

Chapter 6.94
Taxicab Licensing

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6.94.010 Purpose. The purpose of this Chapter is to regulate every person performing taxicab service as herein defined.

(Ord. 09-30 §2, 2009).

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

- (1) "Taxicab operator" means a person who provides a taxicab service utilizing a taxicab, limousine, transport van, luxury town car, stretch sport utility vehicle, or other motor vehicle.
- (2) "Taxicab owner" means a person who owns or has a financial or other property interest in a taxicab, limousine, transport van, luxury town car, stretch sport utility vehicle, or other motor vehicle utilized for taxicab service.
- (3) "Taxicab service" means engaging in the business of carrying or transporting any person(s) for compensation with or by means of a taxicab, limousine, transport van, luxury town car, stretch sport utility vehicle, or other similar motor vehicle for hire at rates as agreed upon between the passenger and taxicab operator or taxicab owner not operating on a fixed route or not operating adjunct to a fixed route (such as Dial-A-Ride or paratransit) and within twenty-five (25) miles of City limits.

(Ord. 09-30 §3, 2009).

6.94.030 License Required. Every person who performs a

taxicab service in the City shall first obtain a taxicab operator's license and/or a taxicab owner's license as required by this Chapter. Such license shall be posted prominently in the taxicab with a schedule of all fares and charges. These licenses are in addition to all other licenses required under state and local laws.

(Ord. 14-6 §1, 2014; Ord. 09-30 §4, 2009).

6.94.040 Application. Every person, before providing taxicab service, shall apply to the City for a taxicab operator's license and/or taxicab owner's license as required by this Chapter. Every applicant shall:

- (1) provide a full set of fingerprints administered by the Pullman Police Department, except that fingerprints will not be required for any renewal that occurs within (5) years of the latest submittal of fingerprints by the applicant. Any fee charged by a governmental agency to receive and/or process the fingerprints shall be borne by the applicant.
- (2) provide a valid driver's license and current abstract driving record.
- (3) provide a list of all vehicles to be used for taxicab services identifying each vehicle by Vehicle Identification Number, make, model, year and license plate number.,
- (4) execute a certification that the vehicle(s) used to provide the taxicab service complies with Chapter 46.37 RCW and shall continue to be maintained in compliance with the law at all times.
- (5) provide proof of vehicle registrations for each vehicle to be used for taxicab service.

(Ord. 14-6 §2, 2014; Ord. 09-30 §5, 2009).

6.94.045 Investigation. Before any license shall be issued under this chapter, the city shall complete a background investigation of every applicant through the Washington State Patrol and the Federal Bureau of Investigation. Such background will utilize the fingerprints submitted. Upon receipt of the fingerprints and the appropriate nonrefundable fees, the Washington State Patrol will compare the subject's fingerprints against its criminal database and submit the fingerprints to the Federal Bureau of Investigation for a comparison with nationwide records. The results of the Washington State Patrol and Federal Bureau of Investigation check will be returned to the police department. The City shall not issue a license or renewal license if the background check reveals any of the grounds for denial or revocation under Pullman City Code 6.94.090. The applicant shall be notified of the basis for denial or revocation of a license. An applicant subject to the above fingerprint-based background check may request and receive a copy of the results of the background check from the

City. Should he/she seek to amend or correct his/her record, he/she must contact the Washington State Patrol for a Washington state record or the Federal Bureau of Investigation for records from other jurisdictions maintained in its file.

(Ord. 15-15 §1, 2015; Ord. 14-6 §3, 2014)

6.94.050 Application and License Fees. Any fees for the taxicab owner's license and taxicab operator's license shall be established by Resolution adopted by the City Council from time to time and shall be paid in full prior to the processing of an application or issuance of a new, renewal or replacement license. Payment of the application fee does not entitle the applicant to issuance of a license. A taxicab owner's license shall be issued for a period of six (6) months or longer and may be prorated. A taxicab owner's license shall expire before midnight on the 31st of December of each year. A taxicab operator's license shall be valid for one (1) year from date of issuance and shall not be prorated. Licensees may obtain a replacement license for any valid license lost after paying a replacement license fee.

(Ord. 14-6 §4, 2014; Ord. 09-30 §6, 2009).

6.94.060 Insurance Required. No person shall provide a taxicab service without public liability and property damage insurance from some good and reliable insurance company for the vehicle(s) being utilized for such taxicab service, with combined single limits of Three Hundred Thousand Dollars (\$300,000) or split limits of not less than One Hundred Thousand Dollars (\$100,000) for personal injuries to one (1) person, and not less than Three Hundred Thousand Dollars (\$300,000) for personal injuries caused by any one accident and not less than Fifty Thousand Dollars (\$50,000) for property damage caused by any one accident. No person shall provide a taxicab service without underinsured and uninsured motorist insurance for the vehicle(s) being utilized in such taxicab service.

The City shall not issue a license to any applicant for a taxicab operator's or taxicab owner's license until the applicant has furnished satisfactory proof to the City that insurance of the type and in the amount required by the Chapter has been purchased for the vehicle to be utilized in such taxicab service and that the City has been made an insurance certificate holder in such insurance.

(Ord. 14-6 §5, 2014; Ord. 09-30 §7, 2009).

6.94.070 Policies Subject to Inspection. Any person providing a taxicab service shall submit the relevant insurance policies to the administrative authority of the city for examination, upon request.

(Ord. 09-30 §8, 2009).

6.94.075 License, Insurance and Fares to be Prominently Displayed.

- (1) Fares. Any person providing taxicab service shall, at all times, prominently display all fares for such service. Additionally, all fares for taxicab services of any type shall be disclosed immediately to anyone who requests them.
- (2) License. A copy of the City taxi license applicable to the vehicle(s) utilized for taxicab service shall, at all times, be prominently displayed in the vehicle and provided to a City enforcement officer upon request.
- (3) Insurance. Current proof of insurance for each vehicle utilized for taxicab service shall, at all times, be prominently displayed in the vehicle.

(Ord. 14-6 §6, 2014)

6.94.080 Mandatory Drug Testing; Denial or Revocation.

- (1) Every person licensed under this Chapter who is involved in an accident resulting in injury to or death of any person, or damage to the property of any one (1) person in excess of Seven Hundred Fifty Dollars (\$750) while providing taxicab service shall submit to one or more tests as may be required to determine the amount of alcohol, narcotics, and prescription and non-prescription drugs present in such person. Any such required test(s) shall be at such licensed person's own expense.
- (2) If a required test shows the presence of illegal drugs, alcohol in excess of the legal limit established in 46.25.120 (.04 BAC), prescription drugs used other than as prescribed, or evidence of intoxicants, such person's license shall be immediately revoked. Refusal to submit to any test required shall result in the immediate revocation of the taxicab service license. Following revocation under this subsection, no taxicab operator's license shall be granted until three (3) years immediately following the last violation of this subsection.

(Ord. 09-30 §9, 2009).

6.94.090 Denial, Suspension or Revocation of License.

- (1) Denial of License. Any applicant for a new or renewal license to provide a taxicab service pursuant to this Chapter shall be denied a license if such applicant

- (a) has been convicted of the felony crimes enumerated in RCW Chapter 9A.40 ("Kidnapping, Unlawful Imprisonment, Custodial Interference") or RCW Chapter 9A.32 ("Homicide"), or RCW 9A.44 ("Sex Offenses"), or RCW Chapter 9A.88 ("Indecent Exposure-Prostitution"), or any substantially similar provision of foreign criminal violation within ten (10) years immediately prior to the date of such application,
 - (b) has been convicted of any other felony under the Revised Code of Washington or any substantially similar provision of foreign criminal violation notwithstanding the form of judgment within five (5) years immediately prior to the date of such application.
- (2) Suspension or Revocation of License.
- (a) Upon issuance of a citation for non-compliance with any requirement of RCW 46.37 ("Vehicle Lighting & Other Equipment") the licensed taxicab service owner shall immediately take that vehicle out of service, and either leave the vehicle out of service or provide proof that the vehicle has been repaired within ten (10) business days from the date of infraction, or have such owner's license suspended. Following suspension under this subsection, no owner's license shall be reinstated until proof is presented that the required repairs have been made, or that vehicle is no longer in service with the business.
 - (b) Any licensed taxicab owner or operator who is convicted of any felony under the Revised Code of Washington, except those specifically enumerated elsewhere in this Section, or of any substantially similar provision of foreign criminal violation notwithstanding the form of judgment shall have such license immediately revoked. Following revocation under this subsection, no license shall be granted until five (5) years following the last conviction of admission of any such felony offense.
 - (c) Any licensed taxicab owner or operator who, at any time, is convicted of any of the felony crimes enumerated in RCW Chapter 9A.44 ("Sex Offenses") or RCW Chapter 9A.88 ("Indecent Exposure-Prostitution"), or RCW Chapter 9A.32 ("Homicide"), or any substantially similar provision of foreign criminal violation notwithstanding the form of judgment, shall have such license immediately revoked. Following revocation under this subsection, no license shall be granted until ten

(10) years following the last conviction of admission of any such enumerated felony offense.

- (3) Effect of Driver's License Suspension or Revocation. Suspension or revocation of the driver's license held by any licensed taxicab operator shall result in the denial of an application for renewal such taxicab operator's license or in the immediate and automatic revocation of such taxicab operator's license upon notice to the City of the driver's license suspension or revocation. Such revocation of the taxicab operator's license shall be effective as of the date of such driver's license suspension or revocation.

(Ord. 15-15 §2, 2015; Ord. 14-6 §7, 2014; Ord. 09-30 §10, 2009).

6.94.100 Appeals.

- (1) Any person aggrieved by the action of denial, suspension or revocation of the license by the City shall have the right to appeal to the Hearing Examiner.
- (2) Such appeal shall be taken by filing with the City Clerk written notice thereof within ten (10) business days after the denial or the entry of the order of suspension or revocation. The notice of appeal shall specify an address at which the person appealing may be given notice of hearing on the appeal.
- (3) At the appeal hearing before the Hearing Examiner, the applicant or person appealing shall be entitled to appear in person and offer evidence pertinent to the denial, suspension or revocation or may appear through legal counsel. City staff shall likewise be entitled to appear at the hearing and offer evidence in support of the denial, order of suspension or revocation. Failure by applicant, person appealing, or representative to appear before the Hearing Examiner at the time scheduled to hear such an appeal shall result in the automatic denial of such appeal.
- (4) The Hearing Examiner shall determine whether the denial, suspension or revocation shall be sustained and shall make a final reasoned statement in writing within fifteen (15) business days following the close of the hearing.
- (5) The decision of the Hearing Examiner shall be final and conclusive unless, within ten (10) days (or such other period if specified in the Revised Code of Washington) from the date of the written decision, the aggrieved person files an action in the Whitman County Superior Court.

(Ord. 09-30 §11, 2009).

6.94.110 Penalties.

- (1) Any person violating any provision of this Chapter shall be deemed guilty of a Class 1 infraction and a penalty shall be imposed pursuant to this Code and the Revised Code of Washington.
- (2) Any person violating any provision of this Chapter shall have any current taxicab service license revoked. Upon proof of eligibility following revocation, such person shall be issued a taxicab service license, unless otherwise prohibited by this Chapter.

(Ord. 09-30 §12, 2009).

6.94.120 Severability. If any provisions of this ordinance are declared unconstitutional, or the applicability thereof to any person or circumstances is held invalid, the constitutionality of the remainder of this ordinance and the applicability thereof to persons and circumstances shall not be affected thereby.

(Ord. 09-30 §13, 2009).