

★ Roll Call Number

15-0552

Agenda Item Number

56B

Date March 23, 2015

**EFFECTIVE DATE AND GRANDFATHER RIGHTS CONCERNING NEWLY
ENACTED VEHICLE TRANSPORTATION SERVICES ORDINANCE AT
ARTICLE V OF MUNICIPAL CODE CHAPTER 126**

WHEREAS, a new ordinance governing vehicle transportation services was enacted by City Council on March 9, 2015 by approval of Roll Call No. 15-0418 Agenda Item No. 58A creating new Article V of the Des Moines Municipal Code Chapter 126; and

WHEREAS, in order to make a uniform, consistent and fair transition for compliance with, and the administration of, the new ordinance, the effective date of the new ordinance should be April 6, 2015, with the granting of grandfather rights only to current holders of Certificates of Public Convenience and Necessity and the corresponding driver's licenses, allowing operation under current such Certificates and licenses through December 31, 2015;

WHEREAS, the proposed effective date and grandfather rights are deemed to be in the best interest of the City;

NOW THEREFORE BE IT RESOLVED by the City Council of the City of Des Moines, Iowa that:

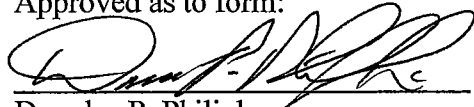
The ordinance amendments passed on March 9, 2015 by Roll Call No. 15-0418 Agenda Item 58A which created new Article V in Chapter 126 of the Des Moines Municipal Code shall have an effective date of April 6, 2015; and all companies having a current Certificate of Public Convenience and Necessity shall be issued the new Vehicle for Hire Company (VHC) Certificate without further application and the drivers currently licensed for those companies may continue to drive without further qualification through December 31, 2015 and those companies are exempt from VHC application fees and VHC certificate fees until application is made for the year beginning Jan. 1, 2016; provided, however, that new drivers of transportation service vehicles for a company currently holding a Certificate of Public Convenience and Necessity may apply for a driver's license under the respective ordinance governing their licenses through April 5, 2015 and the approval process and license will remain effective through December 31, 2015; and starting April 6, 2015 new drivers background checks must be performed pursuant to new Article V of Chapter 126 of the Municipal Code.

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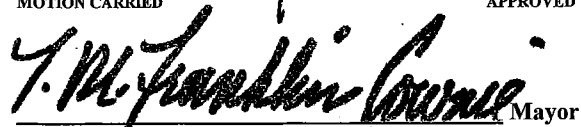
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Moved by Gatto to adopt

Approved as to form:

 Douglas P. Philip
 Assistant City Attorney

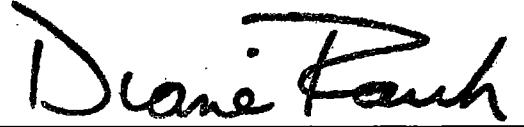
COUNCIL ACTION	YEAS	NAYS	PASS	ABSENT
COWNIE	✓			
COLEMAN	✓			
GATTO	✓			
GRAY	✓			
HENSLEY	✓			
MAHAFFEY	✓			
MOORE	✓			
TOTAL	7			

MOTION CARRIED APPROVED

 Mayor

CERTIFICATE

I, DIANE RAUH, City Clerk of said City hereby certify that at a meeting of the City Council of said City of Des Moines, held on the above date, among other proceedings the above was adopted.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my seal the day and year first above written.


 City Clerk