

**CITY COUNCIL
COMMUNICATION:**

ITEM _____

**OFFICE OF THE CITY MANAGER
CITY OF DES MOINES, IOWA**

99-152

SYNOPSIS -

AGENDA:

APRIL 5, 1999

At the March 15, 1999 City Council meeting the recommended general principles for the new taxicab and limousine ordinances were approved. At request of the Council, a committee was formed with representatives from limousine and taxicab companies and City staff to develop new ordinances. The new ordinances for the taxicab and limousine ordinances are presented for approval.

SUBJECT:

TAXICAB AND
LIMOUSINE
ORDINANCES

FISCAL IMPACT -

N/A

TYPE:

RESOLUTION
ORDINANCE
RECEIVE/FILE

RECOMMENDATION -

SUBMITTED BY:

FLOYD BENTZ, P.E.
ACTING CITY
ENGINEER

The City Manager recommends the approval of new taxicab and limousine ordinances. Furthermore, the City Manager recommends the waiving of future readings of the new ordinances in order to begin the application process for limousine licenses to expedite the process and begin enforcement of these ordinances.

BACKGROUND -

The City Code requires both taxicab and limousine companies to obtain a Certificate of Public Convenience and Necessity to operate in the City. This certificate can be revoked or voluntarily surrendered, and will expire if the company's license is not timely renewed. There are currently two licensed taxicab companies operating in Des Moines, Yellow and Capitol, and numerous unlicensed limousine companies.

Problems were recognized with the current regulations about nine months ago. To address these problems, a committee with

representatives from the Traffic and Transportation Division, taxicab companies and drivers, Police Department, Airport, Legal Department, and the City Manager's Office have been meeting regularly for several months. These meetings have produced proposed taxicab ordinance amendments and were about to begin a study of the limousine ordinance. This committee has continued meeting to discuss the limousine ordinance. Limousine company representatives have been added to the committee.

At the March 15, 1999 City Council meeting, the following general principles that would govern the regulation of taxicab and limousine operations were approved.

General Principles

- The definitions of taxicabs and limousines should be based upon the service they provide rather than the size or type of vehicle.
- Each business offering taxicab or limousine services must obtain and hold a certificate of public convenience and necessity for the service.
- All drivers must satisfy the minimum requirements to be licensed as a taxicab driver, and must hold a current taxicab badge issued by the City.
- The vehicles must be clean and safe.
- The business must be adequately insured.

The operation of taxicabs should be subject to the following additional limitations:

- Must have centralized, 24-hour dispatch (not just cellular phones in the cabs).
- Can solicit customers only by sitting in taxicab line at airport or taxicab stands.
- Can pick people up who hailed them on the street.
- Must have taximeter.
- Cannot refuse orderly customers.
- The rate must be clearly posted in the vehicle.

The operation of limousines shall be subject to the following limits:

- Cannot solicit customers at the point of service.
- Must contract with customers prior to pick-up.
- Must have centralized place of business, staffed and operated for adequate service for demand during the hours of 7:00 a.m. and 9:00 p.m. daily.

City staff has held various meetings with taxicab and limousine representatives since the March 15, 1999 City Council meeting. These meetings resulted in incorporating the previously mentioned principles in the attached ordinances. Some of the changes cited in the ordinance include the following:

- Limousine drivers may not solicit business.
- Vehicles that are excluded from the ordinance are identified.
- Insurance coverage for limousine and taxicab companies has increased from \$500,000 to \$1.5 million.
- Added requirements for vehicle appearance and maintenance.
- Limousine service requires prearranged booking. At the airport, the arrangement must have been made one day in advance; otherwise the arrangement must have been made one hour in advance.
- There are added driver prohibitions and minimum standards of dress, appearance and conduct.

The enforcement strategy for the new ordinances is vital. The ordinances were written to be easy to enforce. The Police Department and the Airport will continue to work together to provide strict enforcement. The following enforcement strategy will be implemented:

- Limousines will only be allowed to pick up at the airport with a booking sheet identifying the passenger(s) they are picking up.
- Limousines will be restricted to park in designated spaces only.
- Taxicabs will be restricted to park in the designated cabstand.
- An additional Police Cadet will be provided at the Des Moines International Airport for enforcement.
- After three convictions for violating the ordinance (in an 18-month period) against a company, their license to operate will be suspended for no more than 30 days.
- After five convictions for violating the ordinance (in an 18-month period) against a company, their license will be revoked.
- A violation of the ordinances is a criminal penalty only.

A waiver of future readings is requested to begin the application process and begin enforcement. All applications for licenses will be accepted through May 3, 1999. It will take staff an additional 30 days for review and recommendation for Council action. Enforcement is expected to begin on June 8, 1999.

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