

# CHAPTER 33 - VEHICLES FOR HIRE

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## ARTICLE I. GENERAL PROVISIONS

### DIVISION 1. GENERAL PROCEDURES

Sec. 33-001. Statement of policy.

It is the policy of the City of San Antonio to promote efficient, safe, reliable, and quality ground transportation services in the city. To this end, this chapter provides for the regulation of such services to be carried out in a manner that protects the public health and safety, promotes the public convenience and necessity, and respects the concept of free enterprise.

#### Sec. 33-002. Scope; effect; exclusions.

This chapter governs the operation of vehicles for hire and ground transportation services in the City of San Antonio under each form of operating authority. The chapter, however, is not a limitation on the power of the city council to incorporate in a grant of operating authority special provisions relating to the operation of the particular ground transportation service to the grant. To the extent that a special provision conflicts with this chapter, the special provision controls. **The following exclusions apply:**

- (a) This chapter does not apply to a person operating a ground transportation service that is:
- (1) Operated under state or federal authority unless subject to the city's regulatory authority;
  - (2) Used to transport persons for hire and is regulated by another City of San Antonio ordinance;
  - (3) In the performance of a service involving a point of origin or destination outside the city that was authorized by a certificate of public convenience and necessity issued by the Texas Railroad Commission, except that the director shall prescribe routes, times, and locations for loading, unloading and stopping on public streets in the city for a ground transportation service operated under such a certificate.
  - (4) Operated for a funeral home in the performance of funeral services;

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(5) Provided by an employer or employee association for use in transporting employees between the employees' homes and the employer's place of business or between work stations, with the employees reimbursing the employer or employee association in an amount calculated only to offset the reasonable expenses of operating the vehicle;

(6) Owned and operated by the federal or state government, by a political subdivision of the state, or by a person under contract with the city for operation of the vehicle;

(7) Used in a carpool to transport the person and others on a prearranged basis between their homes and places of employment or places of common destination, if only a fee calculated to reasonably cover expenses is charged;

(8) Used to transport children to or from school if only a fee calculated to reasonably cover expenses is charged;

(9) Owned by a nonprofit organization and carrying only passengers associated with that organization, if no compensation is received from any other person for carrying the passengers;

(10) A **courtesy vehicle**, as defined in Sec. 33-003 of this chapter, if the name of the business or sponsor of such vehicle is permanently affixed to the outside of the vehicle;

(11) Those services the provision of which is a continuation of interstate travel; and

(12) Those services provided by VIA Metropolitan Transit wherein persons are transported along regularly scheduled routes throughout the city for loading and unloading, at frequent intermittent stops, alongside the curb or curb lines of a street; wherein the disabled and the elderly are provided with special services; and wherein persons are offered express service from designated park and ride locations throughout the city.

(b) Divisions 4 and 6 of this articles do not apply to:

(1) The driver of a ground transportation service operated under authority granted by the Interstate Commerce Commission, if the driver is operating within the scope of the driver's employment; and

(2) Motor coaches having a gross-weight rating in excess of 23,000 pounds.

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## Sec. 33-003. Definitions.

*Compensation* shall mean any money, thing of value, payment, consideration, reward, tip, donation, gratuity or profit paid to, accepted or received by the driver or owner of any vehicle in exchange for transportation of a person, or persons, whether paid upon solicitation, demand or contract, or voluntarily, or intended as a gratuity or donation.

*Courtesy vehicle* shall mean a vehicle which provides a passenger ground transportation service exclusively for the clients of a sponsor of such vehicle and such sponsor is not a business, association, organization or any other entity engaged in providing a vehicle for hire service of any kind, and which accepts no fares or compensation paid by a passenger to the driver of such a vehicle or to the sponsor.

*Ground transportation service* shall mean a service which utilizes or connects individuals with vehicles for hire in the transportation of passengers from within the city and which includes, but is not limited to, horse-drawn carriage service, group cycle service, limousine service, pedicab service, tour service, charter service, taxicab service and transportation network companies.

*Limousine service* shall mean a ground transportation service that uses vehicles with a capacity of 4 to 15 passengers to transport passengers for a fare based on a one hour or more hiring period and:

- (a) On an pre-arranged basis only; and,
- (b) On irregular routes and schedules.

The term, "limousine service," may also refer to any or all of the following:

- (1) A facility from which the service is operated;
- (2) Vehicles for hire used in the operation of the service; or
- (3) A person who owns or operates said service.

A limousine service vehicle shall not be equipped with a taximeter.

*Limo-bus* shall mean a motor vehicle that:

- (a) Has been so designated by the director; and

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- (b) Has a manufacturer's or modifier's rated seating capacity at least nine and not more than 45 passengers.
- (c) If the rated seating capacity is more than 15 passengers, has registered with the Texas Department of Motor Vehicles as a commercial vehicle.

*Limo-van* shall mean a motor vehicle that:

- (a) Has been so designated by the director; and
- (b) Has a manufacturer's or modifier's rated seating capacity of at least eight and not more than 15 passengers.

*Luxury vehicle* shall mean a motor vehicle that:

- (a) Has been designated by the director as a luxury vehicle;
- (b) Has a manufacturer's rated seating capacity of not more than eight passengers; and
- (c) Has an original wheelbase of 109 inches or more.

*Manifest* shall mean the daily record prepared by a driver or a holder upon which appears the driver's name and vehicle number; date and hours of operation; time, place, origin and destination of each trip; amount of fare and other charges; and all other information as required by this chapter.