



CITY OF PALO ALTO OFFICE OF THE CITY CLERK

February 26, 2018

The Honorable City Council
Palo Alto, California

SECOND READING: Adoption of an Ordinance Amending Sections 4.42.190 (Taxi Meters) and 4.42.200 (Schedule of Rates, Display) of Chapter 4.42 of Title 4 (Business and License Regulations) of the Palo Alto Municipal Code to Allow Taxicab Service to be Prearranged by Mobile Device Application and Internet Online Service (FIRST READING: February 5, 2018 PASSED: 9-0)

This ordinance was first heard by the City Council on February 5, 2018 and it is now before you for final approval. It was passed 9-0 with no changes.

ATTACHMENTS:

- Attachment A: Taxi Cab Ordinance (PDF)

Department Head: Beth Minor, City Clerk

Ordinance No. _____

Ordinance of the Council of the City of Palo Alto Amending Sections 4.42.190 (Taximeters) and 4.42.200 (Schedule of Rates, Display) of Chapter 4.42 of Title 4 (Business and License Regulations) of the Palo Alto Municipal Code to Allow Taxicab Service to be Prearranged by Mobile Device Application and Internet Online Service.

The Council of the City of Palo Alto does ORDAIN as follows:

SECTION 1: The Council of the City of Palo Alto finds and declares as follows:

A. The City desires to encourage the taxicab industry to continue servicing City residents; and

B. The City desires to encourage competition between the taxicab industry and the transportation network companies by allowing taxicab service to be prearranged with the use of mobile device applications and internet online services.

SECTION 1. Section 4.42.190 of Chapter 4.42 of Title 4 of the Palo Alto Municipal Code is hereby amended to read as follows:

4.42.190 Taximeters.

(a) All taxicabs operated under the authority of this chapter, except as provided in subsection (c), shall be equipped with taximeters of the type and design approved by the police department, located in the vehicle so as to render the figures visible to the passengers at all times, day and night. After sundown, the face of the taximeter shall be illuminated. Such taximeter shall be subject to inspection from time to time by the police department and the police department shall require the certificate holder to discontinue the operation of any taxicab in which the taximeter is found to calculate inaccurately until such taximeter is replaced by one approved by the police department or is adjusted accurately.

(b) Except as provided in subsection (c), it is unlawful for a taxicab driver, while carrying passengers, to display the flag or the device attached to the taximeter in such position as to denote that the vehicle is for hire, to cause the taximeter to record when the vehicle is not actually employed, to fail to cause the device on the taximeter to be placed into a nonrecording position at the termination of each and every service, or to charge any fare other than that recorded on the taximeter.

(c) Taxicab service may be prearranged with the use of a mobile device application or internet online service. The fare charged shall not exceed the scheduled rate filed by the certificate holder under Chapter 4.42.200. The application or internet online service shall display the fare to the customer prior to booking in lieu of the posting as required under Chapter 4.42.200. An "application" shall mean a self-contained program or piece of software application designed to fulfill requests for dispatch services that is downloadable by a user to a computer or mobile device." Taxicabs providing prearranged service under this subsection are exempt from the taximeter requirements stated in subsections (a) and (b).

NOT YET APPROVED

SECTION 2. Section 4.42.200 of Chapter 4.42 of Title 4 of the Palo Alto Municipal Code is hereby amended to read as follows:

4.42.200 Schedule of rates, display.

The certificate holder shall file, with the application for a certificate, a true and correct schedule of rates to be charged for the transportation of passengers in any and all vehicles operated by said certificate holder. Except for prearranged services as provided in Section 4.42.190(c), a schedule of such charges shall be posted conspicuously in each vehicle operated by said certificate holder. The rates shall not be changed or modified in any manner without first filing the changed or modified rates with the chief of police thirty days prior to the effective date of such change or modification.

SECTION 3. Severability. If any provision, clause, sentence or paragraph of this ordinance, or the application to any person or circumstances, shall be held invalid, such invalidity shall not affect the other provisions of this ordinance which can be given effect without the invalid provision or application and, to this end, the provisions of this ordinance are hereby declared to be severable.

SECTION 4. CEQA. The City Council finds and determines that this Ordinance is not a “project” within the meaning of section 15378 of the California Environmental Quality Act (CEQA) Guidelines.

SECTION 5. Effective Date. This ordinance shall be effective on the thirty-first date after the date of its adoption.

INTRODUCED:

PASSED:

AYES:

NOES:

ABSTENTIONS:

ABSENT:

ATTEST:

APPROVED:

City Clerk

Mayor

APPROVED AS TO FORM:

City Manager

NOT YET APPROVED

Chief Deputy City Attorney