

ORDINANCE No. 2858

AN ORDINANCE OF THE CITY OF KIRKLAND RELATING TO TAXICABS AND FOR-HIRE VEHICLES, ADOPTING BY REFERENCE KING COUNTY CODE, CHAPTER 6.64 AS LAST AMENDED BY KING COUNTY ORDINANCE 6687 AND AMENDING CHAPTER 7.44 OF THE KIRKLAND MUNICIPAL CODE.

Whereas, King County and the City of Kirkland have jurisdiction to regulate the business of operating taxicabs and for-hire vehicles within their respective boundaries; and

Whereas, the business of operating taxicabs and for-hire vehicles presents peculiar licensing and law enforcement problems of a multi-jurisdictional nature; and

Whereas, in order to adequately protect the interests of the county and the City and the citizens thereof, and to provide for a uniform county-wide system of licensing taxicabs and for-hire vehicles and the drivers thereof, Kirkland has adopted by reference the King County regulations therefor and provided for King County enforcement through an interlocal governmental service agreement; and

Whereas, it is necessary from time to time to amend the local Kirkland taxicab and for-hire vehicle regulations in order to maintain uniformity, now, therefore,

Be it ordained by the City Council of the City of Kirkland as follows:

Section 1. Chapter 7.44 in the Kirkland Municipal Code ~~be and it~~ hereby is amended to read as follows:

7.44.010 Adoption by reference. King County [~~Ordinance No. 1120 adopted by the King County Council on January 24, 1972, and entitled "An Ordinance Relating to Taxicabs or For-hire Vehicles"~~] Code Chapter 6.64 as last amended by King County Ordinance 6887 and entitled "Taxis - Businesses and Drivers" is adopted by reference, with exclusions and modifications in Sections 7.44.020 -- 7.44.030.

7.44.020 Exclusions. Section[s] 3, [42, 47 and 48 ~~of King County Ordinance No. 1120 are~~] is excluded.

7.44.030 Modifications. The modifications are as follows: "Director" means the city manager, his delegate or any of his duly authorized representatives;

"Director of King County public safety department" means the chief of police for the city, or any of his duly authorized representatives;

"Enforcement officer" means the city manager, his delegate or duly authorized representatives, or the city chief of police, his delegate or his duly authorized representatives.

7.44.040 Taxicabs--Maximum number. The maximum number of taxicabs authorized to operate within the city shall not exceed the ratio of one taxicab for each four thousand four hundred inhabitants of Kirkland, unincorporated King County, and all other King County cities which may enter into contracts with King County for the enforcement and licensing of taxicabs and drivers pursuant to King County Code Chapter 6.64 [Ordinance No. 1120].

7.44.050 Copies of ordinance open for inspection. The city shall at all times, keep on hand and available for public inspection not less than three copies of King County Code Chapter 6.64 [Ordinance No. 1120] herein adopted by reference.

7.44.060 Authorization to contract with King County. The city manager is authorized and directed to enter into an agreement with King County and its director of general services for the enforcement of the provisions of this ordinance, including the licensing provisions for both vehicles and drivers; provided, that before such agreement shall become effective, it shall be submitted to the city council for approval.

Section 2. If any section, subsection, sentence, clause, phrase, part or portion of this ordinance is for any reason held to be invalid or unconstitutional by any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this ordinance.

Section 3. This ordinance shall be in force and effect five days from and after its passage by the Kirkland City Council and posting or publication, as required by law.

Passed by majority vote of the Kirkland City Council in regular, open meeting this 1st day of April, 1985.

Signed in authentication thereof this 1st day of April, 1985.

Doris Cooper

MAYOR

ATTEST:

Tom J. Johnson

Director of Administration & Finance
(ex officio City Clerk)

APPROVED AS TO FORM:

Paul J. [Signature]

City Attorney

CERTIFICATION OF POSTING

I hereby certify under penalty of perjury that the foregoing ordinance was posted on the 2nd day of April, 1985 in accordance with the provisions of RCW 35A.12.160 and City of Kirkland Ordinance No. 2600.

Janice [Signature]
Clerk

SECONDHAND DEALERS

6.60.160 - 6.60.170

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. All civil penalties assessed will be enforced and collected in accordance with the procedure specified under this title. (Ord. 1888 Art. IV § 1, 1974).

6.60.170 Additional enforcement. Notwithstanding the existence or use of any other remedy, the director may seek legal or equitable relief to enjoin any acts or practices which constitute or will constitute a violation of any business license ordinance or other regulations herein adopted. (Ord. 1888 Art. IV § 2, 1974).

Chapter 6.64

TAXIS - BUSINESSES AND DRIVERS

Sections:

- 6.64.010 Definitions.
- 6.64.020 Taxicab and for-hire license - Applications.
- 6.64.030 Taxicabs, maximum number.
- 6.64.040 Color scheme.
- 6.64.050 Expiration of licenses and license fees.
- 6.64.060 Unlawful to operate taxicab or for-hire vehicles without liability insurance.
- 6.64.070 King county taxicab or for-hire license plates.
- 6.64.080 Duplicate license plates.
- 6.64.090 Rates.
- 6.64.100 Display of taxicab or for-hire vehicle number.
- 6.64.110 Taximeter.
- 6.64.120 Installation of taximeters.
- 6.64.130 Flag to be proper position.
- 6.64.140 Classification and capacity.
- 6.64.150 Driver's license.
- 6.64.160 Trip sheets.
- 6.64.170 Display of license.
- 6.64.180 Inspection of taxicab or for-hire vehicles.
- 6.64.190 Direct route of travel.
- 6.64.200 Unlawful not to pay fare.
- 6.64.210 Leaving taxicab or for-hire vehicle unattended.
- 6.64.220 Baggage.
- 6.64.230 Two-way radio dispatch.
- 6.64.240 Discontinued use as taxicab or for-hire vehicle.
- 6.64.250 Solicitation of fares or carrying non-paying passengers or pets of driver.
- 6.64.260 Condition of driver.
- 6.64.270 Suspension - Revocation of for-hire driver's licenses.
- 6.64.280 Licensing fees.
- 6.64.290 For-hire driver's license required - Application.
- 6.64.300 Qualifications for a for-hire driver's license.
- 6.64.310 Seattle-King County Health Department.
- 6.64.320 Fingerprints and photographs to accompany application.
- 6.64.330 Investigation of applicants for driver's licenses.
- 6.64.340 Temporary permit.
- 6.64.350 Issuance of for-hire driver's license.

- 6.64.360 Expiration and renewals of for-hire driver's licenses.
- 6.64.370 For-hire driver's license fee.
- 6.64.380 Damaged or worn-out for-hire driver's licenses to be replaced.
- 6.64.390 Identification of drivers.
- 6.64.400 Renewal of license, registration or permit - Late penalty.
- 6.64.410 Violations and penalties.
- 6.64.420 Civil penalty.
- 6.64.430 Additional enforcement.
- 6.64.440 Scope of authority.
- 6.64.450 Sufficiency of need of service required as license issuance criteria, for one year from effective date.
- 6.64.460 Review by county council before termination of effective date.
- 6.64.470 Moratorium.
- 6.64.480 Transfer of permit.
- 6.64.490 Driving record.
- 6.64.500 Passenger complaints process.

CROSS - REFERENCE:

Taxicab operating agreement at airport, see Chs. 15.48 and 15.80 of this code.

6.64.010 Definitions. For purposes of this chapter and unless the context plainly requires otherwise, the following definitions apply:

A. "Affiliated taxicab" means a taxicab associated with a group of taxicabs having multiple owners and operating under the same color or other identification scheme, all of which must operate under an identical schedule of rates and charges.

B. "Affiliation representative" means the individual or organization who has the authority to file rates for a group of affiliated taxicabs.

C. "Director" means the director of the King County department of executive administration.

D. "Enforcement officer" means the director and his/her duly authorized representatives.

E. "For-hire driver" means any person in charge of or driving a taxicab or for-hire vehicle carrying passengers or baggage for hire, as hereinafter further defined; provided, however, that the provisions of this chapter shall not apply to drivers of motor vehicles operated by any municipal or privately owned, licensed transit system.

F. "For-hire vehicle" means and includes every motor vehicle other than a "sightseeing car," "charter bus" or one used by hotel or motel keepers exclusively to convey their guests to and from hotels or motels free of charge or reward, used for the transportation of passengers for-hire, and not operated exclusively over a fixed and definite route; provided, however, that this definition does not include a motor vehicle with a seating capacity, including the driver, not exceeding fifteen persons which operates to transport passengers between their places of abode or termini near such places, and their places of employment, in a single, daily round trip where the driver is also on the way to or from his/her place of employment.

G. "Licensee" means all applicants, including affiliation representative, required to license taxicabs or for-hire vehicles under the provisions of this chapter.

H. "Special Rate" means discounted rates for the elderly and handicapped.

I. "Special Services Vehicle" means a vehicle equipped to accommodate and which is used for the transportation of handicapped persons as herein defined: (King County 9-84)

TAXIS - BUSINESSES AND DRIVERS

6.64.010 - 6.64.020

The term handicapped means any person who is physically or mentally disabled who has an identification card issued by a governmental agency which describes the handicap and also has medical certification that the handicap limits the person's activities, functioning and ability to use public transportation facilities.

J. "Taxicab" means every motor vehicle used for the transportation of passengers for-hire, where the route traveled or destination is controlled by a customer and the fare is based on an amount recorded and indicated on a taximeter, or on a special fare rate or contracted agreement as permitted by this chapter.

K. "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 such vehicle or for waiting time, or for both, and upon which such calculated charges shall be indicated by means of figures.

L. "Motor vehicle" means every self-propelled vehicle by or upon which any person may be transported or carried upon a public street, highway or alley; provided, that vehicles used exclusively upon stationary rail tracks or propelled by the use of overhead electric wires shall not come under the provisions of this chapter.

M. "Engage in the business of operating any 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; provided, that 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, whether or not the ultimate destination or route traveled is within unincorporated King County. (Ord. 6887 § 1, 1984; Ord. 4232 § 1, 1979; Ord. 2914 § 1, 1976; Ord. 1888 Art. V § 56, 1974; Ord. 1120 § 1, 1972).

6.64.020 Taxicab and For-Hire Vehicle License - Applications. It is unlawful to own or operate a motor vehicle, or engage in the business of operating as a taxicab or for-hire vehicle in the unincorporated areas of King County without first having obtained, for each and every vehicle so used, a license from the director, to be known as a for-hire or taxicab license. Licenses shall be obtained in the following manner and under the following conditions:

A. The applicant for a taxicab or for-hire vehicle license shall show in the application:

1. the true name and address of the applicant;
2. if a corporation, the names and addresses of the principal officers and shareholders thereof;
3. the classification under which the vehicle will be operated, whether as taxicab or other vehicle for hire;
4. the year for which the license is sought;
5. true and accurate information concerning the ownership, identification, company vehicle number, the name of the business, fictitious or otherwise under which the vehicle is to be operated;
6. the distinguishing color scheme, design or dress, including any monogram or insignia to be used on such vehicle or vehicles;
7. whether he/she or any of the principal officers or share-holders have been convicted of any crimes within three years preceding the date of application;

8. such other information the director may require, which he/she deems reasonably necessary to aid in the enforcement of this chapter.

B. The director shall inquire into the correctness of the information furnished, and if so satisfied that the applicant has successfully completed a written examination, testing the applicant's knowledge of ordinance requirements dealing with ownership responsibilities, prerequisites to licensing, vehicle/equipment requirements and satisfactory geographic knowledge of King County, the content of which will be prescribed by the director, that the applicant is the bona fide owner of the motor vehicle, has met the various requirements of this chapter, that the name under which the applicant is to operate and the color scheme used upon the motor vehicle does not conflict with others so used, or tend to deceive the public, that the motor vehicle is equipped with proper state license and city of Seattle license, if applicable, and is properly insured for the protection of the public as required by law, a license may thereupon be issued in accordance with the provisions of this chapter, authorizing the operation of the motor vehicle under the classification applied for.

C. A license may be denied to any person if the director, after due investigation, finds that the applicant/owner has:

1. Made any false statement on the application;
2. Had a conviction or bail forfeiture involving crimes pertaining to alcohol, controlled substances, prostitution, gambling, physical violence, or crimes directly related to the applicant's honesty and integrity (fraud, larceny, extortion) and ability to properly operate a taxicab business, within three years of the date of application;
3. Fails to pass the written examination required in K.C.C. 6.64.020 B. of this chapter;
4. Exhibited conduct within the past three years in driving, operating or engaging in the business of operating any taxicab or for-hire vehicle which would lead the director to reasonably conclude that the applicant/owner will not comply with chapter requirements relating to vehicle safety and sanitation standards, insurance requirements, and vehicle and driver licensing requirements;
5. Been refused a taxicab or for-hire vehicle license or had such license revoked under the provisions of this chapter; provided, however, that any applicant denied a license under the provisions of this chapter may reapply after one year from the denial if the basis for denial no longer exists;
6. Engaged in the business of operating any taxicab or vehicle for-hire for which a license is required, while unlicensed or on a license suspension.

Wilful falsification or omission of any information required in the application shall constitute grounds for denial of the license.

D. A taxicab or for-hire vehicle license shall be suspended if the licensee:

1. Fails to maintain in full force and effect the insurance required in this chapter;
2. Fails to comply with the safety and sanitation requirements of this chapter;
3. Fails to maintain the taximeter in accurate and good working condition.

TAXIS - BUSINESSES AND DRIVERS

6.64.020 - 6.64.060

E. A taxicab or for-hire vehicle license may be suspended or revoked if the licensee has been found to:

1. Operate or permit the operation of the vehicle while using or in possession of alcohol or controlled substances, during its operation;

2. Violates any of the provision of this chapter.

(Ord. 6887 § 2, 1984; Ord. 4598 § 1, 1979; Ord. 4232 § 2, 1979; Ord. 3926 § 1, 1978; Ord. 3547 § 1, 1978; Ord. 3146 § 1, 1977; Ord. 2914 § 2, 1976; Ord. 1888 Art. V § 57, 1974; Ord. 1120 § 2, 1972).

6.64.030 Taxicabs, maximum number. The maximum number of taxicabs authorized to operate and for which licenses may be issued shall be based upon the population of unincorporated King County as determined by the last preceding United States census, at the ratio of one taxicab on each forty-four hundred inhabitants; provided, that this limitation shall not affect taxicabs in operation under reciprocal licenses, except as such vehicles are abandoned through inability of operators to meet the requirements of this chapter. (Ord. 3926 § 2, 1978; Ord. 2914 § 3, 1976; Ord. 1120 § 3, 1972).

6.64.040 Color scheme. The director shall, in the interest of protecting the public from being deceived or confused, have the exclusive control in the granting of permission to use any color scheme, design or monogram by any taxicab, affiliated taxicab or vehicle for hire. It is unlawful to use or change any color, design, monogram or insignia on any taxicab, affiliated taxicab or vehicle for hire without the prior permission and approval of the director. Failure to comply with this provision shall be grounds for revocation of any taxicab, affiliated taxicab or for-hire vehicle license. (Ord. 4232 § 3, 1979; Ord. 1888 Art. V § 59, 1974; Ord. 1120 § 5, 1972).

6.64.050 Expiration of licenses and license fees. All licenses issued under this chapter shall expire on August 31st of each year. Such licenses may be renewed by the license holder for the succeeding year by making application therefor with the director at least ten days prior to the expiration date. (Ord. 4232 § 4, 1979; Ord. 2914 § 4, 1976; Ord. 1120 § 6, 1972).

6.64.060 Unlawful to operate taxicab or for-hire vehicles without liability insurance.

A. No such license shall be issued unless the applicant therefore files with the director proof of compliance with RCW Chapter 46.72, as now or hereafter amended.

B. Additionally, all applicants shall maintain a policy of underinsured motorist coverage which runs to the benefit of passengers; provided that a certificate of self-insurance issued pursuant to RCW 46.29.630 may be filed with the director in lieu of such policy.

C. Such insurance as required in A. and B. above, shall be maintained in full force and effect for the full period to be covered by the permit applied for, and failure to do so shall result in the automatic suspension of such permit. (Ord. 6887 § 3, 1984; Ord. 2914 § 5, 1976; Ord. 1120 § 7, 1972).

6.64.070 King County taxicab or for-hire license plates. The director shall furnish with each taxicab or for-hire license issued one or more tags or plates or decals. All plates, tags or decals shall bear a number and the year for which the license was issued, together with the words "King County Taxicab or For-Hire License." The form, material, and positioning on the vehicle shall be as prescribed by the director. It is unlawful for any owner, operator or driver of a taxicab or for-hire vehicle to operate such vehicle without having conspicuously displayed on such vehicle a license plate, tag or decal furnished and authorized by the director, or to operate the vehicle with expired or illegible King County taxicab or for-hire license plates, tags or decals. All plates, tag or decals shall be and remain the property of King County and upon the revocation, surrender, suspension or expiration of a vehicle license, or if found in the possession of any person other than to whom the license was issued, the plate, tag or decal shall be picked up by any enforcement officer and returned to the director. (Ord. 6887 § 4, 1984; Ord. 1888 Art. V § 59, 1974; Ord. 1120 § 8, 1972).

6.64.080 Duplicate license plates. Whenever a King County taxicab or for-hire license plate becomes lost, destroyed or stolen, a duplicate may be issued by the director at the expense of the licensee. The request for a duplicate license plate shall be accompanied by the licensee's sworn statement to the effect that such license plate has become lost, destroyed or stolen. Should the original of the ordered duplicate be later found, the original plate shall be promptly returned to the director. It is unlawful to manufacture or produce any taxicab or for-hire vehicle license plate or duplicates thereof herein provided except by order of the director. (Ord. 1120 § 9, 1972).

6.64.090 Rates.

A. The rates for taxicabs licensed to operate in King County shall be set by the King County council.

B. No taxi shall have more than one rate on its meter provided that special services vehicle meters may have one rate for handicapped passengers in addition to the prescribed passenger meter rate.

C. Except for special or contract rates and rates for special service vehicles, as provided for in this chapter, 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:

1. For passengers for the first 1/6th mile.....\$1.00
2. Thereafter for each additional 1/6th mile or fraction thereof...\$0.20
3. For every one minute of waiting time.....\$0.30
4. Extra charge per passenger over two passengers excluding minors.\$0.50

D. Special rates as defined in this chapter shall be calculated as a percentage of the meter rate.

E. All special rates and special service vehicle rates must be filed with the director on forms furnished by the director.

F. The county council may, on its own initiative, or on the initiative of the director, enact new rates when it deems such change to be in the public interest; or when two thirds of all taxicab permit owners petition the council for a change. If the rate change does not necessitate a meter adjustment, the new rate becomes effective thirty (30) days after enactment. If a meter adjustment is required, the new rate becomes effective when the taxi meter is approved.

TAXIS - BUSINESSES AND DRIVERS

6.64.090

In reviewing rates the council shall take into account, among other things, and with the objective of prescribing a just and reasonable rate, the following factors:

1. The public need for adequate taxi service at the lowest level of charges consistent with the provision, maintenance and continuation of such service;

2. The rates of other licensees operating in similar areas;

3. The effect of such rates upon transportation of passengers by other modes of transportation;

4. The licensee's need for revenue of a level which 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, plus an amount equal to such percentage of the cost as is reasonably necessary for the replacement of deteriorated taxicabs and a reasonable profit to the licensee. The relation of revenues to expenses may be deemed the proper test of a reasonable profit.

G. All taxicab rates shall be conspicuously displayed inside and outside the taxicab so as to be readily discernible to the passenger. The manner of such posting will be prescribed by the director;

H. 1. For new licenses all special rates and/or contract rates shall be part of the application process, and when the license is issued the rate becomes effective and must be charged;

2. For licensed taxicabs changing special rates, changes shall be limited to two times during the license year.

I. It is unlawful to make any discriminatory charges to any person, or to make any rebate or in any manner reduce the charge to any person unless such is in conformity with the discounts/surcharges contained in the filed special rates, except as herein provided.

J. Every for-hire vehicle licensee shall, before commencing operation, file with the director his/her proposed rate schedule. The filed rate must:

1. Be filed on forms furnished by the director;

2. Be in the form prescribed by the director;

3. Be conspicuously displayed inside the for-hire vehicle so as to be readily discernible to the passenger. The manner of such posting will be prescribed by the director;

4. a. For new licenses, be part of the application process, and when the license is issued the rate becomes effective and must be charged;

b. For licensed for-hire vehicles changing rates, be limited to two times during the license year.

K. The rates specified in this section for taxicabs and for-hire vehicles shall not apply to transportation of persons provided pursuant to a written contract which establishes a fare at a different rate for specified transportation and which is entered into prior to the passenger's request for transportation and has been previously filed with the director; provided, that no contract may include any provision(s) the effect of which is to directly or indirectly require exclusive use of the transportation services of the contracting taxicab or for-hire vehicle. The contract shall not exceed one year.

L. Operation of any taxicab or for-hire license without the filing and display of rates, as herein required, shall be prima facie grounds for the suspension or revocation of the taxicab or for-hire license. (Ord. 6887 § 15, 1984; Ord. 4232 § 5, 1979; Ord. 2914 § 6, 1976; Ord. 2192 § 1, 1974; Ord. 1888 Art. V § 61, 1974; Ord. 1238 § 1, 1972; Ord. 1120 § 10, 1972).

6.64.100 Display of taxicab or for-hire vehicle number. It is unlawful for any taxicab or for-hire vehicle to fail to have conspicuously displayed, where it is readily discernible by the passenger, the name, number and telephone number where the owner of the taxicab or for-hire vehicle can be reached, the size, location and form thereof to be determined by the director. It is unlawful during the hours of darkness to fail to illuminate sufficiently such name and numbers. (Ord. 6887 § 5, 1984; Ord. 1120 § 11, 1972).

6.64.110 Taximeter. It is unlawful for any person to drive, operate, or engage in the business of operating a taxicab unless the vehicle is equipped with a taximeter which has been inspected by the director, or approved by the city of Seattle pursuant to reciprocal licensing.

It shall be the duty of the owner, driver, or any other person having possession or control of a taxicab to keep such taximeter accurate and in good working condition at all times. Prior to the installation of such taximeter, same shall be approved for operation by an official testing station so designated by the director and upon such approval, a written notice and lead wire seal shall be plainly posted and attached to the taximeter for the information of the public. Such taxicab meters shall be rechecked and inspected at least semiannually in the same manner as the original inspection.

It is unlawful for any person to drive, operate or engage in the business of operating a taxicab whenever the lead wire seal of approval has been broken, cut, removed or is missing.

It is unlawful for any person to fail, resist or refuse the director or any duly authorized agent to test and reinspect the taximeter at any time. (Ord. 3926 § 3, 1978; Ord. 1888 Art. V § 61, 1974; Ord. 1120 § 12, 1972).

6.64.120 Installation of taximeters. Every taximeter shall be installed at the right side of the driver, either adjoining the cowl or dashboard of the taxicab and at such height that the flag thereof may be readily seen by observers on the street. The reading face of the taximeter shall at all times be well lighted and distinctly readable to the passengers within the vehicle. It is unlawful to change the size of the wheels or tires of any taxicab or the gears operating the taximeter or to change the taximeter from one vehicle to another unless such taximeter is reinspected and approved by the director; provided, however, that a licensee may change from regular to snow or studded tires without reinspection of the taximeter, so long as the change does not operate to increase the mileage registered by the taximeter. (Ord. 1120 § 13, 1972).

6.64.130 Flag to be proper position. It is unlawful for any driver of a taxicab while carrying passengers or under employment to display the flag attached to the taximeter at such a position as to denote that such taxicab or for-hire vehicle is not employed. The flag of such taximeter must be returned to a nonrecording position at the termination of each and every service. (Ord. 1120 § 14, 1972).

6.64.140 Classification and capacity. The director shall by inspection determine the classification and capacity of the vehicle inspected. (Ord. 1120 § 15, 1972).

TAXIS - BUSINESSES AND DRIVERS

6.64.150 - 6.64.170

6.64.150 Driver's license. It is unlawful for any person owning, controlling, or engaged in the business of operating taxicabs or for-hire vehicles to employ as the driver of any such vehicle, or permit any such vehicle to be operated by a driver who does not have in his possession a valid for-hire driver's license.

If any driver of a taxicab or for-hire vehicle shall be convicted of driving such vehicle while under the influence of or affected by liquor or drugs, the for-hire driver's license of such driver shall be revoked and he shall not be granted a for-hire driver's license for a period of at least one year from the date of such conviction. (Ord. 1120 § 16, 1972).

6.64.160 Trip sheets. It is unlawful for any person owning or operating any taxicab or for-hire vehicle to fail to keep an accurate daily record on a trip sheet, the form and size to be determined and approved by the director. All daily trip sheets shall be kept on file for a period of two years at the address for which the vehicle for-hire license is issued. All daily trip sheets shall be open for inspection by the director either while carried in the vehicle for hire or at the address of the licensee.

It is unlawful for any taxicab or for-hire driver to fail or refuse to turn in his trip sheet or moneys collected from taxi-trip fares to his employer or his duly authorized agent at the end of each shift worked.

The following information shall be contained on each trip sheet:

- A. The driver's name as licensed and for-hire driver's license number;
- B. The driver's residence address and telephone number;
- C. The company name and vehicle number;
- D. The date, time and place of origin and dismissal of each trip (including trips where the passenger did not complete an actual trip);
- E. The fare collected or to be charged;
- F. The number of passengers paying or not paying and any other items for which a charge was or was not made;
- G. The beginning and ending speedometer mileage of the vehicle for each shift worked;
- H. The beginning and ending time for each shift worked;
- I. The beginning and ending meter readings for each shift worked;
- J. If the trip is made pursuant to a contract as specified in Section 6.64.090, the trip sheet shall also show the fare as indicated by the meter and an identification of the contract under which the transportation is provided.

The driver of any taxicab or for-hire vehicle shall, on request of any passenger paying him a fare for any trip, issue a receipt showing such information for said trip.

Failure to keep an accurate daily trip sheet or the withholding of a trip sheet or fare moneys collected by a for-hire driver from his employer or his duly authorized agent shall be grounds for suspension or revocation of his for-hire driver's license. (Ord. 2914 § 7, 1976; Ord. 1120 § 17, 1972).

6.64.170 Display of license. Every owner or operator of any taxicab or for-hire vehicle shall at all times carry in such vehicle permits issued by the Department of Motor Vehicles of the state of Washington and the city of Seattle, if applicable, showing such vehicle to be properly insured for the protection of the public, and also the licenses and permits issued pursuant to this chapter. (Ord. 2914 § 8, 1976; Ord. 1120 § 18, 1972).

6.64.180 Inspection of taxicab or for-hire vehicles. All vehicles operated under the authority of this chapter shall be made available for inspection by the director or his/her representative at any reasonable time or place. The director shall inspect the vehicle to determine cleanliness, proper equipment, good appearance, and safe operating condition.

A. A taxicab or for-hire vehicle shall be deemed to be of safe condition for the transportation of passengers when the following minimum requirements have been complied with:

1. The vehicle must be no more than six years old (including the current model year) nor have traveled more than 100,000 miles. If more than six years old or if it has traveled 100,000 miles or more, the vehicle must be replaced, unless the vehicle owner submits a certification of safety completed in a manner prescribed by the director;

2. An efficient and operable windshield wiper mechanism;

3. An adequate braking system including emergency or auxiliary;

4. A complete lighting system, exterior and interior, and including signaling devices and emergency flashers;

5. Rear-view mirrors;

6. Glass (windshield and rear) free of breaks, cracks or defects sufficient to mar vision;

7. Tires with minimum tread depth of 2/32 inches as determined by gauge, and free of visible defects;

8. Adequate shocks, steering, exhaust and other mechanical systems required for safe operation of the vehicle;

9. Other safety equipment as may be determined from time to time by the director to be necessary for the safe transportation of passengers.

B. A taxicab or for-hire vehicle shall be deemed to be of good appearance, clean and sanitary where the following minimum conditions exist:

1. The vehicle seats are unbroken, have no rips in the upholstery and no exposed springs;

2. Inside door handles are present and operate properly;

3. The vehicle has a functioning heater;

4. Windows roll up/down properly;

5. Loose dirt, grease, ashes, dust, or like substances are not present to the degree that such is visible to and would be physically transferred to a passenger sitting in the vehicle;

6. The vehicle has no torn or ripped floor mats that could pose a hazard on entering or exiting the vehicle;

7. Other reasonable conditions as may be determined by the director to be necessary for the safe and sanitary transportation of passengers for-hire.

If the director determines during his/her inspection that the condition of any taxicab or vehicle for-hire needs correction, he/she shall issue to the operator or driver thereof a notice in writing specifying such defects and the same shall be remedied immediately or by a later date determined by the director.

It is unlawful to fail to comply with any written notice by the director to make corrections on the taxicab or for-hire vehicle. (Ord. 6887 § 6, 1984; Ord. 1120 § 19, 1972).

6.64.190 Direct route of travel. Any driver of a taxicab or for-hire vehicle employed to carry passengers to a definite point shall take the most direct route possible that will carry the passenger safely and expeditiously to his destination. (Ord. 1120 § 20, 1972).

TAXIS - BUSINESSES AND DRIVERS

6.64.200 - 6.64.250

6.64.200 Unlawful not to pay fare. It is unlawful for any for-hire driver to refuse to accept as a passenger any person of proper department who requests a ride when the taxicab or for-hire vehicle is vacant or not employed, and it is unlawful for any person to refuse to pay the regular fare for a taxicab or for-hire vehicle after having hired the same. (Ord. 1120 § 21, 1972).

6.64.210 Leaving taxicab or for-hire vehicle unattended. It is unlawful for any driver of a taxicab or for-hire vehicle to leave the same unattended, or to make repairs thereto or wash such vehicle while in a taxicab zone; except that a period of not to exceed sixty minutes is allowed such for-hire driver for purposes of taking his meals or shopping, during which time such taxicab or for-hire vehicle may be left unattended as long as the vehicle is locked and does not interfere with other taxicabs or for-hire vehicles within such zone. (Ord. 1120 § 22, 1972).

6.64.220 Baggage. Persons served with a taxicab or for-hire vehicle hereunder shall be entitled to have with them their valises or small hand baggage as can be conveniently carried within the vehicle loaded, conveyed, and unloaded without charge. (Ord. 1120 § 23, 1972).

6.64.230 Two-way radio dispatch. If the taxicab or for-hire vehicle is equipped with a radio dispatch system, it is unlawful for any for-hire driver to fail to respond to a call from the dispatcher to pick up a passenger when so requested or to fail to keep the radio in the taxicab or for-hire vehicle operating at all times during the shift the taxicab or for-hire vehicle is operated. All such equipped taxicabs or for-hire vehicles shall have conspicuously placed on the vehicle by the name of the cab, the telephone number from which the taxicab or for-hire vehicle may be radio dispatched. (Ord. 6887 § 7, 1984; Ord. 1120 § 24, 1972).

6.64.240 Discontinued use as taxicab or for-hire vehicle. All taxicabs or for-hire vehicles licensed under this chapter when discontinued for use as a taxicab or for-hire vehicle shall be sufficiently repainted forthwith with a color that will not tend to confuse or lead the public to believe the vehicle may still be a taxicab or for-hire vehicle and may not be used on the street for private transportation until the repainting has been completed. Failure to comply with the provisions of this section shall be grounds for revocation of such license. (Ord. 1120 § 25, 1972).

6.64.250 Solicitation of fares or carrying non-paying passengers or pets of driver.

- A. It is unlawful for any for-hire driver to cruise at Sea-Tac airport.
- B. It is unlawful for any for-hire driver to drive, or operate a taxicab or for-hire vehicle on the lower level passenger pick-up at Sea-Tac airport without having on display a Port of Seattle authorized permit.
- C. It is unlawful for any for-hire or taxicab driver to solicit on the Sea-Tac airport terminal drives or inside the airport terminal building.
- D. It is unlawful for any for-hire driver to haul any additional passengers or any non-paying passenger(s) or pet(s), other than those belonging to the fare paying passenger(s), when the taxicab or for-hire vehicle has been engaged for-hire and/or is occupied already by a paying passenger or passengers, provided that this is not intended to preclude a licensed for-hire driver acting as a trainer, from accompanying a driver trainee while he/she is carrying paying passengers. (Ord. 6887 § 8, 1984; Ord. 1120 § 26, 1972).

6.64.260 Condition of driver. It is unlawful for any for-hire driver to consume any alcoholic beverage at any time within eight hours of reporting for duty, or while on duty as a driver to operate any taxicab or for-hire vehicle while under the influence of or affected by intoxicating liquors, narcotics, barbiturates or any medicine that shall impair his ability to drive.

It is unlawful for any for-hire driver to drive, operate, or be in a taxicab or for-hire vehicle in a position to drive or operate for longer than ten hours in any one twenty-four hour period. (Ord. 1120 § 27, 1972).

6.64.270 Suspension - Revocation of for-hire driver's licenses. Any driver of a taxicab or for-hire vehicle shall have his/her for-hire driver's license suspended or revoked if:

- A. At any time his/her State of Washington Motor Vehicle Operator's License is suspended or revoked;
- B. It is discovered after license issuance that he/she has an infirmity of the body or mind which renders him/her unfit for the safe operation of a motor vehicle;
- C. He/she uses or is found to be in possession of controlled substances or alcohol while in or while operating any taxicab or for-hire vehicle;
- D. Charges a passenger a rate or fare other than that provided for in the rate set by King County;
- E. At any time he/she fails to meet the qualifications for a for-hire driver;
- F. Violates any of the provisions of this chapter.

(Ord. 6887 § 9, 1984: Ord. 1120 § 28, 1972).

6.64.280 Licensing fees. It is unlawful to engage in the business of operating a taxicab or for-hire vehicle as defined in this chapter without first having obtained a valid license to do so. This license shall be known as, and the fee shall be as follows:

- A. Taxicab license\$115.00 per vehicle.
- B. For-hire vehicle license\$120.00 per vehicle.
- C. Transfer of equipment fee.....\$ 15.00 for each transfer of vehicle during the license

year. (Ord. 6887 § 10, 1984: Ord. 5799 § 8, 1981: Ord. 4232 § 6, 1979: Ord. 3926 § 4, 1978; Ord. 2914 § 9, 1976: Ord. 1120 § 29, 1972).

6.64.290 For-hire driver's license required - Application. It is unlawful for any person to drive or operate a taxicab or for-hire vehicle in the unincorporated areas of King County without first having obtained a valid license to do so, which license shall be known as a for-hire driver's license. The license shall be obtained in the following manner:

The applicant shall file an application on a form furnished by the director, which shall be signed and sworn to by the applicant and shall contain: Name, height, weight, color of hair and eyes, residence address, place and date of birth, last place of employment, whether or not the license was ever suspended or revoked and for what cause, and such other information as may reasonably be required. The applicant shall on the application give the names and mailing addresses of four persons, not relatives, who have known the applicant for at least two years past. (Ord. 6887 § 11, 1984: Ord. 4232 § 7, 1979: Ord. 2914 § 10, 1976: Ord. 1120 § 30, 1972).

6.64.300 Qualifications for a for-hire driver's license.

A. No person shall be issued a for-hire driver's license unless he/she possesses the following qualifications:

- 1. Must be at least eighteen years of age;

TAXIS - BUSINESSES AND DRIVERS

6.64.300 - 6.64.310

2. Must possess a valid state of Washington motor vehicle operator's license;

3. Must be free from any infirmity of body or mind which would render the applicant unfit for safe operation of a motor vehicle, and shall have submitted to a medical examination by a licensed physician and filed with the director a certificate from said physician certifying his/her fitness as a for-hire driver. The scope of the examination and the certificate form shall be prescribed by the Seattle-King County health department. Such examination shall be required at least every four (4) years but not for renewals of such license; provided however, the director may at any time at his/her discretion require any licensee to be so examined and to secure such a certificate or renewal thereof;

4. Must not be found to be addicted to the use of intoxicating liquor, dangerous drugs or narcotics;

5. Must successfully complete a written examination administered at the time of initial application. The examination will 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 driver regulations, and a satisfactory geographic knowledge of King County. The content of the examination will be prescribed by the director. All current licensees must take and pass this examination in order to secure renewal of their licenses during the year after this chapter becomes law; provided that, after a driver once passes this examination, he/she shall not have to pass the examination again as a requirement for license renewal unless he/she has not been an active driver for a period of more than two years.

B. No license will be issued if the applicant has:

1. Made any false statement in his/her application;

2. Made a conviction or bail forfeiture involving crimes pertaining to controlled substances, alcohol, prostitution, gambling, physical violence, or crimes directly related to the applicant's honesty and integrity (fraud, larceny, extortion) within three years of the date of application;

3. Has been found to have exhibited past conduct in driving or operating a taxicab or for-hire vehicle which would lead the director to reasonably conclude that the applicant will not comply with the provisions of the chapter related to driver/operator conduct and the safe operation of the vehicle;

4. Has been found to have exhibited a past driving record which would lead the director to reasonably conclude that the applicant would not operate the taxicab or for-hire vehicle in a safe manner. (Ord. 6887 § 12, 1984; Ord. 2302 § 1, 1975; Ord. 1888 Art. V § 62, 1974; Ord. 1120 § 31, 1972).

6.64.310 Seattle-King County Health Department. Any applicant who fails to pass a satisfactory medical examination may be re-examined after thirty days from the original examination, and if following such re-examination the certificate herein required from the Seattle-King County Health Department is issued, the applicant may be licensed in accordance with the provisions of this chapter. (Ord. 1120 § 32, 1972).

6.64.320 Fingerprints and photographs to accompany application. Each application for a for-hire driver's license shall be accompanied by a complete set of fingerprints of the applicants, and also by three recent duplicate photographs of the applicant of the size to be determined by the director. One photograph shall be retained in the records of the business license section and the second attached to the license in such manner that it cannot be removed and another photograph substituted therefor without detection; the third photograph together with the name, address and license number shall be prominently displayed inside the taxicab so as to be readily discernible to any passenger. (Ord. 1888 Art. V § 63, 1974; Ord. 1120 § 33, 1972).

6.64.330 Investigation of applicants for driver's licenses. When an application for a for-hire driver's license, duly signed and sworn to and accompanied by the required certificate of the Seattle-King County Health Department has been received by the director, he shall investigate the statements contained therein, and may obtain such other information concerning the applicant's character, integrity, personal habits, past conduct and general qualifications as will show the applicant's ability and skill as a driver of a motor vehicle for hire, and his honesty, integrity and character for the purpose of determining whether the applicant is a suitable person to drive a motor vehicle for hire. All applications for for-hire driver's licenses shall become null and void after sixty days from date of filing, if the applicant for any reason fails or neglects to obtain a license. (Ord. 1888 Art. V § 64, 1974; Ord. 1120 § 34, 1972).

6.64.340 Temporary permit. Upon application for a for-hire driver's license, the director may issue a temporary for-hire driver's permit which shall entitle the applicant to operate a taxicab or other for-hire vehicle pending final action upon his application for a period not to exceed forty-five days; provided, that any such temporary permit may be revoked for falsification of information on the application. Such temporary permit shall not be transferable or assignable and shall be valid only with the taxicab or for-hire vehicle company to which it was originally issued. Whenever the holder of such a temporary permit leaves the original employment, the employer shall notify the director within five days. (Ord. 1120 § 35, 1972).

6.64.350 Issuance of for-hire driver's license. 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 a motor vehicle for hire under the provisions of this chapter, he shall issue him a for-hire driver's license which will entitle him to drive and operate a motor vehicle for hire within King County. (Ord. 1120 § 36, 1972).

6.64.360 Expiration and renewals of for-hire driver's licenses. All for-hire driver's licenses shall expire one year from the day the license was granted and must be renewed within ten days from the date of expiration, except as otherwise provided in this chapter. Applications for renewal shall be made to the director and shall contain such information as he may deem necessary, whereupon he may renew the license for a period of one year; provided, however, that in the event it appears that the licensee has become physically or mentally incapacitated to a degree so as to make the driving of an automobile or other motor vehicle by the licensee a danger to the public, that the director may require the licensee to be re-examined by a licensed physician and procure from that physician a satisfactory certificate before such for-hire driver's license may be renewed. (Ord. 2914 § 11, 1976; Ord. 1888 Art. V § 65, 1974; Ord. 1120 § 37, 1972).

TAXIS - BUSINESSES AND DRIVERS

6.64.370 - 6.64.420

6.64.370 For-hire driver's license fee. The fee for a for-hire driver's license shall be as follows: For each license, thirty dollars. (Ord. 6887 § 13, 1984; Ord. 5799 § 9, 1981; Ord. 2914 § 12, 1976; Ord. 1888 Art. V § 66, 1974; Ord. 1120 § 38, 1972).

6.64.380 Damaged or worn-out for-hire driver's licenses to be replaced. When the license is worn out, damaged or otherwise unfit for use, the director may require the license to be replaced in the same form as the original license, at the expense of the licensee. (Ord. 1120 § 39, 1972).

6.64.390 Identification of drivers. Every for-hire driver shall wear or display a badge of identification or sign, plaque, or card, the size, form, content and placement to be determined and approved by the director, and such badge, sign, plaque, or card shall be worn by such for-hire driver or placed in the taxicab or for-hire vehicle at all times while he/she is operating such taxicab or for-hire vehicle.

The for-hire driver's license shall at all times be carried on the person of the licensee; and shall on request be exhibited by the licensee to any passenger or to any police officer or other enforcement officer. (Ord. 6887 § 14, 1984; Ord. 1120 § 40, 1972).

6.64.400 Renewal of license, registration or permit - Late penalty. A late penalty shall be charged on all applications for renewal of a license, registration or permit received later than ten working days after the expiration date of such license, registration or permit as set forth in the respective resolution or ordinance establishing the expiration date of such license, registration or permit. The amount of such penalty is fixed as follows:

For a license, registration or permit requiring a fee of fifty cents or more, but less than fifty dollars, twenty percent of the required fee;

For a license, registration or permit requiring a fee of fifty dollars or more, but less than one thousand dollars, ten percent of the required fee;

For a license, registration or permit requiring a fee of one thousand dollars or more, five percent of the required fee. (Ord. 1888 Art. IV § 3, 1974).

6.64.410 Violations and penalties. Any person violating or failing to comply with any of the provisions of this chapter is guilty of a misdemeanor and upon conviction thereof shall be punished by a fine in any sum not exceeding two hundred fifty dollars or by imprisonment in the county jail for a period not exceeding ninety days. (Ord. 1120 § 45, 1972).

6.64.420 Civil penalty. In addition to or as an alternative to any other penalty provided herein or by law any person who violates any provision of any business license ordinance shall be subject to a civil penalty in an amount not to exceed two hundred fifty dollars per violation to be directly assessed by the director. The director, in a reasonable manner, may vary the amount of the penalty assessed to consider the appropriateness of the penalty to 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. All civil penalties assessed will be enforced and collected in accordance with the procedure specified under this title. (Ord. 1888 Art. IV § 1, 1974).

6.64.430 Additional enforcement. Notwithstanding the existence or use of any other remedy, the director may seek legal or equitable relief to enjoin any acts or practices which constitute or will constitute a violation of any business license ordinance or other regulations herein adopted. (Ord. 1888 Art. IV § 2, 1974).

6.64.440 Scope of authority. Unless otherwise specifically stated, binding provisions shall apply to all licensees operating in the unincorporated areas of King County and other jurisdictions or public agencies authorized to contract for services with King County under the authorities provided in the Interlocal Agreement Act, RCW 39.34, as amended; provided, that should provisions herein conflict with those contained in any such interlocal agreement, the interlocal agreement shall supersede in all cases. (Ord. 4232 § 9, 1979).

6.64.450 Sufficiency of need for service required as license issuance criteria, for one year from effective date. For one year from the effective date of the ordinance codified in this chapter any applicant for a taxicab or for-hire license, other than those vehicles currently licensed, shall continue to be required to show that there is a bona fide need for taxicab or for-hire service in the unincorporated area of King County. The deletion of this requirement in Section 6.64.020 B. is therefor delayed one year from the effective date of the ordinance codified in this chapter, provided that current license holders shall upon renewal of said licenses pay the fee of sixty dollars per taxicab vehicle licensed and one hundred dollars per for-hire vehicle licensed, regardless of whether the prior license was a regular taxicab license or a reciprocal taxicab license. (Ord. 4232 § 10, 1979).

6.64.460 Review by county council before termination of effective date. The King County council shall review the ordinance codified in this chapter no later than one year after its effective date to consider and act upon any proposed amendments. (Ord. 4232 § 11, 1979).

6.64.470 Moratorium. The King County council finds and declares that privately operated taxicab transportation service is a vital part of the transportation system of King county and provides demand-responsive services to county residents and the traveling public. Consequently, the safety, reliability and economic viability of privately operated taxi transportation is a matter of county concern and regulation of such transportation is an essential governmental function.

In order to protect the public health, welfare and safety of the citizens of King County and the traveling public and in order to assure a viable taxi transportation system in King County, the King County council finds that it is necessary and in the public interest to declare a moratorium on the issuance of taxicab vehicle licenses for a period of twelve months from the effective date of this chapter. (Ord. 6887 § 16, 1984).

6.64.480 Transfer of permit. Transference (sale) of a permit to any other person is authorized and nothing herein shall prevent the holder of a taxicab permit from leasing the taxicab to another person or persons for use or operation. Application for transfer of a permit to another person shall state the name of the transferee, and the trade name and color scheme under which the vehicle will be operated. The transferee shall comply with all requirements of this chapter.

TAXIS - BUSINESSES AND DRIVERS

6.64.480 - 6.64.500

The owner of a taxicab vehicle license may transfer a permit to any other motor vehicle with the approval of the director. Any taxicab vehicle permit not in actual use for a period of ninety (90) days shall, at the discretion of the director, be considered abandoned and non-renewable or transferable. (Ord. 6887 § 17, 1984).

6.64.490 Driving record. Each applicant for a for-hire driver's license shall provide a current certified copy of his/her employment driving record, obtained from the Washington State Department of Licensing; provided that, if an applicant does not have an employment driving record which has been current for at least two years prior to application for a for-hire driver's license, the applicant shall provide a current certified copy of his/her personal driving record, obtained from the Washington State Department of Licensing. (Ord. 6887 § 18, 1984).

6.64.500 Passenger complaints process.

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

1. Issue a Notice of Complaint to the for-hire driver and vehicle owner, and company, if applicable, advising such person of the allegation(s) made in the complaint;

2. Require the for-hire driver, vehicle owner, and company if applicable, to respond, in writing, to the allegation(s) in the Notice of Complaint within ten days of receipt of the Notice of Complaint;

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

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 Notice and Order pursuant to the process described in K.C.C. 6.01.130.

B. Failure to respond, in writing, to a Notice of Complaint within ten days shall constitute a waiver of the for-hire driver's, vehicle owner's, and 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.

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. (Ord. 6887 § 19, 1984).