

Ordinance

Amending Chapter 57, Article II “TAXICABS” of the Corpus Christi Code; Amending Chapter 57, Article IIIA “LIMOUSINE AND SIGHTSEEING SERVICE” of the Corpus Christi Code; amending Sec. 57-284. - Transportation network company permit fee and Sec. 57-294. - Transportation network vehicles—Inspections of the Corpus Christi Code; providing an effective date, severance, penalty, and publication.

SECTION 1. Chapter 57, Article II “TAXICABS” is revised to read as follows:

ARTICLE II. - TAXICABS

DIVISION 1. - GENERALLY

Sec. 57-20. - Definitions.

The following terms, as used in this article, article III, and article IIIA, shall have the meanings respectively ascribed to them:

Business days: The official working days of the City of Corpus Christi not including weekends or public holidays.

Certificate: A certificate authorizing taxicab or vehicle for hire service in the City of Corpus Christi issued pursuant to this article.

Driver or chauffeur: Shall be held to include every person in actual charge of the operation of a taxicab or vehicle for hire, whether he is the owner or is an agent, servant or employee of the owner.

For hire: For money or other thing of value, gratuities, tips and free-will offerings, whether paid directly or indirectly, as compensation or consideration for services rendered.

Mobile data terminal or MDT: A computerized GPS dispatch system terminal that is mounted in the vehicle to allow for dispatching of taxicabs.

Owner: Any person, firm, corporation, association, partnership or society who holds a valid and current certificate and who has the control, direction, maintenance and the benefit of the collection of revenue derived from the operation of one (1) or more taxicabs on or over the streets or public ways of the city, whether as owner or otherwise.

Taxicab: Every automobile or motor-propelled vehicle used for the transportation of passengers for hire over the public streets of the city and not over a defined or fixed route, irrespective of whether or not the operations extend beyond the city limits, at rates for distance traveled, for waiting time, for both or at rates per hour, per day, per week or per month under circumstances that such vehicle is routed under the direction of the passenger hiring same. The term “taxicab” does not include Transportation Network

Vehicles or Limousines. The term "taxicab" does not include driverless vehicles nor does it include vehicles operated exclusively under any special certificate carrying to or from any municipal airport of the city to any point within the city or through any part of the city, but the provisions relating to drivers shall apply to all vehicles operated under special certificate, as well as other vehicles included herein, when a driver is furnished.

Taxicab stand: A public place alongside the curb or curblin of a street which has been designated by the city traffic engineer as reserved exclusively for the use of taxicabs in accordance with the provisions of this article and the traffic ordinances of the city.

Taximeter: A machine adapted automatically to calculate at a predetermined rate and to register the charge for hire of a taxicab, and such charges shall be indicated numerically.

Vehicle for hire: Shall mean every chauffeured vehicle, other than mass transit vehicles or vehicles involved in an organized car pool not available to the general public, which operated for any fare or compensation and used for the transportation of passengers over city streets. Such vehicles shall include but not be limited to taxicabs, buses, vans, motor coaches, limousines, classic vehicles, luxury vehicles, horse-drawn carriages and pedicabs.

Waiting time: Such time as may be consumed or lost at the special instance and request of a passenger after such passenger has first entered the taxicab to make a trip and before reaching his final destination; and no charge shall be made against a passenger for any time lost on account of any other delay whatsoever.

Sec. 57-21. - Enforcement and administration—Generally.

Enforcement and administration of the provisions of this article and the supplemental regulations for taxicabs at the Corpus Christi International Airport shall be a function of such officers and employees of the city as may be designated by the city manager. The designated employees shall exercise powers and promulgate rules necessary to enforce the provisions of this article.

Sec. 57-22. - Same—Police assistance.

The taxicab inspector and such other employees as are designated by the city manager or his designee may call upon the police department of the city for cooperation in enforcing the provisions of this article, and it shall be the duty of the chief of police to direct the members of the police department to give such cooperative action as requested, and it shall further be the duty of all police officers of the city to make investigations of violations of this article and to make arrests for violations of this article committed in their presence in the same manner as for violations of the traffic ordinances of the city.

Sec. 57-23. - Taxicab inspector—Appointment.

Taxicabs and vehicles for hire shall be under the supervision of the taxicab inspector of the city, who shall be appointed with the approval of the city manager.

Sec. 57-24. - Same—Duties generally.

It shall be the duty of the taxicab inspector to receive all applications for certificates to operate taxicabs and vehicles for hire and to receive all other applications under this article, conduct hearings thereon, from time to time inspect the operations of taxicabs and vehicles for hire; inspect the taxicab and vehicles for hire vehicles within the city; enforcement of city ordinances and such other duties as may be required of him in connection with the taxicab and vehicle for hire operations.

Sec. 57-25. - Same—Records and reports; action to suspend or revoke privilege; records and reports by others.

The taxicab inspector shall establish, maintain and keep a system of records showing whether the holder of any certificate to operate a taxicab or vehicle for hire in the city has been guilty of a breach of any condition of such certificate or has failed to comply in any material manner with the terms and stipulations thereof, and the taxicab inspector shall take action when, in his opinion, the certificate of any such operator should be suspended or revoked or penalties imposed on the holder under all the facts and circumstances reflected by the records.

The records to be kept by the taxicab inspector as to performance of certificate holders shall include, but without limitation, records of charges, convictions, reprimands, warnings, and observations of officers and employees of the city concerning the performance of any certificate holder or employee of such holder.

Sec. 57-26. - Certificate holder and driver to comply.

- (a) Certificate holder. In the operation of a taxicab or vehicle for hire service, a holder shall comply with the terms and conditions of this article and regulations established under this article and be responsible for all vehicles authorized to operate under the holder's certificate.
- (b) Driver. While on duty, all drivers shall comply with this article, regulations established under this article, other law applicable to the operation of a motor vehicle in this state,

and orders issued by the holder employing or contracting with the driver in connection with the holder's lawful discharge of his duty under this article.

Sec. 57-27. - Certificate holder's duty to enforce compliance by drivers.

- (a) A holder of a valid and current certificate shall establish policy and take action to discourage, prevent, or correct violations of this chapter by drivers, who are employed by or contracting with the holder.
- (b) A holder shall not permit a driver who is employed by or contracting with the holder to drive a taxicab or vehicle for hire if the holder knows or has reasonable cause to know that the driver has failed to comply with the rules and regulations established by this article.
- (c) Any failure to comply with regulations established under this article shall be cause for suspension or revocation of the certificate authorizing the holder to operate a taxicab or vehicle for hire service within the city.

~~Sec. 57-28. - Contract driver.~~

- ~~(a) Certificate holders may contract with a driver, but only if the contract:~~
 - ~~(1) Provides that the certificate holder, taxicab owner, vehicle for hire owner and any taxicab or vehicle for hire driver shall indemnify the city and hold the city harmless for all claims or causes of action against the city arising from the conduct of the driver, operation of business, condition or operation of vehicle or claims arising under the contract; and~~
 - ~~(2) Provides that any taxicab operated pursuant to such contract be properly licensed, be in good working order and be equipped with a two-way communication system, taximeter, top light or flag indicating occupancy; and~~
 - ~~(3) Provides that the driver agrees to operate the taxicab or vehicle for hire and conduct himself in compliance with the Code of Ordinances of the City of Corpus Christi included but not limited to Article II, Taxicabs; Division 4, Vehicles; Division 5, Drivers; Division 6, Taximeters, Fares; and~~
 - ~~(4) Provides that failure to comply with any requirements of the City Code by the driver will constitute a breach of contract with the certificate holder.~~
- ~~(b) The contract between a holder and driver must be consistent with regulations established under this chapter. The certificate holder must provide contracts upon request from the city. Any certificate holder who enters a contract inconsistent with regulations established under this chapter is subject to suspension or revocation.~~

Sec. 57-29 28. - Suspension and revocation of certificate.

Any certificate may be either suspended for any period of time not to exceed six (6) months or revoked by the taxicab inspector.

- (1) The taxicab inspector shall suspend or revoke a certificate if it is determined that the holder has:
 - a. Failed to comply with a correction order issued to the holder by the taxicab inspector or his designee, within the time specified in the order; or
 - b. Intentionally or knowingly impeded the city manager or his designee, the taxicab inspector or a law enforcement agency in the performance of their duties; or
 - c. Failed to comply with the requirements established in this article in any way; or
 - d. Been convicted for violation of another city, state or federal law, which violation reflects unfavorably on the fitness of the holder to perform a public transportation service; or
 - e. Substantially breached the terms of the certificate; or
 - f. Failed to pay city ad valorem taxes, when due, on all vehicles and other equipment used in connection with the taxicab service; or
 - g. Failed to pay the ~~street-use~~ Certificate of operation fee at the time it is due.
- (2) Every suspension or revocation of the certificate shall be in writing, dated and shall state the reason for such suspension or revocation. Such notice shall immediately be sent to the holder of such certificate. Such order of suspension or revocation shall be effective as of the date of such notice; provided, however, that the holder whose certificate has been suspended or revoked may within five (5) business days after the date of such notice appeal to the city manager or his designee for reinstatement by a request in writing for such relief. The city manager or his designee shall set a date not later than fifteen (15) business days following receipt of the notice of appeal for hearing and after such hearing sustain or reverse the suspension or revocation. If no appeal is taken within the time and by the method hereby provided, then the order of suspension or revocation by the taxicab inspector shall be final.
- (3) A suspension of a certificate shall not affect the expiration date of the certificate.
- (4) Upon revocation of a certificate, said holder shall be ineligible for a new certificate for a period of two (2) years.
- (5) Reinstatement. After suspension of a permit, a holder may file with the city manager or his designee a written request for reinstatement. The taxicab inspector shall inspect the operation of the suspended holder to determine if the deficiency causing the suspension has been corrected by the holder. After inspection, the taxicab inspector shall submit his recommendation together with

supporting facts to the city manager. The city manager or his designee may as he determines appropriate, reinstate the certificate or deny reinstatement.

Sec. 57-29. - Reserved.

DIVISION 2. - CERTIFICATE, FEES, BUSINESS REGULATIONS

Sec. 57-30. - Certificate, license and permit required.

It shall be unlawful for any person to drive or operate or to cause to be driven or operated any taxicab upon or over any street or thoroughfare in the city unless the owner or operator thereof has first secured a certificate from the city to operate a taxicab and the required license and permit to operate such vehicle under this article has been issued.

Sec. 57-31. - Certificate application—Requisites, filing.

Every person proposing to operate a taxicab service in the city shall make application in writing on forms provided by the city requesting a certificate pursuant to the terms of this article for such proposed taxicab service.

Such application for certificate to operate a taxicab service shall be verified under oath and shall be filed in triplicate ~~and accompanied by a nonrefundable filing fee of two hundred fifty dollars (\$250.00) to cover administrative costs and the costs of publication of notices as required in this article.~~

Sec. 57-32. - Same—Information to be given.

Every application for a certificate under this article shall include the following information:

- (1) The name and address of the applicant.
- (2) A sworn statement by the applicant (which term shall include every person with a ten (10) per cent or greater ownership interest in the applicant) that there does not exist any unsatisfied final judgment against the applicant or any entity in which the applicant has or, at the time of judgment, had a ten (10) per cent or greater ownership interest, which judgment arose out of the operation of a taxicab business.

- (3) Experience of the applicant in the transportation of passengers.
- (4) Whether the applicant has been convicted of criminal offenses listed by the city manager or his designee as reflecting unfitness to operate a public transportation service.
- (5) The minimum and maximum number of taxicabs proposed to be operated by the applicant. ~~The minimum number of taxicabs placed into service at the time of issuance of a certificate shall be at least one (1).~~
- (6) Location of proposed base of operations ~~within the Corpus Christi city limits and in a location other than a dwelling.~~
- (7) The ~~color scheme and~~ insignia to be used to designate the vehicles of the applicant, which shall be distinct and unique from any other taxi company currently operating.
- (8) The model year, make current license number, and vehicle identification number of each taxicab the applicant expects to use in its operation.
- (9) Proof that he has in effect required insurance covering operations under the certificate.
- (10) The public telephone number to be used by the public to request service.
- (11) A description of the dispatch system to communicate requests from prospective passengers to the taxicab driver.
- ~~(12) Payment in advance for taxicab use fee for the initial three-month period under section 57-36.~~

Sec. 57-33. - Same—Consideration of application or reapplication.

When application for a certificate has been made, the city manager or his designee shall determine if the applicant has complied with the provisions of this article.

The matter of determining whether the applicant has complied with the provisions of this article may be referred to the taxicab inspector for his advisory finding on such matter, and the taxicab inspector is authorized to hold such hearings as will give all interested parties an opportunity to present evidence on the question.

~~Sec. 57-34. - Reserved.~~

Sec. 57-~~35~~34. - Same—Issuance.

If it is determined from the investigation and hearing that the applicant has complied with the provisions of this article, a recommendation shall be made to the city manager or his designee that a certificate to operate taxicab service in the city be granted for a

term ~~not to exceed five (5) of 1~~ years from the date of issuance specifying the maximum number of taxicab vehicles which may be operated by the certificate holder during the ~~five-1~~ year term. The applicant shall be notified of such recommendation.

Certificates granted prior to July 1, 2016 shall remain in effect until the expiration of the certificate or renewal.

~~Sec. 57-36. -- Taxicab street use fee.~~

- ~~(a) Each owner holding a certificate to operate a taxicab upon the streets within the city shall pay the city each three-month period as a taxicab street use fee an amount equal to one hundred dollars (\$100.00) times the maximum number of vehicles authorized by a current and valid certificate. For the purpose of calculating the taxicab street use fee, the maximum number of vehicles shall be no lower than five (5).~~
- ~~(b) Notwithstanding the provisions of section 57-35 a certificate holder may, upon written request to the city manager or his designee, apply to increase or decrease prospectively the maximum number of vehicles authorized to be operated during the following consecutive twelve-month period of the remaining term of the current certificate.~~
- ~~(c) The number of vehicles in service by a certificate holder shall not exceed the maximum number of vehicles authorized to be operated under such certificate.~~
- ~~(d) The annual street use fee shall be paid in four (4) payments as follows: on or after January 1 and before January 10; on or after April 1 and before April 10; on or after July 1 and before July 10; on or after October 1 and before October 10. A twenty (20) per cent late fee shall be applied to any street use fee submitted past the established deadlines.~~
- ~~(e) If the holder of the certificate shall fail to comply with any requirement herein or shall willfully file any false statements, the same shall be cause for a suspension or revocation of the certificate authorizing the holder to operate a taxicab service within the city.~~

Sec 57-35 - Certificate of operation fee

- (a) Applicant shall elect the fee imposed for a Certificate issued pursuant to this article at the time of application or renewal. The fee imposed for a Certificate issued shall be in an amount equal to 2% of the annual gross receipts for the operation of each taxi operated in the City for the Certificate holder or based on the number of authorized taxis operating in the City for each quarter as shown below:

- (i) \$400 quarterly for four or fewer taxis

- (ii) \$800 quarterly for five to eight taxis.
 - (iii) \$1,200 quarterly for nine to twelve taxis
 - (iv) \$1,600 quarterly for thirteen to sixteen taxis.
 - (v) \$2,000 quarterly for seventeen to twenty taxis
 - (vi) \$2,400 quarterly for twenty-one to twenty-four taxis
 - (vii) \$2,800 quarterly for twenty-five to twenty-eight taxis
 - (viii) \$3,200 quarterly for twenty-nine to thirty-two taxis
 - (ix) \$3,600 quarterly for thirty-three or more taxis
- (b) The Certificate of operation fee shall be paid quarterly as follows: on or after January 1 and before January 10; on or after April 1 and before April 10; on or after July 1 and before July 10; on or after October 1 and before October 10.
- (c) (1) 2% of Annual Gross Receipts -The initial payment for a fee based on 2% of Annual Gross Receipts shall cover the period beginning from the date the certificate was issued to the Certificate holder. Upon the submission of each quarterly payment, the Certificate holder shall file with the taxicab inspector a financial report itemizing the components of the Certificate holder's gross receipts for the payment period. All Certificate holders shall utilize any forms promulgated by the taxicab inspector for the submission of the required financial reports and shall submit the financial reports in accordance with any instructions, rules, or regulations promulgated by the taxicab inspector.
- (2) Number of Authorized Taxis - The initial payment for a fee based on the number of authorized taxis shall be prorated to cover the period beginning from the date the certificate was issued to the certificate holder.
- (d) Upon 10 days' notice to the certificate holder, the taxicab inspector shall have the right to inspect the certificate holder 's records the taxicab inspector deems necessary and appropriate to determine that the certificate holder is in compliance with the requirements of this section.
- (e) A certificate holder may, upon written request to the Taxi Inspector, apply to increase or decrease the maximum number of vehicles authorized to be operated during the remaining term of the current certificate.
- (f) If the holder of the certificate shall fail to comply with any requirement herein or shall willfully file any false statements, the same shall be cause for a suspension

or revocation of the certificate authorizing the holder to operate a taxicab service within the city.

(g) The fees established in this section shall be payable in addition to any other applicable fees imposed by this Code or other ordinances of the city.

(h) Certificates holders with a current certificate issued prior to July 1, 2016 may elect to pay the city each three-month period as a certificate of operation fee an amount equal to one hundred dollars (\$100.00) times the maximum number of vehicles authorized by a current and valid certificate. For the purpose of calculating the certificate of operation fee, the maximum number of vehicles shall be no lower than five (5).

Sec. 57-~~37~~36. - Payment of taxes, fees, etc.

It shall be the duty of every owner of any taxicab operated within the city to render for and pay all ad valorem taxes to the city for all vehicles and other equipment used in such business, and a failure to render for and to pay such ad valorem taxes to the city, ~~twenty (20) per cent late fee when paid after the tenth day of each quarter~~ or failure to pay any other fees, licenses or charges to the city before they become delinquent shall, if not paid after written notice of default, operate as a revocation of any certificate, license or permit authorizing the operation of taxicabs over the public streets, alleys and ways of the city.

Sec. 57-~~38~~37. - Report as to drivers in charge of particular taxicabs.

The owner of any taxicab used in the business of carrying passengers for hire upon the streets of the city and which is licensed to carry on such business shall, upon request of the taxicab inspector, report the drivers who are in charge of the particular cars at a specified time.

Sec. 57-~~39~~38. - Records in connection with calls.

Every holder of a certificate and owner or operator of a taxicab shall keep accurate records relating to calls received and services performed, the time of such calls or services, the name of the driver performing the service or making the service call, the place of such call and the time of return from such call; and access to such records shall be given to the taxicab inspector or the chief of police; and every refusal to give such records or furnish information kept regarding such matters shall be and is hereby made a misdemeanor and may additionally result in a suspension or revocation of certificate.

Sec. 57-~~4039~~. - Responsibility of each person in engaging a taxicab or vehicle for hire.

By taking any action in connection with this article II, article III and article IIIA on taxicabs or any vehicle for hire (including, but not limited to, inspections, investigations, administration, enforcement, recordkeeping, and the granting, suspension and revocation of certificates, licenses, and permits), the city and its agents and employees do not in any way represent or undertake to represent the fitness of any taxicab, driver, or aspect of the taxicab business, and it shall be the sole responsibility of each person to decide whether to engage or use a taxicab or vehicle for hire without relying on any action of the city.

Secs. 57-~~4140~~—57-55. - Reserved.

DIVISION 3. - FINANCIAL RESPONSIBILITY

Sec. 57-56. - Liability insurance—Generally.

Before any license or permit shall be issued to any owner or operator of a taxicab or before any renewal of a license or permit shall be granted, the owner or operator shall be required to file a certificate of insurance with the taxicab inspector and thereafter keep in full force and effect a policy of auto liability insurance with a company duly authorized to do business in the State of Texas and performable in the county, insuring the public against any loss or damage that may result to any person or property from the operation of such vehicle; provided, that the maximum amount of recovery in such policy of insurance specified shall not, for each vehicle, be less than fifty thousand dollars (\$50,000.00) for injury or death of one (1) person and one hundred thousand dollars (\$100,000.00) for injuries or deaths in any one (1) occurrence; and not less than twenty-five thousand dollars (\$25,000.00) for injury to or destruction of property in any one occurrence; Each insurance policy shall require notice from the insurer to the city at least ten (10) days before any such policy is to be terminated for any reason by the insurer or by the insured. So as to adequately protect the City of Corpus Christi and its residents, the risk manager shall have the authority to adjust auto liability insurance coverage limits in accordance with section 17-19 of this Code of Ordinances.

Sec. 57-57. - Same—Continuing liability of insurance.

All policies of public liability insurance shall contain a provision for continuing liability thereon up to the full amount thereof, notwithstanding any recovery thereon.

Sec. 57-58. - Nonliability of city for pecuniary responsibility.

Neither the city nor any officer thereof shall be held liable for the pecuniary responsibility or solvency of any certificate holder or insurer or in any manner become liable on account of any act or omission relating to the operation of a taxicab or vehicle for hire.

Secs. 57-59—57-74. - Reserved.

DIVISION 4. - VEHICLES

Sec. 57-75. - License required.

It shall be unlawful for any person to drive or to operate or to cause to be driven or operated any taxicab upon or over any street in the city unless there has been obtained for such taxicab and existing in full force and effect a license duly issued by the taxicab inspector as provided in this division.

~~However, for inspection purposes, an employee of the company may bring the taxicab for inspections to the designated inspection point or for maintenance purposes an employee of the company may drive a taxi on city streets with the off duty sign on the dashboard.~~

Sec. 57-76. - Prerequisites to issuance of license.

Upon obtaining a certificate to operate a taxicab service in the city as provided in this article, the holder shall make application to the taxicab inspector for a license to be issued for each vehicle to be operated as a taxicab. ~~The application shall be accompanied by an inspection fee of fifteen dollars (\$15.00) per vehicle to be licensed.~~ Prior to the issuance of a license for a taxicab, ~~the taxicab inspector shall conduct an inspection of the vehicle to determine~~ certificate holder must provide documentation demonstrating that ~~it~~ the vehicle complies with the requirements of this article and the regulations promulgated pursuant thereto. ~~In the event a vehicle fails to pass this inspection, the certificate holder shall have ten (10) business days to remedy any defects and submit the vehicle for reinspection without the necessity of payment of an additional inspection fee. After the ten (10) business day reinspection period has lapsed, an additional fifteen dollar (\$15.00) inspection fee per vehicle to be licensed will be applied.~~

Sec. 57-77. - Nontransferability of license.

No license issued under the terms of this division shall be transferred to any other vehicle. No license shall be used for the operation of any vehicle under the provisions of this division except for the vehicle for which the license was issued. Each license shall be valid for so long as the vehicle remains in service as a taxicab and complies with the continuing requirements of this division and the regulations promulgated pursuant thereto.

Sec. 57-78. - Posting license.

The license issued for the operation of a taxicab under the terms of this division shall be posted within the taxicab in a conspicuous place.

Sec. 57-79. - Contents of license.

The license shall state the year in which the license is issued and the name of the owner of the vehicle. It shall designate that the vehicle is a "taxicab," shall state the make of the vehicle, the vehicle identification number of the vehicle and current license number of the vehicle and shall further state that the owner or operator of the vehicle has deposited with the city a certificate of insurance providing for the protection of the passengers thereof and of the general public as provided for in this article, and the license shall be signed by the taxicab inspector of the city. Persons desiring to file complaints or comments concerning the operation or condition of a taxicab may refer to the contents of the license to note pertinent information and forward such complaints or comments to the taxicab inspector at the address indicated on the license.

Sec. 57-80. - Inspections—Generally.

~~It shall be the duty of the taxicab inspector to inspect every licensed taxicab or vehicle for hire on an annual basis for the purpose of determining whether such vehicle is safe and in acceptable condition to be operated as a taxicab or vehicle for hire as described in section 57-87. The certificate holder shall submit such vehicle to the taxicab inspector for inspection at the time and place specified by the inspector. An inspection fee of fifteen dollars (\$15.00) per vehicle will paid in advance. If the taxicab inspector finds such vehicle to be in a safe and acceptable condition, an inspection seal designed by the taxicab inspector shall be placed on the vehicle's windshield stating the date and that the vehicle was approved by the inspector. No taxicab shall be operated in the city without the seal of the taxicab inspector indicating current inspection. If the taxicab inspector finds that the taxicab is in a defective condition and is unsafe or unacceptable to be used as a taxicab, he shall remove the inspection seal and order such vehicle not to~~

~~be used as a taxicab until the defect so discovered shall be remedied. After the owner of such vehicle has remedied the defect, he shall again offer the same for inspection, and if the taxicab inspector shall find such vehicle to be safe and acceptable for public use, he shall approve the same as hereinbefore provided. In the event a vehicle fails to pass this initial inspection, the certificate holder shall have ten (10) business days to remedy any defects and submit the vehicle for reinspection without the necessity of payment of an additional inspection fee. After the ten (10) business day reinspection period has lapsed an additional fifteen dollar (\$15.00) inspection fee per vehicle to be licensed will be applied. Nothing contained herein, however, shall prevent the taxicab inspector from inspecting any taxicab at any reasonable time that he sees fit, and he is expressly given power so to do, and upon finding such taxicab to be in a defective, unsafe or unacceptable condition, he shall remove the inspection seal and order its use as a taxicab discontinued until the taxicab is approved and the inspection seal placed on the windshield.~~

(a) A taxi must have a valid State of Texas registration sticker.

(b) An offense under this section shall be punishable by a fine of not less than \$250.00, nor more than the maximum amount established by law, for each violation..

~~Sec. 57-81. - Same—Right of appeal from decision of inspector.~~

~~Should the taxicab inspector find any taxicab or vehicle for hire in a defective condition and order its use as a taxicab or vehicle for hire discontinued, the owner of such taxicab or vehicle for hire shall have the right to appeal to the city manager or his designee within ten (10) business days from the date of such finding and order, and the appeal shall be perfected by letter addressed to the city manager or his designee, stating that an appeal from the ruling and order of the taxicab inspector is desired. Upon receiving such appeal and notice thereof, the city manager or his designate shall within fifteen (15) business days hear such appeal and shall either sustain, modify or reverse the decision of the taxicab inspector. If no appeal is taken from the decision of the taxicab inspector in the time as provided herein, the decision of the taxicab inspector shall be final.~~

Sec. 57-~~82~~81. - Operation of taxicabs.

No taxicab for which a license shall have been issued shall be operated by anyone except a driver properly permitted to operate a taxicab under this article, except for inspection and maintenance ~~purposes as prescribed in section 57-75.~~

Sec. 57-~~83~~82. - Identification on taxicabs.

(a) Every taxicab shall display, as provided by rule, consistent and distinctive signage at all times while being operated as a taxi. The distinctive signage shall be sufficiently large and color contrasted (i) as to be readable at a distance of at least 50 feet, and (ii) to identify a particular vehicle associated with a particular Certificate holder. Acceptable forms of distinctive signage include, but are not limited to, symbols or signs on vehicle doors, roofs, or grilles. Magnetic or other removable distinctive signage is acceptable. Certificate holders shall file an illustration of their distinctive signage with the taxicab inspector for approval.

(b) A taxi shall display a consistent and distinctive emblem at all times while being used to provide vehicle for hire transportation services. The taxicab inspector is authorized to specify, by rule, the manner of display, method of issuance, design and contents of such emblem.

~~-have placed on the front door or panel on each side of the cab the name of the owner or the assumed name under which the owner operates, together with the company's telephone number and the cab number. The number of the cab and the telephone number of the owner shall also be placed upon the rear of any such vehicle. All of the lettering mentioned in this section shall not be less than two and one-half (2½) inches in height and not less than five-sixteenths (stroke with such paint or decalcomania as will weather the elements. Such lettering and paint must be kept legible at all times.~~

Sec. 57-84. - Signal indicating occupancy of taxicab.

~~There shall be affixed on the outside top and front portion of each taxicab an electric light that can be turned on or a flag, signal or other device that may easily be seen by people on the street or sidewalks in the vicinity of such taxicab, and when a passenger engages and enters such taxicab the light shall be turned on or the flag, signal or other device shall be placed in such position as to denote that such taxicab is employed.~~

Sec. 57-85~~83~~3. - Dispatch communication system.

~~(a) After June 31, 2013, each vehicle used as a taxicab shall be equipped with a two-way radio dispatch communications system or a mobile data terminal to enable the driver of the taxicab to receive requests for service from the public using the business telephone number of the taxicab service and to respond or communicate such circumstances which render the taxicab unable to respond to such requests for service. Cell phones are prohibited for the use of receiving request for service from the public. Taking or making cell phone calls or texting is prohibited with a passenger in the vehicle.~~

- ~~(a)-(b)~~ A certificate holder or driver shall not monitor the radio frequency of another holder for the purpose of responding to a call for taxicab service dispatched by the other holder's taxicab service.

Sec. 57-8684. - Taxicab stands—Use relations.

Taxicab stands shall be occupied only by taxicabs having licenses in good standing. Vehicles shall be in numbers in accordance with the number of spaces designated at the respective locations. It shall be the duty of the city to place signs bearing the number of spaces of each taxicab stand. No vehicle other than a licensed taxicab shall be permitted to stop, stand or park for any purpose in any designated and established taxicab stand.

~~Sec. 57-87. - Condition of taxicab and vehicles for hire vehicles.~~

~~All taxicab or vehicle for hire vehicles shall be determined to be in a safe, acceptable condition by the taxicab inspector. The taxicab inspector shall pass a vehicle for inspection when the following minimum standards are met:~~

~~(a) Operational condition:~~

- ~~(1) Shall satisfy all minimum state safety standards including but not limited to a current state inspection sticker, and current fire extinguisher (not applicable to horse-drawn carriages and pedicabs);~~
- ~~(2) Shall be free of excessive visible exhaust, excessive engine noise and readily identified mechanical defects including but not limited to the brake system, transmission system, ignition system, air-conditioning and heating systems (not applicable to horse-drawn carriages and pedicabs).~~

~~(b) Exterior condition:~~

- ~~(1) The body and trim shall be intact, not have excessive dents or bent out of shape. In the event a vehicle is dented and waiting on an insurance claim the vehicle may be driven as long as the claim is pending and the damage does not impeded the safe operation of the vehicle.~~
- ~~(2) The exterior paint shall be free of rust, flaked or scraped areas.~~
- ~~(3) The windshield shall be free of cracked glass.~~

~~(c) Interior condition:~~

- ~~(1) The interior shall be free of dust, dirt, rubbish, and be otherwise clean and sanitary.~~
- ~~(2) The interior paint shall be free of rust, flaked, or scraped areas.~~
- ~~(3) The coverings of floors, overhead liner, seats, head and arm rests shall be repaired of all rips, tears, and worn areas on the cover material.~~

~~(4) The interior trunk shall be clean, sanitary, and free of debris.~~

Sec. 57-~~88~~85. - Age of vehicle.

The certificate holder shall not allow a vehicle in his or her taxicab service to be more than ~~six (6)~~ 7 years old at the time it is placed into service, nor more than ~~ten (10)~~ years old while it is maintained for service. The age of the vehicle shall be calculated from January 1 of the model year of the vehicle.

No vehicles which are more than ~~ten (10)~~ years old, as calculated above, may be used as taxicab vehicle.

Exception~~s~~: (1) No vehicles modified with specialized access equipment to service persons with disabilities which are more than ~~fifteen (15)~~ years old, as calculated above, may be used as taxicab vehicle. Vehicles modified with specialized access equipment to service persons with disabilities which are more than ~~ten (10)~~ years old must pass an annual physical and mechanical inspection at a location to be designated by the taxi inspector. Vehicles modified with specialized access equipment to service persons with disabilities which are more than ~~ten (10)~~ years old must be approved by the taxi inspector.

(2) Vehicles registered as "Classic" which have valid State of Texas registration sticker may be used as taxicab vehicle. Classic vehicles must be approved by the taxi inspector.

Secs. 57-~~89~~86—57-95. - Reserved.

DIVISION 5. - DRIVERS

Sec. 57-96. -~~Taxicab or~~ Vehicle for hire driver's permit required; permit fee.

- (a) Every person desiring to drive a taxicab or vehicle for hire in the city shall apply for and obtain a ~~taxicab or~~ vehicle for hire driver's permit from the taxicab inspector. It shall be unlawful for any person holding a certificate for the operation of a taxicab service in the city to permit any person to drive a taxicab or vehicle for hire unless such person shall have a driver's permit in good standing duly issued by the taxicab inspector, ~~with the exception of inspection purposes under section 57-75.~~
- (b) The fee for an original, renewal or transfer taxicab or vehicle for hire driver's permit is a nonrefundable fifty dollars (\$50.00) and shall be paid at the time the permit

application is filed with the taxicab inspector. The fee for a replacement permit is twenty dollars (\$20.00).

Sec. 57-97. - Application for taxicab or vehicle for hire driver's permit.

(a) To obtain a city taxicab or vehicle for hire driver's permit, each person shall make a sworn written application to the taxicab inspector, which application shall be made upon the form provided and shall contain the following information:

- (1) The name, age and address of applicant.
- (2) The name of the business or person by whom the applicant expects to be or is contracted with.
- (3) The applicant's place of residence for the past five (5) years. Applicant must be a resident of Corpus Christi, Nueces County or the contiguous counties bordering Nueces County for three (3) months.
- (4) A full description of the applicant, including his height, weight, color of eyes and hair, distinguishing body features or marks, a full set of applicant's fingerprints and four (4) current passport photos of applicant. Taxi inspector shall have the authority to determine acceptable photographs.
- (5) Whether applicant has had experience driving a taxicab or vehicle for hire or in a related type of work.
- (6) Whether applicant has ever been convicted of or charged with a felony or misdemeanor and, if so, full information concerning the same. Whether applicant has been convicted of or charged within the past three (3) years of a traffic law violation and, if so, full information concerning the same. The applicant shall execute a release authorizing law enforcement agencies, to the extent lawful, to furnish all his criminal history information record to the taxicab inspector, and authorizing release by the taxicab inspector to the prospective taxicab or vehicle for hire company. The taxicab inspector may establish the reasonable time periods for which different kinds of criminal history information is required to be furnished.

~~(7) A medical report dated not more than thirty (30) days prior to date of application, from a local physician, which certificate shall certify that applicant does not suffer from any disease or disability which would impair his ability to operate a taxicab in a safe manner upon the streets of the city; such medical report shall specifically state the condition of hearing and eyesight of the applicant.~~

~~(8)~~(7) The number and date of issuance of applicant's Texas Class A, B or C license.

~~(9) The most recent date of completion of a certified defensive driving course, not to exceed two (2) years between completion date and application date.~~

~~(b) An applicant may receive a temporary taxicab or vehicle for hire driver's permit that will expire thirty (30) calendar days after the date it is granted while pending~~

~~satisfaction of subsections (a)(7) and (a)(9) above. A temporary permit will only be granted to those applicants whose criminal background checks comport with the requirements found at section 57-98 of this Code.~~

Sec. 57-98. - Decision of taxicab inspector.

- (a) The taxicab inspector shall investigate or cause to be investigated the character, experience, and qualifications of the applicant for a taxicab or vehicle for hire driver's permit in order to determine the applicant's fitness to operate a taxicab or vehicle for hire consistent with the public safety and welfare.
- (b) The taxicab inspector shall determine that all provisions of this division have been complied with, and shall consider whether issuance of a permit would constitute an unreasonable risk to the public safety and welfare.
- (c) The taxicab inspector shall consider whether the applicant has been guilty of a criminal act directly related to the occupation of taxicab or vehicle for hire driver. In determining whether the criminal act directly relates to said occupation, the taxicab inspector shall consider:
 - (1) The nature and seriousness of the crime;
 - (2) The relationship of the crime to the purpose of requiring a taxicab or vehicle for hire driver permit, for example, the following are deemed to have such a relationship because of danger to passengers and the property and potential for criminal activities enhanced by the large number of citizen contacts:
 - a. Theft and other crimes of dishonesty,
 - b. Assaultive crimes,
 - c. Solicitation of prostitution,
 - d. Sexual abuse crimes,
 - e. Crimes of alcohol or drug abuse,
 - f. Traffic offenses;
 - (3) The extent to which the permit might offer an opportunity to engage in further criminal activity of the same type;
 - (4) The extent and nature of the past criminal activity;
 - (5) The age of the applicant when the crime was committed;
 - (6) The amount of time elapsed since the applicant's last criminal activity;
 - (7) The conduct and work activity of the person prior to and following the criminal activity;
 - (8) Evidence of rehabilitation efforts;

- (9) Other evidence of personal fitness submitted by the applicant such as recommendations from prosecution, law enforcement, correctional officers.
- (10) Taxicab inspector may take into consideration previously documented complaints against a current driver seeking renewal or transfer of driver's permit and any arrests, charges or convictions of violations of the taxicab code under chapter 57 of the Municipal Code or the supplemental regulations for taxicabs at the Corpus Christi International Airport for any applicant seeking new, renewal or transfer of permit.
- (d) Upon receipt of a release executed by the applicant, the police department shall furnish to the taxicab inspector all the applicant's criminal history information records lawfully available to the department for licensing purposes. Said information shall be kept completely confidential by the taxicab inspector, except to the extent lawful, it may be provided to the applicant upon his request, it may be introduced in evidence in a proceeding in which the applicant contests denial of a permit, and it may be shown to the prospective taxicab or vehicle for hire company in accordance with the applicant's release. Such information shall be used by the taxicab inspector for the sole purpose of determining the applicant's fitness.
- (e) It is the duty of every certificate holder to screen its drivers. While it is the intent of the city in its permitting process to provide protection to the public generally by exercise of police power, such exercise shall not relieve a certificate holder from its duty to determine the fitness of its drivers, and no certificate holder shall rely on the city taxicab driver's permit to excuse it from said duty. The continued contracted driver relationship by a certificate holder of, or contractual agreement with, any person as a driver whose record as a criminal or as a driver of motor vehicles as reflected by official court and police department records shows a lack of mental, emotional or temperamental capacity to be a safe and reliable driver will be taken into consideration by the city when requested to grant or renew a certificate.

Sec. 57-99. -- City's geography test required.

~~The taxicab inspector shall require a written geography test of each applicant for a taxicab driver's permit covering knowledge of city streets, buildings, etc., to be composed by and at the discretion of the taxicab inspector. Until such applicant is duly qualified in his knowledge of city geography, the taxicab inspector shall not grant a city taxicab driver's permit to such applicant.~~

Sec. 57-~~100~~99. - Identification cards.

After the applicant has complied with all requirements of the provisions of this article and a permit has been issued, he shall receive ~~two (2)~~ 1 identification cards, ~~one (1) of~~

which shall contain the full view photograph of the applicant, and police identification number, ~~and further, such card shall read:~~

~~"TO THE PASSENGER OF THIS CAB: If the description of the driver of this cab does not conform to the photograph hereon, you will please leave the cab and notify the department of police immediately, giving the number of cab and the operating name of the company."~~

The identification card will be posted in full view in the passenger compartment of the taxicab which the applicant may be operating, ~~and each taxicab in operation within the city under the provisions of this article will be required to purchase a container to receive this card, which container will be permanently attached to each taxicab. or~~

~~In addition to the card required for the taxicab, a driver's permit in card size will be issued which shall contain the photograph, full description, business name and address and police identification number of the applicant. Such card shall be carried or worn with a clip on the person of the applicant and presented for identification purposes on demand of any passenger, the taxicab inspector or any police officer of the city.~~

Sec. 57-~~101~~100. - Appeal from issuance or denial of taxicab or vehicle for hire driver's permit.

After the taxicab inspector has made his decision, either the applicant for the driver's permit or any citizen of the city shall have the right to appeal to the city manager or his designee within ten (10) business days, which appeal shall be perfected by delivering, in writing, a statement that an appeal from the decision of the taxicab inspector is desired. The city manager or his designate will then, within a period of not more than fifteen (15) business days after receiving such notice of appeal, grant a hearing thereon and after the hearing of the appeal the city manager or his designee shall, within a period of five (5) business days, sustain or reverse the decision of the taxicab inspector. If no appeal is taken from the findings made by the taxicab inspector within the time provided above, the decision of the taxicab inspector shall be final.

Sec. 57-~~102~~101. - Driver registration files.

A registration file shall be kept and maintained on each person to whom a driver's permit has been issued. The file shall contain all information furnished by the applicant under this division and all other facts and data supplied by investigation, including without limitation fingerprints, personal history, police or criminal record, character, experience, qualifications and such other matters considered consistent with and pertinent to a showing whether the driver is fit to operate a taxicab or vehicle for hire within the city in a manner consistent with the welfare of the citizens.

The file of any taxicab or vehicle for hire driver may be inspected at the office of the taxicab inspector by such driver at all reasonable times and may be examined by any holder of a taxicab certificate upon showing that the driver has applied to the certificate holder as a contract driver. Every application for a driver's permit as a taxicab or vehicle for hire driver under provisions of this division shall execute an agreement and waiver in writing, at the time of filing the application, by which the applicant authorizes the taxicab inspector to permit a certificate holder to make such examination in good faith to determine whether, in the judgment of the prospective certificate holder, the driver should be contracted to drive taxicabs or a vehicle for hire in the city.

Sec. 57-~~103~~102. - Duration and renewal of driver's permit.

The taxicab or vehicle for hire driver's permit, when issued, shall not be transferable and same shall be valid for a period of twenty-four (24) months and shall expire automatically unless renewed. No renewal shall be issued thirty (30) days after a permit has expired. No renewal of any taxicab or vehicle for hire driver's permit shall be issued unless and until the applicant for renewal has completed a renewal application and met the requirements of section 57-97(a)(1)—(~~6~~7), (~~8~~) and (~~9~~); ~~shall have shown proof of satisfactory completion of a certified defensive driving course within the two-year period immediately prior to the application for renewal; has provided a medical certificate dated within the past forty-eight (48) months that meets the medical requirements of section 57-97(a)(7);~~ and provided further, that the applicant must have maintained a satisfactory driving record according to standards established by the taxicab inspector. All of the above requirements of this section ~~57-103~~ and any violations of this article, article III or IIIA or IV shall be taken into consideration before a approval of a renewal application is granted.

Sec. 57-~~104~~103. - Suspension or revocation of taxicabs or vehicle for hire driver's permit.

Any ~~taxicab or~~ vehicle for hire driver's permit may be either suspended for any period of time not to exceed thirty (30) days or revoked by the taxicab inspector if the holder of such permit violates any of the provisions of this division, article III or article IIIA or article IV. Material misrepresentations on the driver's application are grounds for revocation. Such permit may also be revoked or suspended if the holder of the permit is guilty of a crime or traffic offense directly related to the holder's fitness to continue as a taxicab driver. Every suspension or revocation of the permit shall be dated and in writing and state the reason for such suspension or revocation. Such notice shall immediately be sent to the holder of such permit to the address shown on the identification card. Such order of suspension or revocation shall be effective as of the date of sending such notice; provided, however, that the person whose permit has been suspended or revoked may, within five (5) business days after the date of sending such notice, appeal to the city manager or his designee for reinstatement by a request in writing for such relief. The city

manager or his designee shall set a date not later than fifteen (15) business days following receipt of the notice of appeal for a hearing and after such hearing shall either sustain, reverse, or modify the order of the taxicab inspector. If no appeal is taken within the time and by the method hereby provided, then the order of suspension or revocation by the taxicab inspector shall be final.

~~Sec. 57-105.~~ - Neat and clean appearance of drivers.

- ~~(a) It shall be the responsibility of every certificate holder to require and to ensure that his or her drivers are neat and clean in appearance while on duty. All certificate holders shall require a driver employed or under contractual agreement with said holder to comply with the following:~~
- ~~(1) All male drivers shall wear full length pants or shorts commonly referred to as Bermuda shorts or cargo shorts, with a finished hem, shirts with sleeves and collars, socks and closed-toed shoes.~~
 - ~~(2) All female drivers shall wear full length slacks or shorts commonly referred to as Bermuda shorts or cargo shorts, with a finished hem, regular length skirts, blouses, socks or stockings and closed-toed shoes.~~
 - ~~(3) All drivers shall wear clean, unsoiled and untorn clothing.~~
 - ~~(4) All drivers shall maintain proper personal hygiene, i.e., be shaven or have facial hair neatly trimmed, be free of offensive body odor, and have clean, combed hair.~~
- ~~(b) While on duty, all drivers are prohibited from wearing:~~
- ~~(1) Tee shirts as an outer garment, except as allowed in section 57-105(c).~~
 - ~~(2) Hoodies, sweat shirts and sweat pants.~~
 - ~~(3) Halters or tube tops.~~
 - ~~(4) Shirts with tails worn outside pants.~~
- ~~(c) Company issued uniform style tee shirts may be allowed as long as they meet the below requirements:~~
- ~~(1) Meet the color scheme of the taxicab company.~~
 - ~~(2) Are professional in appearance.~~
 - ~~(3) Contain no language or images that could be offensive to others.~~
 - ~~(4) Each specific style of tee shirt has been approved by the taxi inspector, to insure professional appearance standards.~~
- ~~Failure to comply may result in the suspension or revocation of a driver's permit.~~

Sec. 57-~~106~~104. - Length of time driver may operate taxicab.

It shall be unlawful for a driver of any taxicab to drive the same continuously for more than twelve (12) hours, and no owner of any taxicab shall permit any driver of any taxicab to be continuously on duty, as a driver, for a greater period than twelve (12) hours within any twenty-four-hour period.

Sec. 57-~~107~~105. - Use of alcoholic beverages or controlled substances.

It shall be unlawful for any taxicab driver to consume any alcoholic beverages or use any form of controlled substances while on duty as a taxicab driver. This is to include prescription drugs prescribed to the driver that may affect his ability to drive and those illegal smoking products and related paraphernalia outlined in section 33-124 of the City Code.

If a cab company requests random drug/alcohol test of an contract driver or requests drug/alcohol test due to a traffic accident or contract driver injury and driver refuses the test, the cab company will report refusal immediately to the taxi inspector and refusal will result in automatic suspension of driver's permit.

If a cab company requests random drug/alcohol test of an contract driver or requests drug/alcohol test due to a traffic accident or contract driver injury and driver refuses the test, the cab company will report refusal immediately to the taxi inspector and refusal will result in automatic suspension of driver's permit.

Sec. 57-~~108~~106. - Notification of change of address of drivers.

Every person operating any taxicab shall keep the taxicab inspector informed by written notice of any change of address of such driver.

Sec. 57-~~109~~107. - Most direct route to be used.

Any driver of a taxicab contracted to carry passengers to a definite point shall take the most direct route possible that will carry the passengers safely and expeditiously to their destination.

~~Sec. 57-110. - Delivery of articles left in taxicabs to police.~~

~~All drivers of taxicabs shall promptly deliver to the taxi inspector's office or to authorized agents of their companies all property left in such vehicles by passengers. If delivered to the authorized agent of their company, the property shall be delivered to the taxi inspector's office with a report stating all the specifics and date abandoned of the~~

~~property if not claimed by the thirtieth day after property is found in vehicle. Taxi inspector shall obtain case number and incident report and deliver to CCPD Property Room.~~

Sec. 57-~~111~~108. - Parking restrictions.

No taxicab shall be parked in a residential section of the city awaiting calls between 10:00 p.m. and 6:00 a.m.

Sec. 57-~~112~~109. - Consent by passenger to carrying other passengers.

It shall be unlawful for any taxicab driver to carry any person other than the passenger by whom he is engaged without the consent of such passenger.

Sec. 57-~~113~~110. - Soliciting for passengers.

No person shall solicit patronage or call attention to a taxicab in a loud or annoying tone of voice or by sign or in any manner annoy any person or obstruct the movement of any person or follow any person for the purpose of soliciting patronage.

Sec. 57-~~114~~111. - Aiding prostitution.

It shall be unlawful for any driver of a taxicab to knowingly transport any passenger to the abode of a prostitute or knowingly to transport any criminal, narcotic peddler, prostitution bootlegger in the commission of a crime or infraction of the law in any manner, or act in any manner as a panderer or pimp for prostitutes, or a contact for unlawful establishments of any character. Violations of this section shall be brought to the attention of the respective certificate holder that the taxicab is contracted with or employed by. Repeated occurrences, by the same or other drivers of the certificate holder may be grounds for suspension or revocation of the certificate holder's certificate or the permitted driver's permit or both.

~~Sec. 57-115. - Off-duty status of taxicabs.~~

~~Each taxicab vehicle is presumed to be on duty and ready to serve the general public for hire. If a driver is off duty and does not intend to provide taxicab service, he shall comply with the following requirements:~~

- ~~(1) The driver shall place a sign, to be provided by the certificate holder, in the taxicab indicating the words "OFF DUTY" printed in letters not less than three (3) inches in height with a stroke width of not less than three-eighths (3/8) inch. The letters shall be on a backing of sufficient thickness to not easily bend.~~
- ~~(2) When a driver is off duty, he shall display the sign in an upright position in the front window on the right side of the taxicab so as to be easily seen and read from outside of the taxicab.~~

Secs. 57-~~116~~112—57-126. - Reserved.

DIVISION 6. - TAXIMETERS; FARES

Sec. 57-127. - Taximeters defined.

For the purpose of this article the word "taximeter" shall be construed to mean a mechanical instrument or device by which the charge for hire of a taxicab is mechanically calculated for distance, travel and waiting time, if any, under which such charges shall be indicated by clear, legible figures, which mechanism is placed in operation by throwing or switching from nonearning to earning position.

~~Sec. 57-128. - Taximeters required.~~

~~It shall be unlawful for any owner operating any taxicab under the provisions of this article to operate any such taxicab and it shall be unlawful for any person to drive any taxicab unless such taxicab is equipped with a taximeter.~~

~~Sec. 57-129. - Taximeter flag—Equipment in connection therewith.~~

~~Each taximeter must be furnished with a tamperproof switch and system of electrical distribution so that when the taximeter flag is in the "high" or nonearning position, the electrically-controlled advertising or company identification sign mounted on the top of the taxicab will be automatically lighted; and when the taximeter flag is on "mileage" or "time," both of which are earning positions, colored tell-tale lights on top of the cab or on the company sign will be automatically lighted and will be visible from all directions, the color of which lights shall differ from those used by any other company.~~

~~Sec. 57-130. -- Same -- False display.~~

~~No driver of a taxicab equipped with a taximeter shall display the signal affixed to such taximeter in such a position as to denote that the taxicab is employed when such taxi is not employed.~~

~~Sec. 57-131. -- Testing, inspection and approval of taximeter.~~

~~No person shall drive or operate a taxicab to which is attached a taximeter which has not been duly tested, inspected and approved as required by this article, and it shall be unlawful to change the size of the wheels or tires of any taxicab or the gears operating the taximeter from one to another unless the taximeter is again tested, inspected and approved under the supervision of the taxicab inspector before using.~~

~~Inspection of taximeters by the taxicab inspector shall be made as provided in section 57-24.~~

Sec. 57-~~132~~128. - Location and illumination of taximeters.

All taximeters shall be placed in such a position in the taxicab so that the face thereof and the fare numerals may be easily seen and read by a passenger sitting in any part of the taxicab. Every taximeter used between sunset and sunrise shall have the face thereof illuminated by a light so arranged as to throw a continuous light thereon.

Sec. 57-~~133~~129. - Defective taximeters prohibited.

The operation of any taxicab with a taximeter which is defective or which does not properly and accurately compute and register on its face the charge for distance traveled or waiting time of a taxicab shall constitute a violation of this article.

Sec. 57-~~134~~130. - Type and design of taximeter.

No taximeter shall be used on any taxicab the type and design of which have not been approved by the taxicab inspector. Prior to the installation of a taximeter, the owner or operator of the taxicab shall submit the type and design of taximeter to the taxicab inspector. If the taximeter is capable of properly and accurately computing and registering on its face the charge for the distance traveled by and the waiting time of the taxicab, the taxicab inspector shall approve the taximeter.

Sec. 57-~~135~~131. - Fares—Amounts.

~~There is hereby established as the rates of fare for taxicabs within the city limits of the City of Corpus Christi for one (1) or more persons, not exceeding seven (7) persons, of two dollars and fifty cents (\$2.50) for the first one-fifth (1/5) mile or less, and an additional charge for each succeeding one-fifth (1/5) mile or fraction thereof, based upon the average retail price of one (1) gallon of regular gasoline sold within the City of Corpus Christi and in accordance with the following chart:~~

Per-gallon gasoline price	Charge per succeeding 1/5 mile or a fraction thereof
Under 3.50	\$0.50
3.50—3.75	—0.55
3.76—4.00	—0.60
4.01—4.25	—0.65
4.26—4.50	—0.70

~~Note: Sliding scale formula shall be applied, ad infinitum.~~

~~The price of one (1) gallon of regular gasoline sold within the City of Corpus Christi shall be determined by the Oil Price Information Service, as reported by AAA at www.fuelgaugereport.com. Such price will be determined by the current Corpus Christi price given by AAA at 9:00 a.m. Central Standard Time (CST) on the tenth day of each month and will go into effect at 12:01 a.m. CST on the eleventh day of the current month. The taxicab inspector shall disseminate the gasoline price.~~

~~For each one (1) hour of waiting time or traffic delay time, the maximum charge shall be twenty-four dollars (\$24.00).~~

~~The above established rates of fare are the maximum that may be charged, provided however, for fares collected from passengers picked up at the airport, such airport passenger fares may include a one dollar (\$1.00) surcharge per fare collected from one (1) or more persons not to exceed seven (7) persons.~~

~~For customers wishing to use a credit card a one dollar (\$1.00) convenience fee may be added to the fare.~~

~~Lower rates may be charged at the option of the taxicab certificate holder. While in the city limits a driver shall keep the taximeter in operation while the taxicab is employed regardless of whether a metered rate, a discounted rate or a out-of-town flat rate is charged,~~

~~For taxi fares originating in the area east of the Intercoastal Causeway Bridge on Interstate 358 or west of the Clarkwood Road and Interstate 37 intersection, there will be a ten dollar (\$10.00) minimum fare allowed.~~

(a) Metered Rate. Prior to charging a metered rate for a taxicab fare originating and ending within the city limits of the City of Corpus Christi, metered rates must be filed by the certificate holder with the taxi inspector and clearly posted in the taxicab. The metered rate filed with the taxi inspector shall establish the maximum amount to be charged for the first one-fifth (1/5) mile or less, and an additional charge for each succeeding one-fifth (1/5) mile or fraction thereof.

Such rate may include a minimum charge and drop fee, if such fee has been filed by the certificate holder with the taxi inspector and clearly posted in the taxicab.

An hour waiting time or traffic delay time may be charged if such fee has been filed by the certificate holder with the taxi inspector and clearly posted in the taxicab.

A minimum fare may be established for taxi fares originating in the area east of the Intercoastal Causeway Bridge on Interstate 358 or west of the Clarkwood Road and Interstate 37 intersection, if such fee has been filed by the certificate holder with the taxi inspector and clearly posted in the taxicab.

(b) Minute Rate - Where a metered or flat rate is not charged, an alternative minute rate may be imposed. Prior to charging a minute rate for a taxicab fare originating and ending within the city limits of the City of Corpus Christi, minute rates must be filed by the certificate holder with the taxi inspector and clearly posted in the taxicab. The metered rate filed with the taxi inspector shall establish the maximum amount to be charged per minute.

(c) Flat Rate – Where a metered or minute rate is not charged, an alternative flat rate for taxicab fares may be imposed for trips originating and ending within geographic zones I through VIII of the Corpus Christi Flat Rate Zone Map. The alternative flat rate can be increased per zone crossed for trips originating and ending in a different zone. To impose an alternative flat rate, a flat rate fee schedule must be filed by the certificate holder with the taxi inspector. Additionally, a copy of the Corpus Christi Flat Rate Zone Map must be posted in the taxicab along with the flat fee rate schedule. A copy of the Corpus Christi Flat Rate Zone Map may be provided by the taxi inspector and shall remain on file for public inspection in the office of the city secretary.

<u>Zone</u>	<u>Corpus Christi Flat Rate Zones</u>
<u>I</u>	<u>Island</u>

<u>II</u>	<u>Flour Bluff</u>
<u>III</u>	<u>Southside</u>
<u>IV</u>	<u>Central</u>
<u>V</u>	<u>Downtown</u>
<u>VI</u>	<u>Airport</u>
<u>VII</u>	<u>Calallen</u>

(d) A cancelation fee may be charged where a passenger cancels after booking, if such fee has been filed by the certificate holder with the taxi inspector and posted on the website used by the certificate holder and communicated to the passenger at booking.

Sec. 57-~~136~~132. - Same—Charging or collecting excess fares.

It shall be unlawful for any driver or operator to charge or demand payment of any fares in excess of the fares prescribed by the council filed with the taxi inspector. All fares filed with the taxicab office must be posted in the taxicab.

Sec. 57-~~137~~133. - Same—Refusal to convey; refusal to transport passenger at specified rate.

It shall be unlawful for any driver of any taxicab to refuse to board and convey a passenger on a basis of race, color, religion, sex, national origin, age, or disability, including a driver's refusal to board and convey any service animal or medical equipment utilized in conjunction with a passenger's disability. It shall be unlawful for any driver of any taxicab to refuse to board and convey a passenger at the rates authorized by this article. It is an affirmative defense to prosecution under this subsection that the driver advised the passenger of the fare or estimated fare to the passenger's destination, and the passenger advised that he did not have the means to pay the fare.

Sec. 57-~~138~~134. - Same—Refusal to pay legal fare.

It shall be unlawful for any person to refuse to pay the legal fare of any of the vehicles mentioned in this article after having hired the same, and any person who shall

hire any such vehicle with the intent to defraud the person from whom it is hired shall be guilty of a misdemeanor.

Sec. 57-~~139~~135. - Same—Display of rate schedule in taxicab.

There shall be posted in a conspicuous place on the inside of each licensed taxicab, in addition to the license issued to the licensee required by this article, a card showing the rates charged.

Sec. 57-~~140~~136. - Same—Receipts.

It shall be unlawful for the driver of any taxicab upon receiving full payment of a fare to refuse to give a receipt upon the request of any passenger making such payment.

SECTION 2. Chapter 57, Article IIIA “LIMOUSINE AND SIGHTSEEING SERVICE” is revised to read as follows:

ARTICLE IIIA. - LIMOUSINE AND SIGHTSEEING SERVICE

Sec. 57-164. - Definitions.

For the purposes of this article:

- (a) Limousine service means the luxurious, prearranged transportation by chauffeur-driven ~~vehicle~~ limousine of one (1) or more persons from or to a location within the city limits not upon a schedule or over a fixed route. It shall not include taxicab service, airport limousine service or transportation provided in relation to funeral services.

- (b) Limousine means:

(1) A sedan-type luxury motor vehicle with a passenger capacity of five or six persons (including the driver), which vehicle is either less than or equal to seven years of age;

(2) An extended-body type motor vehicle with a passenger capacity of no more than 15 persons (including the driver), which is modified to extend its original factory wheelbase by 40 inches or more in conformity with Federal Motor Vehicle Safety Standard requirements

(3) A vehicle that is classified in the United States Environmental Protection Agency's annual Fuel Economy Guide as a sport utility vehicle that: (i) has a passenger capacity of not less than five persons nor more than nine persons, including the driver; (ii) has a manufacturer's suggested base retail selling price of not less than \$37,600.00, adjusted annually based upon Consumer Price Index (CPI-U), All Urban Consumers, U.S. City Average, New Trucks, as published by the U.S. Department of Labor, excluding the cost of any manufacturer installed options or of any modifications or conversions that were made by other persons following the original assembly of the vehicle by the manufacturer. The adjustment shall be based upon the not seasonally adjusted data for the month of August and shall be effective November 1st; and (iii) is either less than or equal to seven years of age;

(4) A passenger van with a passenger capacity of nine to 15 persons (including the driver), which vehicle is less than or equal to ten years of age.

~~a vehicle with an occupancy capacity of five (5) or more, excluding the capacity of the driver compartment and that is used for the hired transportation of persons.~~

- (b) Sightseeing service means conveying any person or persons in any vehicle, including horse-drawn carriages, for predetermined periods of time or between fixed points for the purpose of displaying the various natural and manmade points of interest and the economic and cultural institutions of the Corpus Christi area within the city or from locations within the city to locations outside the city, and shall not include the basic provisions of taxicab service or airport limousine service or charter bus service. Sightseeing service defined herein shall refer to transportation provided in vehicles owned by the permit holder.

Sec. 57-165. - Operator permit — Required.

It shall be unlawful for any person, as owner or agent, to be engaged in the business of providing limousine or sightseeing service within the city or from locations within the city to locations outside the city, unless the owner of the business holds a current limousine or sightseeing permit issued pursuant to this article.

Sec. 57-166. - Same—Application; fee.

- (a) Every person desiring to engage in the business of operating any limousine or sightseeing service shall make application, in writing, to the city manager or his designated representative on a form provided for that purpose for a permit to engage in the business specified. Such application shall contain the name, address and

telephone number of the true owner of the business and the number, types and seating capacity of each vehicle to be operated; shall be sworn to by the applicant; and shall be accompanied by an application and permit fee of two hundred fifty dollars (\$250.00).

- (b) The city manager or his designated representative shall issue a permit to all applicants complying with the provisions of this article and shall issue a permit for the operation of all vehicles complying with the requirements of this article. No permit shall be issued unless every vehicle proposed to be used complies with the following minimum requirements:
 - (1) Each vehicle shall comply with all the safety requirements imposed by all state, federal or local laws applicable to the vehicle involved.
 - (2) The owner shall have rendered each vehicle for which a permit is sought for ad valorem taxation and shall have paid all delinquent tax charges owing the city upon every such vehicle.
- (c) No limousine or sightseeing operator permit holder shall be issued, nor shall such permit be valid after issuance, unless the applicant or the holder of the permit is at all times insured by a comprehensive business auto policy to include collision, uninsured motorists and personal injury protection coverage for each vehicle with minimum limits of one hundred thousand dollars (\$100,000.00) to any claimant for bodily injury arising out of a single occurrence, three hundred thousand dollars (\$300,000.00) for any number of claims arising out of a single occurrence, and fifty thousand dollars (\$50,000.00) to any claimant for any number of claims for damage to or destruction of property. Each insurance policy shall require that the insurer notify the city at least ten (10) days before any cancellation, material change, or intent not to renew by either the insurer or the insured. Cancellation of a certificate holder's or owner's insurance without an approved replacement policy in place at the time cancellation automatically suspends the operations of the vehicle for hire company.
- (d) The taxicab inspector shall inspect every limousine or sightseeing vehicle to be operated as limousine or sightseeing service at least once a year for the purpose of determining whether such vehicle is in a safe condition to be operated as a limousine or sightseeing vehicle. The holder of a limousine or sightseeing service permit shall submit such limousine or sightseeing vehicle to the taxicab inspector for inspection at the time and place specified by the inspector in accordance with provisions and fees for the inspection of taxicabs in section 57-80. The operator of a limousine or sightseeing service and limousine or sightseeing vehicle is responsible for the safe condition and operation of said vehicles and the city, by establishing this permit system, in no way assumes any duty or liability for the safety of said vehicle.
- (e) Every person driving a limousine or sightseeing vehicle in the city must have applied for and obtained a limousine or sightseeing driver's permit from the taxicab inspector. It shall be unlawful for any permitted limousine or sightseeing service operator in the city to permit any person to drive a limousine or sightseeing vehicle unless such person shall have a valid driver's permit duly issued by the taxicab inspector in accordance with this chapter.

Sec. 57-167. - Charge for regulation and use of streets Permit Fee; payments.

- (a) Applicant shall elect the fee imposed for a Permit issued pursuant to this article at the time of application or renewal. The fee imposed for a Permit issued shall be in an amount equal to 2% of the annual gross receipts for the operation of each limousine or sightseeing service operated for the Certificate holder or ~~In addition to all other charges and payments, each person maintaining and operating a limousine or sightseeing service as described herein shall pay to the city~~ each six (6) months the sum of two hundred dollars (\$200.00) times the number of vehicles to be operated as identified in the permit application for the expense of regulating the activities of such service and as a street use permit fee.
- (b) The semiannual fee for the first six (6) calendar months of each year shall be paid on or before January 10 and for the second six (6) calendar months of each year shall be paid on or before July 10. ~~A late fee of twenty (20) per cent will be applied to late payments made after January 10 and July 10.~~
- (c) Such payments shall be in addition to all ad valorem taxes upon the value of the property of the person operating such vehicles, and in addition to all lawful occupation taxes imposed upon the occupation or calling of the entity operating such vehicle.

(d) If a limousine service experience's peak demand periods requiring more vehicles than are designated in its permit agreement or certificate of operation, the holder may request supplemental vehicles by submitting a written application for a supplemental operating permit, along with proof of insurance, which shall state the reason why supplemental vehicles are needed and identify the vehicles to be used. Supplemental vehicles authorized by a supplemental operating permit:

(1) Must comply with the vehicle requirements of this chapter;

(2) Must comply with the insurance requirements of this chapter;

(3) Vehicles that are utilizing a supplemental permit are exempt from any vehicle ownership requirements, but must comply with all other requirements of this chapter;

(4) The applicant must pay the supplemental operating permit fee of ten dollars (\$10.00) per day in advance of the use of said supplemental permit;

(5) A limousine service that utilizes a supplemental vehicle that is not in compliance with section 57-167 of this chapter shall be in violation of section 57-165 of this chapter;

(6) A limousine service or the operating permit holder that has been convicted of or it's permit suspended for a violation of section 57-167(d) shall no longer be authorized the use of supplemental operating permits.

Sec. 57-168. - Service standards.

The permit holder shall provide and maintain modern efficient service during the life of the permit and failure to provide and maintain such efficient service shall be grounds for forfeiture of the permit herein granted. Said permit is granted for a five-year period. No assignment of a permit shall become effective unless said assignment is approved by the city manager or his designated representative in writing.

Sec. 57-169. - Special regulations for horse-drawn carriages.

Any sightseeing permit issued pursuant to this article involving the use of horse-drawn carriages as a means of conveyance shall include regulations promulgated by the city manager, or his designated representative, relating to the following:

- (a) Limitations on the specific streets which may be utilized by horse-drawn carriages and the hours of operations allowed.
- (b) Safety requirements pertaining to reflectors, warning devices and other safety equipment used on the vehicles, and the types and design of wheels and horse shoes which may be utilized.
- (c) Sanitation procedures to ensure the cleanliness of streets and public ways and the proper disposal of waste.
- (d) Health regulations safeguarding the care, feeding and watering of the horses or other draft animals employed by the operator.
- (e) Additional insurance requirements supplementing the minimum limits for automobile and general liability insurance required for limousine and sightseeing operations generally.
- (f) Any other rules, regulations or procedures which the city manager, or his designated representative, deems necessary to maintain adequate safeguards for the operation of horse-drawn carriages on the public streets not inconsistent with this section.

SECTION 3. Chapter 57, Section 57-284 is revised to read as follows:

Sec. 57-284. - Transportation network company permit fee.

- (a) TNC shall elect the fee imposed for a permit issued pursuant to this article at the time of application or renewal of permit. The fee imposed for a permit issued

pursuant to this article shall be in an amount equal to 2% of the annual gross receipts for the operation of each transportation network vehicle operated by each permittee or based on the number of transportation network vehicles operated by each permittee for each quarter as shown below:

- (i) \$400 quarterly for four or fewer vehicles
- (ii) \$800 quarterly for five to eight vehicles.
- (iii) \$1,200 quarterly for nine to twelve vehicles
- (iv) \$1,600 quarterly for thirteen to sixteen vehicles.
- (v) \$2,000 quarterly for seventeen to twenty vehicles
- (vi) \$2,400 quarterly for twenty-one to twenty-four vehicles
- (vii) \$2,800 quarterly for twenty-five to twenty-eight vehicles
- (viii) \$3,200 quarterly for twenty-nine to thirty-two vehicles
- (ix) \$3,600 quarterly for thirty-three or more vehicles

- (b) The fee provided in subsection (a) of this section shall be paid quarterly as follows: on or after January 1 and before January 10; on or after April 1 and before April 10; on or after July 1 and before July 10; on or after October 1 and before October 10. ~~to the city on a quarterly basis on or before the 10th day following the close of the calendar month for which the quarterly payment is calculated.~~
- (c) (1) 2% of Annual Gross Receipts The initial payment shall cover the period beginning from the date the permit was issued to the permittee. Upon the submission of each quarterly payment, the permittee shall file with the taxicab inspector a financial report itemizing the components of the permittee's gross receipts for the payment period. All permittees shall utilize any forms promulgated by the taxicab inspector for the submission of the required financial reports and shall submit the financial reports in accordance with any instructions, rules, or regulations promulgated by the taxicab inspector.
- (2) Number of Transportation Network Vehicles - The initial payment for a fee based on the number of transportation network vehicles operated shall be prorated on a monthly basis to cover the period beginning from the date the certificate was issued to the permittee.
- (d) Upon 10 days' notice to the permittee, the taxicab inspector shall have the right to inspect the permittee's records the taxicab inspector deems necessary and appropriate to determine that the permittee is in compliance with the requirements of this section.

(e) The fees established in this section shall be payable in addition to any other applicable fees imposed by this Code or other ordinances of the city.

(f) If the permittee shall fail to comply with any requirement herein or shall willfully file any false statements, the same shall be cause for a suspension or revocation of the permit authorizing the permittee to operate a TNC within the city.

SECTION 4. Chapter 57, Section 57-294 is revised to read as follows:

Sec. 57-294. - Transportation network vehicles—Inspections.

~~(a) Prior to using any transportation network vehicle, and annually thereafter, a permittee or transportation network driver shall have the vehicle inspected at a facility designated by the taxicab inspector, and maintain complete documentation of such inspections in the vehicle at all times, and a written copy of such documentation shall be provided to the taxicab inspector upon request. The inspection shall be made to determine that the transportation network vehicle is in a reasonably good state of repair, clean, and equipped and being operated in compliance with all requirements of this article. Inspections shall include, but not be limited to, the following items:~~

- ~~(1) Foot brakes;~~
- ~~(2) Parking 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 (open, close, 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 for driver and passenger(s); and~~

~~(20)Heating, ventilation and air-conditioning systems.~~

~~(b) Upon passing the inspection prescribed in subsection (a) of this section, the taxicab inspector shall issue one certification decal for the transportation network vehicle. The certification decal shall be attached and displayed at the place on the transportation network vehicle designated by the taxicab inspector. The permittee and the transportation network driver shall be jointly and severally liable for any violation of this section.~~

(a) A transportation network vehicle must have a valid State of Texas registration sticker.

(b) An offense under this section shall be punishable by a fine of not less than \$250.00, nor more than the maximum amount established by law, for each violation..

SECTION 5. This ordinance takes effect after official publication.

SECTION 6. If for any reason any section, paragraph, subdivision, clause, phrase, word or provision of this ordinance shall be held invalid or unconstitutional by final judgment of a court of competent jurisdiction, it shall not affect any other section, paragraph, subdivision, clause, phrase, word or provision of this ordinance, for it is the definite intent of this City Council that every section, paragraph, subdivision, clause, phrase, word or provision hereof be given full force and effect for its purpose.

SECTION 7. Penalties are as provided in Section 1-6 of the Code of Ordinances.

SECTION 8. Publication shall be made one time in the official publication of the City of Corpus Christi as required by the City Charter of the City of Corpus Christi.

That the foregoing ordinance was read for the first time and passed to its second reading on this the _____ day of _____, _____, by the following vote:

Nelda Martinez	_____	Brian Rosas	_____
Rudy Garza	_____	Lucy Rubio	_____
Michael Hunter	_____	Mark Scott	_____
Chad Magill	_____	Carolyn Vaughn	_____
Colleen McIntyre	_____		

That the foregoing ordinance was read for the second time and passed finally on this the _____ day of _____, _____, by the following vote:

Nelda Martinez	_____	Brian Rosas	_____
Rudy Garza	_____	Lucy Rubio	_____
Michael Hunter	_____	Mark Scott	_____
Chad Magill	_____	Carolyn Vaughn	_____
Colleen McIntyre	_____		

PASSED AND APPROVED, this the _____ day of _____, _____.

ATTEST:

Rebecca Huerta
City Secretary

Nelda Martinez
Mayor