



AGENDA MEMORANDUM

First Reading Ordinance for the City Council Meeting of February 9, 2016
Second Reading Ordinance for the City Council Meeting of February 16, 2016

DATE: January 25, 2015

TO: Ronald L. Olson, City Manager

FROM: Miles Risley, City Attorney;
MilesR@cctexas.com
826-3361

Mike Markle, Chief of Police
MikeMa@cctexas.com
886-2601

Tom Tagliabue, Director of Intergovernmental Relations
TomTag@cctexas.com
826-3850

Ordinance to clarify the definition of taxicab to include
Transportation Network companies

CAPTION:

Ordinance amending Chapter 57, Section 57-20 of the Corpus Christi Code of Ordinance to clarify the definition of "taxicab" to specify that drivers for transportation network companies are subject to the City's taxicab regulations; and providing for severance, publication, penalty, and effective date.

PURPOSE:

This proposed ordinance specifies that drivers for transportation network companies are subject to the City's taxicab regulations

BACKGROUND AND FINDINGS:

Members of City Council have requested an ordinance to clarify the applicability of the City's vehicle for hire ordinance as it applies to Transportation Network Company (TNC) vehicles.

The Corpus Christi Code of Ordinance, Chapter 57 governs vehicles for hire including taxis. The City has historically interpreted the vehicle for hire ordinance to apply to vehicles operating for a transportation network company.

Effective January 1st, 2016, Chapter 1954 of the Texas Insurance Code became effective. *Chapter 1954 Insurance for Network Transportation Company Drivers* requires either the TNC or the TNC driver get additional liability insurance to operate. This statute specifies that insurance provisions for TNC's do not apply to taxicabs. Uber is using this distinction to argue that TNC's are not taxicabs. This is merely an insurance requirement, not preemption of the City's taxicab regulation. Additionally, Texas Local government Code §215.073 grants Home Rule City's the authority to regulate vehicles for hire. Nonetheless, this classification could be useful in persuading Uber to comply with the City's taxi regulations.

ALTERNATIVES:

None

OTHER CONSIDERATIONS:

None

CONFORMITY TO CITY POLICY:

Conforms to all city policies.

EMERGENCY / NON-EMERGENCY:

Non-emergency

DEPARTMENTAL CLEARANCES:

Legal.

FINANCIAL IMPACT:

☐ Operating ☐ Revenue ☐ Capital ☒ Not applicable

Fiscal Year: 2015-2016	Project to Date Expenditures (CIP only)	Current Year	Future Years	TOTALS	
Line Item Budget					
Encumbered / Expended Amount					
This item					
BALANCE					

Fund(s):

Comments:**RECOMMENDATION:**

Staff recommends adoption of the ordinance to clarify the vehicle for hire ordinance.

LIST OF SUPPORTING DOCUMENTS:

Ordinance