

ORDINANCE NO. 1393

CITY OF LACEY

AN ORDINANCE ADOPTING A NEW CHAPTER 5.24 OF THE LACEY MUNICIPAL CODE RELATING TO FOR HIRE VEHICLES AND APPROVING A SUMMARY FOR PUBLICATION.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF LACEY,
WASHINGTON, as follows:

Section 1. There is hereby added to the Lacey Municipal Code a new Chapter 5.24 to read as follows:

5.24.010 Purpose. Under the police power of the city, this chapter is intended to enact reasonable regulations governing for-hire vehicles within the city. These regulations are necessary to protect the health, safety and welfare of the citizens of the city who use these vehicles as transportation.

5.24.020 Definitions. For purposes of this chapter, the terms set forth below shall have the following meanings:

A. "Person" means any natural person, firm, corporation, partnership or association either acting by themselves or by servant, agent or employee.

B. "For-hire vehicle" includes all vehicles used for the transportation of passengers for compensation, except auto stages, buses, ride share vehicles, and limousines. The term primarily applies to taxicabs.

C. "Driver and operator" means the person physically engaged in driving a for-hire vehicle, whether or not said person is the owner of or has any financial interest in said vehicle.

D. "Director" means the director of finance for the city.

5.24.030 Vehicle license required.

A. No for-hire vehicles shall be operated upon the streets of the city without being licensed under this chapter. Such license, if issued, shall be for the calendar year or any portion thereof and shall be effective for such period of time unless sooner suspended or revoked as provided in this chapter.

B. Application for a for-hire vehicle license shall be filed with the Director. The application shall contain the following:

1. The full name and both business and residence address of the owner;
2. The number, kind, make, condition and seating capacity of each vehicle;
3. The number of vehicles to be used; and
4. The vehicle license number issued for each such vehicle.

C. Each application shall be accompanied by the payment of an annual license fee in the amount of thirty dollars per for-hire vehicle; provided, that the fee assessed hereunder shall be reduced to ten dollars upon a showing by the applicant that a for-hire vehicle license has been procured for the calendar year in question, with full fee paid from either the city of Olympia or Tumwater. In addition, the owner/applicant shall provide Lacey with the following information:

1. Proof that he has procured all licenses or permits required by the laws of the state for the operation of such for-hire vehicles. If these permits or licenses are not available from the state at the time of application, licensee shall furnish such proof to the director within fifteen days of issuance of the license hereunder;
2. Proof of Insurance in the form and amounts set forth in Section 5.24.050;
3. Proof that he owns or has a leasehold interest in the vehicle(s) for the term of the license.
4. Schedules of rates as required by Section 5.24.060.

5.24.040 Issuance of vehicle for-hire license. Upon receipt of a license application under this chapter accompanied by the appropriate fee required and the information required with the application, the director shall issue the license to the applicant if the application meets the standards of this chapter. Licenses are renewable upon compliance with the requirements of this chapter. The license renewal fee shall be the same as the original license fee. Licenses issued hereunder shall be nontransferable.

5.24.050 Liability insurance. Upon application for a vehicle for-hire license, every applicant shall file with the director evidence of an insurance policy on a form approved by the city attorney. Said policy shall provide liability insurance coverage for each and every vehicle owned or operated by the applicant issued by an insurance company or companies authorized to do business in the state. The policy shall provide coverage for injury to or death of any person injured or killed in any manner for which the owner or operator of said vehicle would be liable on account of any liability imposed by law, regardless of whether the vehicle was being driven by the owner, his agent, employee or lessee. Said policy shall contain coverage limits in an amount of not less than one hundred thousand dollars for death or personal injury of one person, three hundred thousand dollars for death or personal injury per occurrence and twenty-five thousand dollars for damage to property. Every such insurance policy shall be continued in full force, notwithstanding any recovery thereon and shall provide that the liability of the insurer shall not be affected by the insolvency or bankruptcy of the insured.

Each insurance policy required hereunder shall extend for the period to be covered by the license applied for, and the insurer shall be obliged to give the director not less than ten days written notice in the event of any change or cancellation prior to the expiration date. The cancellation or other termination of any such policy shall automatically revoke and terminate the licenses issued hereunder for the vehicle covered by such policy, unless another insurance policy

to comply with the provisions of this section shall be provided and be in effect at the time of such cancellation or termination.

5.24.060 Rates to be filed and posted. Upon application for a vehicle for-hire license, the proposed licensee shall file with the director a schedule of for-hire vehicle rates charged to the public. This schedule shall include rates for the following:

- A. Minimum charge;
- B. Rate per mile or fraction thereof above the minimum;
- C. Charges for each additional passenger above one;
- D. Charge for vehicle waiting time;
- E. Additional charge for baggage or suitcases;
- F. Any separate rate for service during the hours of midnight to six a.m.

The rate schedule shall be on file with the director for inspection by the public during normal city business hours. In addition, each for-hire licensee hereunder, except limousine operators, shall conspicuously display in the interior of the vehicle the rates of fare as required to be filed above. This posting must be located in the passenger compartment in a typewritten notice so as to be easily read by a passenger.

When the licensee changes its rates, in total or in part, the licensee shall file a schedule of new rates with the director at least ten days before said new rates become effective. Likewise, the new rates shall be posted within the interior of the vehicle prior to the effective date of the new rates.

The licensee shall charge only those rates set forth in the schedule of rates filed and posted pursuant to this section.

5.24.070 Revocation, suspension or denial of vehicle for-hire license. Any license required hereunder may be revoked, suspended or denied if the director finds that:

A. A for-hire vehicle is being operated in an unsafe condition which constitutes a danger to the safety and welfare of passengers or the public;

B. The licensee has failed to maintain the requirements of obtaining a license;

C. The licensee has charged rates which exceed those set forth in the posted and filed rate schedule;

D. The licensee has failed to procure and maintain liability insurance as required by this chapter;

E. The licensee has violated the provisions set forth in Section 5.24.080 of this code.

Prior to the revocation, suspension or denial of a for-hire vehicle license hereunder, the director shall notify the licensee/applicant at least five days prior to such suspension, revocation or denial. Said notice shall advise the licensee/applicant that he has the right to a hearing before said director prior to the effective date of any such suspension, revocation or denial.

5.24.080 Other violations. In addition to other provisions of this chapter, it is a violation of any licensee to:

A. Falsify any record, document or information required to be kept or submitted to the city by this chapter;

B. Drive or authorize any person to drive a for-hire vehicle which is not properly equipped and in safe condition as required by the provisions of this chapter as now or hereafter amended;

C. Drive or authorize any person to drive a for-hire vehicle which is not equipped with seatbelts for all passengers;

D. Allow the operation of any for-hire vehicle by a driver who is not licensed under the provisions of Chapter 5.22 of this code or who is under the influence of intoxicating liquor or drugs while operating the for-hire vehicle.

5.24.090 Refusal to pay fare. It is unlawful for any person to refuse to pay the posted fare for a for-hire service after the service has been rendered.

5.24.100 Violation deemed misdemeanor. Any person violating the provisions of this chapter shall be deemed guilty of a misdemeanor.

Section 2. The Summary attached hereto is hereby approved for publication.

PASSED BY THE CITY COUNCIL OF THE CITY OF LACEY,
WASHINGTON, at a regularly-called meeting thereof, held this 24th day of May, 2012.

CITY COUNCIL

By: Verly S. Chew
Mayor

Approved as to form:

[Signature]
City Attorney

Attest:

Carol Lute
City Clerk