

Legislation Details (With Text)

File #:	15-9055	Version:	1	Name:	
Type:	Policy Item	Status:		Approved	
File created:	8/22/2018	In control:		City Council Business Meeting	
On agenda:	1/14/2019	Final action:		1/14/2019	
Title:	Amend Passenger Vehicle for Hire Ordinance				
Attachments:	1. PASSENGER VEHICLES FOR HIRE ORDINANCE (12-20-18), 2. Exhibit A - PVH Ordinance (2019-01-14)				

Date	Ver.	Action By	Action	Result
1/14/2019	1	City Council Business Meeting	Approve	Pass

Amend Passenger Vehicle for Hire Ordinance

Action:

Approve the Community Safety Committee's recommendation to amend the Passenger Vehicle for Hire Ordinance.

Committee Chair:

Justin Harlow, Community Safety

Staff Resource(s):

Hope Root, City Attorney's Office
Thomas E. Powers III, City Attorney's Office
Kerr Putney, Police
Daniel Buckley, Police

Previous Actions

- City Council adopted the most recent version of the Passenger Vehicle For-Hire (PVH) Ordinance on January 9, 2017, and made it effective as of July 1, 2017.
- During the adoption process, it was indicated a review of the PVH Ordinance's implementation would occur within one year of its effective date. The purpose of the review was to address any inconsistencies, errors, or omissions in the revised PVH Ordinance.
- Technical changes to the PVH Ordinance were adopted and outlined as follows:
 - Amended two definitions in Section 22-101 (Habitual Violator of Traffic Laws, and Manifest),
 - Amended Sections 22-125(b)(8) and 22-125(b)(9) to add a width requirement for vehicle lettering,
 - Added Sections 22-158(a)(15) and 22-158(b)(5) to strengthen the prohibition on the use of an illegal third-party operator,
 - Amended Section 22-158(c)(6) to clarify the ordinance requirement,
 - Corrected cross-references in Section 22-163(c)(2),
 - Relocated an existing provision to Section 22-200(b)(13),
 - Amended Section 22-231(b)(3) to clarify when a higher citation amount would apply for illegal third-party operators,
 - Amended Section 22-231(b)(4) to add an additional category for the annual civil penalty chart,
 - Amended Section 22-234(c) to clarify that this provision applies to a current licensee,
 - Amended Section 22-235(f) to clarify that Council can review the approval of fares and charges adopted by the PVH Board,

- Amended Section 22-235(g) to clarify the minimum dollar amount for a citation to be heard by the entire PVH Board, and
 - Deleted a few provisions due to redundancy.
- In addition, Section 22-200(a1) is amended to add more mitigating factors and to require the mitigating factors to be applied to applications with mandatory denials.

Committee Discussion

- The Community Safety Committee (committee) received a presentation and memo on August 28, 2018, concerning the proposed technical changes to the PVH Ordinance. The Committee unanimously voted in favor of the recommended technical changes (Eiselt, Winston, Bokhari, Harlow, Mitchell).
- The Committee received a second presentation and memo on September 26, 2018, concerning changes to the mitigating factors listed in Section 22-200(a1). The Committee voted 4-1 in favor of the changes but requested data on past PVH decisions (Eiselt, Winston, Harlow, and Mitchell voted yes; Bokhari noted no). Staff will continue to monitor the implementation of the changes to Section 22-200(a1) and report back to the Committee at a future date.
- On September 26, 2018, the Committee voted unanimously to recommend the amendments to full City Council (Winston, Bokhari, Mitchell; Eiselt and Harlow were absent). On December 11, 2018 the Committee received a third presentation regarding the PVH data.

Attachment(s)

Passenger Vehicle for Hire Ordinance
Exhibit A