

Chapter 6.96
Transportation Network Services

Sections:

- 6.96.010 Purpose.
- 6.96.020 Definitions
- 6.96.030 License Requirements
- 6.96.040 Driver Requirements
- 6.96.050 Zero Tolerance Intoxicating Substance Policy
- 6.96.060 Insurance Requirement
- 6.96.070 Fare Transparency Requirements.
- 6.96.080 Registered Agent Required.
- 6.96.090 Audit
- 6.96.100 Records
- 6.96.110 Revocation, Suspension, and Penalties

6.96.010 Purpose. The purpose of this Chapter is to provide for and promote the safety and welfare of the general public by regulating transportation network companies within the City of Pullman.

6.96.020 Definitions. For purposes of this Chapter, the following terms phrases, words, and their derivations shall have the meanings given in this Section:

- (1) “City” means the City of Pullman.
- (2) “Digital identification” means information stored on the digital network of a transportation network company that may be accessed by a transportation network driver and that:
 - (a) Serves as proof of the identity the transportation network driver.
 - (b) Serves as proof that the insurance coverage requirements set forth under section 6.96.060 are satisfied.
 - (c) Displays a photo of the transportation network driver.
 - (d) Displays an image of the make and model of the transportation network company vehicle used by the transportation network driver.

- (e) Identifies the make and model, as well as the license plate number, of the transportation network company vehicle used by the transportation network driver.
- (3) “Digital network” means any online-enabled application, website, or system offered or utilized by a TNC that enables the prearrangement of rides with TNC drivers.
- (4) “Driver” means any individual, natural person who operates a transportation network company vehicle within the City.
- (5) “License” means the license issued by the City to a TNC authorizing the company to engage in transportation network company services within the City.
- (6) “Prearranged Ride” means the provision of transportation by a TNC driver to a passenger beginning when a driver accepts a ride requested by a passenger through a digital network controlled by a TNC, continuing while the driver transports a requesting passenger, and ending when the last requesting passenger departs from the TNC vehicle. A prearranged ride does not include taxicab service under to chapter 6.94.
- (7) “Transportation Network Company” or “TNC” means a corporation, partnership, sole proprietorship, or other entity that is licensed pursuant to this chapter and uses a digital network to connect passengers with TNC drivers who provide prearranged rides.
- (8) “Transportation network company vehicle” or “TNC vehicle” means any vehicle used by a TNC driver that is owned, leased, or otherwise authorized for use by the transportation network company driver and that is not a taxicab, limousine, transport van, luxury town car, stretch sport utility vehicle or other or motor vehicle utilized for taxicab service pursuant to chapter 6.94.

6.96.030 License Requirements.

- (1) A TNC that engages in transportation network company services within the City shall first obtain a License in accordance with this Section.
- (2) The City shall issue a License to a TNC if the company meets and certifies that it is in compliance with all requirements of this Chapter, including but not limited to driver and insurance requirements and operating standards.

- (3) A License issued under this chapter shall be valid for one (1) year from date of issuance.
- (4) The application fee for a License or renewal shall be \$2,000. The application fee prescribed by this section shall be paid to the City at the time of the application for such License or renewal.

6.96.040 Driver Requirements.

- (1) Every driver shall be at least nineteen (19) years of age and shall possess a valid driver's license, proof of motor vehicle registration, and proof of current automobile liability insurance that meets the requirements of this Chapter and state law.
- (2) Every TNC shall maintain accurate, current records for all drivers contracting with or affiliated with the TNC, including all drivers accessing a company's digital network to operate in the City. The records shall include the driver's name, date of birth, address, criminal background check results, driver's license information, motor vehicle registration, and automobile insurance. These records shall be made available in accordance with the audit provisions described in section 6.96.090.
- (3) Prior to permitting a person to operate as a driver, and every two years thereafter, the TNC shall conduct, or have a third party conduct, a criminal background check. The criminal background check shall include a search of no less than seven years of history, unless prohibited by law, in which case the duration of the search shall be the maximum number of years permitted by law. The criminal background check shall include state and national criminal history databases and all publicly accessible sex offender registries. Any person who is listed on a publicly accessible sex offender registry or who has been convicted, within the past seven years, of a crime involving driving under the influence of alcohol or controlled substances, felony, fraud, a sexual offense, an act of violence, an act of terror, or use of a motor vehicle to commit a felony, shall not be permitted to act as a driver. The TNC shall maintain records of all criminal background checks for a period of at least two years. For purposes of this section, the term "conviction" includes convictions, bail forfeitures, and other final adverse findings.
- (4) A TNC must revoke a driver's authority to operate as a driver for the TNC and inform the City if it finds at any time that the standards set forth in this Chapter are no longer being met by the driver. The TNC shall only reinstate a driver upon a finding by the TNC that all standards are again being met by the driver.

- (5) Upon request of a City enforcement officer, a driver shall display his or her digital identification and display electronic proof that a ride in progress was matched through a transportation network company's digital network.
- (6) A driver may not:
 - (a) Provide prearranged rides unless the passenger has been matched to the transportation network company driver through the transportation network company's digital network.
 - (b) Solicit a ride or accept a street hail request for a ride.
 - (c) Solicit or accept cash payment for a fare from a passenger.

6.96.050 Zero Tolerance Intoxicating Substance Policy.

- (1) A transportation network company shall implement a zero tolerance intoxicating substance policy for drivers that disallows any amount of intoxication of the transportation network company driver while providing transportation network services.
- (2) The transportation network company shall include on its website a notice concerning the transportation network company's zero tolerance intoxicating substance policy and the means to make a complaint about a suspected violation of such policy.
- (3) Upon receipt of a passenger complaint alleging a violation of the zero tolerance intoxicating substance policy, the transportation network company shall immediately suspend the driver's access to the TNC's digital network and conduct an investigation into the reported incident. The suspension shall last the duration of the investigation.

6.96.060 Insurance Requirement. Transportation network companies and transportation network company drivers shall comply with the automobile liability insurance requirements for commercial transportation services contained in RCW Chapter 48.177.

6.96.070 Fare Transparency Requirements.

- (1) A transportation network company may charge a fare for the services provided to passengers, provided that, if a fare is charged, the transportation network company shall disclose to passengers the fare calculation method on its digital network. The transportation network company shall also provide passengers with the applicable rates being charged and the option to receive an estimated

fare before the passenger enters the driver's transportation network company vehicle.

- (2) A transportation network company shall provide the following to a passenger before the passenger enters the driver's transportation network company vehicle:
 - (a) The transportation network company driver's first name.
 - (b) The make, model, and license plate number of the transportation network company driver's transportation network company vehicle.
 - (c) The method by which the transportation network company calculates the applicable rate or fare being charged.
- (3) Within a reasonable time following the completion of a prearranged ride, the transportation network company shall transmit a receipt to the passenger through electronic mail or text message that includes the following:
 - (a) The origin and destination of the trip.
 - (b) The total time and distance of the trip.
 - (c) An itemization of the total fare paid, if any.

6.96.080 Registered Agent Required. A TNC shall maintain a registered agent for service of process in the State of Washington.

6.96.090 Audit. The City may audit a sample of up to 10 records for each TNC no more frequently than annually for the sole purpose of reviewing compliance with this Chapter. The sample shall be chosen from an anonymous list provided by the TNC. An audit shall occur at a mutually agreed upon location..

6.96.100 Records. Any records provided by a TNC to the City under this chapter are designated confidential, are not subject to disclosure to a third party without prior written consent of the TNC, as applicable, and are exempt from disclosure under RCW Chapter 42.56.

6.96.110 Revocation, Suspension, and Penalties. In addition to any other enforcement options provided by the Code, the City may impose a fine or suspend, revoke or refuse to issue a License if the TNC has violated any of the provisions of this Code. A violation includes any failure to meet or maintain any of the requirements or qualifications set forth in this Code, including the procedures and requirements for obtaining and maintaining a License, as well as the making of any materially false statement or representation. The decision to suspend,

revoke or refuse to issue a License may be appealed to the City Council, which will conduct a hearing where the company and the City may present evidence and argument. The company shall have the burden of proving it has complied with all requirements of this Code necessary to obtain or maintain the License. The decision of the City Council on the appeal shall be the final decision of the City.