

CHAPTER 33 - VEHICLES FOR HIRE

ARTICLE VIII. TAXICABS

Sec. 33-928. Classifications and requirements of vehicles.

Holders shall operate taxicabs in the city in accordance with the terms and conditions of the type of operating permit issued. The types of operating permits authorized by this chapter shall be classified as city-wide and airport, as defined in Sec. 33-003 of this chapter.

(a) Each holder, owner and driver shall remove from city-wide and airport service any taxicab which is ~~twelve~~ fifteen years of age, as outlined in Rule 421 established by the director under this chapter. The age of the vehicle shall be calculated from the vehicle's model year.

(b) Wheelchair accessible vehicle requirements:

(1) Wheelchair accessible vehicles shall service the entire city.

(2) Wheelchair accessible vehicles shall comply with the rules and regulations as established by the director.

(3) Wheelchair accessible vehicles may pick-up and drop-off at the airport as requested.

(4) Wheelchair accessible vehicles shall not have any age limits; however, vehicles may be removed from service by the director if the vehicle(s) do not comply with any part of this chapter, the rules and regulations, or vehicle inspection guidelines.

Sec. 33-929. Number of taxicabs; authority to operate additional taxicabs.

(a) A holder shall maintain in service a minimum of three taxicabs, except holders of owner/operator permits shall maintain in service only one vehicle.

(b) The number of vehicles authorized by the permit agreement and the number of vehicle permits issued pursuant thereto shall be reduced to reflect the actual number of vehicles the holder is able to operate and maintain in accordance with the provisions of this chapter, the operating permit, the permit agreement, and the rules and regulations established by the director.

(c) All applicants for permits or additional permits shall be eligible to receive only such additional taxicab permits as are necessary to meet the service needs of the city's population growth. The number of additional taxicab permits for each calendar year shall be determined by a ratio of one taxicab per 1,700 population within the legal boundaries of the city. The population figure for the city will be based upon the annual population estimate as determined by the planning department as of December 31 of the year preceding the allocation period.

(d) Once the director has determined whether any additional permits are available for the city for a given year, applications may be received. The procedure for distribution for taxicab permits shall be outlined in City of San Antonio Taxicab Rules and Regulations. ~~a~~Applications may be obtained by current holders and new applicants by satisfying the requirements of Secs. 33-007 and 33-008 of this chapter. ~~The applicants will be notified of the total number of operating permits to be allocated following the receipt of the population data by the director. Applications for additional permits shall be considered by the Taxicab Permit Allocation Committee (TPAC). The TPAC shall consist of three members selected by the director. The TPAC shall also conduct interviews of the applicants. After evaluation of the applications by TPAC on a scale of 0 to 100, the TPAC shall then allocate the available permits to those applicants who scored 80 or greater. The allocation shall be made in a manner that is fair and equitable, that protects the public health and safety, that promotes the public convenience and necessity, and that respects the concept of free enterprise.~~

(e) In addition to the requirements of subsections (c) and (d) above, other factors which may be relied on in determining eligibility for additional or new permits include, but are not limited to, whether:

(1) One hundred percent of the holder's authorized taxicabs passed the most recent scheduled semi-annual inspection;

(2) During the first quarter (January through March) of the preceding year, a vehicle was in operation for each of the holder's authorized taxicab permits for at least 30 days, and each vehicle had an overall utilization rate of 75 percent ~~;~~ and

~~(3) Within 30 days of receiving notice from the director of intention to increase the number of taxicab permits, the holder submits a report verifying an overall utilization rate of 75 percent for each of the holder's authorized taxicabs for the first quarter of the preceding year prepared by an independent certified public accountant licensed by the state, such rate being calculated by the following formula:~~

~~_Permit days utilized = sum of the number of days each authorized permit was in operation.~~

~~Permit utilization rate = permit days utilized / (# of authorized permits × # of days in the period) × 100.~~

~~In determining the utilization rate, bona fide owner-operated vehicles will be considered to be in service 100 percent. Company owned daily lease vehicles are considered only when in service.~~

~~(4)~~ (3) Holder has complied with this chapter and the rules and regulations established by the director.

(f) The holder's application for additional vehicle permits may be denied if any of the requirements of the section above are not met or if at any time during the twelve month period immediately preceding the application for additional permits the holder:

~~(1) Has been a permit holder for less than one year;~~

~~(2)~~ (1) Failed to pay a fine or fee owed within the time required by this chapter or the director;

~~(3)~~ (2) Failed to maintain the license/permit bond or insurance required by this chapter;

~~(4)~~ (3) Had a vehicle permit revoked or suspended; or

~~(5)~~ (4) Has failed to assign any previously issued vehicle permits to a vehicle.

~~If a holder is denied a permit under this section or is disqualified from receiving additional permits, the number of additional permits to be allocated to each qualified holder will be recalculated.~~

(g) A holder who is approved for additional vehicle permits shall execute an amended permit agreement authorizing the additional vehicles. The amended permit agreement shall supersede any such agreements previously executed between the city and the

holder. The duration of the amended permit agreement shall be for the same period of time as provided for in the original permit agreement.

(h) Additional vehicle permits shall be distributed to qualified holders within 60 days of a reported deadline. A holder receiving additional vehicle permits shall, within 90 days of the distribution of such additional vehicle permits, increase his total fleet to the new level as required by subsection (a) of this section.

~~(i) Any applicant who scored 80 or greater may appeal to a hearing officer the allocation of additional permits, but not the scores granted, by the TPAC. Said appeal must be filed no later than the tenth business day following the applicant's receipt of notification of the TPAC's allocation of additional permits. The appeal must be in writing, filed with the director, and accompanied by an appeal fee of \$100. If no appeal is filed, the allocation of the TPAC shall become final. The city manager shall appoint a hearing officer for such appeals. Said hearing officer is hereby authorized to affirm or modify the allocation of additional permits by the TPAC. The decision of the hearing officer shall be final. Should an appeal be filed, the additional permits allocated shall not be distributed until such time as the hearing officer issues a decision.~~

Sec. 33-930. Permit Usage

(a) A holder shall operate and maintain a city approved fleet of vehicles consistent with the number of vehicles authorized in the permit agreement. No company shall operate and maintain less than three vehicles.

(b) A holder shall replace a vehicle within 90-180 days from the date that the vehicle taken out of service. Permits that are not filed after 90-180 days shall have the permits revoked.

(c) The number of vehicles authorized by the permit agreement shall be reduced to reflect the actual number of vehicles the holder is able to operate and maintain.