ARTICLE 3. - TAXI SERVICE.

Division 1. - Taxicab Franchises.

§ 13-2-401 - TAXI SERVICE DESCRIBED.

Taxicab service consists of service that operates on irregular routes and schedules on a call-and-demand basis, for compensation for that is usually determined by a taximeter.

*Source: 1992 Code Section 8-13-301; Ord. 031106-13; Ord. 031211-11; Ord. 20130822-081;* [*Ord. No. 20141106-054, Pt. 15, 11-17-14*](http://newords.municode.com/readordinance.aspx?ordinanceid=685238&datasource=ordbank)*.*

§ 13-2-402 - CITY COUNCIL APPROVAL REQUIRED; GENERAL STANDARDS; FRANCHISE PERMIT TRANSFER.

(A) A taxicab franchise may be granted, renewed, extended, amended, or transferred only with council approval. The following conditions apply to a taxicab franchise:

(1) the applicant must be able to operate the taxicab service in accordance with the requirements of this chapter, rules of the department, orders issued under this chapter, provisions of the taxicab franchise, and other applicable law;

(2) the applicant must demonstrate the public necessity and convenience for the taxicab franchise; and

(3) the applicant must agree to provide taxicab service throughout the city.

(B) A taxicab franchise permit may be transferred from one taxicab franchise holder to another only with council approval. A taxicab franchise holder that holds 60 percent or more of the City's franchise permits is ineligible to receive a transfer of permits. After a transfer of franchise permits, the taxicab franchise holder that receives the franchise permits may not hold more than 60 percent of the City's franchise permits.

*Source: 1992 Code Section 8-13-302; Ord. 031106-13; Ord. 031211-11; Ord. 20070405-013;* [*Ord. No. 20141106-054, Pt. 15, 11-17-14*](http://newords.municode.com/readordinance.aspx?ordinanceid=685238&datasource=ordbank)*.*

§ 13-2-403 - FRANCHISE APPLICATION REQUIRED.

(A) A person must submit a written application to the council to grant, renew, extend, amend, or transfer a taxicab franchise or to transfer a franchise permit. The applicant must file an original and three copies of the application with the city clerk.

(B) The application must contain the following:

(1) The applicant's full name, date of birth, telephone number, permanent residence address, and mailing address, and the principal place of business of the proposed taxicab business.

(a) An applicant that is a partnership must include in the application the full name, date of birth, telephone number, permanent residence address, and mailing address of each partner, and any person who participates in the business decisions of the partnership or who has the authority to enter contracts on behalf of the partnership.

(b) An applicant that is a corporation must include in the application the applicant's full name, including any assumed name, location of its principal place of business, and the date of birth, telephone number, permanent address, and mailing address of each officer, director, majority stockholder, and any person who participates in the business decisions of the corporation or who has the authority to enter contracts on behalf of the corporation.

(c) An applicant that is a corporation, partnership, or other business entity must provide certified copies of any documents required by state law to be filed for the business entity to legally exist, and a statement from the Texas Secretary of State certifying that the business is in good standing if state law requires the entity to file documents with the Texas Secretary of State.

(2) An applicant that operates a business under an assumed name must provide a copy of the certificate of assumed name.

(3) The trade name of the proposed taxicab operation in the City.

(4) A description of the proposed taxicab service and the location of the fixed facilities to be used in the operation.

(5) The number of vehicles the applicant proposes to use in the taxicab service and a description of the vehicles.

(6) A description of any past ground transportation service experience of the applicant and a detailed description of any revocation or suspension of a taxicab franchise or permit held by the applicant or the applicant's business before the date of filing the application.

(7) The individual who signs the application must indicate the capacity in which the applicant signs the application and the individual's position with the business.

(8) A description of the proposed insignia and color scheme for the applicant's taxicabs and a description of the distinctive apparel, if any, to be worn by the applicant's drivers.

(9) Evidence demonstrating the public necessity and convenience for the proposed taxicab franchise.

(10) Additional information required on the application form prescribed by the department.

(C) The applicant must attach the following to the application:

(1) A current financial statement from the applicant, prepared by an independent certified public accountant licensed by this state and certifying that the financial statement truly and accurately reflects the financial status of the applicant and the assets and liabilities of the proposed taxicab business. The financial statement must contain a list of the assets to be used in the applicant's taxicab business. An applicant that does not own 100 percent of the assets to be used must include the names of the other owners of the assets and the other owners of ownership interest in the assets. An applicant that is a partnership must also provide a financial statement for each partner.

(2) Certification from an insurance company that it will provide the liability insurance required by this chapter to the franchise holder.

(3) For each person described in Subsection (B)(1), a description of all criminal convictions, and a criminal history certified by the Texas Department of Public Safety within ninety days of the date the application is submitted. A person described in Subsection (B)(1) who has been a resident of Texas for less than one year preceding the date the application is submitted, the criminal history must be certified by the corresponding governmental authority in the former state of residence within 90 days of submission of the application.

(4) An affidavit that there are no outstanding judgments that arise out of circumstances related to ground transportation service against the applicant or a person described in Subsection (B)(1).

(D) The city manager may require additional information in the application process.

(E) On receiving a taxicab franchise application, the city clerk shall retain the original in the city clerk's files and forward three copies to the city manager.

*Source: 1992 Code Section 8-13-303; Ord. 031106-13; Ord. 031211-11; Ord. 20070405-013;* [*Ord. No. 20141106-054, Pt. 15, 11-17-14*](http://newords.municode.com/readordinance.aspx?ordinanceid=685238&datasource=ordbank)*.*

§ 13-2-404 - RECOMMENDATION ON FRANCHISE APPLICATION.

(A) The city manager shall recommend to the council that the council grant or deny the taxicab franchise application. In evaluating a taxicab franchise application, the city manager may consider the following:

(1) the service proposed;

(2) the number, kinds, and types of equipment to be used by the applicant;

(3) whether the applicant has demonstrated the public necessity and convenience for the taxicab franchise;

(4) the effect of the proposed taxicab service on existing taxicab services;

(5) the applicant's financial ability to provide the proposed service;

(6) the ground transportation service experience of an applicant and of any partner or person having an interest in the business if a partnership, and all officers, directors, and majority stock holders if a corporation;

(7) convictions, if any, of applicants, their officers, shareholders, or partners, for misdemeanor or felony crimes that directly relate to the duties and responsibilities of operating a taxicab business;

(8) whether a holder has continued to employ, contract with, or sponsor an individual that is not a safe and reliable driver as reflected by the official Texas Department of Public Safety records, other applicable traffic enforcement agency records, if applicable, or by the individual's criminal record;

(9) whether a previous operating authority or taxicab franchise has been revoked; and

(10) for the transfer of a franchise permit, the requirements of Section 13-2-402(B) (*City Council Approval Required; General Standards; Franchise Permit Transfer*).

(B) The city manager may not recommend that the council grant a franchise application unless the requirements of this chapter have been met.

(C) If the city manager recommends denial of a taxicab franchise application, the city manager shall include the reason for that recommendation. A copy of the recommendation shall be provided to the applicant.

*Source: 1992 Code Section 8-13-304; Ord. 031106-13; Ord. 031211-11; Ord. 20070405-013;* [*Ord. No. 20141106-054, Pts. 15, 16, 11-17-14*](http://newords.municode.com/readordinance.aspx?ordinanceid=685238&datasource=ordbank)*.*

§ 13-2-405 - FRANCHISE ORDINANCES.

(A) If the city manager finds the taxicab franchise applicant meets the requirements of this chapter, the city manager shall direct the city attorney to prepare the taxicab franchise ordinance for the City Council's consideration.

(B) In addition to the requirements for a franchise under Article XI (*Franchises and Public Utilities*) of the City Charter, a taxicab franchise ordinance submitted to the council must include the following provisions:

(1) the period for which the taxicab franchise is granted, and that the taxicab franchise remains in effect for that period unless, on review, the council finds that the taxicab franchise is subject to forfeiture or cancellation for good cause;

(2) a requirement that the taxicab franchise maintain an active fleet of at least 25 taxicabs;

(3) a requirement that the franchise holder comply with the provisions of this chapter and all amendments to this chapter enacted during the period of the taxicab franchise;

(4) a requirement that the taxicab franchise is subject to forfeiture on the holder's conviction for violations of the provisions of this chapter or on a showing that the taxicab franchise holder has substantially breached the terms of the taxicab franchise;

(5) a requirement that the taxicab franchise is subject to forfeiture if the franchise holder fails to pay an outstanding final judgment that arises out of circumstances related to ground transportation service against the franchise holder or a person described in Section 13-2-403(B)(1) (*Franchise Application Required*);

(6) a requirement that the franchise holder maintain complete records of all dispatched calls, all expenses incurred in connection with the operation of the taxicab service business, and all revenues derived from the taxicab business;

(7) a requirement that the franchise holder own, lease, or contract for control of each taxicab used in the taxicab franchise; and

(8) authorization for the department to inspect all records of a taxicab franchise in accordance with Section 13-2-406(D) (*Recordkeeping Requirements*).

*Source: 1992 Code Section 8-13-305; Ord. 031106-13; Ord. 031211-11;* [*Ord. No. 20141106-054, Pts. 15, 17, 11-17-14*](http://newords.municode.com/readordinance.aspx?ordinanceid=685238&datasource=ordbank)*.*

§ 13-2-406 - RECORDKEEPING REQUIREMENTS.

(A) A franchise holder shall maintain records of its taxicab business, operations, receipts, and other documents required by this chapter, the taxicab franchise agreement, and the department.

(B) A franchise holder shall maintain a record required by this section at the principal place of business of the franchise for a 90-day period after the date of creation of the record. After the 90-day period the records may be stored at another location within the city. The franchise holder shall provide the department with the address of the records storage location.

(C) Except as provided in this section, a franchise holder shall keep the records for the term of the franchise. The records used to compile the reports required under Section 13-2-407(B) (*Reports Required*) shall be maintained for 12 months after the date of creation of the records.

(D) The franchise holder shall make all records maintained at the principal place of business for the 90-day retention period available to the department for examination and inspection without notice. The franchise holder shall make records maintained after the 90-day retention period available to the department for examination and inspection on 24 hours notice.

*Source: 1992 Code Section 8-13-306; Ord. 031106-13; Ord. 031211-11;* [*Ord. No. 20141106-054, Pts. 15, 18, 11-17-14*](http://newords.municode.com/readordinance.aspx?ordinanceid=685238&datasource=ordbank)*.*

§ 13-2-407 - REPORTS REQUIRED.

(A) A franchise holder shall submit to the department a report of revenues and expenses for each year of operation. The report shall be made on a form prescribed by the department and submitted not later than the 20th day after the close of the City's fiscal year.

(B) A franchise holder shall submit a monthly report of statistics of operation to the department. The report shall be submitted on a form prescribed by the department not later than the 15th day of the month following the month for which the statistics are collected.

(C) The department may require additional information at intervals specified by the department.

(D) A franchise holder shall submit to the department a report on any accident involving the operation of a taxicab that results in death or injury to a person or damage to a vehicle or other property exceeding $500. The franchise holder shall submit the report on a form prescribed by the department not later than the 15th day of the month following the day of the accident.

*Source: 1992 Code Section 8-13-307; Ord. 031106-13; Ord. 031211-11;* [*Ord. No. 20141106-054, Pt. 15, 11-17-14*](http://newords.municode.com/readordinance.aspx?ordinanceid=685238&datasource=ordbank)*.*

§ 13-2-408 - GRANTING OF TAXICAB FRANCHISE THROUGH ANNUAL RESERVATION OF FRANCHISE PERMITS.

(A) If the department determines that an increase in the number of franchise permits is necessary under Section 13-2-422 (*Calculation of Necessary Franchise Permits*), the department shall reserve 25 percent of the additional franchise permits for allocation to future franchise applicants. The department shall allocate the remaining 75 percent of the additional franchise permits as prescribed by Section 13-2-424 (*Allocation of Additional Franchise Permits*).

(B) The department shall hold the franchise permits reserved under Subsection (A) until 50 franchise permits are held in reserve. Upon the reservation of 50 franchise permits, the department shall publish a notice in a newspaper of general circulation in the city of the availability of 50 franchise permits for a new taxicab franchise.

(C) When not less than 50 franchise permits are held in reserve, the city council may grant the reserved permits to an applicant who meets the requirements of this chapter for a new taxicab franchise. If more than one applicant who meets the requirements of this chapter applies for a new franchise under this section, the council shall award the franchise in accordance with Section 13-2-410 (*Selection Of Franchisee*).

(D) If no qualified person applies for a new franchise when 50 or more reserved permits are available, the department shall allocate an equal number of the reserved permits to each eligible franchise holder under Section 13-2-424 (*Allocation of Additional Franchise Permits*).

*Source: 1992 Code Section 17-2-308; Ord. 031106-13; Ord. 031211-11; Ord. 20060824-016; Ord. 20070405-013;* [*Ord. No. 20141106-054, Pts. 15, 19, 11-17-14*](http://newords.municode.com/readordinance.aspx?ordinanceid=685238&datasource=ordbank)*.*

§ 13-2-409 - GRANTING OF TAXICAB FRANCHISE UNDER CERTAIN CIRCUMSTANCES.

(A) The city council may grant one or two additional taxicab franchises if:

(1) there have been fewer than five taxicab franchise holders in the city for five consecutive years; and

(2) the department has determined that at least one additional permit is necessary under Section 13-2-422 (*Calculation of Necessary Franchise Permits*).

(B) The council may not allocate more than 50 permits to a franchise applicant under this section.

(C) If the number of applicants who meet the requirements of this chapter is greater than the number of franchises the council may grant under this section, the council shall award a franchise in accordance with Section 13-2-410 (*Selection of Franchisee*).

(D) If there have been fewer than five taxicab franchise holders in the city for five consecutive years, and the number of surplus franchise permits issued by the department is twelve or fewer under the formula in Section 13-2-422 (*Calculation of Necessary Franchise Permits*), the department shall submit a report to the council advising the council on an appropriate mechanism to determine how a franchise may be awarded under this section.

*Source: 1992 Code Section 17-2-309; Ord. 031106-13; Ord. 031211-11; Ord. 20060824-016;* [*Ord. No. 20141106-054, Pts. 15, 20, 11-17-14*](http://newords.municode.com/readordinance.aspx?ordinanceid=685238&datasource=ordbank)*.*

§ 13-2-410 - SELECTION OF FRANCHISEE.

(A) This section prescribes the method for selecting among multiple applicants when required by Section 13-2-408(C) (*Granting Of Taxicab Franchise Through Annual Reservation Of Franchise Permits*) or Section 13-2-409(C) (*Granting Of Taxicab Franchise Under Certain Circumstances*).

(B) The council shall award the franchise to the applicant that the city council determines is best qualified after considering:

(1) the information required by Section 13-2-403 (*Franchise Application Required*);

(2) the criteria and recommendation prescribed by Section 13-2-404 (*Recommendation on Franchise Application*); and

(3) criteria reasonably relating to the operation of a taxicab franchise promulgated by the city manager.

*Source: Ord. 20060824-016;* [*Ord. No. 20141106-054, Pts. 15, 21, 11-17-14*](http://newords.municode.com/readordinance.aspx?ordinanceid=685238&datasource=ordbank)*.*

Division 2. - Franchise Permits.

§ 13-2-421 - FRANCHISE PERMITS REQUIRED.

(A) On approval of a taxicab franchise, the department shall issue a franchise permit for each vehicle authorized in the taxicab franchise and for which the franchise holder has paid permit fees. Before placing a taxicab in service, a franchise holder shall affix the franchise permit issued for that vehicle to the vehicle in the manner prescribed by the department.

(B) A franchise permit issued to the franchise holder expires on the date printed on the permit.

(C) A holder may not operate a vehicle that displays an expired permit.

*Source: 1992 Code Section 8-13-321; Ord. 031106-13; Ord. 031211-11;* [*Ord. No. 20141106-054, Pt. 15, 11-17-14*](http://newords.municode.com/readordinance.aspx?ordinanceid=685238&datasource=ordbank)*.*

§ 13-2-422 - CALCULATION OF NECESSARY FRANCHISE PERMITS.

(A) The department shall determine the annual increase or decrease in the number of necessary franchise permits by multiplying the number of franchise permits that were determined to be necessary in the previous year by the average of the percent of annual change in:

(1) the population of the City; and

(2) the number of taxicab departures from Austin-Bergstrom International Airport.

(B) The population figure for the City shall be based on the annual population estimate as determined by the department as of December 31 of the preceding year.

*Source: 1992 Code Section 8-13-322; Ord. 031106-13; Ord. 031211-11;* [*Ord. No. 20141106-054, Pt. 15, 11-17-14*](http://newords.municode.com/readordinance.aspx?ordinanceid=685238&datasource=ordbank)*.*

§ 13-2-423 - ADDITIONAL FRANCHISE PERMITS.

(A) The department may issue additional franchise permits to reach the number of necessary permits calculated under in Section 13-2-422 (*Calculation of Necessary Franchise Permits*). A fraction of an additional permit shall be rounded down to the nearest whole number.

(B) The number of franchise permits authorized for each franchise holder may not be reduced if the number of authorized franchise permits issued exceeds the number of franchise permits determined to be necessary under Section 13-2-422 (*Calculation of Necessary Franchise Permits*).

*Source: 1992 Code Section 8-13-323; Ord. 031106-13; Ord. 031211-11;* [*Ord. No. 20141106-054, Pts. 15, 22, 11-17-14*](http://newords.municode.com/readordinance.aspx?ordinanceid=685238&datasource=ordbank)*.*

§ 13-2-424 - ALLOCATION OF ADDITIONAL FRANCHISE PERMITS.

(A) If the department determines that an increase in the number of franchise permits is necessary under Section 13-2-422 (*Calculation of Necessary Franchise Permits*), the department shall allocate the additional franchise permits to each eligible franchise holder as follows:

(1) A franchise holder who holds 60 percent or more of the City's franchise permits is not eligible to receive additional franchise permits, unless:

(a) the department has published a notice of the availability of franchise permits for a new taxicab franchise in accordance with Section 13-2-408 (*Granting of Taxicab Franchise Through Annual Reservation of Franchise Permits*);

(b) no applicant who meets the requirements of this chapter applies for a new franchise within 30 days of the date of publication; and

(c) the franchise holder is eligible under Section 13-2-425 (*Eligibility For Additional Franchise Permits*) and request the permits in accordance with Section 13-2-426 (*Request For Additional Franchise Permits*).

(2) The franchise holders who are eligible to receive additional permits and who request the permits shall each receive an equal number of the additional franchise permits, and

(3) If no franchise holder is eligible to receive additional franchise permits or if no franchise holder requests additional franchise permits then the additional permits shall be reserved for allocation to future franchise applicants.

(B) Following the department's calculation of the total number of franchise permits under Section 13-2-422 (*Calculation of Necessary Franchise Permits*), the department shall notify franchise holders of the total number of additional franchise permits to be allocated and the total number of franchise permits for which each franchise holder may be eligible.

*Source: 1992 Code Section 8-13-324; Ord. 031106-13; Ord. 031211-11; Ord. 20070405-013;* [*Ord. No. 20141106-054, Pts. 15, 23, 11-17-14*](http://newords.municode.com/readordinance.aspx?ordinanceid=685238&datasource=ordbank)*.*

§ 13-2-425 - ELIGIBILITY FOR ADDITIONAL FRANCHISE PERMITS.

(A) For a franchise holder to qualify for an allocation of additional permits, one taxicab must have been in operation for each of the holder's authorized franchise permits for at least 30 days during the preceding January 1 through March 30 period and the franchise holder must attain an overall use rate of 75 percent. To determine the use rate, owner-operated vehicles under this chapter are considered to be in operation each day of the period. Company-owned daily lease vehicles are considered to be in service only when actually in service.

(B) The department shall apply the following formula to determine the use rate:

Permit Days Used = Number of days each
authorized permit was in
operation for the period

Permit Use Rate =   Permit days used
Number of authorized franchise
permits multiplied by the
number of days in the period

(C) This section does not apply to a modified ground transportation service vehicle.

*Source: 1992 Code Section 8-13-325; Ord. 031106-13; Ord. 031211-11;* [*Ord. No. 20141106-054, Pt. 15, 11-17-14*](http://newords.municode.com/readordinance.aspx?ordinanceid=685238&datasource=ordbank)*.*

§ 13-2-426 - REQUEST FOR ADDITIONAL FRANCHISE PERMITS.

(A) To request additional franchise permits, a franchise holder must submit a report from a certified public accountant, licensed by this state and not affiliated with the franchise, certifying that the franchise holder has satisfied the use rate requirement under Section 13-2-425 (*Eligibility for Additional Franchise Permits*) and that all vehicles were used as reported.

(B) The report must be submitted to the department not later than May 15th. A franchise holder that does not submit the report by the deadline is ineligible to receive additional franchise permits.

(C) When a franchise holder becomes ineligible to receive additional franchise permits, the department shall reallocate the additional franchise permits initially allocated to the ineligible franchise holder.

*Source: 1992 Code Section 8-13-326; Ord. 031106-13; Ord. 031211-11;* [*Ord. No. 20141106-054, Pts. 15, 24, 11-17-14*](http://newords.municode.com/readordinance.aspx?ordinanceid=685238&datasource=ordbank)*.*

§ 13-2-427 - DISTRIBUTION OF ADDITIONAL PERMITS.

(A) The department shall distribute additional franchise permits to qualified franchise holders that comply with Sections 13-2-425 (*Eligibility for Additional Franchise Permits*) and 13-2-426 (*Request for Additional Franchise Permits*) within 60 days of the deadline prescribed in Section 13-2-426(B) (*Request for Additional Franchise Permits*).

(B) The department shall reduce the number of additional franchise permits allocated to coincide with the number of additional franchise permits in use for a franchise holder that receives additional franchise permits but does not increase its total fleet to the new allocated level within 90 days of the distribution of additional franchise permits.

(C) All franchise permits previously allocated to a franchise holder must be assigned to a vehicle that is in service before newly allocated franchise permits are assigned.

*Source: 1992 Code Section 8-13-327; Ord. 031106-13; Ord. 031211-11;* [*Ord. No. 20141106-054, Pts. 15, 25, 11-17-14*](http://newords.municode.com/readordinance.aspx?ordinanceid=685238&datasource=ordbank)*.*

§ 13-2-428 - EVALUATION OF CALCULATION OF NECESSARY PERMITS.

Annually, the director may consider the department's calculation of the number of permits under Section 13-2-422 (*Calculation of Necessary Franchise Permits*) and recommend to the council a change in the calculation or any change the director determines is appropriate.

*Source: 1992 Code Section 8-13-328; Ord. 031106-13; Ord. 031211-11;* [*Ord. No. 20141106-054, Pts. 15, 26, 11-17-14*](http://newords.municode.com/readordinance.aspx?ordinanceid=685238&datasource=ordbank)*.*

§ 13-2-429 - FRANCHISE PERMIT FEE.

(A) Except as provided in Subsection (B), a franchise holder shall pay to the City an annual franchise permit fee for each vehicle authorized in the taxicab franchise before placing any taxicab into service.

(B) The franchise holder may pay the fee in quarterly installments in accordance with the City's fiscal year. If the franchise holder makes quarterly payments, the first payment is due immediately on approval of the franchise permit. Subsequent payments are due no later than the fifth business day before the beginning of the quarter for which the payment is due.

(C) A fee for an additionally allocated franchise permit must include payment for the entire quarter in which the permit is distributed and may be paid as provided in Subsection (B).

(D) The fee prescribed by this section does not apply to a permit issued under Section 13-2-502 (*Special Franchise Permits*).

*Source: 1992 Code Section 8-13-330; Ord. 031106-13; Ord. 031211-11;* [*Ord. No. 20141106-054, Pts. 15, 27, 11-17-14*](http://newords.municode.com/readordinance.aspx?ordinanceid=685238&datasource=ordbank)*.*

§ 13-2-430 - AMENDMENT; REVOCATION.

A taxicab franchise may be amended or revoked as provided by the City Charter, the taxicab franchise ordinance, or this chapter.

*Source: 1992 Code Section 8-13-331; Ord. 031106-13; Ord. 031211-11;* [*Ord. No. 20141106-054, Pt. 15, 11-17-14*](http://newords.municode.com/readordinance.aspx?ordinanceid=685238&datasource=ordbank)*.*

§ 13-2-431 - MULTIPLE FRANCHISES PROHIBITED.

(A) Except as provided by this section, a person may not have a pecuniary interest or security interest in the stock or other assets of a taxicab franchise that confers on the franchise holder a controlling or voting interest in more than one taxicab franchise.

(B) A person who has a pecuniary interest in one taxicab franchise and obtains a pecuniary interest in a second taxicab franchise as a result of the foreclosure of a security interest in the stock or other assets of that second taxicab franchise must comply with Subsection (A) not later than six months after the date the person obtained a pecuniary interest in the second taxicab franchise.

*Source: 1992 Code Section 8-13-332; Ord. 031106-13; Ord. 031211-11;* [*Ord. No. 20141106-054, Pt. 15, 11-17-14*](http://newords.municode.com/readordinance.aspx?ordinanceid=685238&datasource=ordbank)*.*

Division 3. - Operations.

§ 13-2-441 - NUMBER OF TAXICABS PLACED IN SERVICE.

(A) A franchise holder may not operate more taxicabs than the number authorized by the taxicab franchise ordinance and by Sections 13-2-431 (*Multiple Franchises Prohibited*) and 13-2-502 (*Special Franchise Permits*).

(B) A franchise holder may place into service only the number of vehicles for which the franchise holder has paid all charges required by the Code.

*Source: 1992 Code Section 8-13-341; Ord. 031106-13; Ord. 031211-11;* [*Ord. No. 20141106-054, Pts. 15, 28, 11-17-14*](http://newords.municode.com/readordinance.aspx?ordinanceid=685238&datasource=ordbank)*.*

§ 13-2-442 - OWNER-OPERATED TAXICABS.

(A) At least 40 percent of the vehicles placed in service by a franchise holder must be owner-operated vehicles.

(B) In addition to the requirements for drivers under Article 1 (*General Provisions*), Division 6 (*Drivers*), Subparts A (*Chauffeur's Permit*) and C (*Duties and Conduct of Drivers*), a person who owns a vehicle may not drive that vehicle as part of a franchise holder's fleet unless the franchise holder and owner-operator enter into a written contract in accordance with rules prescribed by the department.

(C) When an owner-operated vehicle is taken from service, the franchise holder shall notify the department of that fact not later than the 15th day of the month following the month in which the vehicle is taken from service.

*Source: 1992 Code Section 8-13-342; Ord. 031106-13; Ord. 031211-11;* [*Ord. No. 20141106-054, Pt. 15, 11-17-14*](http://newords.municode.com/readordinance.aspx?ordinanceid=685238&datasource=ordbank)*.*

§ 13-2-443 - CITY-WIDE TAXICAB SERVICE REQUIRED.

A franchise holder may not refuse to provide taxicab service to the general public to and from any point inside the City that is accessible by a public street. It is an affirmative defense to prosecution under this section that the holder or the driver had reason to believe that service in a particular circumstance would have subjected the driver to violence or the taxicab to destruction.

*Source: 1992 Code Section 8-13-343; Ord. 031106-13; Ord. 031211-11;* [*Ord. No. 20141106-054, Pt. 15, 11-17-14*](http://newords.municode.com/readordinance.aspx?ordinanceid=685238&datasource=ordbank)*.*

§ 13-2-444 - PROMPT RESPONSE REQUIRED.

(A) A franchise holder shall maintain a dispatch terminal within the city or within 5,000 feet of the city limits that is operational 24 hours each day for the purpose of receiving calls and dispatching taxicabs.

(B) A franchise holder shall respond to each call received for service inside the city as soon as practicable. If the service cannot be rendered within a reasonable time, the franchise holder shall inform the caller of the reason for the delay and the approximate time required to answer the call.

*Source: 1992 Code Section 8-13-344; Ord. 031106-13; Ord. 031211-11; Ord. 20050818-025;* [*Ord. No. 20141106-054, Pt. 15, 11-17-14*](http://newords.municode.com/readordinance.aspx?ordinanceid=685238&datasource=ordbank)*.*

§ 13-2-445 - RESPONSE TO DISPATCHED SERVICE REQUESTS.

While operating a taxicab, a driver shall respond to service requests from the driver's dispatch terminal when the location for pick-up is within a reasonable distance from the location of the taxicab.

*Source: 1992 Code Section 8-13-345; Ord. 031106-13; Ord. 031211-11;* [*Ord. No. 20141106-054, Pt. 15, 11-17-14*](http://newords.municode.com/readordinance.aspx?ordinanceid=685238&datasource=ordbank)*.*

§ 13-2-446 - REFUSAL TO CONVEY PASSENGERS.

While operating a taxicab, a driver may not refuse to convey a person who requests service unless:

(1) the driver is engaged in answering a previous request for service;

(2) the person requesting service is disorderly;

(3) the driver has reason to believe that the person is engaged in unlawful conduct;

(4) the driver has reason to believe that the safety of the driver or the taxicab is at risk; or

(5) the person cannot present proof of ability to pay the fare.

*Source: 1992 Code Section 8-13-346; Ord. 031106-13; Ord. 031211-11;* [*Ord. No. 20141106-054, Pt. 15, 11-17-14*](http://newords.municode.com/readordinance.aspx?ordinanceid=685238&datasource=ordbank)*.*

§ 13-2-447 - LIMITATIONS ON RADIO USE.

While on duty a driver may not:

(1) respond to a dispatched service request assigned to another driver;

(2) monitor the dispatch frequency of a taxicab company other than the driver's company;

(3) respond to a call for service dispatched by another company; or

(4) possess equipment capable of receiving the dispatch frequency of a taxicab company other than the driver's own.

*Source: 1992 Code Section 8-13-347; Ord. 031106-13; Ord. 031211-11;* [*Ord. No. 20141106-054, Pt. 15, 11-17-14*](http://newords.municode.com/readordinance.aspx?ordinanceid=685238&datasource=ordbank)*.*

§ 13-2-448 - DIRECT ROUTE.

(A) A driver shall transport a passenger to the passenger's destination by the most direct route available unless otherwise directed by the passenger.

(B) This section applies only to taxicab service in which a taximeter is used to calculate the rate of fare.

*Source: 1992 Code Section 8-13-348; Ord. 031106-13; Ord. 031211-11;* [*Ord. No. 20141106-054, Pt. 15, 11-17-14*](http://newords.municode.com/readordinance.aspx?ordinanceid=685238&datasource=ordbank)*.*

§ 13-2-449 - LIMITATIONS ON SOLICITATIONS.

(A) A driver may not solicit business for a taxicab except from the driver compartment of the taxicab or the curb immediately adjacent to the taxicab.

(B) A driver may not solicit business in a loud or annoying tone of voice, or obstruct the movement of any person. A driver may not solicit business at the terminal of another common carrier or at points of loading and unloading along any established route of another common carrier.

(C) When a taxicab is at a rail, air, or bus depot within the city, the driver or person in charge of the taxicab may not leave the taxicab and enter the depot, the sidewalk, or private property of a railroad company, airline, or bus company to solicit the transportation of arriving passengers.

*Source: 1992 Code Section 8-13-349; Ord. 031106-13; Ord. 031211-11;* [*Ord. No. 20141106-054, Pt. 15, 11-17-14*](http://newords.municode.com/readordinance.aspx?ordinanceid=685238&datasource=ordbank)*.*

§ 13-2-450 - TAXICAB USE RESTRICTED.

(A) Except as provided by this section, the owner or driver of a taxicab may not use the taxicab for any purpose other than to transport passengers, run errands, deliver packages, or perform other services customary in the taxicab business.

(B) A driver or owner of a taxicab may use the taxicab for personal business during off-duty hours. If a driver or owner of a taxicab uses the taxicab for personal business during off-duty hours, the person shall place the taximeter in the revenue-earning position and report the trip to the franchise holder.

*Source: 1992 Code Section 8-13-350; Ord. 031106-13; Ord. 031211-11;* [*Ord. No. 20141106-054, Pt. 15, 11-17-14*](http://newords.municode.com/readordinance.aspx?ordinanceid=685238&datasource=ordbank)*.*

§ 13-2-451 - NUMBER OF PASSENGERS.

(A) The number of passengers a driver may transport during a single trip is limited to the number of seatbelts available in the taxicab.

(B) A franchise holder shall provide a decal not to exceed three square inches to be affixed to each rear side window of a taxicab that contains the maximum number of passengers allowed in that taxicab.

*Source: 1992 Code Section 8-13-351; Ord. 031106-13; Ord. 031211-11; Ord. 20120209-033;* [*Ord. No. 20141106-054, Pt. 15, 11-17-14*](http://newords.municode.com/readordinance.aspx?ordinanceid=685238&datasource=ordbank)*.*

§ 13-2-452 - ADDITIONAL PASSENGERS.

(A) Unless the passenger employing a taxicab consents, a driver may not admit additional passengers to the taxicab on that trip.

(B) This section applies only to taxicab service in which a taximeter is used to calculate the rate of fare.

*Source: 1992 Code Section 8-13-352; Ord. 031106-13; Ord. 031211-11;* [*Ord. No. 20141106-054, Pt. 15, 11-17-14*](http://newords.municode.com/readordinance.aspx?ordinanceid=685238&datasource=ordbank)*.*

§ 13-2-453 - USE OF TAXI ZONES.

(A) To enter a taxi zone, a taxicab driver shall drive the taxicab into the taxi zone from the rear of the zone and proceed to the front of the zone in an orderly manner.

(B) The driver of a taxicab may not admit passengers in a taxi zone unless:

(1) each taxicab ahead of the driver's taxicab, if any, in the taxi zone has loaded passengers; or

(2) the passenger to be loaded has rejected service from each taxicab ahead of the driver's taxicab in the taxi zone.

*Source: 1992 Code Section 8-13-353; Ord. 031106-13; Ord. 031211-11;* [*Ord. No. 20141106-054, Pt. 15, 11-17-14*](http://newords.municode.com/readordinance.aspx?ordinanceid=685238&datasource=ordbank)*.*

§ 13-2-454 - BUSINESS ESTABLISHMENTS REQUESTING TAXICABS FOR CUSTOMERS.

An employee of a business establishment, other than a taxicab service, who acts as an agent in obtaining taxicab service for prospective taxicab passengers may not solicit or accept payment from a holder in return for giving preferential treatment by directing passengers to a taxicab, or interfere with the orderly progression of taxicabs from the rear to the front of a taxi zone.

*Source: 1992 Code Section 8-13-354; Ord. 031106-13; Ord. 031211-11;* [*Ord. No. 20141106-054, Pt. 15, 11-17-14*](http://newords.municode.com/readordinance.aspx?ordinanceid=685238&datasource=ordbank)*.*

Division 4. - Rates of Fare and Taximeters.

§ 13-2-461 - RATES OF FARE.

A holder or driver may not charge a taxicab rate of fare in the city that is inconsistent with the rates of fare established by the council.

*Source: 1992 Code Section 8-13-361; Ord. 031106-13; Ord. 031211-11;* [*Ord. No. 20141106-054, Pt. 15, 11-17-14*](http://newords.municode.com/readordinance.aspx?ordinanceid=685238&datasource=ordbank)*.*

§ 13-2-462 - RATE CARD.

A holder shall post a rate card containing a schedule of rates established by the council as well as other information prescribed by the department. The card must be clearly visible to passengers. The department shall prescribe the size, content, and format, and location of the rate card.

*Source: 1992 Code Section 8-13-362; Ord. 031106-13; Ord. 031211-11;* [*Ord. No. 20141106-054, Pt. 15, 11-17-14*](http://newords.municode.com/readordinance.aspx?ordinanceid=685238&datasource=ordbank)*.*

§ 13-2-463 - TAXIMETER REQUIRED.

(A) A person may not drive or allow another person to drive a taxicab unless the taxicab is equipped with an operational taximeter that displays an accuracy seal, certifying its accuracy in accordance with procedures determined by the department.

(B) For purposes of determining a fare for taxicab service, a person may not use a device other than a taximeter for measuring distance or time.

(C) Except as provided by Subsection (D), a person may not drive or allow another person to drive a taxicab unless an accurate taximeter is used to determine the fare to be charged.

(D) Taximeter rates of fare do not apply to:

(1) a trip to a destination outside the corporate city limits if the taximeter is kept in operation while the taxicab has a passenger within the corporate limits of the city;

(2) on written approval of the department, a trip under a contract with a governmental agency, a nonprofit organization, or as otherwise reasonably necessary to provide a public service; or

(3) a rate change approved under Section 13-2-470 (*Decision on Rate Application*).

*Source: 1992 Code Section 8-13-363; Ord. 031106-13; Ord. 031211-11;* [*Ord. No. 20141106-054, Pts. 15, 29, 11-17-14*](http://newords.municode.com/readordinance.aspx?ordinanceid=685238&datasource=ordbank)*.*

§ 13-2-464 - SETTING TAXIMETER.

(A) When using a taximeter to compute a fare, a driver shall place the taximeter in the revenue-earning position when a passenger enters a taxicab, or at the pre-arranged time, if any, after the customer is informed of the taxicab's presence.

(B) When using a taximeter to compute a fare, a driver shall call the attention of passengers to the amount registered on the taximeter before resetting the taximeter. The taximeter may not be reset to the "vacant" position until after the fare is paid.

*Source: 1992 Code Section 8-13-364; Ord. 031106-13; Ord. 031211-11;* [*Ord. No. 20141106-054, Pt. 15, 11-17-14*](http://newords.municode.com/readordinance.aspx?ordinanceid=685238&datasource=ordbank)*.*

§ 13-2-465 - MULTIPLE FARES.

(A) All passengers occupying a taxicab on a single trip shall be charged according to the same rate method.

(B) When using a taximeter to compute a fare for multiple passengers who occupy a taxicab at the same point of origin and disembark at different destinations, the following rules apply:

(1) Passengers departing at a destination are responsible for the fare displayed on the taximeter at that destination.

(2) The driver shall reset the meter at each destination unless the passenger disembarking at the final destination agrees to pay the fare for the entire trip.

(3) Groups of passengers disembarking at one destination are not charged individually. The passengers are responsible only for the fare on the taximeter without any additional passenger fee.

*Source: 1992 Code Section 8-13-365; Ord. 031106-13; Ord. 031211-11;* [*Ord. No. 20141106-054, Pt. 15, 11-17-14*](http://newords.municode.com/readordinance.aspx?ordinanceid=685238&datasource=ordbank)*.*

§ 13-2-466 - TAXIMETER STANDARDS.

(A) A taximeter must electronically or mechanically calculate the charge for distance traveled and waiting time, if any. The charge must be indicated by means of clearly legible, electrically lighted figures that are reset each time the taximeter is reset.

(B) In this section, "waiting time" means that period of time after a passenger enters a taxicab and after the meter is activated that the taxicab is not traveling because of delay caused by traffic, a traffic control device, or a request of the passenger. Waiting time does not include time lost because of mechanical failure of the taxicab.

(C) Taximeters must conform to the following specifications:

(1) The size and design of a taximeter must be approved by the department.

(2) A taximeter must register the following items on visual counters:

(a) total miles;

(b) paid miles;

(c) number of trips; and

(d) units of fare.

(3) Each taximeter must be equipped with a tamper-proof switch and system of electrical distribution that meets the following requirements:

(a) The electric identification sign affixed to the roof of the taxicab must be lit when the taximeter is in a non-revenue-earning or "off" position.

(b) The two amber lights affixed to the roof of the taxicab must be lit and visible from all directions when the taximeter is in a revenue-earning or "on" position. The amber lights are not required to be visible from the rear of the vehicle if the vehicle roof has been modified to allow the transport of disabled passengers.

(4) A mechanical taximeter must be connected directly to the taxicab transmission and sealed to prevent tampering.

(5) The rate change unit of an electronically operated taximeter must be sealed to prevent tampering.

*Source: 1992 Code Section 8-13-366; Ord. 031106-13; Ord. 031211-11;* [*Ord. No. 20141106-054, Pt. 15, 11-17-14*](http://newords.municode.com/readordinance.aspx?ordinanceid=685238&datasource=ordbank)*.*

§ 13-2-467 - TAXIMETER INSPECTIONS.

(A) During the inspection of a taxicab under Section 13-2-141 (*Inspection Required*), the taximeter may be inspected for accuracy.

(B) A taxicab may not receive an accuracy seal for any taximeter unless the taximeter is inspected and determined to be accurate and in conformity with this chapter.

(C) A holder may not drive or allow another person to drive a taxicab unless the taximeter:

(1) has been inspected and an accuracy seal has been affixed to the taximeter in accordance with the procedures established by the department;

(2) displays a seal described in this section that is intact and affixed to the taximeter in accordance with the procedures established by the department; and

(3) is accurate.

(D) A driver may not drive a taxicab unless the taximeter:

(1) has been inspected and an accuracy seal has been affixed to the taximeter in accordance with the procedures established by the department; and

(2) displays a seal described in this section that is intact and affixed to the taximeter in accordance with the procedures established by the department.

*Source: 1992 Code Section 8-13-367; Ord. 031106-13; Ord. 031211-11;* [*Ord. No. 20141106-054, Pt. 15, 11-17-14*](http://newords.municode.com/readordinance.aspx?ordinanceid=685238&datasource=ordbank)*.*

§ 13-2-468 - EQUIPMENT ALTERATIONS PROHIBITED.

(A) A person may not drive or allow another person to drive a taxicab in which the taximeter or other equipment has been altered in a manner that causes the taximeter to calculate an incorrect rate.

(B) A person may not drive or allow another person to drive a taxicab equipped with a taximeter that has been tampered with since the last inspection.

(C) A person may not drive or allow another person to drive a taxicab that displays the electric roof identification sign and amber roof lights in a manner indicating that the vehicle is available for hire when the taxicab is occupied by a passenger.

*Source: 1992 Code Section 8-13-368; Ord. 031106-13; Ord. 031211-11;* [*Ord. No. 20141106-054, Pt. 15, 11-17-14*](http://newords.municode.com/readordinance.aspx?ordinanceid=685238&datasource=ordbank)*.*

§ 13-2-469 - APPLICATION FOR RATE CHANGE.

(A) A majority of taxicab franchise holders operating in the city may submit a joint application for a rate change. An application for a rate change must be signed by a majority of taxicab franchise holders. The applicants for the rate change shall coordinate the application to prove that the rate change is necessary.

(B) The application must include the following:

(1) A cover letter stating the reason for the rate change request.

(2) Information supporting the rate change that must include the following:

(a) A statement detailing the increase in the cost of living to taxicab operators since the previous rate change, as evidenced by the Consumer Price Index for Urban Consumers.

(b) Information on rates of fares in other comparable cities.

(c) Information on changes in costs for the operation of vehicles, including the cost of fuel, maintenance, and any other information related to the cost of operation.

(d) The effect of the proposed rate changes on any average trip.

(e) A summary of the information prescribed under paragraphs (a) through (d) of this subdivision identifying major operating expense changes necessitating the need for the rate changes and the effect on the industry if the proposed change is not granted.

(f) If the proposed rate is not computed by taximeter, a description of the charging methodology, the manner in which the franchise holders intend to administer the proposed rate, and the additional City facilities or other City resources that would be required if the proposed change is granted.

(g) The department may require additional information pertinent to the request from the applicants.

(C) All operational or financial data supplied and analyzed in the application must be based on the City's fiscal year.

(D) The application must be filed with the city clerk.

*Source: 1992 Code Section 8-13-369; Ord. 031106-13; Ord. 031211-11;* [*Ord. No. 20141106-054, Pt. 15, 11-17-14*](http://newords.municode.com/readordinance.aspx?ordinanceid=685238&datasource=ordbank)*.*

§ 13-2-470 - DECISION ON RATE APPLICATION.

(A) The city manager shall make a recommendation to the council regarding an application for a rate change.

(B) The city manager may not recommend that the council grant the rate change application unless the requirements of this chapter have been met.

(C) If the city manager recommends denial of a rate change application, the city manager shall include the reason for that recommendation.

(D) The council shall act on the application not later than the 45th day after receipt of the city manager's recommendation under this section.

*Source: 1992 Code Section 8-13-370; Ord. 031106-13; Ord. 031211-11;* [*Ord. No. 20141106-054, Pt. 15, 11-17-14*](http://newords.municode.com/readordinance.aspx?ordinanceid=685238&datasource=ordbank)*.*

§ 13-2-471 - TAXICAB FUEL SURCHARGE.

(A) In this section, "price of gasoline" means the average cost of regular unleaded gasoline in the City of Austin as reported by the American Automobile Association or another source determined by the department.

(B) As provided by this section, a fuel cost recovery fee shall be added to the taximeter rates of fare set by the city council.

(C) The fuel cost recovery fee shall be determined by the department at quarterly intervals beginning November 8, 2005, and shall be based on the most recently reported price of gasoline.

(D) The following price range schedule for the price of gasoline shall be used to determine the fuel cost recovery fee:

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
|  | Low end price for each gallon | High end price for each gallon | Rollback price for each gallon | Applicable fuel cost recovery fee |
| Price range 1 | $2.45 | $3.20 | $2.10 | 10 cents |
| Price range 2 | $3.20 | $3.95 | $2.85 | 20 cents |
| Price range 3 | $3.95 | $4.70 | $3.60 | 30 cents |
| Price range 4 | $4.70 | $5.45 | $4.35 | 40 cents |
| Price range 5 | $5.45 | $6.20 | $5.10 | 50 cents |
| Price range 6 | $6.20 | $6.95 | $5.85 | 60 cents |
| Price range 7 | $6.95 | $7.70 | $6.60 | 70 cents |
| Price range 8 | $7.70 | $8.45 | $7.35 | 80 cents |
| Price range 9 | $8.45 | $9.20 | $8.10 | 90 cents |
| Price range 10 | $9.20 | $9.95 | $8.85 | $1.00 |

(E) The fuel cost recovery fee shall be determined on the first business day of each bi-monthly interval using the most recently reported price of gasoline and the price ranges in Subsection (D). The fuel cost recovery fee for the bi-monthly interval shall be:

(1) inapplicable during the bi-monthly interval if:

(a) no fuel cost recovery fee applied during the previous bi-monthly interval and the price of gasoline is less than the low end price of Price Range 1; or

(b) a fuel cost recovery fee applied during the previous bi-monthly interval and the price of gasoline is less than the rollback price of Price Range 1;

(2) 10 cents for each paid mile if:

(a) the price of gasoline is equal to or greater than the low end price of Price Range 1 but less than the high end price of Price Range 1; or

(b) the fuel cost recovery fee for the previous bi-monthly interval was equal to or greater than 10 cents for each paid mile and the price of gasoline is above the rollback price of Price Range 1 but less than the high end price of Price Range 1;

(3) 20 cents for each paid mile if:

(a) the price of gasoline is equal to or greater than the low end price of Price Range 2 but less than the high end price of Price Range 2; or

(b) the fuel cost recovery fee for the previous bi-monthly interval was equal to or greater than 20 cents for each paid mile and the price of gasoline is above the rollback price of Price Range 2 but less than the high end price of Price Range 2;

(4) 30 cents for each paid mile if:

(a) the price of gasoline is equal to or greater than the low end price of Price Range 3 but less than the high end price of Price Range 3; or

(b) the fuel cost recovery fee for the previous bi-monthly interval was equal to or greater than 30 cents for each paid mile and the price of gasoline is above the rollback price of Price Range 3 but less than the high end price of Price Range 3;

(5) 40 cents for each paid mile if:

(a) the price of gasoline is equal to or greater than the low end price of Price Range 4 but less than the high end price of Price Range 4; or

(b) the fuel cost recovery fee for the previous bi-monthly interval was equal to or greater than 40 cents for each paid mile and the price of gasoline is above the rollback price of Price Range 4 but less than the high end price of Price Range 4;

(6) 50 cents for each paid mile if:

(a) the price of gasoline is equal to or greater than the low end price of Price Range 5 but less than the high end price of Price Range 5; or

(b) the fuel cost recovery fee for the previous bi-monthly interval was equal to or greater than 50 cents for each paid mile and the price of gasoline is above the rollback price of Price Range 5 but less than the high end price of Price Range 5;

(7) 60 cents for each paid mile if:

(a) the price of gasoline is equal to or greater than the low end price of Price Range 6 but less than the high end price of Price Range 6; or

(b) the fuel cost recovery fee for the previous bi-monthly interval was equal to or greater than 60 cents for each paid mile and the price of gasoline is above the rollback price of Price Range 6 but less than the high end price of Price Range 6;

(8) 70 cents for each paid mile if:

(a) the price of gasoline is equal to or greater than the low end price of Price Range 7 but less than the high end price of Price Range 7; or

(b) the fuel cost recovery fee for the previous bi-monthly interval was equal to or greater than 70 cents for each paid mile and the price of gasoline is above the rollback price of Price Range 7 but less than the high end price of Price Range 7;

(9) 80 cents for each paid mile if:

(a) the price of gasoline is equal to or greater than the low end price of Price Range 8 but less than the high end price of Price Range 8; or

(b) the fuel cost recovery fee for the previous bi-monthly interval was equal to or greater than 80 cents for each paid mile and the price of gasoline is above the rollback price of Price Range 8 but less than the high end price of Price Range 8;

(10) 90 cents for each paid mile if:

(a) the price of gasoline is equal to or greater than the low end price of Price Range 9 but less than the high end price of Price Range 9; or

(b) the fuel cost recovery fee for the previous bi-monthly interval was equal to or greater than 90 cents for each paid mile and the price of gasoline is above the rollback price of Price Range 9 but less than the high end price of Price Range 9;

(11) $1.00 for each paid mile if:

(a) the price of gasoline is equal to or greater than the low end price of Price Range 10 but less than the high end price of Price Range 10; or

(b) the fuel cost recovery fee for the previous bi-monthly interval was $1.00 for each paid mile and the price of gasoline is above the rollback price of Price Range 10 but less than the high end price of Price Range 10.

(F) Not later than the third business day of each bi-monthly interval, the department shall provide written notice to each taxicab franchise holder of the fuel cost recovery fee, if any, that will apply in the bi-monthly interval.

(G) A franchise holder shall adjust the taximeter in each of its taxicabs to accurately reflect the fuel cost recovery fee, if any, for the current bi-monthly interval not later than the fifteenth day after notice from the department.

*Source: Ord. 20051027-011; Ord. 20100225-052;* [*Ord. No. 20141106-054, Pt. 15, 11-17-14*](http://newords.municode.com/readordinance.aspx?ordinanceid=685238&datasource=ordbank)*.*

§ 13-2-472 - TOLL ROAD FEE.

(A) If a toll road is the most direct route to a passenger's destination the driver must give the passenger the option of using the toll road or a different route. If a passenger chooses a route that includes a toll road, the passenger shall be responsible for paying the toll road fees incurred by the driver. If a trip on a route including a toll road involves multiple passengers going to different destinations, each passenger shall equally share the toll road fees.

(B) The toll road fees must be posted in the taxicab in a manner approved by the department. Before entering a toll road, the driver must inform the passenger of the requirements of Subsection (A). The driver is responsible for paying the toll road fee if the driver fails to explain the requirements of Subsection (A) to the passenger and provide the passenger the option to choose between the tolled route and a route without a toll.

*Source: Ord. 20051027-011;* [*Ord. No. 20141106-054, Pt. 15, 11-17-14*](http://newords.municode.com/readordinance.aspx?ordinanceid=685238&datasource=ordbank)*.*

§ 13-2-473 - TAXICAB CLEAN-UP FEE.

In the event that a taxicab passenger soils the interior of a taxicab with bodily fluids or solids, a $100 clean-up fee will be added to the trip fare.

*Source: Ord. 20101216-063; Ord. 20120209-032;* [*Ord. No. 20141106-054, Pt. 15, 11-17-14*](http://newords.municode.com/readordinance.aspx?ordinanceid=685238&datasource=ordbank)*.*

§ 13-2-474 - MINIMUM AIRPORT DEPARTURE FEE.

The minimum fee for any taxicab trip departing from Austin Bergstrom International Airport (ABIA) shall be equal to the mileage fee for a four (4) mile trip, excluding any waiting time fee, plus the surcharge for trips departing ABIA. The amount of the fee shall be posted on the Rate Card described in Section 13-2-462, and posted by ABIA staff at the ABIA designated taxicab departure area.

*Source: Ord. 20101216-062;* [*Ord. No. 20141106-054, Pts. 15, 30, 11-17-14*](http://newords.municode.com/readordinance.aspx?ordinanceid=685238&datasource=ordbank)*.*

Division 5. - Vehicles and Equipment.

§ 13-2-481 - ADDITIONAL TAXICAB INSPECTION STANDARDS.

In addition to the requirements of Section 13-2-142 (*Inspection Standards*), a taxicab must comply with Sections 13-2-466 (*Taximeter Standards*) and 13-2-467 (*Taximeter Inspections*) to pass inspection.

*Source: 1992 Code Section 8-13-381; Ord. 031106-13; Ord. 031211-11;* [*Ord. No. 20141106-054, Pts. 15, 31, 11-17-14*](http://newords.municode.com/readordinance.aspx?ordinanceid=685238&datasource=ordbank)*.*

§ 13-2-482 - NUMBERING OF TAXICABS.

(A) The department shall designate consecutive numbers for each vehicle in the franchise holder's taxicab fleet and issue a number plate for each vehicle.

(B) A franchise holder shall assign one of the designated numbers to each taxicab and shall securely fasten the number plate for each taxicab to the interior of the taxicab in the manner prescribed by the department. A franchise holder shall purchase a replacement number plate for any lost, destroyed, or damaged plate from the department.

*Source: 1992 Code Section 8-13-382; Ord. 031106-13; Ord. 031211-11;* [*Ord. No. 20141106-054, Pt. 15, 11-17-14*](http://newords.municode.com/readordinance.aspx?ordinanceid=685238&datasource=ordbank)*.*

§ 13-2-483 - NOTICE OF COMPLAINT PROCEDURES.

(A) A franchise holder shall affix to the interior of each taxicab, in clear view of all passengers, a notice informing passengers of the procedures for filing complaints with the department regarding taxicab service.

(B) The department shall prescribe the contents of the notice.

*Source: 1992 Code Section 8-13-383; Ord. 031106-13; Ord. 031211-11;* [*Ord. No. 20141106-054, Pt. 15, 11-17-14*](http://newords.municode.com/readordinance.aspx?ordinanceid=685238&datasource=ordbank)*.*

§ 13-2-484 - ELECTRIC SIGNS REQUIRED.

A taxicab must be equipped with:

(1) an electric sign that displays the name of the company affixed to the roof of the taxicab;

(2) two amber lights affixed either to the electric identification sign or to the roof of the taxicab.

*Source: 1992 Code Section 8-13-384; Ord. 031106-13; Ord. 031211-11;* [*Ord. No. 20141106-054, Pt. 15, 11-17-14*](http://newords.municode.com/readordinance.aspx?ordinanceid=685238&datasource=ordbank)*.*

§ 13-2-485 - NAME OF FRANCHISE DISPLAYED.

(A) The following information must be displayed on the exterior of a taxicab:

(1) the franchise holder's name or the registered assumed name of the taxicab service;

(2) the telephone number of the service; and

(3) the taxicab number issued by the department under Section 13-2-382 (*Numbering of Taxicabs*).

(B) The lettering and designs of the information required in Subsection (A) must be displayed:

(1) in characters at least 2½ inches in height and at least 5/16 of an inch in width;

(2) in a clear, legible manner and in colors contrasting to the colors of the taxicab; and

(3) on the exterior of the front or rear doors and the rear of the taxicab.

(C) The franchise holder may also display its insignia on the exterior of the taxicab in a manner approved by the department.

*Source: 1992 Code Section 8-13-385; Ord. 031106-13; Ord. 031211-11;* [*Ord. No. 20141106-054, Pt. 15, 11-17-14*](http://newords.municode.com/readordinance.aspx?ordinanceid=685238&datasource=ordbank)*.*

§ 13-2-486 - UNIFORM LETTERING AND DESIGN; MATERIALS.

(A) For each vehicle used in the franchise holder's service, the lettering and designs must be approved by the department and must be either an applied adhesive material or painted.

(B) Except as provided in Subsection (C), for each vehicle used in a franchise holder's service, the content, lettering, and design must be uniform and affixed or painted in the same location on each taxicab in a manner approved by the department.

(C) A franchise holder may display department-approved content, lettering, and design on the franchise holder's taxicabs, relating to the vehicle's compliance with City-approved environmental initiatives. The director shall by administrative rule prescribe the requirements for the display.

*Source: 1992 Code Section 8-13-386; Ord. 031106-13; Ord. 031211-11; Ord. 20080424-032;* [*Ord. No. 20141106-054, Pt. 15, 11-17-14*](http://newords.municode.com/readordinance.aspx?ordinanceid=685238&datasource=ordbank)*.*

§ 13-2-487 - COLOR SCHEME.

(A) A franchise holder may not adopt a color scheme for taxicabs used in its service unless that color scheme has been approved by the department. A franchise holder may not operate a taxicab until the taxicab has been painted the color or colors adopted by the franchise holder. All vehicles in the fleet must be the same color scheme approved for the taxicab franchise.

(B) A franchise holder may request approval of the department to change the color or colors of its vehicles. The franchise holder must submit a sample of the proposed color to the department for approval. Unless the director issues a written extension to the franchise holder, a franchise holder shall repaint all vehicles operating under the taxicab franchise not later than the 60th day after the color change has been approved and take from service any vehicle not repainted by the deadline until the vehicle is painted to meet the new franchise color requirements.

(C) The department may not approve a color scheme or identifying design submitted by a franchise holder that the department determines may mislead or tend to deceive or defraud the public.

*Source: 1992 Code Section 8-13-387; Ord. 031106-13; Ord. 031211-11;* [*Ord. No. 20141106-054, Pt. 15, 11-17-14*](http://newords.municode.com/readordinance.aspx?ordinanceid=685238&datasource=ordbank)*.*

§ 13-2-488 - ADVERTISING ON TAXICABS PERMITTED.

A franchise holder may affix an advertisement to a taxicab that does not obstruct the view of the driver, the visibility of signs, vehicle lights, or signal equipment required by this chapter.

*Source: 1992 Code Section 8-13-388; Ord. 031106-13; Ord. 031211-11;* [*Ord. No. 20141106-054, Pt. 15, 11-17-14*](http://newords.municode.com/readordinance.aspx?ordinanceid=685238&datasource=ordbank)*.*

§ 13-2-489 - VEHICLE DESIGN AND AGE REQUIREMENTS.

(A) The body design of a vehicle to be used as a taxicab is limited to the following:

(1) a sedan, station wagon, or sport utility vehicle with at least four doors for passenger loading and unloading and with front and rear seats; and

(2) a full-size van or minivan with at least three doors for passenger loading and unloading and with front and rear seats.

(B) A vehicle used as a taxicab must have a minimum occupancy capacity of five, including the driver, and a maximum occupancy capacity of six, including the driver. The seating capacity of station wagons, sport utility vehicles, vans, and minivans may be modified to comply with the occupancy capacity limitation in this subsection.

(C) A franchise holder may not use a vehicle as a taxicab that is 96 months of age or older, except that a modified ground transportation service vehicle that is not more than 120 months of age may be used. The vehicle age is calculated from the first day of January of the model year of the vehicle. A franchise holder may not place into service a vehicle that exceeds 72 months of age unless the vehicle has previously been used as a taxicab in the City.

*Source: 1992 Code Section 8-13-389; Ord. 031106-13; Ord. 031211-11;* [*Ord. No. 20141106-054, Pt. 15, 11-17-14*](http://newords.municode.com/readordinance.aspx?ordinanceid=685238&datasource=ordbank)*.*

Division 6. - Special Franchise Permits.

§ 13-2-501 - APPLICABILITY; ADMINISTRATION.

(A) This division prescribes additional requirements for modified ground transportation service vehicle permits.

(B) The department may prescribe rules to administer this division.

*Source: 1992 Code Section 8-13-401; Ord. 031106-13; Ord. 031211-11;* [*Ord. No. 20141106-054, Pt. 15, 11-17-14*](http://newords.municode.com/readordinance.aspx?ordinanceid=685238&datasource=ordbank)*.*

§ 13-2-502 - SPECIAL FRANCHISE PERMITS.

(A) The department may issue an equal number of special franchise permits to each franchise holder for modified ground transportation service vehicles. The total number of special franchise permits issued by the department may not be less than six percent or more than six and one-half percent of the total number of franchise permits issued by the department. If the department distributes additional franchise permits under Division 2 (*Franchise Permits*), the department shall allocate additional special permits in the number necessary to maintain the ratio of franchise permits to special permits.

(B) A special franchise permit is valid for three months from the date of issuance. A franchise holder shall pay a fee for each special franchise permit issued by the department. The fee shall be set by separate ordinance and may be paid quarterly.

(C) Annually the department shall allocate an equal number of special franchise permits to each eligible franchise holder in the number necessary to maintain the ratio of franchise permits to special permits prescribed by Subsection (A).

*Source: 1992 Code Section 8-13-402; Ord. 031106-13; Ord. 031211-11;* [*Ord. No. 20141106-054, Pt. 15, 11-17-14*](http://newords.municode.com/readordinance.aspx?ordinanceid=685238&datasource=ordbank)*.*

§ 13-2-503 - USE OF SPECIAL PERMITS.

(A) A franchise holder must place a modified ground transportation service vehicle in service within 60 days after the department issues the special franchise permit to the holder. The department may extend the deadline for placing a modified vehicle in service if:

(1) the holder possesses a contract of sale for the modified vehicle; or

(2) the director determines that failure to meet the 60-day deadline is based on factors beyond the holder's control.

(B) The department shall reduce the number of special franchise permits allocated to a franchise holder by the number of special permits that the holder does not use by the deadline prescribed in Subsection (A).

*Source: 1992 Code Section 8-13-403; Ord. 031106-13; Ord. 031211-11;* [*Ord. No. 20141106-054, Pt. 15, 11-17-14*](http://newords.municode.com/readordinance.aspx?ordinanceid=685238&datasource=ordbank)*.*

§ 13-2-504 - ELIGIBILITY FOR SPECIAL FRANCHISE PERMITS.

(A) The department may reallocate a special permit that is not used by the franchise holder as required by Section 13-2-503(A) (*Use of Special Permits*) to a franchise holder that has complied with that section. A franchise holder to whom a special permit is reallocated must use the permit within the deadline in Section 13-2-503(A) (*Use of Special Permits*).

(B) For a franchise holder to qualify for special franchise permits during the second and succeeding years after this ordinance takes effect, each modified ground transportation service vehicle for which a special permit was issued during the preceding year must have been in operation for at least 12 hours a day for 274 days of the preceding 12-month period.

*Source: 1992 Code Section 8-13-404; Ord. 031106-13; Ord. 031211-11;* [*Ord. No. 20141106-054, Pts. 15, 32, 11-17-14*](http://newords.municode.com/readordinance.aspx?ordinanceid=685238&datasource=ordbank)*.*

§ 13-2-505 - TRAINING.

(A) A franchise holder who operates a modified ground transportation service vehicle shall provide training for its modified vehicle drivers, its dispatchers, and telephone agents.

(B) The content of the training program must be approved by the City's Americans with Disabilities Act Coordinator. The coordinator may seek recommendations relating to the training program from community groups knowledgeable about disability issues.

*Source: 1992 Code Section 8-13-405; Ord. 031106-13; Ord. 031211-11;* [*Ord. No. 20141106-054, Pt. 15, 11-17-14*](http://newords.municode.com/readordinance.aspx?ordinanceid=685238&datasource=ordbank)*.*

§ 13-2-506 - EXCEPTION TO OWNER-OPERATOR REQUIREMENT.

The 40 percent owner-operator requirement prescribed in Section 13-2-442(A) (*Owner-Operated Taxicabs*) does not apply to modified ground transportation service vehicles.

*Source: 1992 Code Section 8-13-406; Ord. 031106-13; Ord. 031211-11;* [*Ord. No. 20141106-054, Pts. 15, 33, 11-17-14*](http://newords.municode.com/readordinance.aspx?ordinanceid=685238&datasource=ordbank)*.*

§ 13-2-507 - EQUIPMENT REQUIRED.

A modified ground transportation service vehicle must include equipment for loading and unloading passengers using wheelchairs and safety devices to hold wheelchairs in a stationary position while the vehicle is in motion.

*Source: 1992 Code Section 8-13-407; Ord. 031106-13; Ord. 031211-11;* [*Ord. No. 20141106-054, Pt. 15, 11-17-14*](http://newords.municode.com/readordinance.aspx?ordinanceid=685238&datasource=ordbank)*.*

§ 13-2-508 - ADDITIONAL RECORDKEEPING AND REPORTING.

(A) The franchise holder shall maintain a daily activity log for each modified ground transportation service vehicle that includes:

(1) the total number of trips made;

(2) the number of trips that include a wheelchair passenger;

(3) the time of day the wheelchair passenger requested the service, the time of day the passenger is picked up, and the length of time required for the trip; and

(4) other information prescribed by the department.

(B) Not later than the 15th day of January, April, July, and October, a franchise holder to whom permits are issued under this division shall deliver to the department a report for the preceding calendar quarter that includes for each modified ground transportation vehicle:

(1) the information required by Subsection (A);

(2) evidence of the number of days and hours each day that the vehicle was in service; and

(3) the total number of requests for wheelchair accessible service received by the holder and the number of requests filled.

(C) The accuracy of each report required in Subsection (B) must be certified annually by a certified public accountant, licensed by this state and not affiliated with the franchise.

(D) The department shall prescribe the forms required by this section.

(E) Annually the department shall review the reports submitted under this section to determine whether each franchise holder has placed into service and operated the authorized number of modified ground transportation service vehicles.

(F) The franchise holder may require the driver of a modified ground transportation service vehicle to prepare the activity log prescribed by Subsection (A).

*Source: 1992 Code Section 8-13-408; Ord. 031106-13; Ord. 031211-11;* [*Ord. No. 20141106-054, Pt. 15, 11-17-14*](http://newords.municode.com/readordinance.aspx?ordinanceid=685238&datasource=ordbank)*.*