AN ORDINANCE of the city council of the city of Kent, Washington, amending Ch. 5.03 of the Kent City Code, entitled "Taxicabs and Vehicles For-Hire," to update the Kent City Code in conformity with the King County Code, which has been amended to provide regulation for Transportation Network Companies (TNC).

RECITALS

A. RCW 81.72.210 provides that local municipalities may license, control, and regulate privately operated taxicab transportation services operating within their respective jurisdictions.

B. In 1975, the city of Kent adopted Ordinance No. 1922, which required taxicab companies operating in the city of Kent to obtain a city business license and a King County taxicab or for-hire vehicle license. This ordinance was later codified in Ch. 5.03 of the Kent City Code.

C. Although the caption of Ordinance No. 1922 stated the intent was to adopt King County taxicab regulations, no specific language of such adoption was made within the body of the ordinance and no agreement was entered into between the city and King County for King County's regulation of taxicab and vehicle for-hire companies operating in the city of Kent. Ordinance No. 3838, adopted by the City of Kent in 2007, corrected that oversight.

D. In 2007, King County and the City of Kent entered into an Interlocal Agreement for Licensing of Taxicabs and For-Hire Vehicles. Section 1.1 of the Taxicabs, Vehicles For-Hire and Transportation Network Companies Appointment of King County as Licensing and Enforcement Authority.
Interlocal Agreement provides that the City of Kent “shall enact an ordinance that is substantially similar to, or adopts by reference King County Code, Chapter 6.64, as now in effect or as hereafter amended.” The purpose of this Ordinance is to comply with this provision of the Interlocal Agreement by updating the Kent City Code to reflect the changes made to the King County Code.

E. Ch. 39.34 RCW allows municipalities to contract with one another for cooperative action in order to make the most efficient use of their powers. In order to adequately protect the interests of the county, the city, and their respective citizens, it is desirable to provide for a uniform county-wide system of licensing and regulating taxicabs and for-hire vehicles and their drivers.

F. King County currently contracts with 16 other municipalities, and the Port of Seattle, for the regulation of taxicabs and for-hire vehicles—Auburn, Bellevue, Burien, Covington, Enumclaw, Federal Way, Kenmore, Kirkland, Maple Valley, Port of Seattle, Redmond, Renton, Sammamish, SeaTac, and Seattle, and Shoreline. Therefore, King County Records, Elections, and Licensing Services Division is well qualified and able in matters relating to the licensing and enforcement of laws relating to the conduct of the taxicab and for-hire vehicle business. Accordingly, the city desires to continue utilizing the assistance of King County in regulating taxicabs and for-hire vehicles, and the driver’s thereof, within the city of Kent.

G. Transportation Network Companies (TNC) provide application dispatch services via technology that allows consumers to directly request dispatch of for-hire drivers for trips using mobile interfaces such as smartphone applications. A TNC driver is a licensed for-hire driver affiliated with a licensed TNC, driving a personal vehicle that has been endorsed by the TNC.

NOW THEREFORE, THE CITY COUNCIL OF THE CITY OF KENT, WASHINGTON, DOES HEREBY ORDAIN AS FOLLOWS:

2 Taxicabs, Vehicles For-Hire and Transportation Network Companies Appointment of King County as Licensing and Enforcement Authority
ORDINANCE

SECTION 1. Amendment. Ch. 5.03 of the Kent City Code, entitled “Taxicabs and Vehicles For-Hire,” is amended to read as follows:

CHAPTER 5.03
TAXICABS, VEHICLES FOR-HIRE AND TRANSPORTATION NETWORK COMPANIES

Sec. 5.03.010. City of Kent business license required. All taxicab, for-hire vehicle companies and Transportation Network Companies located and/or operating within the city shall secure a city business license.

Sec. 5.03.020. King County taxicab, for-hire vehicle, and Transportation Network Company license required. All taxicabs, for-hire vehicles, and Transportation Network Companies (TNC) operating within the city shall secure a King County taxicab, for-hire vehicle, or TNC license.

Sec. 5.03.030. Appointment of licensing and enforcement authority.

A. Pursuant to an Interlocal agreement, the director of the King County Department of Executive Administration, and his or her authorized representatives, are delegated the power to determine eligibility for King County taxicab, for-hire vehicle, and Transportation Network Company licenses and the power to enforce the provisions of this chapter, which shall include the power to deny, suspend, or revoke King County taxicab, for-hire vehicle, and Transportation Network Company licenses. A copy of the interlocal agreement shall be available in the city clerk's office for use and examination by the public.

B. Denial, suspension, or revocation of any King County taxicab, for-hire vehicle, or Transportation Network Company license shall cause the immediate denial, suspension, or revocation of any Kent business license issued for the operation of taxicab, for-hire vehicle, or Transportation Network companies.
Sec. 5.03.040. Licensing and regulation of taxicab, for-hire vehicles, and Transportation Network Companies—Adopted by reference.

A. The following sections of Ch. 6.64 of the King County Code, as currently enacted or as later amended or recodified, are adopted by this reference and shall have the same force and effect as if set forth in this ordinance, except that, unless the context indicates otherwise, the word “county” and the words “King County” shall refer to the city and references to violations of the county code or county ordinances shall be deemed to be references to violations of city ordinances.

B. If a county ordinance specifically adopted in this chapter refers to another county ordinance not specifically adopted in this chapter, the ordinance referred to shall be given the force and effect necessary to enforce the ordinance specifically adopted in this chapter.

King County Code §: Title:
6.64.010 Definitions.
6.64.015 Interlocal agreement.
6.64.021 Rules adoption.
6.64.026 Fees—procedure for setting—notice—effective date—posting—approval of new fees by ordinance.
6.64.101 Medallions—distribution and use—administrative fee—rules adoption (takes effect February 1, 2015).
6.64.111 Fee surcharge for taxicab licensees, for-hire vehicle licensees and transportation network companies—use of fee surcharge—rules adoption.
6.64.121 Taxicab association license (takes effect January 1, 2015).
6.64.131 Taxicab association license—minimum representation or ownership.
6.64.141 Taxicab association—annual application—notice of changes—expiration—lease, transfer or assignment prohibited.
6.64.151 Taxicab association license not a right—denial of application or renewal.
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<td>6.64.191</td>
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<td>6.64.201</td>
<td>Transportation network company - license required - application dispatch system unlawful except if licensed transportation network company or used exclusively for certain taxicabs or for-hire vehicles.</td>
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<td>Transportation network company - drivers active on dispatch system must have for-hire driver's license - required vehicles for drivers active on dispatch system.</td>
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<td>Taxicab, for-hire vehicle or transportation network company endorsed vehicle - appropriate license required.</td>
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<td>6.64.310</td>
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<td>6.64.320</td>
<td>Taxicab and for-hire vehicle application - additional requirements.</td>
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5. **Taxicabs, Vehicles For-Hire and Transportation Network Companies Appointment of King County as Licensing and Enforcement Authority**
6.64.330 Taxicab and for-hire vehicle applicants – requirements of person, officer or registered agent.
6.64.340 Taxicab and for-hire vehicle applicants – requirement of vehicles.
6.64.350 Insurance required.
6.64.360 Certificate of safety – maintenance and service records retention – maintenance of vehicles – certification required of vehicles previously determined to be total wrecks or total losses – factory specifications required for rebuilt or significantly altered vehicles – assurance of safety compliance and maintenance by vehicle owner – placement of vehicles out of service if determined to be immediate safety hazards.
6.64.380 Taxicab and for-hire vehicle license expiration.
6.64.390 Taxicab and for-hire vehicle license plates, decals or tags.
6.64.400 Taximeter.
6.64.410 Consumer information board.
6.64.420 Taxicab and for-hire licensee – responsibilities.
6.64.430 Standards for denial – Taxicab or for-hire vehicle license application.
6.64.440 Standards for suspension or revocation – taxicab or for-hire vehicle.
6.64.450 Destruction, rendering permanently operable, sale, replacement or retirement of a taxicab.
6.64.460 Ceasing operation and surrender of license plate or decal and taxicab or for-hire vehicle license.
6.64.500 For-hire driver's license required.
6.64.510 For-hire driver's license – initial and annual application.
6.64.520 For-hire driver's license – investigation.
6.64.530 For-hire driver's license – qualifications.
6.64.540 For-hire driver's license – temporary permit.
6.64.550 For-hire driver's license – application null and void if applicant fails or neglects to complete the application process or obtain a license.
6.64.560 For-hire driver – certification of being physically and mentally fit – medical examination upon appearance of incapacitation rendering licensee unfit.
6.64.570 For-hire driver – required training.

6 Taxicabs, Vehicles For-Hire and Transportation Network Companies Appointment of King County as Licensing and Enforcement Authority.
6.64.580  For-hire driver – examination.
6.64.590  For-hire driver – Driving abstract.
6.64.595  For-hire license – pick up directly from director – “for-hire permit” display for applicant affiliated with transportation network company – form of license – determined by director – placement.
6.64.600  For-hire driver license – denial of application
6.64.610  For-hire driver’s license – suspension or revocation
6.64.620  For-hire driver – additional requirements for license issuance.
6.64.630  For-hire driver – license expiration.
6.64.640  For-hire driver – operating standards.
6.64.650  Driver - vehicle safety standards.
6.64.660  Driver – conduct standards.
6.64.665  Transportation network company’s driver – additional standards.
6.64.670  Taxicab meter and rates standards.
6.64.680  Driver-passenger relations standards.
6.64.690  Driver – soliciting and cruising standards.
6.64.695  Driver - taxicab zone standards.
6.64.700  Taxicab – maximum number.
6.64.710  Transfer or sale of license.
6.64.730  Taxicab response times.
6.64.740  Director – annual report.
6.64.750  Determination of fare and number of licenses.
6.64.760  Rates – requirements – rules adoption.
6.64.800  Penalties.
6.64.830  Notice and order of denial, suspension, revocation of license or assessment of civil penalty.
6.64.900  Consumer complaint hotline.
6.64.910  Passenger complaint process.

SECTION 2. – Severability. If any one or more section, subsections, or sentences of this ordinance are held to be unconstitutional or invalid, such decision shall not affect the validity of the remaining portion of this ordinance and the same shall remain in full force and effect.
SECTION 3. - Effective Date. This ordinance shall take effect and be in force thirty (30) days from and after its passage as provided by law.

SUSANNE COOKE, MAYOR

ATTEST:

Susan Hanson, Acting City Clerk
Ronald F. Moore, City Clerk

APPROVED AS TO FORM:

TOM BRUBAKER, CITY ATTORNEY

PASSED: 3rd day of February, 2015.
APPROVED: 3rd day of February, 2015.
PUBLISHED: 4th day of February, 2015.

I hereby certify that this is a true copy of Ordinance No. 4140 passed by the city council of the city of Kent, Washington, and approved by the mayor of the city of Kent as hereon indicated.

Susan Hanson, Acting City Clerk
Ronald F. Moore, City Clerk

Susan Hanson, Acting City Clerk

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