless driving, attempting to elude an officer by using a vehicle, vehicular assault, vehicular homicide, reckless endangerment or driving under the influence of alcohol or a controlled substance, or has been found to be a habitual traffic offender ~~((within five years of the date of application))~~;
4. Is required to register as a sex offender; or
5. Has been convicted of a sex offense or kidnapping offense against a minor.

B. The director may deny any for-hire driver license application if the director determines that the

applicant:

1. Has had, within five years of the date of application, a criminal conviction~~((;))~~ or a bail forfeiture ~~(( or other adverse finding))~~ involving a crime pertaining to prostitution, gambling, physical violence or other crimes reasonably related to the applicant's honesty and integrity, including, but not limited to, fraud, larceny, burglary or extortion or reasonably related to the person's ability to operate as a ~~((taxicab))~~ for-hire driver~~((, if the conviction, bail forfeiture or other adverse finding was within five years of the date of application))~~;

2. Has been found ~~((either))~~ through a criminal conviction, bail forfeiture ~~((or other adverse finding, including))~~, judgment in a civil suit or decision in an administrative proceeding, or has been proven by a preponderance of the evidence regardless of whether the same act was charged as a civil infraction or a crime, to have exhibited past conduct in driving or operating as a ~~((taxicab))~~ for-hire driver that would lead the director to reasonably conclude that the applicant will not comply with the provisions of the chapter related to driver and operator conduct and the safe operation of the vehicle;

3. Has been found ~~((either))~~ through a criminal conviction, bail forfeiture, ~~((or other adverse finding, including))~~ judgment in a civil suit or decision in an administrative proceeding, or has been proven by a preponderance of the evidence regardless of whether the same act was charged as a civil infraction or a crime, to have exhibited a past driving or criminal record that would lead the director to reasonably conclude that the applicant would not operate ~~((the taxicab or for-hire))~~ a vehicle in a safe manner; or

4. Has a felony conviction or ~~((other adverse finding))~~ bail forfeiture related to a felony under the laws of Washington, ~~((or))~~ another state~~((;))~~ or under federal law.

SECTION 58. Ordinance 10498, Section 38, as amended, and K.C.C. 6.64.610 are each hereby amended to read as follows:

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

1. At any time the driver's Washington state driver's license expires, is suspended or revoked;

2. ~~((It is discovered))~~ The director obtains information after license issuance that the driver fails to

meet the qualifications of a for-hire driver; or

3. The driver is found to be in possession of controlled substances or alcohol while in control of or while operating ~~((any taxicab or))~~ a vehicle as a for-hire ((vehicle;)) driver.

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

1. Received a conviction or bail forfeiture ~~((or other adverse finding))~~ for a crime that would be grounds for denial as set forth in K.C.C. 6.64.600;
2. Failed to comply with the driver standards as set forth in this chapter; or
3. ~~((Been found to have exhibited a))~~ A driving record that leads the director to reasonably conclude that the applicant would not operate a ~~((taxicab or for-hire))~~ vehicle in a safe manner.

SECTION 59. Ordinance 10498, Section 39, and K.C.C. 6.64.620 are each hereby amended to read as follows:

In addition to the application requirements in this chapter, ((F))the director may obtain ~~((such))~~ other information concerning the applicant's character, integrity, personal habits, past conduct and general qualifications ~~((as will))~~ that shows the applicant's ability and skill as a for-hire driver ~~((of a motor vehicle for hire))~~ and ~~((his))~~ the applicant's honesty, integrity and character for the purposes of determining whether the applicant is a suitable person to drive as a ~~((motor vehicle))~~ for-hire driver. If the director is satisfied that the applicant ~~((for a for-hire driver's license))~~ possesses the qualifications and is a suitable person to drive as a ~~((motor vehicle))~~ for-hire driver under ~~((the provisions of))~~ this chapter, ~~((he))~~ the director shall issue ~~((him))~~ the applicant a for-hire driver's license.

SECTION 60. Ordinance 10498, Section 40, and K.C.C. 6.64.630 are each hereby amended to read as follows:

~~((All))~~ A for-hire driver's license~~((s))~~ shall expire one year from the date of application. A licensee shall secure a renewal of the license no later than one month before the license expiration date.

SECTION 61. Ordinance 10498, Section 41, and K.C.C. 6.64.640 are each hereby amended to read as follows:

~~((No))~~ A driver shall not operate a ~~((taxicab or for-hire))~~ vehicle in violation of any of the for-hire driver standards ~~((as set forth))~~ in this chapter.

SECTION 62. Ordinance 10498, Sections 42 through 46, and K.C.C. 6.64.650 are each hereby amended to read as follows:

A. A driver, before starting each shift, shall check the lights, brakes, tires, steering, seat belts, taximeter seal~~((;))~~ and other vehicle equipment to see that they are working properly. The driver shall also ensure that ~~((the state for hire certificate,))~~ the county ~~((and/))~~ or city taxicab license or for-hire vehicle license or transportation network company vehicle endorsement certificate, vehicle registration and proof of insurance card are in the vehicle. ~~((Class I))~~

B. A driver shall maintain the interior and the exterior of the ~~((taxicab or the for-hire))~~ vehicle in a clean condition and good repair. ~~((Class I))~~

C. A driver shall ~~((not))~~ neither transport more passengers than the number of seat belts available nor more luggage than the ~~((taxicab))~~ vehicle capacity will safely and legally allow. ~~((Class I))~~

D. A driver shall not drive, be in control of or operate a ~~((taxicab or for-hire))~~ vehicle that does not meet the applicable vehicle standards as set forth in this chapter. ~~((Class I))~~

E. A driver shall allow the director to inspect the ~~((taxicab or for-hire))~~ vehicle at any reasonable time or place. ~~((Class M))~~

SECTION 63. Ordinance 10498, Sections 47 through 60, as amended, and K.C.C. 6.64.660 are each hereby amended to read as follows:

A. A driver shall ~~((neither drink any alcoholic beverage while on duty or eight hours before going on duty nor have in his or her possession an open or unsealed container of any alcoholic beverage))~~ not operate a vehicle under the influence of any alcohol, narcotics, drugs, or prescription or over-the-counter medication that

might impair the driver's performance or in any way jeopardize the safety or security of passengers or the public ~~((Class M))~~.

B. A driver shall, at the end of each trip, check ~~((his or her))~~ the driver's vehicle for any article that is left behind by ~~((his or her))~~ any passenger ~~((or passengers))~~. The articles ~~((are to))~~ must be reported as found property on the hotline number, as well as to the ~~((service organization))~~ taxicab association or transportation network company, and the articles are to be returned to the ~~((service organization))~~ taxicab association or ~~((affiliated representative))~~ transportation network company at the end of the shift or sooner ~~((if possible))~~. ~~((Unaffiliated taxicabs or))~~ Drivers of for-hire vehicles shall deposit the articles at the for-hire vehicle company, if the company provides a property return service, or the records and licensing services division ~~((Class M))~~.

C. A driver shall have in ~~((his or her))~~ the driver's possession and posted as required in K.C.C. 6.64.595 a valid for-hire driver's license at any time ~~((he or she))~~ the driver is driving, in control of or operating a ~~((taxicab or for hire))~~ vehicle and the license shall be displayed as prescribed by the director ~~((Class I))~~.

D. A driver shall comply with any written notice ~~((of violation or notice of correction))~~ and order by the director ~~((including removal from service (Class M))~~.

E. A driver shall not operate a ~~((taxicab or for hire))~~ vehicle when the ~~((taxicab or for hire))~~ vehicle has been placed out-of-service by order of the director ~~((Class M))~~.

F. A driver shall immediately surrender the vehicle license plate or decal to the director upon written notice that the vehicle is out-of-service ~~((Class M))~~.

G. A driver shall not be in control of a ~~((taxicab or for hire))~~ vehicle for ~~((neither))~~ more than twelve consecutive hours ~~((nor))~~ or for more than twelve hours spread over a total of fifteen hours in any twenty-four-hour period. Thereafter, the driver shall not drive ~~((any taxicab))~~ a vehicle until eight consecutive hours have elapsed ~~((Class I))~~.

H. ~~((A driver shall not drive, operate or be in control of a taxicab or for hire vehicle other than that designated on the driver's temporary for hire permit (Class I))~~.

~~I.)~~ A driver shall not drive, be in control of or operate a taxicab or for-hire vehicle ~~((where))~~ when the customer information board~~((, as required under K.C.C. 6.64.410))~~ is not present and contains the ~~((required))~~ information~~((, as))~~ required under K.C.C. 6.64.410 ~~((Class I))~~.

~~((J.))~~ I. A driver shall operate the ~~((taxicab or for hire))~~ vehicle with due regard for the safety, comfort and convenience of passengers ~~((Class I))~~.

~~((K.))~~ J. A driver shall neither solicit for prostitution nor allow the vehicle to be used for ~~((such an unlawful purpose))~~ prostitution ~~((Class M))~~.

~~((L.))~~ K. A driver shall not knowingly allow the ~~((taxicab or for hire))~~ vehicle to be used for the illegal solicitation, transportation, sale or any other activity related to controlled substances ~~((Class M))~~.

~~((M.))~~ L. A driver shall deposit all refuse appropriately and under no circumstances may litter ~~((Class I))~~.

~~((N.))~~ M. A driver shall not use offensive language, expressions or gestures to any person while the driver is driving, operating or in control of a ~~((taxicab or for hire))~~ vehicle ~~((Class I))~~.

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

~~((P.))~~ O. A driver shall not use a ~~((cell))~~ mobile phone ~~((while a passenger is in the taxicab))~~ unless in hands-free mode, consistent with RCW 46.61.667.

NEW SECTION. SECTION 64. There is hereby added to K.C.C. chapter 6.64 a new section to read as follows:

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

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

B. When driving an endorsed vehicle, shall only provide rides to fare-paying passengers that are

booked through a transportation network company's application dispatch system.

SECTION 65. Ordinance 10498, Section 61 through 68, as amended, and K.C.C. 6.64.670 are each hereby amended to read as follows:

A. A driver shall not operate a taxicab that has a taximeter that is not sealed, in good working order, or accurate. ~~((Class M))~~

B. A driver must activate the taximeter at the beginning of each trip and deactivate the taximeter upon completion of the trip, unless using an application dispatch system. Beginning of a trip means the point where the passenger is seated and the forward motion of the vehicle begins. ~~((Class I))~~

C. A driver shall assure that the meter reading is visible from a normal passenger position at all times, unless using an application dispatch system. ~~((Class I))~~

D. A driver shall not operate a taxicab or for-hire vehicle that does not have the rate posted as prescribed by the director. A driver shall confirm any allowable flat rates charged with the customer before beginning a trip. ~~((Class I))~~

E. A driver shall not ask, demand or collect any rate or fare other than as specified on the meter, ~~((required by ordinance))~~ permitted by K.C.C. 6.64.760, or ~~((pursuant))~~ according to special rates or contract rates, unless using an application dispatch system. Contracts for agreement rates must be available for inspection by the director and retained by the taxicab or for-hire licensee or company for one year after the contract expiration date. ~~((Class M))~~

~~F. A driver of either a taxicab or a for-hire vehicle shall complete tripsheets for each trip and shall show all trips in an accurate and legible manner as each trip occurs. (Class I)~~

~~G. A driver shall complete all items on tripsheets including:~~

- ~~1. Driver's name and for-hire license number;~~
- ~~2. Company name and vehicle name and number;~~
- ~~3. Vehicle for-hire license number;~~



- ~~4. Beginning and ending odometer reading;~~
- ~~5. Beginning and ending time of each shift worked;~~
- ~~6. Date, time, place or origin, and dismissal of each trip;~~
- ~~7. Fare collected;~~
- ~~8. Number of passengers;~~
- ~~9. "No shows"; and~~
- ~~10. Contract rates or special rates. (Class I)~~

~~H. A driver shall allow the director to inspect the daily trip sheet at any time while driving, in control of or operating a taxicab or for hire vehicle.))~~

SECTION 66. Ordinance 10498, Sections 69 through 79, as amended, and K.C.C. 6.64.680 are each hereby amended to read as follows:

A.~~((1. A driver shall wear suitable clothes that are neat and clean and the driver shall be well groomed at all times while on duty.))~~ When wearing a costume a driver shall display a photograph of the driver dressed in the costume along with the driver's for-hire license.

~~((2. For the purposes of this subsection:~~

a. ~~"Neat and clean," as it relates to clothes, means that all clothing is clean, free from soil, grease and dirt and without unrepaired rips or tears; and~~

b. ~~"Well groomed" refers to that state of personal hygiene, body cleanliness and absence of offensive body odor normally associated with bathing or showering on a regular basis (Class I).))~~

B. A driver shall provide ~~((his or her))~~ a customer with professional and courteous service at all times ~~((Class I))~~.

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

D. A driver shall at all times assist a passenger by placing luggage or packages that are under fifty

pounds in and out of the ~~((taxicab or for hire))~~ vehicle ~~((Class I))~~.

E. A driver shall not refuse to transport in the ~~((taxicab or for hire))~~ vehicle:

1. Any passenger's wheelchair that can be folded and placed in either the passenger, driver or trunk compartment of the ~~((taxicab or for hire))~~ vehicle;
2. An assist dog or guide dog to assist the disabled or handicapped; and
3. Groceries, packages or luggage when accompanied by a passenger ~~((Class M))~~.

F. A driver shall provide each passenger an electronic or paper receipt upon payment of the fare. ~~((The receipt shall accurately show the date and time, the amount of the fare, the taxicab name and number and the printed name and for hire driver license number of the for hire driver (Class I))~~.

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

H. ~~((A driver shall not permit a non-fare paying passenger, or pets, to ride in the taxicab or for hire vehicle. Validly licensed trainees, when approved by the passenger, are exempt from this requirement (Class I).~~

I.) A driver of a taxicab shall not refuse to transport any person except when:

1. The driver has already been dispatched on another call;
2. The passenger is acting in a disorderly, threatening or suspicious manner, or otherwise causes the driver to reasonably believe that the driver's health or safety, or that of others, may be endangered;
3. The passenger cannot, upon request, show ability to pay fare; or
4. The passenger refuses to state a specific destination upon entering the taxicab ~~((Class M))~~.

~~((J.))~~ I. A driver shall not smoke ~~((while))~~ in the ~~((taxicab or for hire))~~ vehicle ~~((is occupied without the consent of all passengers (Class I))~~.

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

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

L. A driver must be clean and neat in dress and person and present a professional appearance to the public.

SECTION 67. Ordinance 10498, Sections 80 through 85, and K.C.C. 6.64.690 are each hereby amended to read as follows:

A. A driver shall ~~((not erwise))~~ load or unload passengers at Sea-Tac airport only as permitted by the Sea-Tac International Airport Schedule of Rules and Regulations. ~~((Class M))~~

B. A driver, when available for-hire, shall not drive, be in control of~~((;))~~ or operate a ~~((taxicab or for-hire))~~ vehicle ~~((on the passenger or check-in drives))~~ to pick up passengers at Sea-Tac airport without having on display a Port of Seattle authorized permit~~((, when available for hire)).~~ ~~((Class I))~~

C. A driver shall not solicit on ~~((the))~~ Sea-Tac ~~((terminal drives or inside the airport terminal building))~~ property. ~~((Class I))~~

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

E. A driver of a taxicab or for-hire vehicle shall not use any other person to solicit passengers. ~~((Class I))~~

F. A driver shall not hold himself out for designated destinations~~((, provided that nothing shall prevent use of long-haul and short-haul lines at the airport. Class I))~~.

SECTION 68. Ordinance 10498, Sections 86 through 88, and K.C.C. 6.64.695 are each hereby amended to read as follows:

A. A driver while in a taxicab zone shall not leave the taxicab unattended for more than fifteen ~~((15))~~

minutes. ~~((Such vehicles are subject to impound by order of the director. (Class I)))~~

B. A driver shall occupy a taxicab zone only when available for hire. ~~((Class I))~~

C. A driver shall not perform engine maintenance or repairs on the taxicab while in a taxicab zone. ~~((Class I))~~

SECTION 69. Ordinance 10498, Section 89, as amended, and K.C.C. 6.64.700 are each hereby amended to read as follows:

A. The total number of taxicab licenses issued shall not exceed five hundred sixty-one. The director ~~((also))~~ shall ~~((deny issuance of))~~ issue new taxicab licenses from within ~~((the number of reverted))~~ licenses that have reverted to the county only as specified by this section ~~((unless the director determines that there is demand for additional taxi service))~~.

B. The following methodology shall be used to determine whether to issue new taxicab licenses:

1. The director shall periodically make a determination of the need for additional taxi service in areas served by King County\_licensed taxicabs. The sufficiency of wheelchair accessible taxi service at levels established in adopted policy shall be the primary consideration. One measure of sufficiency shall be whether wheelchair accessible taxicab response times for customers are approximately equal to response times for taxicabs that are not wheelchair accessible. Other factors to be considered for issuing new taxicab licenses include:

- a. coordination with the city of Seattle's taxicab licensing and regulatory framework;
- b. growth in population, tourists and other visitors to the area;
- c. the quality of existing taxi service as indicated by response times and

customer satisfaction;

- d. the sales price of licenses; and
- e. other indications of unmet demand; and

2. ~~((Upon determining that a specific number of new taxicab licenses should be issued, the director~~

~~may issue all or a portion of those licenses through a request for proposals process designed to test alternatives to the current local taxi industry model. King County should retain the ability to revoke, reallocate or recondition those licenses should the alternative model prove infeasible; and~~

~~3-)) All taxicab licenses that are not subject to a request for proposals process shall be issued by lot from a pool of applicants who meet the qualifications in this chapter for taxicab licensees. ((The director shall then evaluate the qualifications of individuals selected by lot and issue licenses to those determined to be qualified.))~~

~~C.1. ((All temporary taxicab licenses issued to wheelchair accessible taxicab vehicles for the purpose of a demonstration project under Ordinance 15263 expire June 30, 2010. The temporary licenses are nontransferable and shall not be included in calculating the maximum number of taxicab licenses allowable under subsection A. of this section.~~

~~D.)) The director may issue licenses for wheelchair accessible taxicabs. The director shall determine the number of wheelchair accessible taxicab licenses needed to serve the areas serviced by King County and may also coordinate with the city of Seattle to determine the number of wheelchair accessible taxicab licenses needed to provide service in areas serviced by both the city of Seattle and King County. Wheelchair accessible taxicab licenses shall not be included in calculating the maximum number of taxicab licenses allowed under subsection A. of this section but are subject to the process outlined in subsection B.1. of this section.~~

~~((1-)) 2. Except as otherwise provided in subsection ((D.2.)) C.3. of this section, the processes for issuing wheelchair accessible taxicab licenses is as follows:~~

~~a. Upon determining that a specific number of new wheelchair accessible taxicab licenses should be issued, the director may issue all or a portion of those licenses through a request for proposals. In any request for proposals, the director shall consider among other factors an applicant's driving record, driving experience, conduct record and qualifying experience transporting disabled individuals ((that)) who require any type of mobility device including a manual or motorized wheelchair or other mobility device;~~

b. All wheelchair accessible taxicab licenses not subject to a request for proposals process shall be issued by lot from a pool of applicants who meet the qualifications in this chapter for taxicab licensees. (~~The director shall then evaluate the qualifications of individuals selected by lot and issue licenses to those determined to be qualified~~);

~~((2-))~~ 3. As an alternative to the process in subsection ~~((D-1.))~~ C.2. of this section, the director may coordinate the process to license wheelchair accessible taxicabs with the city of Seattle and is authorized to issue King County wheelchair accessible taxicab licenses to applicants selected by the city of Seattle to be issued wheelchair accessible taxicab licenses for the city of Seattle.

~~((E. In order to test alternative ways of structuring taxi associations and the terms of taxicab license leases, the director may issue licenses on condition that the licensees make specific commitments or perform specific actions not generally required of other licensees. The director shall establish the special conditions through the administrative rule making process in accordance with K.C.C. chapter 2.98. The director may revise the conditions applied to such licenses or revoke and reissue the licenses upon determining that the conditions have not been met or that they will not achieve the objectives of the alternative being tested.))~~ D. The total number of for-hire vehicles licensed by King County but not the city of Seattle shall not exceed the number issued to persons who apply before the effective date of this section and complete the application process within sixty days.

SECTION 70. Ordinance 10498, Section 90, as amended, and K.C.C. 6.64.710 are each hereby amended to read as follows:

A. Transfer or sale of a license issued before January 1, 2006, to any other person is authorized~~((;~~ ~~except that temporary wheelchair accessible taxicab licenses and~~)). ~~((a))~~ All taxicab licenses issued after January 1, 2006, are ~~((non))~~ transferable~~((, except that all wheelchair accessible taxicab licenses issued in accordance with K.C.C. 6.64.700.D. are transferable))~~ after ~~((five))~~ three years from the original date of license. An ~~((A))~~ application for transfer of a license to another person shall include the name of the transferee, ~~((and))~~

the trade name and color scheme under which the vehicle will be operated, the sales price and other information required by the director. The licensee selling the license and the individual purchasing the license must file an affidavit and bill of sale, signed by both parties, with the ((~~county~~)) records and licensing services division. The transferee shall satisfy and comply with all requirements of this chapter. ~~((For taxicabs licensed by more than one jurisdiction, if the transfer is for one vehicle license only, the remaining taxicab license shall be considered abandoned, nonrenewable or nontransferable.))~~

B. For taxicabs with both Seattle and King County taxicab licenses, the King County license shall not be transferred unless the Seattle license is also transferred. When a Seattle taxicab license is transferred but not the King County taxicab license, the King County taxicab license shall be deemed abandoned and void, and shall be revoked by the county.

C. Unless suspended or revoked, a taxicab license may be renewed annually subject to timely payment of license fees and compliance with other ~~((relevant))~~ provisions of this chapter.

SECTION 71. Ordinance 10498, Section 92, and K.C.C. 6.64.730 are each hereby amended to read as follows:

The director shall establish a schedule of optimum average taxicab response times to requests for taxicab service at selected points within the county. The director shall periodically thereafter survey actual taxicab response times. A comparison of average actual response times to the optimum average taxicab response times shall be used as an indicator of taxicab industry performance and may be used as one criterion in evaluating and recommending rate ~~((and entry))~~ changes or determining the need to issue new taxicab licenses. ~~((The director shall publish a draft report of the optimum response times and shall provide a ten-day comment period on the schedule before finalizing the schedule. Comments received by the director shall be included in the annual report submitted to the council pursuant to K.C.C. 6.64.750.))~~

SECTION 72. Ordinance 10498, Section 93, as amended, and K.C.C. 6.64.740 are each hereby amended to read as follows:

A. On or before April 30 of each year, the director shall file an annual report with the ~~((King County))~~ council ~~((based upon data, collected in accordance with K.C.C. 6.64.730))~~ for ~~((the period of))~~ January 1 through December 31 of the preceding calendar year.

B. The report~~((s))~~ shall include, but not be limited to ~~((the following))~~:

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

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

3. Numbers and nature of complaints;

4. Results of a survey of taxicab response times, changes in response times from previous reporting periods, and relationship of the actual response times to the optimum average response time established by the director under K.C.C. ~~((6.64.760))~~ 6.64.730;

5. ~~((Results of annual industry reporting including total net profit as reported;~~

~~Results of meter readings as required in K.C.C. 6.64.720; and~~

~~7.))~~ A statement on the sufficiency of the number of taxicab licenses in the areas served by King County-licensed vehicles and whether there is a need for a new determination of additional taxicab service as established in K.C.C. 6.64.700; and

6. Any other recommendations deemed appropriate by the director.

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

SECTION 73. Ordinance 10498, Section 95, as amended, and K.C.C. 6.64.760 are each hereby amended to read as follows:



A. The following apply to taxicab rates:

1. The taximeter rates ((for)) governed by this subsection apply when a taxicab((s licensed to operate in King County)) is not operating on an application dispatch system. The director shall ((be)) adopt rules to establish((ed by)) the ((King County council)) rates. Until the director adopts rules, the rates in subsection A.4. of this section apply.

~~((B.))~~ 2. In ((reviewing)) adopting rules to set taximeter rates, the ((council may take into account, among other things, and with the objective of prescribing a just and reasonable rate,)) director shall consider at least the following factors:

~~((1.))~~ a. The ((recommendations of the director pursuant to)) information in a report prepared under K.C.C. 6.64.740((, if any));

~~((2.))~~ b. The public need for adequate taxi service at the lowest ((level of charges)) cost consistent with the provision, maintenance and continuation of such a service;

~~((3.))~~ c. The rates of other licensees operating in similar areas;

~~((4.))~~ d. The effect of such rates upon transportation of passengers by other modes of transportation;

~~((5.))~~ e. The ((licensee's)) licensees' need for revenue ((of)) at a level that under honest, efficient and economical management is sufficient to cover the cost((, including all operating expenses, depreciation accruals, rents, license fees and taxes of every kind,)) of providing adequate taxi service, including all operating expenses, depreciation accruals, rents, license fees and taxes of every kind, plus an amount equal to a percentage of the cost that is reasonably necessary for the replacement of deteriorated taxicabs and a reasonable profit to the licensees; and

~~((6.))~~ f. Consistency of rates with those prescribed by the city of Seattle.

~~((C. Every taxicab service organization affiliated representative or vehicle licensee in the case of an independent owner shall file with the director rates to be charged for the services of taxicabs it operates. Affiliated taxicabs shall have no more than one rate filed for the service organization or group of taxicabs~~

~~operating under the same trade name. No dual licensed~~) 3. A taxicab shall have one rate on its meter, except a taxicab licensed by both the city of Seattle and King County shall have ~~((more than))~~ two ~~((rate[s]))~~ rates on its meter.

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

Meter rate

- ~~((1-))~~ a. Drop charge: For passengers for first 1/9 mile \$2.50
- ~~((2-))~~ b. Per mile: For each 1/9 mile or fraction thereof after the first 1/9 mile \$0.30
- ~~((3-))~~ c. For every one minute of waiting time: Waiting time \$0.50  
rates are charged when taxicab speed is less than (charged at  
twelve miles per hour or when customer asks for \$0.30 per 36  
taxicab to wait seconds)
- ~~((4-))~~ d. Extra charge for passengers over two persons, excluding \$0.50  
children under twelve years of age

~~((E-))~~ 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.

~~((1-))~~ (1) All special rates must be filed with the director on a form~~((s))~~ furnished by the director.

~~((2-))~~ (2) All meter rates, special rates or contract rates shall be filed once a year at the time of annual application by the ~~((affiliated representative of a service company or by the vehicle licensee in the case of an independent owner))~~ taxicab association.

~~((3-))~~ (3) Licensees may change any filed special rate (~~((filed))~~) no more than once a year.

~~((4-))~~ (4) Rates for new contracts acquired or changed during the license year shall be filed within two weeks of filing the contract and before implementing the contracted rate. Contracts must be between taxicab (~~((service organizations))~~) associations or owners and legal business entities.

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

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

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

- a. The total fare or fare range;
- b. The rate by distance or time; and
- c. Any variables that may result in a higher fare or additional charges; or

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

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

~~((H-))~~ E. It is unlawful to make any discriminatory charges to any person(~~((s))~~) or to make any rebate or

in any manner reduce the charge to any person, unless the charge conforms to the discounts or surcharges contained in the filed rates.

~~((F))~~ F. It is unlawful under the Americans with Disabilities Act to charge a special service vehicle rate that is different from the taxicab rates adopted in subsection ~~((D-))~~ A. of this section, except in those instances where the transportation of disabled persons is pursuant to a written contract as specified in subsection ~~((G-))~~ D. of this section.

~~((J. The director shall specify by rule how tolls or charges established for roads, bridges, tunnels or ferries shall be charged to taxicab or for-hire vehicle passengers and shall prescribe required signage for the vehicles for such purposes.))~~

NEW SECTION. SECTION 74. There is hereby added to K.C.C. chapter 6.64 a new section to read as follows:

A. A transportation network company, taxicab association or for-hire vehicle company shall:

1. Submit quarterly the following reports in an electronic format approved by the director:

- a. total number of rides provided by each taxicab or for-hire vehicle licensee or transportation network company;
- b. type of dispatch for each ride, including whether by hail, telephone or application dispatch;
- c. percentage or number of rides picked up in each ZIP code;
- d. pickup and drop off ZIP codes of each ride;
- e. percentage by ZIP code of rides requested by telephone or application dispatch that are requested but not provided;
- f. vehicle collisions, including the name of the driver, identification of the vehicle, collision fault, injuries and estimated damage;
- g. number of requested rides for an accessible vehicle;
- h. crimes against drivers;

i. passenger complaints; and

j. other information reasonably determined by the director as necessary to ensure compliance with this chapter by transportation network companies, taxicab associations and for-hire vehicle companies;

2. Retain for at least two years records related to the reports required under subsection A. of this section. Records may be maintained electronically; and

3. Provide instructions to its for-hire drivers and taxicab and for-hire vehicle licensees for weekly reporting to the company or association the information needed for the reports in subsection A.1. of this section.

B. For-hire drivers and taxicab and for-hire vehicle licensees shall comply with the reporting requirements in subsection A.3. of this section.

NEW SECTION. SECTION 75. There is hereby added to K.C.C. chapter 6.64 a new section to read as follows:

If a licensee considers any portion of any record provided to the county under this chapter, whether in electronic or hard copy form, to be protected under law, the licensee shall clearly identify each such portion with words such as "confidential," "proprietary" or "business secret." If a request is made for disclosure of such portion under the state Public Records Act, the county will determine whether the material should be made available. If the county determines that the material is subject to disclosure, the county will notify the licensee of the request and allow the licensee ten business days to take whatever action it deems necessary to protect its interests. If the licensee fails or neglects to take such action within ten days, the county will release the portions of records deemed by the county to be subject to disclosure.

SECTION 76. Ordinance 10498, Section 97, and K.C.C. 6.64.800 are each hereby amended to read as follows:

~~((Violation of any provisions identified in this chapter as a (Class I) shall be designated as an infraction. Any person cited for an infraction shall be subject to the Justice Court Rules of Procedures. Any person found guilty of committing an infraction shall be assessed a monetary penalty not to exceed \$1,000.00. A finding that~~

~~an infraction has been committed shall not give rise to any other legal disability which is based upon conviction of a crime.))~~ A.1. The director may assess the following civil penalties:

a. up to ten thousand dollars for each violation of the following:

(1) section 19 of this ordinance; and

(2) section 24 of this ordinance;

b. up to one thousand dollars for a violation of any of the following:

(1) section 11 of this ordinance;

(2) section 17 of this ordinance;

(3) section 18 of this ordinance;

(4) section 25 of this ordinance;

(5) K.C.C. 6.64.300;

(6) K.C.C. 6.64.360;

(7) K.C.C. 6.64.420;

(8) K.C.C. 6.64.460;

(9) K.C.C. 6.64.500;

(10) K.C.C. 6.64.640;

(11) K.C.C. 6.64.650;

(12) K.C.C. 6.64.660;

(13) section 64 of this ordinance;

(14) K.C.C. 6.64.670;

(15) K.C.C. 6.64.680;

(16) K.C.C. 6.64.690; and

(17) K.C.C. 6.64.695.

2. In determining a penalty under subsection A.1. of this section, the director shall consider: the size

of the business of the violator; the gravity of the violation; the number of past and present violations committed; and the good faith of the violator in attempting to achieve compliance after notification of the violation.

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

1. A violation of K.C.C. 6.64.300, K.C.C. 6.64.500 or section 25 of this ordinance is a Class 1 civil infraction and shall subject the violator to a maximum monetary penalty and default amount of one thousand dollars, inclusive of statutory assessments. An infraction under this subsection shall be initiated and processed under the Infraction Rules for Courts of Limited Jurisdiction, and the director is the enforcement officer under RCW 7.80.040. A person who is issued a notice of infraction shall not be assessed a civil penalty under subsection A. of this section for the same violation. In determining whether to issue a notice of infraction instead of a civil penalty under subsection A. of this section, the director shall consider whether it would be a more efficient method of providing notice to persons who are in violation.

2. Each subsequent violation of K.C.C. 6.64.300, K.C.C. 6.64.500 or section 25 of this ordinance within five years of the prior violation is a misdemeanor. A person who is prosecuted for the misdemeanor in this subsection shall not be issued a notice of civil infraction or assessed a civil penalty for the same violation. In determining whether to refer a person for prosecution for a misdemeanor, the director shall consider whether it would be a deterrent to future violations.

NEW SECTION. SECTION 77. There is hereby added to K.C.C. chapter 6.64 a new section to read as follows:

If the director denies, suspends or revokes a license or assesses a civil penalty under this chapter, the director shall issue a notice and order under K.C.C. 6.01.130.

SECTION 78. Ordinance 10498, Section 100, and K.C.C. 6.64.900 are each hereby amended to read as follows:

The director may establish, in conjunction with the ((€))city of Seattle and the Port of Seattle, a shared

consumer complaint telephone number and complaint process.

SECTION 79. Ordinance 10498, Section 101, and K.C.C. 6.64.910 are each hereby amended to read as follows:

A. Upon receiving a written complaint involving the conduct of ~~((the))~~ a for-hire driver, the route of transportation, the rate charged for the transportation~~((;))~~ or passenger injury or property damage not arising from a vehicle accident, the director shall ~~((cause the following to be performed))~~:

1. Issue a ~~((N))~~notice of ~~((C))~~complaint to the for-hire driver and vehicle owner, ~~((and))~~ taxicab association or transportation network company, ~~((if))~~ as applicable, advising ~~((such person))~~ them of the allegation~~((s))~~ made in the complaint;

2. Require the for-hire driver~~((;))~~ and vehicle owner, ~~((and))~~ association or company, ~~((if))~~ as applicable, to respond, in writing, to the allegation~~((s))~~ in the ~~((N))~~notice of ~~((C))~~complaint within ten days of receipt of the ~~((N))~~notice of ~~((C))~~complaint;

3. Investigate the allegation~~((s))~~ in the written complaint and the response submitted by the for-hire driver~~((;))~~ and vehicle owner, ~~((and))~~ association or company, ~~((if))~~ as applicable; and

4. Make a finding as to the validity of the allegation~~((s))~~ in the written complaint. If it is found to be a valid complaint the director shall issue a ~~((N))~~notice and ~~((O))~~order ~~((pursuant to the process described in))~~ under K.C.C. 6.01.130.

B. Failure to respond~~((;))~~ in writing~~((;))~~ to a ~~((N))~~notice of ~~((C))~~complaint within ten days shall constitute a waiver of the for-hire driver's, vehicle owner's, ~~((and))~~ association's or company's~~((, if applicable,))~~ right to contest the allegation~~((s))~~ in the written complaint and shall be prima facie evidence that the allegation~~((s))~~ are valid. The director shall issue a notice and order under K.C.C. 6.01.130 if there is a failure to respond in writing.

~~((C. Failure to comply with any Notice and Order issued as a result of the above process will result in the revocation of the license(s) involved. Such revocation will last one year from the date the license(s) is~~



surrendered.))

SECTION 80. Licenses issued at any time under Ordinance 15390, Section 1.E., shall transition to the medallion system under section 6 of this ordinance.

SECTION 81. A. By September 1, 2015, and September 1, 2016, the director shall file a report about implementation of this ordinance with the council. The report shall include, but not be limited to, a summary of the industry data reported under section 74 of this ordinance, a summary of enforcement activities performed between the effective date of this section and the deadline, a discussion of the conversion from licenses to medallions, a discussion of the funding level and use of the wheelchair fee surcharge, the number and type of passenger complaints received between the effective date of this section and the reporting deadline and a comparison of the county's regulatory revenue under the former and proposed regulatory structure.

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

SECTION 82. The following are each hereby repealed:

- A. Ordinance 10498, Section 4, and K.C.C. 6.64.007;
- B. Ordinance 10498, Section 7, and K.C.C. 6.64.200;
- C. Ordinance 10498, Section 8, and K.C.C. 6.64.210;
- D. Ordinance 10498, Section 9, and K.C.C. 6.64.220;
- E. Ordinance 10498, Section 17, and K.C.C. 6.64.370;
- F. Ordinance 10498, Section 91, and K.C.C. 6.64.720;
- F. Ordinance 10498, Section 96, and K.C.C. 6.64.770;
- G. Ordinance 10498, Section 98, and K.C.C. 6.64.810;
- H. Ordinance 10498, Section 99, and K.C.C. 6.64.820; and
- I. Ordinance 10498, Section 102, and K.C.C. 6.64.920.

SECTION 83. A. Sections 10, 31, 36, 47, 48, 49, 50, 52, 53, 54, 55, 56, and 74 of this ordinance take effect November 12, 2014.

B. Sections 18, 19, 25, 30, 46, and 62 of this ordinance take effect December 12, 2014.

C. Section 11 of this ordinance takes effect January 1, 2015.

D. Section 6 of this ordinance takes effect February 1, 2015.

SECTION 84. By the first license renewal after the effective date of this section, a for-hire vehicle licensee shall ensure that the hood, roof and trunk of the vehicle meets the color scheme approved by the director under section 18 of this ordinance.

SECTION 85. The county council finds as a fact and declares that an emergency exists and that this ordinance is necessary for the immediate preservation of public peace, health or safety or for the support of county government and its existing public institutions.