



City of Columbus

Legislation Report

Office of City Clerk
90 West Broad Street
Columbus OH 43215-9015
columbuscitycouncil.org

File Number: 1377-2014

30-Day

File ID: 1377-2014

Type: Ordinance

Status: Passed

Version: 1

***Committee:** Rules & Reference Committee

File Name: New City Code to Incorporate peer-to-peer
Transportation network companies and drivers in the
City of Columbus.

File Created: 06/05/2014

Final Action: 07/23/2014

Auditor Cert #:

Auditor: When assigned an Auditor Certificate Number I, the City Auditor, hereby certify that there is in the treasury, or anticipate to come into the treasury, and not appropriated for any other purpose, the amount of money specified hereon, to pay the within Ordinance.

Contact Name/No.: Amanda Ford 614 645 8210

Floor Action (Clerk's Office Only)

Mayor's Action

Council Action

Mayor

Date

Date Passed/ Adopted

President of Council

Veto

Date

City Clerk

Title: To amend Sections 585.01, 585.03, 585.04, 585.05, 585.06, 585.07, 585.09, 585.11, 585.12, 585.13, 585.15 of the Columbus City Code; and to enact Section 585.051 of the Columbus City Code in order to include peer-to-peer transportation network companies and drivers as vehicles for hire.

Sponsors: Zachary M. Klein

Attachments: Legistar 585

Approval History

Version	Date	Approver	Action
1	07/10/2014	Dan Giangardella	Approved
1	07/10/2014	ATTORNEY APPROVER	Approved
Notes	jsg		
1	07/10/2014	Melissa L. Meyer	Approved
1	07/11/2014	Paul Rakosky	Approved
1	07/11/2014	EBOCO APPROVER	Approved
1	07/11/2014	Auditor Reviewer	Approved
Notes	HJD/JM		
1	07/11/2014	AUDITOR APPROVER	Approved
Notes	HJD/bam		
1	07/11/2014	ATTORNEY APPROVER	Approved
Notes	jsg		

History of Legislative File

Ver.	Acting Body:	Date:	Action:	Sent To:	Due Date:	Return Date:	Result:
1	Columbus City Council	07/14/2014	Read for the First Time				
1	Columbus City Council	07/21/2014	Approved				Pass
			Affirmative: 7	Hearcel Craig, Zachary Klein, A. Troy Miller, Michelle Mills, Eileen Paley, Priscilla Tyson, and Andrew Ginther			
1	COUNCIL PRESIDENT	07/21/2014	Signed				
1	MAYOR	07/22/2014	Signed				
1	CITY CLERK	07/23/2014	Attest				

EBOCO: Following review and approval, when required, the Equal Business Opportunity Commission Office certifies compliance with Title 39 as of date listed.

City Attorney: Following review and approval, when required, this ordinance has been reviewed by the City Attorney's Office as to its form and legality only.

Explanation

1. BACKGROUND:

This ordinance amends Chapter 585 and enacts a new section in 585 in the City's Vehicle for Hire Code as it relates to the addition of peer-to-peer transportation network companies and drivers in the city of Columbus. Since November 2013, the City has been working to create new City Code that would incorporate peer-to-peer transportation network companies and drivers into the Vehicle for Hire Code. Peer-to-peer companies are new to the City of Columbus and are a growing trend in the vehicle for hire industry. Public Safety began meeting with peer-to-peer companies six months ago to gain a better understanding of how these companies operate and how they interact with drivers. Through these meetings, the City has created regulation that is consistent with the City's overarching requirements for the entire vehicle for hire industry.

The changes in Chapter 585 will add several definitions to include peer-to-peer and will add representation from this industry to the Vehicle for Hire Board. The addition of Section 585.051 will determine the election procedures for adding a peer-to-peer company member to the Vehicle for Hire Board. There are several additional changes that update terminology and provide clarification.

2. FISCAL IMPACT: None

Title

To amend Sections 585.01, 585.03, 585.04, 585.05, 585.06, 585.07, 585.09, 585.11, 585.12, 585.13, 585.15 of the Columbus City Code; and to enact Section 585.051 of the Columbus City Code in order to

include peer-to-peer transportation network companies and drivers as vehicles for hire.

Body

WHEREAS, there is a need to amend various sections in Chapter 585 of the Columbus City Code to define peer-to-peer transportation network companies and drivers; and

WHEREAS, there is a need to enact Section 585.051 that will determine the election process for adding a peer-to-peer transportation network company member to the Vehicle for Hire Board; and

WHEREAS, this ordinance will make the code more accessible by updating terminology and clarifying phrases; and

WHEREAS, these changes will support the progress of the industry and ensure a more positive experience for customers; and

WHEREAS, this ordinance establishes language and authorizes the amendment of various sections of Chapter 585 and the enactment of Section 585.051 of the Columbus City Code for the above-described purpose; now, therefore

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF COLUMBUS:
SEE ATTACHMENT.

SECTION 1: That Section 585.01 of the Columbus City Code, 1959, is hereby amended to read as follows:

585.01 Definitions

When used in Chapters 585 through 594 of the Columbus City Code:

- (a) ~~"Board" shall mean the Vehicle for Hire Board as constituted in Chapter 585 of the Columbus City Code.~~
- (b) ~~"Director" shall mean the Director of Public Safety, or his or her designee.~~
- (c) ~~"License" shall mean an official document issued by the Department of Public Safety authorizing operation of a licensed taxicab, livery, pedicab, horse drawn carriage or vehicle for hire on the streets of the city.~~
- (d) ~~"License Section" shall mean the Department of Public Safety, Division of Support Services, License Section and is further defined in C.C.C. 501.02 and 501.03~~
- (e) ~~"Suspend" shall mean to temporarily deprive a licensee of rights or privileges under a license for a period not to exceed ninety (90) days.~~
- (f) ~~"Revoke" shall mean to terminate all rights or privileges under a license for a period not to exceed ninety (90) days after which the individual must reapply for a license.~~
- (g) ~~"Permanently revoke" shall mean to terminate all rights and privileges under a license for a period of ninety (90) days or greater and to render the holder of a license ineligible to reapply for said license.~~
- (h) ~~"Vehicle for hire" shall mean any passenger vehicle engaged in the transportation of person(s) from or entirely within the corporate limits of Columbus with the intent to receive direct or indirect compensation that is determined by mutual agreement, by contract, by mileage, or by the length of time the vehicle is used for providing such transportation.~~
- (i) ~~"Vehicle for hire owner" shall mean every corporation, association, joint stock association, person, firm or partnership, their lessees, directors, receivers, trustees, appointees by any court whatsoever, or the heirs, executors, administrators, or personal representatives or assignees of any deceased owner, owning, controlling, operating or managing any vehicle for hire. However, a vehicle for hire driver, driving a vehicle for hire pursuant to a contract of employment or a lease arrangement with the holder of a license for such vehicle, shall not be deemed a "vehicle for hire owner".~~
- (j) ~~"Vehicle for hire driver" shall mean the individual driving, operating or in physical control of the vehicle for hire.~~
- (k) ~~"Operator" shall mean the individual who manages one (1) or more vehicles for hire whether as the owner, an employee of the owner or as an independent contractor.~~
- (l) ~~"Taxicab" shall mean all public passenger motor vehicles carrying the public generally as passengers for hire, gift, donation or other consideration either direct or indirect on the streets of the city, where the route traveled and trip destination are controlled by the passenger and at a charge or fare based upon time and mileage as recorded and indicated on a taximeter. The term "taxicab" includes all motor vehicles that are used as taxicabs, cabs or for hire cars, and engaged as such in the transport of passengers for hire, gift, donation or other consideration, either direct or indirect.~~
- (m) ~~"Taxicab owner" shall mean every corporation, association, joint stock association, person, firm or partnership, their lessees, directors, receivers, trustees, appointees by any court whatsoever, or the heirs, executors, administrators, or personal representatives or assignees of any deceased owner, owning, controlling, operating or managing any taxicab. A taxicab driver, driving a taxicab pursuant to a contract of employment or a lease arrangement with the holder of a license for such taxicab, shall not be deemed a "taxicab owner".~~
- (n) ~~"Taxicab driver" shall mean the individual driving, operating or in physical control of a taxicab.~~
- (o) ~~"Taximeter" shall mean an instrument or device attached to a taxicab which measures mechanically or electronically the distance driven and the waiting time upon which the fare is based.~~
- (p) ~~"Waiting time" shall mean any time a taxicab is engaged or hired by a passenger but not in motion.~~
- (q) ~~"Livery vehicle" shall mean:~~

(1) A limousine or specialized passenger vehicle not equipped with a taximeter and for hire only by prearrangement at a rate charged per hour or fixed in advance, provided that all such livery vehicles are:

- (A) To be for hire for continuous periods of one (1) hour or more, whether actually used for one (1) hour or not;
- (B) Of a type and configuration not generally licensed as a taxicab in the city; and
- (C) Not to drive in search of patronage or park on any public street, or place of assemblage to solicit patronage not prearranged.

(2) Rental vehicles for use in the performance of the business of a limousine company.

(3) Any other vehicle for hire not equipped with a taximeter and for hire only by prearrangement. This is intended to cover omnibuses and other vehicles not otherwise covered by the Columbus City Code.

(r) "Prearranged" shall mean an agreement to provide transportation by registration in advance of boarding from a specific location in a livery vehicle at an agreed upon rate for a minimum of a one-hour period of time without regard to whether the trip requires less than one (1) hour or not. The key factor in determining the cost of a prearranged livery service shall be the length of time the vehicle is in use, measured in hourly increments or an agreed upon fixed rate that exceeds the normal hourly rate for one (1) hour and not the distance traveled.

(s) "Omnibus" shall mean a motor vehicle designed to carry sixteen (16) or more passengers.

(t) "Scheduled limousine" or "shuttle vehicles" shall mean an omnibus or similar vehicle operated over an established route and on a regular schedule, regardless of whether passengers are present for pickup or not. This type of service will generally be provided pursuant to a contract for a prearranged service. The rate charged shall be a flat fee charged equally to all locations on the route regardless of time or distance traveled. Scheduled limousines shall not be sedans or station wagons. These vehicles will comply with the licensing requirements established in Chapter 593 for liveries.

(u) "Livery chauffeur" shall mean the individual driving, operating or in physical control of a livery vehicle.

(v) "Pedicab" shall mean a bicycle upon which a person may ride, propelled by human power through a belt, chain or gears, or powered by electronic assist, and constructed in such a manner as to engage in the business of carrying passengers for hire, gift, donation or other consideration either direct or indirect on the streets of the city, where route traveled and trip destination are controlled by the passenger.

(w) "Bicycle" shall have the same meaning as defined in C.C.C. 2101.04

(x) "Pedicab driver" shall mean the individual driving, operating or in physical control of a pedicab.

(y) "Horse carriage" shall mean a horse drawn vehicle or carriage operating in such a manner as to engage in the business of carrying passengers for hire, gift, donation or other consideration either direct or indirect on the streets of the city, where route traveled and trip destination are controlled by the passenger.

(z) "Wheelchair specialty vehicle" shall mean a motor vehicle that is specifically designed, constructed, or modified and equipped and is intended to be used for the transportation of persons who require use of a wheelchair.

(aa) "Contract vehicle" shall mean a vehicle providing for hire transportation by a written contract agreement with an entity, not the passenger, and when the contract entity compensates the for hire service and no compensation is accepted from the passenger. A contract vehicle shall not engage in cruising or operating on demand service or accept other passengers not covered by the contract.

(bb) "Church bus" shall mean a vehicle owned by a church and used exclusively for church activities and licensed and registered by the state of Ohio as defined in Ohio Revised Code 4503.07.

(cc) "Funeral vehicle" shall mean vehicles owned by a funeral director and used exclusively for funeral services or vehicles for hire while being used for funeral services. This does not prohibit a vehicle from being used as a livery vehicle and a funeral vehicle, such vehicle when used as a livery vehicle must be licensed in accordance with C.C.C Chapters 585 through 594

(dd) "Motor bus" shall mean a vehicle owned by a registered common carrier and registered with the Public Utilities Commission of the State of Ohio (PUCO), and operated for the purpose of intrastate or interstate commerce on regulated routes or schedules.

~~(ee) "Hotel and/or motel courtesy vehicles" shall mean a limousine, specialized passenger vehicle, omnibus or similar vehicle operated by a hotel or motel as a courtesy for its patrons or its employees at no cost to its patrons or employees. These vehicles will comply with the licensing requirements established by Chapter 593 for liveries if at any time they carry the general public in violation of this definition.~~

~~(ff) "Day care facility and automobile dealer shuttle/bus" shall mean a vehicle operated by a daycare facility or automobile dealer to transport its customers and patrons at no cost to said customers and patrons.~~

~~(gg) "Hourly rate" shall be a charge for the actual time consumed in the transportation of passengers together with any waiting time consumed at the direction of the passenger.~~

~~(hh) "Special trip" shall mean a trip to and from points of interest for which a rate, approved by the Vehicle for Hire Board, is filed with the Director of Public Safety.~~

~~(ii) "Complainant" shall mean a person that has filed a verbal or written complaint against a vehicle for hire owner or driver.~~

When used in Chapters 585 through 594 of the Columbus City Code:

(a) "Board" shall mean the Vehicle for Hire Board as created by Section 585.03 of the Columbus City Code.

(b) "Director" shall mean the Director of Public Safety, or the Director's designee.

(c) "License" shall mean an official document issued by the Department of Public Safety authorizing operation of a licensed taxicab, livery, pedicab, horse drawn carriage, peer-to-peer transportation network company, peer-to-peer transportation network drivers or any other vehicle for hire on the streets of the city.

(d) "License Section" shall mean the Department of Public Safety, Division of Support Services, License Section and is further defined in Sections 501.02 and 501.03 of the Columbus City Code.

(e) "Suspend" shall mean to temporarily deprive a licensee of rights or privileges under a license for a period not to exceed ninety (90) days.

(f) "Revoke" shall mean to terminate all rights or privileges under a license for a period not to exceed ninety (90) days after which the individual must reapply for a license.

(g) "Permanently revoke" shall mean to terminate all rights and privileges under a license for a period of ninety (90) days or greater and to render the holder of a license ineligible to reapply for said license.

(h) "Vehicle for hire" shall mean any passenger vehicle engaged in the transportation of person(s) with the intent to receive direct or indirect compensation that is determined by mutual agreement, by contract, by mileage, or by the length of time the vehicle is used for providing such transportation.

(i) "Vehicle for hire owner" shall mean every corporation, limited liability corporation, association, joint stock association, person, firm or partnership, their lessees, directors, receivers, trustees, appointees by any court whatsoever, or the heirs, executors, administrators, or personal representatives or assignees of any deceased owner, owning, controlling, or managing any vehicle for hire. However, a vehicle for hire driver, driving a vehicle for hire pursuant to a contract of employment or a lease arrangement with the holder of a license for such vehicle, shall not be deemed a "vehicle for hire owner".

(j) "Vehicle for hire driver" shall mean the individual driving, operating or in physical control of the vehicle for hire.

(k) "Taxicab" shall mean all public passenger motor vehicles carrying passengers for hire, gift, donation or other consideration either direct or indirect on the streets of the city, where the route traveled and trip destination are controlled by the passenger and at a charge or fare based upon time and mileage as recorded and indicated on a taximeter. The term "taxicab" includes all motor vehicles that are used as taxicabs, cabs or for-hire cars, and engaged as such in the transport of passengers for hire, gift, donation or other consideration, either direct or indirect, and shall exclude peer-to-peer transportation network vehicles.

(l) "Taxicab owner" shall mean every corporation, limited liability company, association, joint stock association, person, firm or partnership, their lessees, directors, receivers, trustees, appointees by any

court whatsoever, or the heirs, executors, administrators, or personal representatives or assignees of any deceased owner, owning, controlling, operating or managing any taxicab. A taxicab driver, driving a taxicab pursuant to a contract of employment or a lease arrangement with the holder of a license for such taxicab, shall not be deemed a "taxicab owner".

(m) "Taxicab driver" shall mean the individual driving, operating or in physical control of a taxicab.

(n) "Taximeter" shall mean an instrument or device attached to a taxicab which measures mechanically or electronically the distance driven and the waiting time upon which the fare is based.

(o) "Waiting time" shall mean any time a taxicab is engaged or hired by a passenger but not in motion.

(p) "Livery vehicle" shall mean:

(1) A limousine or an at least four (4) door passenger vehicle not equipped with a taximeter and for hire only by prearrangement, provided that such livery vehicles do not drive in search of patronage or park on any public street, or place of assemblage to solicit patronage not prearranged;

(2) Rental vehicles for use in the performance of the business of a limousine company; and

(3) Any other vehicle for hire not equipped with a taximeter and for hire only by prearrangement. This is intended to cover omnibuses and other vehicles not otherwise covered by the Columbus City Code.

(q) "Prearranged" when used in connection with a livery vehicle shall mean an agreement to provide transportation by registration through phone dispatch or an online application in advance of boarding from a specific location at an agreed upon rate. "Prearranged" when used in connection with a peer-to-peer transportation network vehicle shall mean a ride solicited and accepted via a licensed peer-to-peer transportation network company's online application in advance of boarding from a specific location.

(r) "Omnibus" shall mean a motor vehicle designed to carry sixteen (16) or more passengers.

(s) "Scheduled limousine" or "shuttle vehicles" shall mean an omnibus or similar vehicle operated over an established route and on a regular schedule, regardless of whether passengers are present for pickup or not. This type of service will generally be provided pursuant to a contract for a prearranged service. The rate charged shall be a flat fee charged equally to all locations on the route regardless of time or distance traveled. Scheduled limousines shall not be sedans or station wagons. These vehicles will comply with the licensing requirements established in Chapter 593 for liveries.

(t) "Livery chauffeur" shall mean the individual driving, operating or in physical control of a livery vehicle.

(u) "Pedicab" shall mean a bicycle upon which a person may ride, propelled by human power through a belt, chain or gears, or powered by electronic assist, and constructed in such a manner as to engage in the business of carrying passengers for hire, gift, donation or other consideration either direct or indirect on the streets of the city, where route traveled and trip destination are controlled by the passenger.

(v) "Bicycle" shall have the same meaning as defined in Section 2101.04 of the Columbus City Code.

(w) "Pedicab driver" shall mean the individual driving, operating or in physical control of a pedicab.

(x) "Horse carriage" shall mean a horse drawn vehicle or carriage operating in such a manner as to engage in the business of carrying passengers for hire, gift, donation or other consideration either direct or indirect on the streets of the city, where route traveled and trip destination are controlled by the passenger.

(y) "Wheelchair specialty vehicle" shall mean a motor vehicle that is specifically designed, constructed, or modified and equipped and is intended to be used for the transportation of persons who require use of a wheelchair.

(z) "Contract vehicle" shall mean a vehicle providing for hire transportation by a written contract agreement with an entity, not the passenger, and when the contract entity compensates the for-hire service and no compensation is accepted from the passenger. A contract vehicle shall not engage in cruising or operating on demand service or accept other passengers not covered by the contract.

(aa) "Church bus" shall mean a vehicle owned by a church and used exclusively for church activities and licensed and registered by the state of Ohio as defined in Section 4503.07 of the Ohio Revised Code.

(bb) "Funeral vehicle" shall mean vehicles owned by a funeral director and used exclusively for funeral services or vehicles for hire while being used for funeral services. This does not prohibit a vehicle from being used as a livery vehicle and a funeral vehicle, such vehicle when used as a livery vehicle must be licensed in accordance with Chapters 585 through 594 of the Columbus City Code.

(cc) "Motor bus" shall mean a vehicle owned by a registered common carrier and registered with the Public Utilities Commission of the State of Ohio (PUCO), and operated for the purpose of intrastate or interstate commerce on regulated routes or schedules.

(dd) "Hotel and/or motel courtesy vehicles" shall mean a limousine, specialized passenger vehicle, omnibus or similar vehicle operated by a hotel or motel as a courtesy for its patrons or its employees at no cost to its patrons or employees. These vehicles will comply with the licensing requirements established by Chapter 593 for liveries if at any time they carry the general public in violation of this definition.

(ee) "Day care facility and automobile dealer shuttle/bus" shall mean a vehicle operated by a daycare facility or automobile dealer to transport its customers and patrons at no cost to said customers and patrons.

(ff) "Hourly rate" shall be a charge for the actual time consumed in the transportation of passengers together with any waiting time consumed at the direction of the passenger.

(gg) "Special trip" shall mean a trip to and from points of interest for which a rate, approved by the Vehicle for Hire Board, is filed with the Director of Public Safety.

(hh) "Complainant" shall mean a person that has filed a verbal or written complaint against a vehicle for hire owner or driver.

(ii) "Ridesharing agreement" shall mean the transportation of persons in a motor vehicle where the transportation is incidental to another purpose of a volunteer driver and includes ridesharing arrangements known as carpools, vanpools, and buspools.

(jj) "Online application" shall mean a web-based application that is used to connect drivers and passengers through prearrangement for the purpose of arranging transportation for passengers for hire, gift, donation, or other consideration, either directly or indirectly.

(kk) "Peer-to-peer transportation network" shall mean an online application used to connect passengers through prearrangement to a peer-to-peer transportation network driver who uses the driver's personal vehicle for the purpose of transporting passengers for hire, gift, donation, or other consideration, either directly or indirectly.

(ll) "Peer-to-peer transportation network company" or "peer-to-peer company" shall mean every corporation, limited liability corporation, association, joint stock association, person, firm, or partnership operating a peer-to-peer transportation network to connect passengers to drivers using the driver's personal vehicle through prearrangement for the purpose of arranging transportation for passengers for hire, gift, donation, or other consideration, either directly or indirectly.

(mm) "Peer-to-peer transportation network driver" or "peer-to-peer driver" shall mean the individual driving, operating, or in physical control of a peer-to-peer transportation network vehicle.

(nn) "Peer-to-peer transportation network vehicle" or "peer-to-peer vehicle" shall mean a personal vehicle used by a peer-to-peer transportation network driver engaged in the transportation of person(s) with the intent to receive indirect compensation from a licensed peer-to-peer transportation network company that is prearranged and determined by a combination of a mileage, rate of speed, or length of time the vehicle is used for providing such transportation.

(oo) "Compensation" shall mean any form of payment received in exchange for providing a service.

(pp) "Direct Compensation" shall mean any monetary compensation received in exchange for providing a service.

(qq) "Indirect Compensation" shall mean any non-monetary compensation received in exchange for providing a service.

SECTION 2. That Section 585.03 of the Columbus City Code, 1959, is hereby amended to read as follows:

585.03 Vehicle for Hire Board created

~~There is created a Vehicle for Hire Board consisting of fifteen (15) members as follows:~~

- ~~(1) The Director of Public Safety or a representative;~~
 - ~~(2) The City Auditor or a representative;~~
 - ~~(3) The chairperson of the public safety committee of the City Council or a representative~~
 - ~~(4) The owner of one (1) or more but less than twenty-five (25) licensed taxicab(s) who has been selected by a majority vote of owners of one (1) or more but less than twenty-five (25) taxicab(s) licensed by the city;~~
 - ~~(5) The owner of twenty-five (25) or more licensed taxicabs who has been selected by a majority vote of the owners of twenty-five (25) or more taxicabs licensed by the city;~~
 - ~~(6) A licensed taxicab driver selected as provided in Section 585.04~~
 - ~~(7) Two (2) owners of licensed liveries;~~
 - ~~(8) The owner of one (1) or more licensed pedicab(s); and~~
 - ~~(9) Six (6) members appointed by the Mayor with the concurrence of City Council.~~
- ~~(b) The appointed membership shall consist of:~~
- ~~(1) A member of the Chamber of Commerce or a representative;~~
 - ~~(2) A member of the Columbus Regional Airport Authority or a representative;~~
 - ~~(3) A member of Experience Columbus or a representative;~~
 - ~~(4) A member of the Greater Columbus Lodging Council; and~~
 - ~~(5) Two (2) private citizens.~~
- ~~(c) If a tie occurs in the vote for any category for a member, the Mayor shall select the board member from those tied for the seat.~~
- ~~(d) The purpose of the Board shall be to administer or supervise the administration of the provisions of Chapters 585 through 594~~
- ~~(e) No person may be appointed to the Board if he or she has any financial interest in the vehicle for hire industry. This shall not limit those representative members elected to the Board.~~

(a) There is created a Vehicle for Hire Board consisting of seventeen (17) members as follows:

- (1) The Director of Public Safety or a representative;
 - (2) The City Auditor or a representative;
 - (3) The chairperson of the public safety committee of the City Council or a representative;
 - (4) The owner of one (1) or more but less than twenty-five (25) licensed taxicab(s) who has been selected by a majority vote of owners of one (1) or more but less than twenty-five (25) taxicab(s) licensed by the city as provided in Section 585.05;
 - (5) The owner of twenty-five (25) or more licensed taxicabs who has been selected by a majority vote of the owners of twenty-five (25) or more taxicabs licensed by the city as provided in Section 585.05;
 - (6) A licensed taxicab driver selected as provided in Section 585.04 ;
 - (7) The owner of five (5) or more licensed liveries who has been selected by a majority vote of the owners of five (5) or more livery vehicles licensed by the city as provided in Section 585.05;
 - (8) A licensed livery driver selected as provided in Section 585.04;
 - (9) The owner of one (1) or more licensed pedicab(s);
 - (10) A representative of a licensed peer-to-peer network transportation company who has been selected by a majority vote of the peer-to-peer transportation network companies as provided in Section 585.051;
 - (11) A licensed peer-to-peer transportation network driver selected as provided in Section 585.04; and
 - (12) Six (6) members appointed by the Mayor with the concurrence of City Council.
- (b) The appointed membership shall consist of:
- (1) A member of the Chamber of Commerce or a representative;

(2) A member of the Columbus Regional Airport Authority or a representative;

(3) A member of Experience Columbus or a representative;

(4) A member of the Greater Columbus Lodging Council; and

(5) Two (2) private citizens.

(c) If a tie occurs in the vote for any category for a member, the Mayor shall select the board member from those tied for the seat.

(d) The purpose of the Board shall be to serve as an advisory board and adopt rules and regulations governing the provisions of Chapters 585 through 594.

(e) No person may be appointed to the Board if the appointee has any financial interest in the vehicle for hire industry. This shall not limit those representative members elected to the Board.

SECTION 3: That Section 585.04 of the Columbus City Code, 1959, is hereby amended to read as follows:

~~585.04 Licensed taxicab driver member.~~

~~The Director shall conduct an annual election among the licensed taxicab drivers for the taxicab driver representative. Licensed taxicab drivers who are also licensed vehicle for hire owners shall not be eligible to serve as the taxicab driver representative. This does not preclude licensed taxicab drivers who are also licensed vehicle for hire owners from voting for the taxicab driver representative. Nominations will be by petition bearing the name of the licensed taxicab driver and the signatures of not less than five percent (5%) of the licensed taxicab drivers, determined as of December 1. Each licensed driver will be allowed one (1) vote, to be cast in person, according to such rules and procedures as the Director shall establish. The election shall be conducted in December and the candidates shall be notified of the results on or before the first Monday in January. The driver shall be selected by a majority of the votes east. If no petitions are received bearing the valid signatures of at least five percent (5%) of the licensed taxicab drivers, the Board shall, subject to appointment by the Mayor, select the taxicab driver member from among the licensed taxicab drivers. In the event of a tie vote, the Mayor shall select which of those tied shall serve on the Board.~~

585.04 Licensed taxicab, livery, and peer-to-peer transportation network driver member

The Director shall conduct an annual election among the licensed taxicab, livery, and peer-to-peer transportation network drivers for a representative from each of the classes of drivers as given in Section 585.03. Nominations will be by petition bearing the name of the licensed driver and the signatures of not less than five percent (5%) of the drivers in each class, determined as of December 1.

Each licensed driver will be allowed one (1) vote, to be cast in person, to be counted only in the class of driver to which the driver is determined, according to such rules and procedures as the Director shall establish. The election shall be conducted in December and each of the candidates shall be notified of the results on or before the first Monday in January. The drivers shall each be selected by a majority of the votes cast in each class. If no petitions are received bearing the valid signatures of at least five percent (5%) of the drivers in each class of drivers, the Board shall, subject to the appointment by the Mayor, select the driver member from among the licensed drivers in the appropriate class.

SECTION 4: That Section 585.05 of the Columbus City Code, 1959, is hereby amended to read as follows:

585.05 Licensed vehicle for hire owner member.

The Director shall conduct an annual election among the licensed vehicle for hire owners for a representative from each of the classes of owners as given in Section 585.03. Nominations will be by petition bearing the name of the licensed vehicle owner and the signatures of not less than five percent (5%) of the owners in each class of owners, determined as of December 1.

Each licensed owner will be allowed one (1) vote, to be cast in person, to be counted only in the class of owner to which ~~he or she~~ the owner is determined, according to such rules and procedures as the Director shall establish. ~~Each licensed livery owner will be allowed two (2) votes to be cast in person, to be counted one (1) for each of the two (2) livery owners selected by the voter.~~ The election shall be conducted in December and each of the candidates shall be notified of the results on or before the first Monday in January. The owners shall each be selected by a majority of the votes cast in each class. If no petitions are received bearing the valid signatures of at least five percent (5%) of the owners in each class of owners, the Board shall, subject to the appointment by the Mayor, select the vehicle for hire owner member from among the licensed vehicle for hire owners in the appropriate class.

SECTION 5: That Section 585.051 of the Columbus City Code, 1959, is hereby enacted to read as follows:

585.051 Licensed peer-to-peer transportation network company member

The Director shall conduct an annual election among the licensed peer-to-peer companies for a representative as given in Section 585.03. Nominations will be by petition bearing the name of the licensed peer-to-peer company and the signatures of not less than five percent (5%) of the companies, determined as of December 1.

Each licensed peer-to-peer company will be allowed one (1) vote, to be cast in person, according to such rules and procedures as the Director shall establish. The election shall be conducted in December and each of the candidates shall be notified of the results on or before the first Monday in January. The company shall be selected by a majority vote. If no petitions are received bearing the valid signatures of at least five percent (5%) of the companies, the Board shall, subject to the appointment by the Mayor, select the peer-to-peer company member from among the licensed peer-to-peer companies.

SECTION 6: That Section 585.06 of the Columbus City Code, 1959, is hereby amended to read as follows:

585.06 Notification of Board member selections

On or before the first Monday in January of each year, notice of the selection of board members shall be given to the Director as follows:

- (a) The License Section shall submit the names of elected representatives by means of a letter;
- (b) The Mayor shall submit the names of the six (6) members which were appointed as provided in Section 585.03 by means of a letter; and
- (c) The Mayor shall announce ~~his~~ any tie breaking selection(s) as provided in Section 585.03 by means of a letter.

SECTION 7: That Section 585.07 of the Columbus City Code, 1959, is hereby amended to read as follows:

585.07 Powers of the Board

The Board shall have the power and authority to:

(a) Adopt rules and regulations governing the inspection of all vehicles for hire and their appurtenances; or any other matter under its supervision and control, as are reasonable, necessary and consistent with Chapters 585 through 594. A copy of all such rules and regulations shall be distributed to licensed vehicle for hire drivers and owners and licensed peer-to-peer drivers and companies at the time of issuance or renewal of licenses.

SECTION 8: That Section 585.09 of the Columbus City Code, 1959, is hereby amended to read as follows:

585.09 Voting; quorum

All members of the Board will be voting members. ~~Eight (8)~~ Nine (9) members of the Board shall constitute a quorum for the transaction of business and a majority vote of those members present shall be necessary to approve or deny any application, or to enact any other item of business. The Director shall be counted as a vote if necessary to complete the requirements for a quorum, but otherwise will vote only in the event of a tie vote.

SECTION 9: That Section 585.11 of the Columbus City Code, 1959, is hereby amended to read as follows:

585.11 Board officers

The Director or the Director's ~~his or her~~ representative shall serve as chairperson of the Board. In ~~his or her~~ the Director's absence, the City Auditor or the City Auditor's ~~his or her~~ representative shall serve as vice chairperson.

SECTION 10: That existing Section 585.12 of the Columbus City Code, 1959, is hereby amended to read as follows:

585.12 Board members' terms; compensation

The Director and the City Auditor shall serve during ~~their~~ the Director's and City Auditor's incumbency. The chairperson of the public safety committee of City Council shall serve as long as he or she holds this position on City Council. All other members shall serve for a term of one (1) year. All members shall serve without compensation.

SECTION 11: That Section 585.13 of the Columbus City Code, 1959, is hereby amended to read as follows:

585.13 Board vacancies

~~The Board shall declare a vacancy in board membership if any member:~~

- ~~(1) Resigns, dies or becomes incapacitated;~~
- ~~(2) Has been convicted of a violation of any provision of Chapters 587 through 594~~
- ~~(3) Fails to attend three (3) successive monthly meetings of the Board; or~~
- ~~(4) Fails to attend four (4) monthly meetings of the Board during the term of office.~~

~~(b) If a vacancy of owner members is declared, the Director shall notify the appropriate class of owners within fifteen (15) days. The appropriate class of owners shall have thirty (30) days after receipt of such notice to select a new board member and notify the Director of their selection pursuant to Sections 585.05 and 585.06. However, if the vacancy occurs between September 1 and December 31, the owner member vacancy shall be filled by the Board. The newly elected or appointed member shall serve the remaining unexpired term.~~

~~(c) If a vacancy of a driver member is declared, the Director shall notify the drivers within fifteen (15) days. The drivers shall have thirty (30) days after receipt of such notice to select a new board member and notify the Director pursuant to Section 585.04. However, if the vacancy occurs between September 1 and December 31, the driver member vacancy shall be filled by the Board. The newly elected or appointed member shall serve the remaining unexpired term.~~

~~(d) If a vacancy of a member appointed by the Mayor is declared, the Director shall notify the Mayor within fifteen (15) days. The Mayor shall appoint a new board member pursuant to Section 585.03, and shall submit the name of the new member to the Director pursuant to Section 585.06 within thirty (30) days of the receipt of the notice. The newly elected or appointed member shall serve the remaining unexpired term.~~

(a) The Board shall declare a vacancy in board membership if any member:

(1) Resigns, dies, or becomes incapacitated;

(2) Has been convicted of a violation of any provision of Chapters 587 through 594;

(3) Has been found to be in violation of any provision of Chapters 587 through 594;

(4) Fails to attend three (3) successive monthly meetings of the Board;

(5) Fails to attend four (4) monthly meetings of the Board during the term of office; or

(6) At the discretion of the Director.

(b) If a vacancy of owner members is declared, the Director shall notify the appropriate class of owners within fifteen (15) days. The appropriate class of owners shall have thirty (30) days after receipt of such notice to select a new board member and notify the Director of the owner's selection pursuant to Sections 585.05 and 585.06. However, if the vacancy occurs between September 1 and December 31, the owner member vacancy shall be filled by the Board. The newly elected or appointed member shall serve the remaining unexpired term.

(c) If a vacancy of a driver member is declared, the Director shall notify the drivers within fifteen (15) days. The drivers shall have thirty (30) days after receipt of such notice to select a new board member and notify the Director pursuant to Section 585.04. However, if the vacancy occurs between September 1 and December 31, the driver member vacancy shall be filled by the Board. The newly elected or appointed member shall serve the remaining unexpired term.

(d) If a vacancy of a peer-to-peer company member is declared, the Director shall notify the companies within fifteen (15) days. The companies shall have thirty (30) days after receipt of such notice to select a new board member and notify the Director pursuant to Section 585.051. However, if the vacancy occurs between September 1 and December 31, the company member vacancy shall be filled by the Board. The newly elected or appointed member shall serve the remaining unexpired term.

(e) If a vacancy of a member appointed by the Mayor is declared, the Director shall notify the Mayor within fifteen (15) days. The Mayor shall appoint a new board member pursuant to Section 585.03, and shall submit the name of the new member to the Director pursuant to Section 585.06 within thirty (30) days of the receipt of the notice. The newly elected or appointed member shall serve the remaining unexpired term.

SECTION 12: That Section 585.15 of the Columbus City Code, 1959, is hereby amended to read as follows:

585.15 Notice

Whenever a hearing is required concerning a licensee ~~licensed owner or driver~~, notice shall be given to the licensee ~~owner, driver~~ and/or complainant no later than ten (10) days prior to the hearing. This time period may be voluntarily waived by the affected licensee ~~owner, driver~~ and/or complainant.

The notice shall be sent by the License Section by means of certified mail or personal service, addressed to the address given on the application, petition or complaint, or to the last known address of the person, corporation, partnership or other entity accused of a violation of a provision of Chapters 587 through 594.

An applicant, petitioner, or other entity requested to appear before the Director, or who exercises ~~his or her~~ the right to appear before the Director pursuant to a provision in Chapters 585 through 594, shall have an opportunity to address the Director after receipt of the notice as provided herein. At any hearing during which the Director considers the suspension or revocation of a license, the licensee may be represented by counsel.

SECTION 13. That prior existing sections 585.01, 585.03, 585.04, 585.05, 585.06, 585.07, 585.09, 585.11, 585.12, 585.13, 585.15 are hereby repealed.

SECTION 14: That this ordinance shall take effect and be in force and after the earliest period allowed by law.