

4/3/15

ORDINANCE NO. 29706

An ordinance amending Sections 47A-1.6, 47A-2.1.2, 47A-2.2.4, 47A-2.2.8, and 47A-2.3.2 of Chapter 47A, "Transportation for Hire," of the Dallas City Code; adjusting the transportation-for-hire operating authority permit fee and application fee; adjusting the transportation-for-hire vehicle permit fee and driver permit fee; eliminating the reinstatement fee for suspended operating authority and driver permits; eliminating the duplicate driver permit fee; authorizing proration of the initial driver permit fee and the initial vehicle permit fees; authorizing a fee for the review of a driver's criminal history and driving record by the director of code compliance; extending the vehicle inspection period to match state vehicle inspection and registration requirements; providing a saving clause; providing a severability clause; and providing an effective date.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF DALLAS:

SECTION 1. That Section 47A-1.6, "Permit Fees," of Chapter 47A, "Transportation for Hire," of the Dallas City Code is amended to read as follows:

**"SEC. 47A-1.6. PERMIT FEES.**

(a) The fee for an operating authority permit is \$278 [430] per year for transportation-for-hire service provided by non-motorized passenger transport vehicles, and \$282 [1,000] per year for transportation-for-hire service provided by all other transport vehicles.

(b) The fee for a transportation-for-hire vehicle permit is \$77 [40] per vehicle per year for non-motorized passenger transport vehicles, and \$3 [25] per vehicle per year for all other transportation-for-hire vehicles. If a vehicle permit is issued for a period of time of less than one year, the fee will be prorated.

(c) The fee for a driver permit is \$30 [65] per two years. If a driver permit is issued for a period of time of less than two years, the fee will be prorated.

~~[(d) The fee to reinstate a suspended operating authority permit or driver permit is \$25]."~~

SECTION 2. That Section 47A-2.1.2, "Permit Fees," of Chapter 47A, "Transportation for Hire," of the Dallas City Code is amended to read as follows:

**"SEC. 47A-2.1.2. APPLICATION FOR OPERATING AUTHORITY PERMIT.**

(a) To obtain an operating authority permit, a person shall make application in the manner prescribed by this section. The applicant must be the person who will own, control, or operate the proposed transportation-for-hire company.

(b) An applicant shall file with the director a verified application statement, to be accompanied by a nonrefundable application fee of \$133 [~~410~~], containing the following:

(1) the form of business of the applicant and, if the business is a corporation or association, a copy of the documents establishing the business and the name and address of each person with a 20% or greater ownership interest in the business;

(2) the verified signature of the applicant;

(3) the address of the fixed facilities to be used in the operation, if any, and the address of the applicant's corporate headquarters, if different from the address of the fixed facilities;

(4) the name of the person designated by the applicant to receive on behalf of the operating authority any future notices sent by the City to the operating authority, and that person's contact information, including a mailing address, telephone number, and email or other electronic address;

(5) a method for the director to immediately verify whether a driver or vehicle are currently operating under that operating authority or were operating under that operating authority within the past 90 days;

(6) documentary evidence from an insurance company listed as an authorized auto liability lines carrier on the Texas Department of Insurance's List of Authorized Insurance Companies or a surplus lines insurer listed on the Texas Department of Insurance's list of Eligible Surplus Lines Insurance Companies, indicating a willingness to provide liability insurance required by this chapter;

(7) documentary evidence of payment of ad valorem taxes on the local property, if any, to be used in connection with the operation of the proposed transportation-for-hire company; and

(8) a copy of the company's zero-tolerance policy for intoxicating substances."

SECTION 3. That Section 47A-2.2.4, "Investigation of Application for Driver Permit," of Chapter 47A, "Transportation for Hire," of the Dallas City Code is amended to read as follows:

**"SEC. 47A-2.2.4. INVESTIGATION OF APPLICATION FOR DRIVER PERMIT.**

(a) An applicant seeking an initial driver permit or renewal of an existing driver permit must provide to the director or to a third-party approved by the director for certification:

(1[a]) an official copy of the applicant's criminal history from the state of Texas and all other states in which the applicant resided in the preceding five [~~5~~] years, or the applicant's Identity History Summary Check from the Federal Bureau of Investigation; and

(2[b]) an official copy of the applicant's driving record from the state of Texas and all other states in which the applicant resided in the preceding three [~~3~~] years.

(b) If the director performs the review of the driver's criminal history and driving record, the fee for that review is \$23.

SECTION 4. That Section 47A-2.2.8, "Duplicate Driver Permit," of Chapter 47A, "Transportation for Hire," of the Dallas City Code is amended to read as follows:

**"SEC. 47A-2.2.8. DUPLICATE DRIVER PERMIT.**

If a driver permit is lost or destroyed, the director shall issue the driver a duplicate driver permit [~~upon payment to the city of a fee of \$10~~]."

SECTION 5. That Section 47A-2.3.2, "Requirements for Vehicle Permit," of Chapter 47A, "Transportation for Hire," of the Dallas City Code is amended to read as follows:

**"SEC. 47A-2.3.2. REQUIREMENTS FOR VEHICLE PERMIT.**

To obtain a vehicle permit or renewal of a vehicle permit, a person must provide the director or an approved company with the following information and documents:

(1) current state issued registration and safety inspection;

(2) proof that, within the preceding 90 [~~thirty (30)~~] days, the vehicle has been inspected and certified as meeting the requirements in Section 47A-2.3.3."

SECTION 6. That a person violating a provision of this ordinance, upon conviction, is punishable by a fine not to exceed \$500.

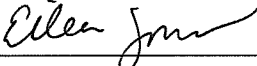
SECTION 7. That Chapter 47A of the Dallas City Code shall remain in full force and effect, save and except as amended by this ordinance.

SECTION 8. That the terms and provisions of this ordinance are severable and are governed by Section 1-4 of Chapter 1 of the Dallas City Code, as amended.

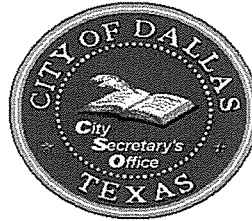
SECTION 9. That this ordinance shall take effect on April 30, 2015, and it is accordingly so ordained.

APPROVED AS TO FORM:

WARREN M.S. ERNST, City Attorney

By   
Assistant City Attorney

Passed APR 08 2015



## PROOF OF PUBLICATION – LEGAL ADVERTISING

The legal advertisement required for the noted ordinance was published in the Dallas Morning News, the official newspaper of the city, as required by law, and the Dallas City Charter, Chapter XVIII, Section 7.

DATE ADOPTED BY CITY COUNCIL APR 08 2015

ORDINANCE NUMBER 29706

DATE PUBLISHED APR 11 2015

ATTESTED BY:

A handwritten signature in cursive script, appearing to read "Rose C. Sims".