

**CHAPTER 47A  
TRANSPORTATION FOR HIRE**

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**ARTICLE I.  
GENERAL PROVISIONS.**

**SEC. 47A-1.1. STATEMENT OF POLICY.**

It is the policy of the city of Dallas to promote safety and quality in transportation-for-hire services in the city. The purpose of these regulations is to:

- (1) protect the public health and safety;
- (2) promote the public convenience and necessity;
- (3) ensure that transportation-for-hire is a viable component of the public transportation system;
- (4) ensure public safety and consumer protection by regulating transportation-for-hire operating authorities, drivers, and vehicles;
- (5) allow different modes of transportation- for-hire to compete directly with each other; and
- (6) allow consumers to select the type of transportation-for-hire they prefer to use. (Ord. 29596, eff. 4/30/15)

**SEC. 47A-1.2. GENERAL AUTHORITY AND DUTY OF DIRECTOR.**

The director shall implement and enforce this chapter and may by written order establish such rules or regulations, not inconsistent with this chapter or state or federal law, as he determines are necessary to discharge his duty under, or to effect the policy of this chapter. (Ord. 29596, eff. 4/30/15)

**SEC. 47A-1.3. ESTABLISHMENT OF RULES AND REGULATIONS.**

- (a) Before adopting, amending, or abolishing a rule, the director shall hold a public hearing on the proposal.
- (b) The director shall fix the time and place of the hearing and, in addition to notice required under the Open Meetings Act (Chapter 551, Texas Government Code), as amended, shall notify each operating authority and such other persons as the director determines are interested in the subject matter of the hearing.
- (c) After the public hearing, the director shall notify the holders of permits issued under this section and other interested persons of the director's action and shall post an order adopting, amending, or abolishing a rule on the official bulletin board in the city hall for a period of not fewer than 10 days. The order becomes effective immediately upon expiration of the posting period. (Ord. 29596, eff. 4/30/15)

**SEC. 47A-1.4. EXCLUSIONS.**

This chapter does not apply to:

- (1) a vehicle operating as a Dallas Area Rapid Transit ("DART") vehicle;

- (2) courtesy vehicles;
- (3) carpooling;
- (4) the transportation of a person by a transportation-for-hire vehicle licensed by another governmental entity from a point outside the city to a destination inside the city, if the transportation-for-hire vehicle leaves the city without receiving a passenger inside the city;
- (5) a motor vehicle used to transport persons for hire that is regulated by another chapter of this code, such as ambulances regulated under Chapter 15D, "Emergency Vehicles"; or
- (6) a bus or shuttle vehicle that is:
  - (A) operated for a funeral home in the performance of funeral services;
  - (B) 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 workstations, with the employees reimbursing the employer or employee association in an amount calculated only to offset the reasonable expenses of operating the vehicle;
  - (C) 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;
  - (D) used to transport children to or from school if only a fee calculated to reasonably cover expenses is charged;
  - (E) regulated by Texas Department of Transportation (TXDOT) or the Federal Motor Carrier Safety Administration (FMCSA);
  - (F) 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; or
  - (G) operated under authority granted by the Surface Transportation Board. (Ord. Nos. 29596; [30180](#))

### **SEC. 47A-1.5. DEFINITIONS.**

The definition of a term in this section applies to each grammatical variation of the term. In this chapter, unless the context requires a different definition:

- (1) BUS means a motor vehicle that has a manufacturer's rated seating capacity of more than 15 passengers.
- (2) CARPOOLING means any voluntary sharing of transportation without compensation.
- (3) COMPENSATION means any money, service, or other thing of value that is received, or is to be received, in return for transportation-for-hire services.
- (4) CONTINGENT PRIMARY LIABILITY COVERAGE means a liability insurance policy that will act as a primary liability policy in the event that no other applicable primary liability policy exists or a policy exists but denies coverage.
- (5) COURTESY VEHICLE means a vehicle that is not for hire, is not used to transport passengers for compensation, and is operated by or for a business that provides free transportation to customers as an accessory to the main business activity.
- (6) DEPARTMENT means the department designated by the city manager to enforce and administer this chapter.
- (7) DIRECTOR means the director of the department designated by the city manager to enforce and administer this chapter and includes representatives, agents, or department employees designated by the director.
- (8) DISPATCH means any communication system that conveys passenger ride requests to drivers.
- (9) DRIVE means to control the physical movements of a transportation-for-hire vehicle.
- (10) DRIVER means an individual who drives or otherwise controls the physical movements of a transportation-for-hire vehicle.
- (11) DRIVER PERMIT means the permit required by this chapter to drive a transportation-for-hire vehicle.
- (12) HAILABLE VEHICLE means a transportation-for-hire vehicle that can be immediately summoned by a passenger without the use of dispatch, and that meets the requirements in Section 47A-2.4.9.

(13) HORSE means any member of the species Equus Caballus.

(14) HORSE-DRAWN CARRIAGE means a non-motorized vehicle designed to carry passengers while being pulled by one or more horses.

(15) METER means a device that measures the time and distance of a trip.

(16) NON-MOTORIZED PASSENGER TRANSPORT VEHICLE means a horse-drawn carriage or a pedicab.

(17) OPERATING AUTHORITY means a person who is granted operating authority under this chapter to provide transportation-for-hire services.

(18) OPERATING AUTHORITY PERMIT means the permit required by this chapter to provide transportation-for-hire services.

(19) PEDICAB means a device with two or more wheels designed to carry passengers while being propelled by human power.

(20) PERSON means an individual; corporation; government or governmental subdivision; or agency, trust, partnership, or two or more persons having a joint or common economic interest.

(21) PUBLICLY REMOTELY ACCESSIBLE DATA SITE means a website, digital platform, or mobile application ("app") that provides content in a manner that is accessible to the public through a network.

(22) SHUTTLE VEHICLE means a van-type motor vehicle that has a manufacturer's rated seating capacity of not less than seven passengers and not more than 15 passengers.

(23) SMARTWAY VEHICLE means a passenger vehicle that is certified as a SmartWay vehicle under the Environmental Protection Agency's SmartWay program or a passenger vehicle with a seating capacity of 7 or more that is certified by the EPA as an ultra low emission vehicle or an equivalent or better emission rating.

(24) TEMPORARY VEHICLE PERMIT means a permit issued by the city to a person to operate a transportation-for-hire service for a specified period of time that is less than one year.

(25) TRANSPORTATION-FOR-HIRE SERVICE means the business of offering or providing transportation of persons for compensation.

(26) TRANSPORTATION-FOR-HIRE VEHICLE means any vehicle used to offer or provide transportation-for-hire services.

(27) VEHICLE PERMIT means the permit required by this chapter for a vehicle to operate as a transportation-for-hire vehicle.

(28) WHEELCHAIR ACCESSIBLE VEHICLE means a vehicle designed or modified to transport passengers in wheelchairs or other mobility devices and conforming to the requirements of the Americans with Disabilities Act (ADA), as amended. (Ord. 29596)

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

(a) The fee for an operating authority permit is \$278 per year for transportation-for-hire service provided by non-motorized passenger transport vehicles, and \$282 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 per vehicle permit per year for non-motorized passenger transport vehicles, and \$3 per vehicle permit per year or any portion thereof, for all other transportation-for-hire vehicles.

(c) The fee for a driver permit is \$30 per two years. If a driver permit is issued for a period of time of less than two years, the fee will be prorated. (Ord. 29596; [29706](#); [30180](#))

### **ARTICLE II.**

#### **REGULATIONS APPLICABLE TO ALL TRANSPORTATION-FOR-HIRE SERVICES.**

#### **DIVISION 1.**

#### **OPERATING AUTHORITY PERMIT.**

#### **SEC. 47A-2.1.1. OPERATING AUTHORITY PERMIT REQUIRED.**

(a) A person may not operate a transportation-for-hire service inside the city without operating authority granted under this chapter.

(b) A person may not transport a passenger for hire inside the city unless the person driving the transportation-for-hire vehicle or another who employs or contracts with the driver has been granted operating authority under this chapter. (Ord. 29596)

### **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 the director. 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 non-refundable application fee of \$133, 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 percent 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 that such insurance company has bound itself to provide the applicant with the 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;

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

(9) a statement that the applicant does not maintain an ownership interest of 20 percent or greater in, or maintain control over, an entity that inspects or certifies vehicles pursuant to Section 47A-2.3.3 of this chapter. (Ord. Nos. 29596; [29706](#); [30180](#))

### **SEC. 47A-2.1.3. CHANGES TO INFORMATION IN OPERATING AUTHORITY APPLICATION.**

Any changes to the information provided in the operating authority permit application must be reported to the director, in the manner prescribed by the director, within 10 days of the change. (Ord. 29596)

### **SEC. 47A-2.1.4. EXPIRATION OF OPERATING AUTHORITY PERMIT.**

An operating authority permit expires one year from the date it is issued. (Ord. 29596)

### **SEC. 47A-2.1.5. SUSPENSION OR REVOCATION OF OPERATING AUTHORITY.**

(a) Suspension. The following regulations apply to the suspension of a temporary or annual operating authority permit:

(1) The director may suspend an operating authority permit if the director determines that the operating authority permit holder failed to comply with a correction order issued to the holder by the director within the time specified in the order.

(2) Suspension of an operating authority permit does not affect the expiration date of the permit.

(b) Revocation. The following regulations apply to the revocation of a temporary or annual operating authority permit:

(1) The director shall revoke operating authority if the director determines that the operating authority permit holder has:

(A) made a false statement as to a material matter in the application concerning the operating authority; or

(B) failed to maintain the insurance required by this chapter.

(2) After revocation of an operating authority permit, an operating authority permit holder is not eligible for another permit for a period of up to two years, depending on the severity of the violation resulting in the revocation. (Ord. 29596)

#### **SEC. 47A-2.1.6. ZERO-TOLERANCE DRUG POLICY.**

(a) An operating authority shall employ, maintain, and enforce as to its drivers a zero-tolerance policy prohibiting the use of intoxicating substances.

(b) An operating authority shall include on its publicly remotely accessible data site notice of the operating authority's zero-tolerance policy for intoxicating substances and information on how passengers may report a possible violation of the policy to the operating authority and to the City. (Ord. 29596)

#### **SEC. 47A-2.1.7. PUBLICLY REMOTELY ACCESSIBLE DATA SITE.**

Each operating authority shall maintain a publicly remotely accessible data site that contains, at a minimum:

(1) the operating authority's rate information;

(2) the operating authority's zero-tolerance policy for intoxicating substances;

(3) the operating authority's contact information;

(4) a statement that wheelchair accessible vehicles are available upon request; and

(5) information on how to report complaints to the city. (Ord. 29596)

#### **SEC. 47A-2.1.8. TRANSPORTATION-FOR-HIRE SERVICE AT DALLAS LOVE FIELD AIRPORT AND DALLAS- FORT WORTH INTERNATIONAL AIRPORT.**

(a) In general. In addition to complying with this chapter, an operating authority providing transportation-for-hire services at Dallas Love Field Airport or Dallas-Fort Worth International Airport shall comply with all of the rules and regulations of those airports.

(b) Dallas Love Field Airport. An operating authority that tracks vehicle location for ground transportation shall, upon request of the director, provide the director with the information necessary to independently verify trip fees, as that trip fee is set in Chapter five of this code, as amended, owed by that operating authority on a daily, weekly, and monthly basis. (Ord. Nos. 29596; [30180](#).)

#### **SEC. 47A-2.1.9. NONTRANSFERABILITY.**

An operating authority permit is not transferable. This regulation should not be construed to impede the continuing use of trade names. (Ord. 29596)

### **DIVISION 2. DRIVER PERMIT.**

#### **SEC. 47A-2.2.1. DRIVER PERMIT REQUIRED.**

(a) A person may not drive a transportation-for-hire vehicle for the purpose of providing transportation-for-hire services without a valid driver permit issued under this article.

(b) An operating authority may not knowingly request or allow a person who does not hold a valid driver permit issued under this article to drive a transportation-for-hire vehicle for the purpose of providing transportation-for-hire services for that operating authority. (Ord. Nos. 29596; [30180](#))

## SEC. 47A-2.2.2. QUALIFICATIONS FOR DRIVER PERMIT.

(a) To qualify for a driver permit, an applicant must:

(1) hold a driver's license that meets the requirements of Chapter 521, Texas Transportation Code;

(2) not be afflicted with a physical or mental disease or disability that is likely to prevent the applicant from exercising ordinary and reasonable control over a motor vehicle or that is likely to otherwise endanger the public health or safety;

(3) not have been convicted of more than three moving traffic violations arising out of separate incidents, or involved in more than one automobile accident in which it could be reasonably determined that the applicant was more than fifty percent at fault, within any 12-month period during the preceding 24 months;

(4) not have been convicted of a crime:

(A) involving:

(i) criminal homicide as described in Chapter 19 of the Texas Penal Code;

(ii) kidnapping as described in Chapter 20 of the Texas Penal Code;

(iii) a sexual offense as described in Chapter 21 of the Texas Penal Code;

(iv) an assaultive offense as described in Chapter 22 of the Texas Penal Code;

(v) robbery as described in Chapter 29 of the Texas Penal Code;

(vi) any offense under the Texas Penal Code committed against a person with whom the applicant came in contact while engaged in transportation-for-hire service;

(vii) the transfer, carrying, or possession of a weapon in violation of Chapter 46 of the Texas Penal Code, but only if the violation is punishable as a felony;

(viii) a violation of the Dangerous Drugs Act (Chapter 483 of the Texas Health and Safety Code) that is punishable as a felony;

(ix) a violation of the Controlled Substances Act (Chapter 481 of the Texas Health and Safety Code) that is punishable as a felony; or

(x) criminal attempt to commit any of the offenses listed in Subdivision (7)(A)(i) through (viii) of this subsection;

(B) for which:

(i) less than two years have elapsed since the date of conviction or the date of release from confinement imposed for the conviction, whichever is the later date, if the applicant was convicted of a misdemeanor offense;

(ii) less than five years have elapsed since the date of conviction or the date of release from confinement for the conviction, whichever is the later date, if the applicant was convicted of a felony offense; or

(iii) less than five years have elapsed since the date of the last conviction or the date of release from confinement for the last conviction, whichever is the later date, if, within any 24-month period, the applicant has two or more convictions of any misdemeanor offense or combination of misdemeanor offenses;

(5) not have been convicted of, or discharged by probation or deferred adjudication for, driving while intoxicated:

(A) within the preceding 12 months; or

(B) more than one time within the preceding five years; and

(6) not be subject to an outstanding warrant of arrest in the State of Texas.

(b) If an applicant is denied a driver permit on the basis that they have been convicted of an offense listed in Subsection (a)(4) or (5), for which the required time period has not elapsed since the date of conviction or the date of release from confinement imposed for the conviction, the Applicant may appeal the denial to the Permit and License Appeal Board in the manner set out in Dallas City Code 2-96. The Permit and License Appeal Board may determine that the driver is presently fit to engage in the occupation of a transportation-for-hire driver by considering the following:

- (1) the extent and nature of the applicant's past criminal activity;
- (2) the age of the applicant at the time of the commission of the crime;
- (3) the amount of time that has elapsed since the applicant's last criminal activity;
- (4) the conduct and work activity of the applicant prior to and following the criminal activity;
- (5) evidence of the applicant's rehabilitation or rehabilitative effort while incarcerated or following release; and
- (6) other evidence of the applicant's present fitness, including letters of recommendation from prosecution, law enforcement, and correctional officers who prosecuted, arrested, or had custodial responsibility for the applicant; the sheriff and chief of police in the community where the applicant resides; and any other persons in contact with the applicant. (Ord. 29596)

### **SEC. 47A-2.2.3. APPLICATION FOR DRIVER PERMIT.**

To obtain a driver permit or renewal of a driver permit, the applicant must complete a written application on a form provided for the purpose. The application must include the applicant's contact information, including the applicant's mailing address and telephone number, and a method for privately contacting the applicant electronically (such as an email address). (Ord. 29596)

### **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) 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 years, or the applicant's Identity History Summary Check from the Federal Bureau of Investigation; and
- (2) 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 years.

(b) If the director performs the review of the driver's criminal history and driving record, the fee for that review is \$23. (Ord. Nos. 29596; [29706](#))

### **SEC. 47A-2.2.5. APPROVAL OR DENIAL OF DRIVER PERMIT.**

(a) Applicants who are not seeking renewal of an existing driver permit must complete a training class approved by the director on city regulations, familiarity with the city, and customer service before the applicant may receive a driver permit.

(b) The director shall issue a driver permit to the applicant if:

- (1) the director determines that the applicant is qualified to receive a permit under Section 47A-2.2.2; and
- (2) the applicant has completed the training class required by Subsection (a) of this section.

(c) The director shall deny the application for a driver permit if the applicant:

- (1) is not qualified under Section 47A-2.2.2, or
- (2) makes a false statement of a material fact in his application for a driver permit.

(d) If the director determines that a driver permit should be denied, the director shall notify the applicant in writing that his application is denied and include in the notice the reason for denial and a statement informing the applicant of his right of appeal. (Ord. 29596)

### **SEC. 47A-2.2.6. CHANGES TO INFORMATION IN DRIVER PERMIT APPLICATION.**

Any changes in the driver's contact information must be reported to the director prior to or contemporaneously with those changes. (Ord. 29596)

### **SEC. 47A-2.2.7. DURATION OF DRIVER PERMIT.**

(a) A driver permit expires two years from the date it is issued.

(b) If a driver's state driver's license is suspended or revoked by the state, his transportation- for-hire driver permit automatically becomes void. A driver shall immediately notify the director and each operating authority for which he drives of a suspension or revocation of his driver's license by the state and shall immediately surrender his driver permit to the director. (Ord. 29596)

### **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. (Ord. Nos. 29596; [29706](#))

### **SEC. 47A-2.2.9. DISPLAY OF DRIVER PERMIT.**

(a) A driver shall have the driver permit in his possession at all times that the driver is providing transportation-for-hire services.

(b) A driver shall allow the director or a peace officer to examine the driver permit upon request. (Ord. 29596)

### **SEC. 47A-2.2.10. SUSPENSION OR REVOCATION OF DRIVER PERMIT.**

(a) Suspension.

(1) If the director determines that a driver has failed to comply with this chapter or a rule or regulation established under this chapter, the director may suspend the driver permit for a definite period of time not to exceed 60 days.

(2) If at any time the director determines that a driver is not qualified under Section 47A-2.2.2, or is under indictment or has charges pending for any offense involving driving while intoxicated or a felony offense involving a crime described in Section 47A-2.2.2 or criminal attempt to commit any of those offenses, the director shall suspend the driver permit until such time as the director determines that the driver is qualified or that the charges against the driver have been finally adjudicated.

(3) A driver whose driver permit is suspended shall not drive a transportation-for-hire vehicle inside the city during the period of suspension.

(4) The director shall notify in writing the driver and all operating authorities of a suspension under this section and include in the notice the reason for the suspension, the date the director orders the suspension to begin, the duration of suspension, and a statement informing the driver of a right of appeal. The period of suspension begins on the date specified by the director or, in the case of an appeal, on the date ordered by the permit and license appeal board.

(5) A driver whose driver permit has been suspended may not resume providing transportation- for-hire driver services after the suspension period has ended until the driver repeats the training class required by Section 47A-2.2.5(a) of this chapter. A driver may attend the training class at any available time during or after the suspension period.

(b) Revocation.

(1) The director shall revoke a driver permit if the director determines that the driver:

(A) drove a transportation-for-hire vehicle for hire inside the city during a period in which the driver's permit was suspended;

(B) made a false statement of a material fact in the application for a driver permit;

(C) engaged in conduct that constitutes a ground for suspension under Subsection (a), and received either a suspension in excess of three days or a conviction for violation of this chapter, two times within the 12-month period preceding the occurrence of the conduct or three times within the 24- month period preceding the occurrence of the conduct;

(D) engaged in conduct that could reasonably be determined to be detrimental to the public safety; or

(E) was convicted of any felony offense involving a crime described in Section 47A-2.2.2 while holding a driver permit.

(2) A person whose driver permit is revoked shall not:

(A) apply for another driver permit before the expiration of two years from the date the director revokes the permit or, in the case of an appeal, the date the permit and license appeal board affirms the revocation; or

(B) drive a transportation-for-hire vehicle inside the city.

(3) The director shall notify the driver in writing of a revocation and include in the notice the reason for the revocation, the date the director orders the revocation, and a statement informing the driver of the right of appeal.

(4) After receipt of notice of revocation, the driver shall, on the date specified in the notice, surrender the driver permit to the director and discontinue driving a transportation-for-hire vehicle inside the city.

(5) If the driver appeals the revocation under this section, the driver may continue to drive a transportation-for-hire vehicle pending the appeal unless:

(A) the driver permit is revoked pursuant to Subsection (b)(1)(E) of this section; or

(B) the director determines that continued operation of a transportation-for-hire vehicle by the driver would impose an immediate threat to public safety. (Ord. 29596)

#### **SEC. 47A-2.2.11. NONTRANSFERABILITY.**

A driver permit issued to one person is not transferable to another. (Ord. 29596)

#### **SEC. 47A-2.2.12. DRIVER REGULATIONS.**

While driving a transportation-for-hire vehicle, a driver shall comply with this chapter, rules and regulations established under this chapter, and all other laws applicable to the operation of a motor vehicle in this state. A driver providing transportation- for-hire services at Dallas Love Field Airport or Dallas- Fort Worth International Airport shall also comply with all of the rules and regulations of those airports. (Ord. 29596)

### **DIVISION 3. VEHICLE PERMIT.**

#### **SEC. 47A-2.3.1. VEHICLE PERMIT REQUIRED.**

No vehicle may be used to provide transportation- for-hire services without a valid permit for that vehicle issued under this article. (Ord. 29596)

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

(a) To obtain a vehicle permit, a permit applicant must provide the director or an approved company with the following information, including the:

- (1) vehicle's current state issued vehicle registration expiration year and month;
- (2) permit applicant's name, mailing address, email address, and telephone contact information;
- (3) vehicle identification number of the vehicle to be permitted;
- (4) year, make, and model of the vehicle to be permitted; and
- (5) license plate number of the vehicle to be permitted.

(b) To obtain a vehicle permit for a previously permitted vehicle, in addition to providing the above information, a permit applicant must demonstrate that, within the preceding 90 days, the vehicle has been inspected and certified as meeting the requirements in Section 47A-2.3.3 of this chapter. (Ord. Nos. 29596; [29706](#); [30180](#))

#### **SEC. 47A-2.3.3 VEHICLE QUALITY STANDARDS.**

(a) An operating authority shall maintain all motorized vehicles operating under its permit, and a driver shall maintain the motorized transportation-for-hire vehicle he is driving for hire, in a condition such that each vehicle meets all safety standards required by the State of Texas for passenger vehicles and the following additional standards:

- (1) the exterior and interior are clean and appear new or substantially like new;
  - (2) front and rear seats, armrests, interior door panels, headliners, carpet, mats, and front and rear dashboards are in good condition, free of cracks, rips, tears, or excessive wear;
  - (3) body panels, trim, and moldings are free of dents (other than minor door dings that do not involve paint damage), scratches, or other obvious unrepaired damage;
  - (4) paint is in good condition, free of scratches or other obvious unrepaired damage, visible fading, runs, peeling, overspray, mismatched colors, or excessive paint damage;
  - (5) front and rear tires, wheels, and wheel covers match and are the proper size and type for the vehicle;
  - (6) all recall work recommended by the vehicle's manufacturer has been performed;
  - (7) air conditioner, heater, and defoggers function properly.
- (b) It is a defense to prosecution for a violation of Subsection (a) that the violation was remedied within twenty-one (21) days after receiving the citation.
- (c) A person commits an offense if he knowingly falsely certifies, requests another to falsely certify, or intentionally causes another to falsely certify that a transportation-for-hire vehicle meets the standards in Subsection (a). (Ord. Nos. 29596; [30180](#))

#### **SEC. 47A-2.3.4. DISPLAY OF VEHICLE PERMIT.**

- (a) A person commits an offense if he:
- (1) operates a transportation-for-hire vehicle with an expired vehicle permit or with no vehicle permit affixed to the vehicle;
  - (2) attaches a vehicle permit to a transportation-for-hire vehicle not authorized to operate as a transportation-for-hire vehicle;
  - (3) forges, alters, or counterfeits a transportation-for-hire vehicle permit required by this section; or
  - (4) possesses a forged, altered, or counterfeited transportation-for-hire vehicle permit required by this section.
- (b) A transportation-for-hire vehicle permit assigned to one vehicle is not transferable to another. (Ord. 29596)

#### **SEC. 47A-2.3.5. EXPIRATION OF VEHICLE PERMIT.**

A vehicle permit is valid for the period of and expires concurrently with the permitted vehicle's state registration displayed on the vehicle at the time the permit is issued. (Ord. Nos. 29596; [30180](#))

### **DIVISION 4. SERVICE RULES.**

#### **SEC. 47A-2.4.1. NO SOLICITATION.**

A driver may not solicit passengers if the solicitation is:

- (1) from a location other than the driver's compartment or the immediate vicinity of the driver's transportation-for-hire vehicle; or
- (2) in a way that annoys or obstructs the movement of a person. (Ord. 29596)

#### **SEC. 47A-2.4.2. NON-DISCRIMINATION.**

An operating authority or driver shall not refuse service to a passenger based on the passenger's race; color; age; religion; sex; marital status; sexual orientation, as that term is defined in Chapter 34 of this code; gender identity and expression, as that term is defined in Chapter 34 of this code; national origin; disability; political opinions; or affiliations. (Ord. 29596)

#### **SEC. 47A-2.4.3. CITY-WIDE SERVICE.**

- (a) An operating authority may not exclude from service any portion of the city.
- (b) An operating authority may not refuse to convey a ride request to an available driver based on point of origin, destination, or length of trip.
- (c) While operating a transportation-for-hire vehicle, a driver shall not refuse a person who requests service unless:
  - (1) the person is disorderly;
  - (2) the driver is engaged in answering a previous request for service;
  - (3) the driver has reason to believe that the person is engaged in unlawful conduct; or
  - (4) the driver, based on observation of a specific passenger, reasonably fears for the driver's own safety.
- (d) This section does not apply to transportation-for-hire service provided by non- motorized passenger transport vehicles. (Ord. 29596)

#### **SEC. 47A-2.4.4. WHEELCHAIR ACCESSIBILITY.**

- (a) When a wheelchair accessible vehicle is requested, the operating authority must provide a wheelchair accessible vehicle, or cause one to be provided, without unreasonable delay.
- (b) Operating authorities and drivers are prohibited from charging a higher fare rate for wheelchair accessible transportation-for-hire vehicles. (Ord. 29596)

#### **SEC. 47A-2.4.5. DIRECT AND EXPEDITIOUS ROUTE.**

- (a) A driver must take the most direct and expeditious route available, unless otherwise directed by the passenger.
- (b) This section does not apply to transportation- for-hire service provided by non-motorized passenger transport vehicles. (Ord. 29596)

#### **SEC. 47A-2.4.6. PAYMENT BY CREDIT CARD.**

- (a) An operating authority or driver, whichever accepts payment for a fare, must allow fares to be paid by credit card.
- (b) When accepting a credit card payment, an operating authority or driver must use a secure credit card processing method that encrypts information transmitted to authenticate a credit card payment transaction for approval. (Ord. 29596)

#### **SEC. 47A-2.4.7. SIGNAGE.**

A driver shall at all times while the driver is providing transportation-for-hire services display inside the vehicle in a manner that is visible and legible to passengers: the driver's first name and picture, the driver permit number, the vehicle permit number, and information on how to contact the city to make a complaint. (Ord. 29596)

#### **SEC. 47A-2.4.8. RATES AND FARES.**

- (a) For purposes of this section, "payor" means the person paying for transportation-for-hire service.
- (b) An operating authority shall inform the payor of the rate for the transportation-for-hire service before the transportation-for-hire service is provided.
- (c) An operating authority must disclose its rates on a publicly remotely accessible data site. An operating authority must also disclose its rates on a sign placed in or on all hailable transportation-for-hire vehicles operated under the operating authority's permit.
- (d) A driver or operating authority shall provide the payor of a fare with a legible receipt at the time of payment. The receipt, alone or in combination with additional contemporaneously produced document(s), must contain the following information:
  - (1) the fare rate;

- (2) the total fare;
- (3) an itemization showing how the fare was calculated;
- (4) the trip distance (if fare based in whole or in part on distance);
- (5) the duration of the trip in minutes (if fare based in whole or in part on time);
- (6) the name of the operating authority under which the driver was operating at the time of the ride;
- (7) the driver's first name and driver permit number; and
- (8) the vehicle permit number.

(e) The receipt may be submitted to the payor electronically if the ride was dispatched electronically or if the payor agrees to accept an electronic receipt.

(f) Hailable vehicles shall not charge any fare for providing transportation-for-hire service in the city that exceeds the maximum rates of fare authorized by the following schedule:

(1) General fares.

- (A) Initial meter drop: \$2.25;
- (B) Each 1/9 mile: \$0.20;
- (C) Traffic delay time/waiting time, per 1- 1/2 minutes: \$0.45; and
- (D) Each extra passenger (up to manufacturer's rated seating capacity): \$2.00.

(2) Love Field Airport fares.

(A) Each trip departing from the airport (in addition to the general fare) shall include the trip fee as that trip fee is set in Chapter 5 of this code, as amended.

(B) Minimum charge for each trip departing from the airport: \$8.00.

(C) Flat rate for each trip either originating at the airport and terminating at a location within the Dallas Central Business District area or originating at a location within the Dallas Central Business District area and terminating at the airport: \$21.00.

(D) Flat rate for each trip either originating at the airport and terminating at a location within the Dallas Market Center area or originating at a location within the Dallas Market Center area and terminating at the airport: \$18.00.

(3) Dallas-Fort Worth International Airport fares.

(A) Minimum charge for each terminal transfer: \$7.00.

(B) Minimum charge for each trip that requires exiting the Airport parking plaza and terminates inside of airport property: \$14.50.

(C) Minimum charge for each trip that requires exiting the Airport parking plaza and terminates outside of airport property: \$17.00.

(D) Flat rate for each trip either originating at the airport and terminating at a location within the Dallas Central Business District area or originating at a location within the Dallas Central Business District area and terminating at the airport: \$45.00.

(E) Flat rate for each trip either originating at the airport and terminating at a location within the Dallas Market Center area or originating at a location within the Dallas Market Center area and terminating at the airport: \$37.00.

(4) Gasoline surcharge.

(A) A gasoline surcharge approved by the director may be added to a hailable vehicle fare when the average weekly retail price of regular grade gasoline in the State of Texas exceeds \$2.00 per gallon

as determined by the United States Department of Energy, Energy Information Administration.

(B) The gasoline surcharge will be calculated in \$0.50 increments and applied per trip. For every \$0.50 increase or decrease in

the average price per gallon of gasoline above the \$2.00 threshold, the per trip surcharge fee will be adjusted \$0.50 up or down to reflect the change in the average gasoline price. For example:

<b>AVERAGE PRICE OF GASOLINE (PER GALLON)</b>	<b>AMOUNT OF SURCHARGE (PER TRIP)</b>
\$2.00 or less	No surcharge
\$2.01 to \$2.50	\$0.50
\$2.51 to \$3.00	\$1.00
\$3.01 to \$3.50	\$1.50
Each additional \$0.50 increase in the average per gallon price of gasoline	Additional \$0.50 per trip

(C) The director shall determine the gasoline surcharge on a quarterly basis each year by checking, in accordance with the following schedule, the average price per gallon of gasoline as posted by the United States Department of Energy in its weekly updates:

<b>DATE OF QUARTERLY PRICE CHECK BY DIRECTOR</b>	<b>DATE OF QUARTERLY ADJUSTMENT (IF REQUIRED)</b>
December 20	January 1
March 20	April 1
June 20	July 1
September 20	October 1

(g) Each driver of a hailable vehicle shall charge the rates of fare prescribed in Subsection (f) in accordance with the following terms and conditions:

(1) "Dallas Central Business District area" includes:

(A) the Dallas Central Business District, which is the area bounded by Woodall Rodgers Freeway on the north, Central Expressway on the east, R. L. Thornton Freeway on the south, and Stemmons Freeway on the west; and

(B) all points located within 1,000 feet of the Dallas Central Business District boundaries described in Paragraph (1)(A) of this subsection.

(2) "Dallas Market Center area" includes:

(A) the Dallas Market Center, which is the area bounded by Medical District Drive on the northwest, Harry Hines Boulevard on the northeast, Oak Lawn Avenue on the southeast, and Irving Boulevard on the southwest; and

(B) all points located within 1,000 feet of the Dallas Market Center boundaries described in Paragraph (2)(A) of this subsection.

(3) "Extra passengers" means the total number of passengers, less one, riding in the same vehicle whether or not going to the same destination.

(4) "Traffic delay time" is that time, as set and determined by the meter, during which the vehicle is stopped in traffic or proceeding at a speed of less than 11.5 miles per hour due to traffic conditions.

(5) "Waiting time" may be charged only when a passenger or party requests a vehicle to wait and be held exclusively for the use of that passenger or party.

(6) Passengers in the same vehicle traveling between the same points must be considered as one trip, and a multiple fare may not be charged. The only extra charge permitted for additional passengers is the \$2.00 allowed under Subsection (e) for each extra passenger.

(7) When passengers in the same vehicle have different destinations, the fare must be collected and the meter must be reset at each destination point, except when the vehicle is engaged by, and the fare for the entire trip is paid by, one passenger or party. The \$2.00 charge for each extra passenger is permitted under this paragraph only when the fare for the entire trip is paid by one passenger or party or when more than one passenger disembarks at a single location.

(8) A passenger or party must reimburse the driver for all lawful tolls paid during the time of engagement only if the passenger or party was notified of the toll route beforehand by the driver and did not object to the toll route.

(9) Flat rate fares provided in Subsection (f) of this section, as amended, shall include all fares described in this section, except for the extra passenger fare, also as described in this section.

(h) The director shall periodically review the hailable vehicle rates of fare and, after receiving input from operators and drivers of hailable vehicles, recommend any change to the city council. The city council shall hold a public hearing to consider the proposed change in rates of fare. After the hearing, the city council may approve, disapprove, or modify the proposed change.

(i) Nothing in this section prohibits a hailable vehicle from being operated for a discounted rate or charge. (Ord. Nos. 29596; [30180](#))

#### **SEC. 47A-2.4.9. ADDITIONAL REQUIREMENTS FOR HAILABLE VEHICLES.**

(a) All hailable vehicles must:

(1) have a roof mounted top light that illuminates when the vehicle is in service but not available to be hailed; and

(2) display the following information on at least one door on each side of the vehicle:

(A) the name of the operating authority under which the vehicle is currently operating,

(B) the vehicle permit number, and

(C) the fare rate.

(b) The size and format of the information required by this section must be approved by the director.

(c) If a hailable vehicle is neither engaged in service nor available to be hailed, the driver must place a sign in the front window on the right side of the vehicle with the words "NOT FOR HIRE" printed in letters not less than 3" in height with a stroke of not less than 3/8". (Ord. 29596)

#### **SEC. 47A-2.4.10. GOUGING PROHIBITED.**

Drivers and operating authorities may not knowingly or intentionally quote, charge, or attempt to charge a fare higher than the fare calculated based on the operating authority's published rates or the rates allowed by this chapter for hailable vehicles, whichever is applicable. (Ord. 29596)

#### **SEC. 47A-2.4.11. SMARTWAY CERTIFIED VEHICLES.**

(a) SmartWay certified hailable transportation-for-hire vehicles that are 2011 model year or newer, authorized to operate at Love Field, will be eligible to advance to the front of the airport's holding or dispatch areas. "Head-of-the-line" privileges do not apply at stands used for loading passengers at the airports.

(b) A hailable compressed natural gas vehicle that is not SmartWay Certified but is in service and eligible for head-of-the-line

privileges up to the effective date of this ordinance will continue to be eligible for head-of-the-line privileges until the expiration of seven (7) calendar years from the model year of the vehicle provided that the vehicle meets and continues to meet all other requirements of this chapter. (Ord. 29596)

#### **SEC. 47A-2.4.12. SOLICITATION OF PASSENGERS BY BUSINESS ESTABLISHMENTS.**

(a) An employee of a business establishment, other than an operating authority, who acts as an agent in obtaining transportation-for-hire service for prospective passengers shall not:

- (1) solicit nor accept payment from a driver in return for giving preferential treatment in directing passengers to a driver; or
- (2) interfere with the orderly progression of transportation-for-hire vehicles from the rear to the front of a queue.

(b) Business establishments or their agents may not require guests to use a specific transportation-for-hire operating authority, driver, or vehicle.

(c) Drivers may not pay an employee of a business establishment to solicit passengers or to give preferential treatment in directing passengers to that driver. (Ord. 29596)

#### **SEC. 47A-2.4.13. DRIVER AVAILABILITY LOG.**

(a) An operating authority that employs contingent primary liability coverage to meet the insurance requirements of Section 47A-2.5.2 shall maintain a real time record that demonstrates each date and time that a driver providing transportation-for-hire services under that operating authority has, in the manner prescribed by the operating authority, signaled to the operating authority that the driver:

- (1) is available to accept a ride request;
- (2) has accepted a ride request; and
- (3) has completed a requested ride.

(b) The operating authority shall retain the record required by Subsection (a) for a minimum of ninety (90) days after the record is made, and shall make the records available for inspection by the director upon reasonable notice. (Ord. 29596)

### **DIVISION 5. INSURANCE.**

#### **SEC. 47A-2.5.1. INSURANCE POLICY REQUIREMENTS AND PROHIBITIONS.**

(a) An operating authority shall procure and keep in full force and effect no less than the insurance coverage required by this article through a policy or policies written by an insurance company that:

- (1) is 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;
- (2) is acceptable to the city; and
- (3) does not violate the ownership or operational control prohibitions described in Subsection (e) of this section.

(b) The insured provisions of the policy must name the city and its officers and employees as additional insureds, and the coverage provisions must provide coverage for any loss or damage that may arise to any person or property by reason of the operation of a transportation-for-hire vehicle when driven by any authorized driver.

(c) Insurance required under this article must:

- (1) include a cancellation provision in which the insurance company is required to notify the director in writing not fewer than 30 days before cancelling the insurance policy (for a reason other than non-payment) or before making a reduction in coverage;
- (2) include a cancellation provision in which the insurance company is required to notify the director in writing not fewer than 10 days before cancelling for non-payment;

(3) cover all transportation-for-hire vehicles during all times that the vehicles are operating in furtherance of the operating authority's business, whether the vehicles are owned, non-owned, hired, rented, or leased by the operating authority, and whether the vehicles are or are not listed on a schedule of vehicles provided to the insurance company;

(4) include a provision requiring the insurance company to pay every covered claim on a first-dollar basis;

(5) require notice to the city of Dallas if the policy is cancelled or if there is a reduction in coverage; and

(6) comply with all applicable federal, state, or local laws.

(d) A driver must keep proof of any and all liability insurance policies applicable to the driver or vehicle in the vehicle while the driver is providing transportation-for-hire services.

(e) No person who has a 20 percent or greater ownership interest in the operating authority may have any interest in the insurance company.

(f) The operating authority may not be self-insured.

(g) Any insurance policy required by this article must be on file with the city within forty-five (45) days of the issuance of the initial operating authority permit, and thereafter within 45 days of the expiration or termination of a previously issued policy. (Ord. Nos. 29596; [30180](#))

### **SEC. 47A-2.5.2. MINIMUM INSURANCE LIMITS.**

(a) Insurance policy limits for motorized transportation-for-hire vehicles. At a minimum, the liability coverage for motorized transportation-for-hire vehicles must be provided as follows:

(1) From the time a driver indicates that the vehicle is available to accept a ride request, but before the driver has accepted a ride request, the vehicle and driver must be covered by contingent primary liability coverage for injury and property damage arising out of or caused by the operation of the vehicle in the amount of \$50,000 per person, \$100,000 per occurrence for bodily injury and \$25,000 in property damage; and

(2) From the time a driver accepts a ride request, either by being physically hailed or dispatched, to the time the passenger exits the vehicle, the vehicle and driver must be covered by primary commercial automobile liability coverage with a combined single limit of liability for injury and property damage arising out of or caused by the operation of the vehicle in the following amounts:

For vehicles with a manufacturer's rated seating capacity of 1-8 passengers	\$500,000
For vehicles with a manufacturer's rated seating capacity of 9 or more passengers	\$1,000,000.

(b) Insurance policy limits for non-motorized passenger transport vehicles. The commercial general liability insurance for non-motorized passenger transport vehicles must provide combined single limits of liability for bodily injury and property damage of not less than \$500,000 for each occurrence, or the equivalent, and include coverage for premises operations, independent contractors, products/completed operations, personal injury, contractual liability, and medical payments. Coverage for medical payments must include a minimum limit of \$5,000 per person. (Ord. Nos. 29596; [30180](#))

## **ARTICLE III.**

### **REGULATIONS SPECIFIC TO NON- MOTORIZED PASSENGER TRANSPORT VEHICLES.**

#### **SEC. 47A-3.1. ROUTE.**

Transportation-for-hire service offered by non- motorized passenger transport vehicles may only be offered in accordance with a preapproved route, with fixed pickup and destination points, that must be current and kept on file with the director. (Ord. 29596)

### **SEC. 47A-3.2. REQUIREMENTS FOR HORSES IN SERVICE.**

(a) Before any horse may be used in a non- motorized passenger transport service, the operating authority permit holder must furnish the director with:

(1) a state certificate of veterinarian inspection identifying the horse by description or photograph and showing that the horse has been examined at least once within the preceding six months by a veterinarian licensed by the State of Texas who specializes in equine medicine;

(2) proof that the horse has had tetanus, rabies, and Eastern-Western encephalitis vaccinations; and

(3) photographs showing identifying markings of the horse.

(b) A horse used in a non-motorized passenger transport service must:

(1) be appropriately shod to work on paved streets; if a horse loses a shoe while working, an "eazy" type boot may be used to finish the scheduled work day;

(2) not have any open wound, oozing sore, cut below skin level, or bleeding wound;

(3) not have evidence of lameness, such as but not limited to head bobbing or irregular rhythm;

(4) be offered not less than five gallons of drinking water at least every two hours;

(5) have at least a 10-minute rest period after every 50 minutes worked;

(6) not work longer than eight hours in a 24-hour period with a minimum of 12 hours rest;

(7) have all harnesses properly fitted and in good repair with no deficiencies that could reasonably be deemed a safety hazard;

(8) be properly cleaned with no offensive odors or caked dirt or mud;

(9) wear a special sanitary device for containing animal excrement;

(10) not work when the outside temperature exceeds 99 degrees Fahrenheit, or the thermal heat index exceeds 150, as measured by the National Weather Service at Love Field; and

(11) be examined at least once every six months by a veterinarian licensed by the State of Texas who specializes in equine medicine and receive a state certificate of veterinarian inspection, which must be submitted to the director.

(c) The director, or a designated representative of the department, may require the operating authority or driver of a horse-drawn carriage to remove from service any horse that appears to be ill, overtired, undernourished, overloaded, injured, or lame or whose health or life, in the opinion of a veterinarian or qualified equine animal services officer, is in imminent danger. To reinstate a horse removed from service, the horse must be re-examined and a new state certificate of veterinarian inspection issued for the horse by a veterinarian licensed by the State of Texas and specializing in equine medicine, which certificate must be submitted to the director.

(d) A person commits an offense if he harasses or startles, or attempts to harass or startle, any horse while the horse is pulling a carriage or at rest or otherwise treats a horse inhumanely while it is working in a non-motorized passenger transport service.

(e) An operating authority and driver shall use a trailer to transport a horse to a job location in the city that is more than three miles from the location where the horse is stabled.

(f) For purposes of this section, a horse is considered to be working any time it is on a public street or sidewalk, or other public right-of-way, during any hour of operation of the non-motorized passenger transport service that is authorized by and on file with the director. (Ord. Nos. 29596; [30240](#))

### **SEC. 47A-3.3. REQUIRED EQUIPMENT.**

(a) An operating authority shall maintain for all non-motorized passenger transport vehicles operating under its permit, and a driver shall maintain for the non-motorized passenger transport vehicle he is driving for hire, the following equipment in good condition:

- (1) head-lights;
- (2) tail-lights;
- (3) flashing lights;
- (4) a braking system approved by the director;
- (5) rubber on all wheels;
- (6) a "slow moving vehicle" sign attached to the rear of the vehicle;
- (7) evidence of insurance required by Division 5 of Article II of this chapter;
- (8) the company name and a unit number conspicuously located on the rear of the vehicle in letters not less than two inches high;
- (9) a vehicle permit or temporary permit placed in a manner and location approved by the director;
- (10) any other equipment required to comply with all applicable federal and state laws; and
- (11) any other special equipment that the director determines to be necessary for the service to be operated.

(b) An operating authority and driver shall, at all times, keep each non-motorized passenger transport vehicle clean and free of refuse and in safe operating condition.

(c) A non-motorized passenger transport vehicle must not have any cracks, broken or missing parts, or other visible damage. All wheels must be firmly attached to the hub of a vehicle and all springs, axles, and supporting structures of each vehicle must be intact. (Ord. 29596)

#### **SEC. 47A-3.4. APPLICATION FOR OPERATING AUTHORITY.**

In addition to the information required by Section 47A-2.1.2 of this chapter, to obtain an operating authority permit for transportation-for-hire service offered by non-motorized passenger transport vehicles, the verified application statement filed with the director must include:

- (1) the number of horses the applicant proposes to use in the operation of the service with a description or photograph and a state certificate of veterinarian inspection for each horse; and
- (2) the proposed routes to be offered. (Ord. 29596)

### **ARTICLE IV. ENFORCEMENT.**

#### **SEC. 47A-4.1. RESPONSIBILITY FOR ENFORCEMENT.**

(a) The director may, with or without notice, inspect any transportation-for-hire vehicle operating under this chapter to determine whether the vehicle complies with this chapter, rules and regulations established under this chapter, or other applicable law.

(b) The director shall enforce this chapter with the assistance of the police department. A police officer upon observing a violation of this chapter or the rules or regulations established by the director, shall take necessary enforcement action to ensure effective regulations of transportation-for-hire service. (Ord. 29596)

#### **SEC. 47A-4.2. REMOVAL OF EVIDENCE OF AUTHORIZATION.**

Whenever an operating authority permit, driver permit, or vehicle permit is suspended, revoked, or renewal denied, the director may remove or require the surrender of all evidence of authorization as an operating authority, driver, or transportation-for-hire vehicle, including, but not limited to, removal or surrender of operating authority, permits, decals, and signage. (Ord. 29596)

#### **SEC. 47A-4.3. TOWING AND IMPOUNDING.**

A vehicle shall be towed and impounded if determined by the director or any peace officer to be operating as a transportation-for-hire vehicle without:

- (1) the operating authority required by this chapter,
- (2) a driver permit required by this chapter,
- (3) a vehicle permit required by this chapter, or
- (4) the insurance required by this chapter. (Ord. 29596)

#### **SEC. 47A-4.4. CORRECTION ORDER.**

(a) If the director determines that an operating authority or driver is violating or has violated this chapter, terms of its permit, a rule or regulation established by the director, or other law, the director may notify the operating authority or driver in writing of the violation and by written order direct the operating authority or driver to correct the violation within a reasonable period of time. In setting the time for correction the director shall consider the degree of danger to the public health or safety and the nature of the violation. If the violation involves equipment that is unsafe or functioning improperly, the director shall order the operating authority or driver to immediately cease use of the equipment.

(b) If the director determines that a violation constitutes an imminent and serious threat to the public health or safety, the director shall order the operating authority or driver to correct the violation immediately, and, if the operating authority or driver fails to comply, the director shall promptly take or cause to be taken such action as the director considers necessary to enforce the order immediately.

(c) The director shall include in a notice issued under this subsection an identification of the violation, the date of issuance of the notice and the time period within which the violation must be corrected, a warning that failure to comply with the order may result in suspension or revocation of the permit or imposition of a fine or both, and a statement indicating that the order may be appealed. (Ord. 29596)

#### **SEC. 47A-4.5. SERVICE OF NOTICE.**

(a) An operating authority shall designate and maintain a representative to receive service of notice required under this chapter to be given an operating authority and to serve notice required under this chapter.

(b) Notice required under this chapter to be given to:

(1) an operating authority must be personally served by the director on the operating authority or the operating authority's designated representative; or

(2) a driver must be personally served or sent by certified United States Mail, return receipt requested, to the address, last known to the director, of the person to be notified, or to the designated representative for drivers.

(c) Notice required under this chapter to be given to a person other than an operating authority or driver may be served in the manner prescribed by Subsection (b)(2).

(d) Service executed in accordance with this subsection constitutes notice to the person to whom the notice is addressed. The date of service for notice that is mailed is three days after the date of mailing. (Ord. 29596)

#### **SEC. 47A-4.6. APPEAL OF CORRECTION ORDER.**

The holder of a permit issued under this section may file an appeal with the permit and license appeal board in accordance with Section 2-96 of this code. (Ord. 29596)

#### **SEC. 47A-4.7. CRIMINAL OFFENSES.**

(a) A person commits an offense if he violates or attempts to violate a provision of this chapter, or a rule or regulation established by the director under this chapter, that is applicable to the person. A culpable mental state is not required for the commission of an offense under this chapter unless the provision defining the conduct expressly requires a culpable mental state. A separate offense is committed each day in which an offense occurs.

(b) Prosecution for an offense under Subsection (a) does not prevent the use of other enforcement remedies or procedures applicable to the person charged with or the conduct involved in the offense. (Ord. 29596)