

Attached is my markup of the AIS for the 07/14 limousine agenda item. I assume Code will enter this corrected version into the agenda system.

Again, once I receive approvals or corrections from everyone on the draft ordinance, I will resend a non-draft version. I will also add an uncodified provision grandfathering current limousines from the \$45,000 sticker price requirement per Chris' recommendation.

Lisa

**From:** Christopherson, Lisa  
**Sent:** Wednesday, August 07, 2013 12:00 PM  
**To:** Martin, James; Zapata, Joey; Bowers, Chris ([Chris.Bowers@dallascityhall.com](mailto:Chris.Bowers@dallascityhall.com))  
**Cc:** Gonzalez, AC; Cato, Charles; Ernst, Warren; Nichols, Cheryl; Quintanilla, Sylvia  
**Subject:** Chapter 10A Limousine Revisions


Everyone,

Attached is a PDF of a draft ordinance amending Chapter 10A of the Dallas City Code to revise limousine regulations to address dispatching services and some other issues. All of the urgent changes requested by the city manager are included, except for limousine age limit requirements and minimum fare requirements. Those proposed changes will require more study and research. Also, additional changes proposed by Code and Prosecution will have to be reviewed and drafted at a later time.

Please promptly review the attached draft to ensure it addresses the city manager's intent, and let me know of any corrections. **This is not an opportunity to add random changes.** The ordinance has to go out to council by Friday. Please let me know if this draft is satisfactory, and I will send another PDF that is not marked as a "draft" for Code to attach to the agenda item.

I received a draft of Code's AIS from the agenda office today, and I will clean it up and send it back to Code for corrections and placement in the agenda system. Thanks.

Lisa

**From:** 'Logan, Harim' <harim.logan@dallascityhall.com>;  
**Subject:** **Small Group**  
**Date:** August 14, 2013 4:48:20 PM CDT  
**To:** 'Chipperfield, Jeanne' <jeanne.chipperfield@dallascityhall.com>;  
'Evans, Ryan' <Ryan.Evans@dallascityhall.com>;  
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**Cc:** 'Standifer, Sarah' <Sarah.Standifer@dallascityhall.com>;  
'Fernandez, Elizabeth' <e.fernandez@dallascityhall.com>;  
 1 Attachment, 49.2 KB

0815135...oup.doc (49.2 KB)

Good afternoon,

Please see the attached agenda for tomorrow's Small Group.

**Best Regards,**

**Harim Logan**

**Harim Logan** | Assistant to the  
(I) City Manager, A.C. Gonzalez  
City of Dallas, City Manager's Office  
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Small Group Agenda

Thursday, August 15, 2013

**August 15, 2013**

|       |  |                 |
|-------|--|-----------------|
| 9:00  | Agenda/Committee/ORR Review            |                 |
| 9:30  | Trinity River Corridor Project Updates | Sarah Standifer |
| 10:00 | Limousine Ordinance                    | Joey Zapata     |
| 10:30 | City Manager's Time                    |                 |

**KEY FOCUS AREA:** Clean, Healthy Environment  
**AGENDA DATE:** August 28, 2013  
**COUNCIL DISTRICT(S):** All  
**DEPARTMENT:** Code Compliance  
**CMO:** Charles Cato, 671-3908  
**MAPSCO:** N/A

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**SUBJECT**

An ordinance amending Chapter 10A of the Dallas City Code to: **(1)** clarify that a person must have operating authority to dispatch a limousine for hire; **(2)** clarify that a limousine driver may only respond to dispatches from a holder employing or contracting with the driver; **(3)** require luxury sedans, trucks, sports-utility vehicles, and vans used as limousines to have sticker prices over \$45,000 when purchased new, with certain exceptions; **(4)** prohibit advertising the operation of a limousine service that does not have valid operating authority when the advertisement is reasonably calculated to be heard by persons seeking such service; **(5)** require limousine service to be prearranged at least 30 minutes before the service is provided; **(6)** clarify that the use of any type of meter or measuring device in determining the fare for limousine service is prohibited regardless of whether the device is located in the limousine; **(7)** establish minimum limousine fares; and **(8)** define "dispatch" - Financing: No cost consideration to the City

**BACKGROUND**

The use of computer applications and other technologies by some providers of limousine service has distorted certain distinctions between limousines and taxicabs. It is important to re-establish those distinctions to help the public understand the differences between those types of passenger transportation services and to assist transportation inspectors in administering and enforcing the city's regulations governing those services. The proposed ordinance amending Chapter 10A of the Dallas City Code would clarify the distinctions between limousines and taxicabs. The proposed ordinance would also clarify that the dispatch of a limousine for hire, by whatever form of communication, is subject to the same requirements and regulations as any other operation of a limousine service.

**PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)**

This item has no prior action.

**FISCAL INFORMATION**

No cost consideration to the City.

ORDINANCE NO. \_\_\_\_\_

An ordinance amending Sections 10A-5, 10A-6, 10A-8, 10A-11, 10A-14, 10A-18, 10A-36, 10A-42, 10A-44, and 10A-47 of CHAPTER 10A, "LIMOUSINES," of the Dallas City Code, as amended; clarifying that a person must have operating authority to dispatch a limousine for hire; clarifying that a limousine driver may only respond to dispatches from a holder employing or contracting with the driver; requiring luxury sedans, trucks, sports-utility vehicles, and vans when used as limousines to have sticker prices in excess of \$45,000 when purchased new, except for classic and specialty limousines; prohibiting advertising the operation of a limousine service that does not have valid operating authority when the advertisement is reasonably calculated to be heard by persons seeking such service; requiring limousine service to be prearranged at least 30 minutes before the service is provided; clarifying that the use of any type of meter or measuring device in determining the fare for limousine service is prohibited regardless of whether the device is located in the limousine; establishing minimum limousine fares; defining "dispatch"; providing a penalty not to exceed \$500; providing a saving clause; providing a severability clause; and providing an effective date.

WHEREAS, the use of computer applications and other technologies by some providers of limousine service has distorted the distinction between limousines and taxicabs; and

WHEREAS, re-establishing the distinctions between limousines and taxicabs will help the public understand the differences between those types of transportation services and help transportation inspectors administer and enforce the regulations for limousines and taxicabs; and

WHEREAS, some provisions of Chapter 10A should be clarified so that there is no dispute that dispatching a limousine is subject to the same regulations as any other operation of a limousine service; Now, Therefore,

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

SECTION 1. That Section 10A-5, "Definitions," of Article I, "General Provisions," of CHAPTER 10A, "LIMOUSINES," of the Dallas City Code, as amended, is amended to read as follows:

**"SEC. 10A-5. DEFINITIONS.**

In this chapter:

(1) CLASSIC LIMOUSINE means a stretch or executive limousine that is recognized by the Classic Car Club of America as a classic vehicle.

(2) CONVICTION means a conviction in a federal court or a court of any state or foreign nation or political subdivision of a state or foreign nation that has not been reversed, vacated, or pardoned.

(3) DIRECTOR means the director of the department designated by the city manager to enforce and administer this chapter or the director's authorized representative.

(4) DISPATCH means to send or cause to be sent a limousine to a person who has requested limousine service through any method of communication.

(5) DRIVER means an individual who drives or operates a limousine.

(6) [(5)] EXECUTIVE LIMOUSINE means a limousine that:

(A) is a luxury sedan;

(B) has a manufacturer's rated seating capacity of not more than six nor less than five passengers; and

(C) is not a stretch limousine.

(7) [(6)] HOLDER means a person who is granted operating authority under this chapter to provide limousine service in the city.



(8) [(7)]       LAWFUL ORDER means a verbal or written directive issued by the director in the performance of official duties in the enforcement of this chapter and any rules and regulations promulgated under this chapter.

(9) [(8)]       LIMOUSINE means a motor vehicle that:

luxury van;       (A)    is a luxury sedan, luxury sport-utility vehicle, luxury truck, or

passengers;       (B)    has a manufacturer's rated seating capacity of not more than 15

another location either inside or outside the city; and       (C)    is used for the transportation of persons from a location in the city to

limousine service in the city for the first time, except that this requirement does not apply to a classic limousine or specialty limousine.       (D)    has been driven no more than 150,000 miles before being placed in

individual by the director authorizing that individual to operate a limousine for hire in the city.       (10) [(9)]       LIMOUSINE DRIVER'S PERMIT means a permit issued to an

dispatching, or providing transportation of persons for hire by limousine when:       (11) [(10)]       LIMOUSINE SERVICE means the business of offering,

(A)    a driver is furnished as part of the service; and

prearrangement being made in advance of the time the transportation is to begin, or in accordance with a preapproved route that must be current and kept on file with the director.       (B)    the service is offered either upon a prearranged basis, the

(12) [(11)]       LUXURY SEDAN means a motor vehicle:

(A)    that is designated by the manufacturer as a full-size sedan;

apply to a classic limousine or specialty limousine;       (B)    that has at least four doors, except that this requirement does not

nonessential passenger comfort appointments, except that this requirement does not apply to a classic limousine or specialty limousine:       (C)    that is equipped with a combination of at least five of the following

(i)    electric locks;

(ii)   power windows;

(iii) power seats;

(iv) enhanced interior lighting;

(v) upgraded seat covers and carpeting, such as leather or another high-quality fabric;

(vi) upgraded trim, such as leather or woodgrain;

(vii) a sunroof or moonroof;

(viii) an intercom system;

(ix) upgraded wheel covers; and

(x) separate heating and air conditioning controls for rear passengers;

(D) that, when purchased new, has a sticker price in excess of \$45,000 [~~35,000~~], except that this requirement does not apply to a classic limousine or specialty limousine;

(E) whose interior and exterior, including all parts, features, appointments, equipment, and accessories, are in excellent condition both in operation and in appearance; and

(F) that is approved by the director for use as a limousine.

(13) [~~(12)~~] LUXURY SPORT-UTILITY VEHICLE means a motor vehicle:

(A) that is designated by the manufacturer as a full-size sport-utility vehicle;

(B) that has at least four doors, except that this requirement does not apply to a classic limousine or specialty limousine;

(C) that is equipped with a combination of at least five of the following nonessential passenger comfort appointments, except that this requirement does not apply to a classic limousine or specialty limousine:

- (i) electric locks;
- (ii) power windows;
- (iii) power seats;
- (iv) enhanced interior lighting;

another high-quality fabric;

- (v) upgraded seat covers and carpeting, such as leather or
- (vi) upgraded trim, such as leather or woodgrain;
- (vii) a sunroof or moonroof;
- (viii) an intercom system;
- (ix) upgraded wheel covers; and
- (x) separate heating and air conditioning controls for rear passengers;

(D) that, when purchased new, has a sticker price in excess of \$45,000 [35,000], except that this requirement does not apply to a classic limousine or specialty limousine;

(E) whose interior and exterior, including all parts, features, appointments, equipment, and accessories, are in excellent condition both in operation and in appearance; and

(F) that is approved by the director for use as a limousine.

(14) [~~13~~] LUXURY TRUCK means a motor vehicle modified to be a stretch limousine:

(A) that is designated by the manufacturer as a truck or a sport-utility vehicle;

(B) that, after modification, has at least three doors, except that this requirement does not apply to a classic limousine or specialty limousine;

(C) that, after modification, has seating capacity for at least four passengers, excluding the driver;

(D) that is equipped with a combination of at least five of the following nonessential passenger comfort appointments, except that this requirement does not apply to a classic limousine or specialty limousine:

- (i) electric locks;
- (ii) power windows;
- (iii) power seats;

- (iv) enhanced interior lighting;
- (v) upgraded seat covers and carpeting, such as leather or another high-quality fabric;
- (vi) upgraded trim, such as leather or woodgrain;
- (vii) a sunroof or moonroof;
- (viii) an intercom system;
- (ix) upgraded wheel covers; and
- (x) separate heating and air conditioning controls for rear passengers;

(E) that, when purchased new, has a sticker price in excess of \$45,000 [~~30,000~~], except that this requirement does not apply to a classic limousine or specialty limousine;

(F) whose interior and exterior, including all parts, features, appointments, equipment, and accessories, are in excellent condition both in operation and in appearance; and

(G) that is approved by the director for use as a stretch limousine.

(15) [~~14~~] LUXURY VAN means a motor vehicle:

(A) that is designated by the manufacturer as a full-size van with a wheel base of not less than 135 inches;

(B) that has at least one driver's side door, two passengers' side doors, and a rear door for the cargo area, except that this requirement does not apply to a classic limousine or specialty limousine;

(C) that is equipped with a combination of at least five of the following nonessential passenger comfort appointments, except that this requirement does not apply to a classic limousine or specialty limousine:

- (i) electric locks;
- (ii) power windows;
- (iii) power seats;
- (iv) enhanced interior lighting;

another high-quality fabric;

- (v) upgraded seat covers and carpeting, such as leather or
- (vi) upgraded trim, such as leather or woodgrain;
- (vii) a sunroof or moonroof;
- (viii) an intercom system;
- (ix) upgraded wheel covers; and
- (x) separate heating and air conditioning controls for rear passengers;

(D) that, when purchased new, has a sticker price in excess of \$45,000 [~~30,000~~], except that this requirement does not apply to a classic limousine or specialty limousine;

(E) whose interior and exterior, including all parts, features, appointments, equipment, and accessories, are in excellent condition both in operation and in appearance; and

(F) that is approved by the director for use as a limousine.

(16) [~~(15)~~] MANUFACTURER'S RATED SEATING CAPACITY means the rated seating capacity assigned to a vehicle when it is originally manufactured at the manufacturing plant.

(17) [~~(16)~~] OPERATE means to drive or to be in control of a limousine.

(18) [~~(17)~~] OPERATING AUTHORITY means written permission granted by the director under this chapter to operate a limousine service.

(19) [~~(18)~~] OPERATOR means the driver of a limousine, the owner of a limousine, or the holder of limousine service operating authority.

(20) [~~(19)~~] OWNER means the person to whom state license plates for a vehicle were issued.

(21) [~~(20)~~] PERMITTEE means an individual who has been issued a limousine driver's permit under this chapter.

(22) [~~(21)~~] PERSON means an individual, corporation, government or governmental subdivision, or an agency, trust, partnership, or two or more persons having a joint or common economic interest.

(23) [(22)] PREAPPROVED ROUTE means a scheduled limousine service operating on predetermined fixed pickup points located on a fixed route approved by and on file with the director.

(24) [(23)] PREARRANGED BASIS means a limousine service operating with a reservation for service made in advance of the time the transportation is to begin.

(25) [(24)] SPECIALTY LIMOUSINE means a stretch or executive limousine that has been:

- (A) modified to accommodate a special feature, such as a hot tub; or
- (B) enhanced by altering its appearance to provide a distinctive design, such as with a kit to replicate a classic vehicle.

(26) [(25)] STRETCH LIMOUSINE means a limousine with a wheelbase that has been extended not less than 12 inches from its original length."

SECTION 2. That Section 10A-6, "Operating Authority Required," of Article II, "Limousine Service Operating Authority," of CHAPTER 10A, "LIMOUSINES," of the Dallas City Code, as amended, is amended to read as follows:

**"SEC. 10A-6. OPERATING AUTHORITY REQUIRED.**

(a) A person commits an offense if he operates a limousine service or otherwise dispatches a limousine within the city without valid operating authority granted under this article.

(b) A person commits an offense if he advertises or causes to be advertised the operation of a limousine service, or any other type of service through which limousines are dispatched, that does not have valid operating authority granted under this article when the advertisement is reasonably calculated to be seen or heard by persons seeking limousine service in the city.

(c) A person commits an offense if he transports, or offers to transport, a passenger for hire by limousine from a location within the city to a location either inside or outside the city unless the person driving the limousine or another who employs or contracts with the driver holds valid operating authority issued under this article.

(d) A person commits an offense if he hires or employs a limousine service to pick up passengers in the city that he knows does not have valid operating authority under this article.

(e) It is a defense to prosecution under Subsection (b) that the person was the publisher or broadcaster of the advertising material and had no knowledge that the limousine service did not have valid operating authority under this article.

(f) It is a defense to prosecution under Subsection (a) that the person dispatched a limousine as part of his duties as an agent or employee of a holder.

SECTION 3. That Section 10A-8, "Application for Operating Authority," of Article II, "Limousine Service Operating Authority," of CHAPTER 10A, "LIMOUSINES," of the Dallas City Code, as amended, is amended to read as follows:

**"SEC. 10A-8. APPLICATION FOR OPERATING AUTHORITY.**

To obtain limousine service operating authority, a person must submit an application on a form provided for that purpose to the director. The applicant must be the person who will own, control, or operate the proposed limousine service. The application must be verified and contain the following:

- (1) the form of business of the applicant; if the business is a corporation or association, a copy of the documents establishing the business and the name, address, and citizenship of each person with a direct interest in the business;
- (2) the name, address, and verified signature of the applicant;
- (3) a description of any past business experience of the applicant, particularly in providing or dispatching passenger transportation services; identification and description of any revocation or suspension of operating authority held by the applicant or business before the date of filing the application;
- (4) the number and description of vehicles the applicant proposes to use or dispatch in the operation of the limousine service, including year, make, model, whether or not the vehicle is equipped with refrigerated air, manufacturer's rated seating capacity, motor identification number, and state license registration number for each vehicle;
- (5) a description of the proposed limousine service, including routes, rates or fares to be charged, and schedules, where applicable;
- (6) documentary evidence from an insurance company indicating a willingness to provide liability insurance as required by this chapter;
- (7) documentary evidence of payment of ad valorem taxes owed on the real and personal property to be used in connection with the operation of the proposed limousine service if the business establishment is located in the city;
- (8) such additional information as the applicant desires to include to aid in the determination of whether the requested operating authority should be granted; and

(9) such additional information as the director considers necessary to assist or promote the implementation or enforcement of this chapter or the protection of the public safety."

SECTION 4. That Section 10A-11, "Limitations of Operating Authority," of Article II, "Limousine Service Operating Authority," of CHAPTER 10A, "LIMOUSINES," of the Dallas City Code, as amended, is amended to read as follows:

**"SEC. 10A-11. LIMITATIONS OF OPERATING AUTHORITY.**

(a) Operating authority when issued must state on its face the type of service for which it is issued. It may also contain other conditions and limitations determined necessary by the director, including, but not limited to:

- (1) number of vehicles authorized;
- (2) description of vehicles to be operated or dispatched;
- (3) number of passengers that may be transported in each vehicle;
- (4) customers to be served;
- (5) places and times of loading or unloading passengers;
- (6) schedules and routes to be followed, if applicable;
- (7) maximum rates to be charged, including any hourly minimums and gratuities;
- (8) operating procedures; and
- (9) special conditions or limitations.

(b) A holder commits an offense if he fails to comply with the conditions or limitations placed on the operating authority under which he is operating a limousine service."

SECTION 5. That Section 10A-14, "Revocation of Operating Authority," of Article II, "Limousine Service Operating Authority," of CHAPTER 10A, "LIMOUSINES," of the Dallas City Code, as amended, is amended to read as follows:

**"SEC. 10A-14. REVOCATION OF OPERATING AUTHORITY.**

The director shall revoke operating authority if the director determines that the holder has:



- (1) made a false statement as to a material matter in the application or hearing concerning the operating authority;
- (2) failed to comply with applicable provisions of this chapter;
- (3) operated or dispatched a service not authorized by the operating authority;
- (4) failed to comply with the conditions and limitations of the operating authority;
- (5) been finally convicted for violation of another city, state, or federal law, that indicates a lack of fitness of the permittee to perform a passenger transportation service;
- (6) is under indictment for or has been convicted of any felony offense while holding operating authority;
- (7) does not qualify for operating authority under Section 10A-7 of this chapter; or
- (8) failed to pay a fee for operating authority at the time it was due."

SECTION 6. That Section 10A-18, "Limousine Driver's Permit Required," of Article III, "Limousine Driver's Permit," of CHAPTER 10A, "LIMOUSINES," of the Dallas City Code, as amended, is amended to read as follows:

**"SEC. 10A-18. LIMOUSINE DRIVER'S PERMIT REQUIRED.**

(a) A person commits an offense if he operates a vehicle engaged in limousine service in the city without a valid limousine driver's permit issued to the person under this article.

(b) A holder commits an offense if he employs, contracts with, or otherwise allows a person to operate for hire a limousine owned, controlled, dispatched, or operated by the holder unless the person has a valid limousine driver's permit issued under this article."

SECTION 7. That Subsection (e) of Section 10A-36, "Insurance; Suspension of Operating Authority," of Article IV, "Miscellaneous Holder and Driver Regulations," of CHAPTER 10A, "LIMOUSINES," of the Dallas City Code, as amended, is amended to read as follows:

"(e) Insurance required under this section must include:

(1) a cancellation provision in which the insurance company is required to notify the director in writing not fewer than 30 days before canceling, failing to renew, or making a material change to the insurance policy;

(2) a provision to cover all vehicles, whether owned or not owned by the holder, operated or dispatched under the holder's operating authority; and

(3) a provision requiring the insurance company to pay every claim on a first-dollar basis."

SECTION 8. That Subsection (h) of Section 10A-36, "Insurance; Suspension of Operating Authority," of Article IV, "Miscellaneous Holder and Driver Regulations," of CHAPTER 10A, "LIMOUSINES," of the Dallas City Code, as amended, is amended to read as follows:

"(h) If the insurance of a holder lapses or is canceled and new insurance is not obtained, the director shall suspend the operating authority until the holder provides evidence that insurance coverage required by this section has been obtained. A person shall not operate a passenger transportation service or dispatch a passenger transportation vehicle for hire while operating authority is suspended under this section whether or not the action is appealed. A \$100 fee must be paid before operating authority suspended under this section will be reinstated."

SECTION 9. That Section 10A-42, "Conduct of Drivers," of Article V, "Service Rules and Regulations," of CHAPTER 10A, "LIMOUSINES," of the Dallas City Code, as amended, is to read as follows:

**"SEC. 10A-42. CONDUCT OF DRIVERS.**

A driver shall:

(1) act in a reasonable, prudent, and courteous manner;

(2) maintain a sanitary and well-groomed appearance;

(3) not consume an alcoholic beverage, drug, or other substance that could adversely affect the driver's ability to drive a motor vehicle;

[and] (4) not interfere with the director in the performance of the director's duties;

(5) comply with lawful orders of the director issued in the performance of the director's duties; and

(6) not respond to a request for limousine service that is directly or indirectly dispatched by a person other than a holder employing or contracting with the driver, or the holder's agent or employee."

SECTION 10. That Section 10A-44, "Service on Prearranged Basis; Trip Manifests," of Article V, "Service Rules and Regulations," of CHAPTER 10A, "LIMOUSINES," of the Dallas City Code, as amended, is to read as follows:

**"SEC. 10A-44. SERVICE ON PREARRANGED BASIS; TRIP MANIFESTS.**

(a) Each holder providing limousine service on a prearranged basis shall provide its drivers with all of the following printed or electronic information to be used in maintaining a trip manifest:

(1) The time, place, origin, and destination of each trip.

(2) The names and addresses of the passengers.

(3) The total number of passengers.

(4) Other information required by the director to aid in the discharge of official duties.

(b) A driver furnishing limousine service on a prearranged basis shall show the documentation required by Subsection (a) to the director upon request.

(c) A driver furnishing limousine service on a prearranged basis shall not accept any passenger except one for whom service has been prearranged and documented in accordance with this section.

(d) A driver furnishing limousine service on a prearranged basis shall not arrive at a location to pick up a passenger with whom prearrangement has been made:

(1) more than 10 minutes before the designated pickup time; or

(2) less than 30 minutes after the time that the request for limousine service was made."

SECTION 11. That Section 10A-47, "Rates of Fare," of Article VI, "Fares," of CHAPTER 10A, "LIMOUSINES," of the Dallas City Code, as amended, is amended to read as follows:

**"SEC. 10A-47. RATES OF FARE.**

(a) A driver or holder shall not charge a fare for operating a limousine that is inconsistent with the rates authorized in the limousine service operating authority.

(b) A driver or holder shall not charge a fare for operating a limousine that is less than \$35, except that the minimum fare is \$25 for operating a limousine from Dallas Love Field Airport to a location within the Dallas Central Business District or from a location within the Dallas Central Business District to Dallas Love Field Airport.

(c) A holder desiring to change the authorized rates of fare must submit a written request in accordance with Section 10A-12 of this chapter.

(d) ~~(e)~~ The rates listed in the holder's operating authority must be strictly adhered to, and no change in rates may be implemented without written approval of the director.

(e) ~~(d)~~ The director may require a holder to display rates on or within a limousine in a manner prescribed by the director.

(f) ~~(e)~~ The driver or holder shall give the person paying a fare a ticket or receipt that indicates the name, address, and phone number of the limousine company and the amount of the fare.

(g) ~~(f)~~ The use of any type of meter or measuring device to calculate rates, distance, or time for determining the [e] fare for limousine service is prohibited. This prohibition applies regardless of whether the meter or measuring device is located in the limousine.

SECTION 12. That Sections 10A-5(12)(D), (13)(D), (14)(E), and (15)(D) of the Dallas City Code, as set forth in this ordinance, requiring luxury sedans, luxury sports-utility vehicles, luxury trucks, and luxury vans used as limousines to have sticker prices in excess of \$45,000 when purchased new do not apply to any such vehicle that, on the passage date of this ordinance, was currently and lawfully being operated as a limousine in the city of Dallas under valid operating authority issued to a holder under Chapter 10A of the Dallas City Code.

SECTION 13. That a person violating a provision of this ordinance, upon conviction, is punishable by a fine not to exceed \$500.

SECTION 14. That Chapter 10A of the Dallas City Code, as amended, will remain in full force and effect, save and except as amended by this ordinance. Any proceeding, civil or criminal, based upon events that occurred prior to the effective date of this ordinance are saved, and the former law is continued in effect for that purpose.

SECTION 15. 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 16. That this ordinance will take effect immediately from and after its passage and publication in accordance with the provisions of the Charter of the City of Dallas, and it is accordingly so ordained.

APPROVED AS TO FORM:

THOMAS P. PERKINS, JR., City Attorney

By \_\_\_\_\_  
Assistant City Attorney


Passed \_\_\_\_\_

CB/DCC/00002

|        |               | 8/14 Agenda                                | 8/14 Addendum                                | 8/28 Agenda                                 | 8/28 Addendum        |
|--------|---------------|--|--|---|----------------------|
| 22-Jul | Monday        | Items Due                                  |  |   |                      |
|        | Jul Tuesday   | 1st Review                                 |  |   |                      |
|        | Jul Wednesday | Added to Agenda                            |  |   |                      |
| 25-Jul | Thursday      | 2nd Review                                 |  |   |                      |
| 26-Jul | Friday        |  |  |   |                      |
| 27-Jul |               |  |  |   |                      |
| 28-Jul |               |  |  |   |                      |
| 29-Jul | Monday        |  |  |   |                      |
| 30-Jul | Tuesday       | 3rd Review                                 |  |   |                      |
| 31-Jul | Wednesday     |  |  |   |                      |
| 1-Aug  | Thursday      | Final Review                               |  |   |                      |
| 2-Aug  | Friday        | Moved to 8/14 Addendum<br>Post 8/14 Agenda |  |   |                      |
| 3-Aug  |               |  |  |   |                      |
| 4-Aug  |               |  |  |   |                      |
| 5-Aug  | Monday        |  | Items Due                                    | Items Due                                   |                      |
| 6-Aug  | Tuesday       |  | 1st Review                                   | 1st Review                                  |                      |
| 7-Aug  | Wednesday     |  | Added to Addendum                            |   |                      |
| 8-Aug  | Thursday      |  | 2nd Review                                   | 2nd Review                                  |                      |
| 9-Aug  | Friday        |  | Moved to 8/28 Agenda<br>Posted 8/14 Addendum | Added to 8/28 Agenda as<br>Late Agenda Item |                      |
| 10-Aug |               |  |  |   |                      |
| 11-Aug |               |  |  |   |                      |
| 12-Aug | Monday        |  |  |   |                      |
| 13-Aug | Tuesday       |  |  | 3rd Review<br>Moved to Addendum             |                      |
|        | Aug Wednesday |  |  |   |                      |
|        | Aug Thursday  |  |  | Final Review                                |                      |
| 16-Aug | Friday        |  |  | Posted 8/28 Agenda                          |                      |
| 17-Aug |               |  |  |   |                      |
| 18-Aug |               |  |  |   |                      |
| 19-Aug | Monday        |  |  |   | Items Due            |
| 20-Aug | Tuesday       |  |  |   | 1st Review           |
| 21-Aug | Wednesday     |  |  |   |                      |
| 22-Aug | Thursday      |  |  |   | 2nd Review           |
| 23-Aug | Friday        |  |  |   | Posted 8/28 Addendum |
| 24-Aug |               |  |  |   |                      |
| 25-Aug |               |  |  |   |                      |
| 26-Aug | Monday        |  |  |   |                      |
| 27-Aug | Tuesday       |  |  |   |                      |
| 28-Aug | Wednesday     |  |  |   | Council Meeting      |

AC  
out

AC  
out

**From:** 'Zapata, Joey' <joeyp.zapata@dallascityhall.com>;  
**Subject:** Statement  
**Date:** August 26, 2013 7:08:41 PM CDT  
**To:** 'Librio, Frank' <frank.librio@dallascityhall.com>;  
**Cc:** 'Brown, David' <david.brown@dpd.ci.dallas.tx.us>;  
'Cato, Charles' <charles.cato@dpd.ci.dallas.tx.us>;  
'Gonzalez, AC' <AC.Gonzalez@dallascityhall.com>;  
 1 Attachment, 27.3 KB

draft s...sed.doc (27.3 KB)

See attached statement.

**Joey Zapata**

Assistant City Manager

City of Dallas

1500 Marilla Street, Suite 4BN

Dallas, Texas 75201

(214) 670-3009

## DRAFT STATEMENT

The proposed ordinance on the August 28 City Council agenda contains minor clarifications to the existing regulations for limousines in Chapter 10A, without impacting the 225 companies that are currently licensed by the City and operating legally. These clarifications strengthen the City's position that a company that advertises and dispatches limousines for hire must first have operating authority from the City.

The transportation-for-hire industry is changing and Dallas welcomes new entrants and technology, provided that all companies operate legally and on a level playing field that is safe, reliable and fair to consumers.

The proposed ordinance does not prevent Uber from operating in Dallas. It simply clarifies that Uber is a limousine company under the city's ordinance and is subject to the city's regulation of limousine companies. It is important for the public to be aware that if emerging companies like Uber are not subject to the same regulation as other limousine and taxi services, the public might have no recourse should the vehicle be involved in an accident; the consumer experience a pay dispute; or any other consumer protection or safety issue. The proposed ordinance is intended to protect the consumers that enjoy this service.

These clarifications are an initial step towards a coming larger discussion with the City Council on the City's role in regulating the transportation-for-hire industry. For this reason, a briefing memorandum was sent to City Council on Friday, advising them of the addendum item on the August 28, 2013 agenda.

Soon after Code Compliance became aware that Uber had begun operations in Dallas, Code Compliance staff requested DPD assistance to investigate and detect violations. DPD officers have authority to issue citations for any violation of the Dallas City Code. In addition, DPD's assistance helped protect the public's safety by verifying that the limousine drivers had permits to operate their limousines and their limousines had been inspected by the City.



**From:** 'Evans, Ryan' <Ryan.Evans@dallascityhall.com>;  
**Subject:** **Fw: Speakers**  
**Date:** August 27, 2013 5:14:33 PM CDT  
**To:** 'Zapata, Joey' <joey.zapata@dallascityhall.com>;  
'Gonzalez, AC' <AC.Gonzalez@dallascityhall.com>;

Fyi

Ryan

---

From: McGrew, Sean (CMO)  
Sent: Tuesday, August 27, 2013 4:13:27 PM  
To: Evans, Ryan  
Subject: Speakers

City secretary currently has 116 + people to speak on uber.

**From:** 'McGrew, Sean (CMO)' <sean.mcgrew2@dallascityhall.com>;  
**Subject:** **Pulled Items List**  
**Date:** August 27, 2013 6:52:49 PM CDT  
**To:** 'Undisclosed recipients' <Undisclosed recipients:>;  
📎 1 Attachment, 152.2 KB

Good Evening,

Please see the attached pulled items list for the 8/28 Council Agenda (Please note the speaker's list is still being finalized):

**Item 30 (OFS) – CM Hill**

A resolution to amend the 2013 City Calendar to reflect the City Council's updated committees - Financing: No cost consideration to the City

**Item 49 (TWM) – CM Greyson: Floor Deferral – 9/11/2013**

Authorize a construction contract with Jeske Construction Company, lowest responsible bidder of six, for the Upper McKamy Branch Bypass Swale – Not to exceed \$1,147,278 – Financing: 2012 Bond Funds

**Items 51, 52, 53 (DWU) – CM Gates**

· Authorize a contract for the installation of water and wastewater mains at 28 locations (list attached) - Ark Contracting Services, LLC, lowest responsible bidder of seven - Not to exceed \$6,919,296 - Financing: Water Utilities Capital Improvement Funds

· Authorize a Pipeline Crossing Contract with the Kansas City Southern Railway Company to allow the City of Dallas to construct, maintain, and operate a proposed water pipeline under railroad tracks and right-of-way - Not to exceed \$9,375 - Financing: Water Utilities Capital Construction Funds

· Authorize an agreement with Bartlett & West, Inc. for required observation and

flagging services during construction - Not to exceed \$40,000 - Financing: Water  
Utilities Capital Construction Funds

**Addendum #5 (CCS) – CMs Kingston, Griggs, Gates, Kadane, Greyson (100+ Speakers)**

An ordinance amending Chapter 10A of the Dallas City Code to: (1) clarify that a person must have operating authority to dispatch a limousine for hire; (2) clarify that a limousine driver may only respond to dispatches from a holder employing or contracting with the driver; (3) require luxury sedans, trucks, sports-utility vehicles, and vans used as limousines to have sticker prices over \$45,000 when purchased new, with certain exceptions; (4) prohibit advertising the operation of a limousine service that does not have valid operating authority when the advertisement is reasonably calculated to be heard by persons seeking such service; (5) require limousine service to be prearranged at least 30 minutes before the service is provided; (6) clarify that the use of any type of meter or measuring device in determining the fare for limousine service is prohibited regardless of whether the device is located in the limousine; (7) establish minimum limousine fares; and (8) define "dispatch" - Financing: No cost consideration to the City

**Addendum Item # 8 (SEC) – CM Caraway**

A resolution designating an absence by Councilmember Dwaine Caraway as being for  
"official city business" - Financing: No cost consideration to the City

**Item #83 (DEV) – CM Alonzo**

A public hearing to receive comments regarding an application for a Specific Use Permit  
for gas drilling and production on property zoned an IR Industrial Research District on  
the north side of Northwest Highway, west of Luna Road

**Item #84 (DEV) – CM Alonzo**

A public hearing to receive comments regarding an application for a Specific Use Permit  
for gas drilling and production on property zoned an IR Industrial Research District  
south of Royal Lane, west of Luna Road

**Item #85 (DEV) – CM Alonzo**

A public hearing to receive comments regarding an application for a Specific Use Permit  
for gas drilling and production on property zoned an IR Industrial Research District on  
the east side of Luna Road, north of Ryan Road

**Item #86 (DEV) – CM Alonzo**

A public hearing to receive comments regarding an application for and an ordinance granting the expansion of Subdistrict 1 of Planned Development District No. 621, the Old Trinity and Design District Special Purpose District, on property zoned an IR Industrial Research District on the west side of Market Center Boulevard, north of Turtle Creek Boulevard

Sean McGrew

Executive Assistant

City Manager's Office

214-671-9837

From: **Chris Bowers** [Chris.Bowers@dallascityhall.com](mailto:Chris.Bowers@dallascityhall.com)  
Sent: Yellow Cab proposal enclosed  
Date: October 16, 2013 at 1:56 PM  
To: Dave [dave@communications.net](mailto:dave@communications.net)

Mr. Moore:

Per our conversation earlier today, Assistant City Manager Joey Zapata handed me the attached document and told me that the document (or at least the ideas) came from Yellow Cab. I have checked my emails and I did not receive this document via an email. I do not know exactly when he gave me the document, but after looking at my notes and reviewing my emails, I believe it was sometime between July 8, 2013 and July 16, 2013. I am virtually positive I had the document by July 22nd.

The first two pages contain the Yellow Cab proposal. The rest of the pages appear to contain parts of the existing ordinance.

I believe that Joey told me that the draft ordinance should require a reservation of a limousine to be made 30 minutes in advance of the time the transportation is to begin (which is what Chapter 10A used to require), rather than the one hour proposed by Yellow Cab. But I do not recall for sure.

Please let me know if you have any other questions about this matter.

Chris

Christopher D. Bowers  
First Assistant City Attorney

Dallas City Attorney's Office

1000 Street, Suite 7DN

Dallas, TX 75201-6318

214-670-3035 (o)

214-670-0622 (f)

[chris.bowers@dallascityhall.com](mailto:chris.bowers@dallascityhall.com)

BRUNNENHEIS (A) (1)

1578-29  
Uber

Proposed Language for Chapter 10A (6)

(a) A person commits an offense if they attempt to dispatch or dispatch a limousine or motor vehicle to another for hire without having first been issued a City of Dallas operating authority permit.

Proposed language for Chapter 10 A 5

Dispatch is defined as procuring or attempting to procure for hire limousine or motor vehicle transportation by a holder and conveyed to driver from which drivers are notified by radio or any other electronic communication system, of requests for service to which drivers communicate, by radio or any other electronic communication system their availability to provide the requested service. A person must hold a City of Dallas Operating Authority Permit to Dispatch.

Proposed Language 10A5-23

Current Ordinance: Prearranged basis means a limousine service operating with a reservation for service made in advance of the time the transportation is to begin.

Proposed change:

Prearranged basis means a limousine service operating with a reservation for service made ~~in advance~~ <sup>option</sup> in advance of the time the transportation is to begin. *and includes the originator and destination address*

10A-47 Rates of Fares (F)

Current Ordinance:

(f) The use of any type of meter or measuring device to calculate rates of fare for limousine service is prohibited. (Ord. 20766)

Proposed ordinance:

(f) The use of any type of meter or measuring device to calculate rates ~~of calculation of miles or distance or fare time/airtime, which simulates a meter~~ of fare for limousine service is prohibited. (Ord. 20766)

Proposed language for chapter 45

A person commits an offense if they attempt to dispatch or dispatch a taxi cab or motor vehicle to another for hire without having first been issued a City of Dallas operating authority.

The MSRP should be increased from  
\$35,000. This is 15 years old and has  
not been increased for price increases

rate of fare should include a minimum.  
Houston currently \$70

The age limit for Luxury Sedans should  
be set at 5 yrs The same as taxis.  
This would also mirror Ft Worth's ordinance



Sec 10-A-5 Definitions

(6) **HOLDER** means a person who is granted operating authority under this chapter to provide limousine service in the city.

(11) **LUXURY SEDAN** means a motor vehicle:

(A) that is designated by the manufacturer as a full-size sedan;

(B) that has at least four doors, except that this requirement does not apply to a classic limousine or specialty limousine;

(C) that is equipped with a combination of at least five of the following nonessential passenger comfort appointments, except that this requirement does not apply to a classic limousine or specialty limousine:

- (i) electric locks;
- (ii) power windows;
- (iii) power seats;
- (iv) enhanced interior lighting.

- (v) upgraded seat covers and carpeting, such as leather or another high-quality fabric;
- (vi) upgraded trim, such as leather or woodgrain;
- (vii) a sunroof or moonroof;
- (viii) an intercom system;
- (ix) upgraded wheel covers; and
- (x) separate heating and air conditioning controls for rear passengers;

(D) that, when purchased new, has a sticker price in excess of \$35,000, except that this requirement does not apply to a classic limousine or specialty limousine;

(E) whose interior and exterior, including all parts, features, appointments, equipment, and accessories, are in excellent condition both in operation and in appearance; and

(F) that is approved by the director for use as a limousine.

(12) LUXURY SPORT-UTILITY VEHICLE means a motor vehicle:

(A) that is designated by the manufacturer as a full-size sport-utility vehicle;

(B) that has at least four doors, except that this requirement does not apply to a classic limousine or specialty limousine;

(C) that is equipped with a combination of at least five of the following nonessential passenger comfort appointments, except that this requirement does not apply to a classic limousine or specialty limousine:

- (i) electric locks;
- (ii) power windows;
- (iii) power seats;
- (iv) enhanced interior lighting;
- (v) upgraded seat covers and carpeting, such as leather or another high-quality fabric;
- (vi) upgraded trim, such as leather or woodgrain;
- (vii) a sunroof or moonroof;
- (viii) an intercom system;
- (ix) upgraded wheel covers; and
- (x) separate heating and air conditioning controls for rear passengers;

(D) that, when purchased new, has a sticker price in excess of \$35,000, except that this requirement does not apply to a classic limousine or specialty limousine;

(E) whose interior and exterior, including all parts, features, appointments, equipment, and accessories, are in excellent condition both in operation and in appearance; and

(F) that is approved by the director for use as a limousine.

(17) **OPERATING AUTHORITY** means written permission granted by the director under this chapter to operate a limousine service.

(23) **PREARRANGED BASIS** means a limousine service operating with a reservation for service made in advance of the time the transportation is to begin.

## **ARTICLE II. LIMOUSINE SERVICE OPERATING AUTHORITY.**

### **SEC. 10A-6. OPERATING AUTHORITY REQUIRED.**

(a) A person commits an offense if he operates a limousine service within the city without valid operating authority granted under this article.

(b) A person commits an offense if he advertises or causes to be advertised the operation of a limousine service that does not have valid operating authority granted under this article when the advertisement is reasonably calculated to be seen by persons seeking limousine service in the city.

(c) A person commits an offense if he transports, or offers to transport, a passenger for hire by limousine from a location within the city to a location either inside or outside the city unless the person driving the limousine or another who employs the driver holds valid operating authority issued under this article.

(d) A person commits an offense if he hires or employs a limousine service to pick up passengers in the city that he knows does not have valid operating authority under this article.

### **SEC. 10A-8. APPLICATION FOR OPERATING AUTHORITY.**

To obtain limousine service operating authority, a person must submit an application on a form provided for that purpose to the director. The applicant must be the person who will own, control, or operate the proposed limousine service. The application must be verified and contain the following:

- (1) the form of business of the applicant; if the business is a corporation or association, a copy of the documents establishing the business and the name, address, and citizenship of each person with a direct interest in the business;
- (2) the name, address, and verified signature of the applicant;
- (3) a description of any past business experience of the applicant, particularly in providing passenger transportation services; identification and description of any revocation or suspension of operating authority held by the applicant or business before the date of filing the application;
- (4) the number and description of vehicles the applicant proposes to use in the operation of the limousine service, including year, make, model, whether or not the vehicle is equipped with refrigerated air, manufacturer's rated seating capacity, motor identification number, and state license registration number for each vehicle;
- (5) a description of the proposed limousine service, including routes, rates or fares to be charged, and schedules, where applicable;
- (6) documentary evidence from an insurance company indicating a willingness to provide liability insurance as required by this chapter;
- (7) documentary evidence of payment of ad valorem taxes owed on the real and personal property to be used in connection with the operation of the proposed limousine service if the business establishment is located in the city;
- (8) such additional information as the applicant desires to include to aid in the determination of whether the requested operating authority should be granted; and
- (9) such additional information as the director considers necessary to assist or promote the implementation or enforcement of this chapter or the protection of the public safety. (Ord. 20766)

#### SEC. 10A-9. PUBLIC HEARING; BURDEN OF PROOF.

- (a) Upon receipt of an application for operating authority, the director shall promptly call a public hearing to consider the application. The director shall publish notice of the hearing once in the official newspaper of the city, and post notice of the hearing on the official bulletin board in the city hall, not less than five nor more than 15 days before the date of the hearing and shall give at least five days' written notice of the hearing to:
  - (1) the applicant;
  - (2) the general manager of the Dallas Area Rapid Transit system; and
  - (3) the city secretary's office.
- (b) At the public hearing, the director shall hear evidence from interested persons on relevant issues.
- (c) The applicant for operating authority has the burden of proving that

- (1) the public convenience and necessity require the proposed bus route service;
- (2) the applicant is qualified and financially able to provide the service proposed in the application;
- (3) the proposed fares and rates to be charged by the applicant are reasonable; and
- (4) the proposed operating procedures and type of service to be offered will not interfere with, or adversely affect, existing transportation systems. (Ord. 20766)

**SEC. 10A-10. ISSUANCE AND DENIAL OF OPERATING AUTHORITY.**

(a) In deciding whether to issue or deny an application for operating authority, the director shall consider, but not be limited to, the following:

- (1) whether the public convenience and necessity require the proposed service;
- (2) whether the applicant has complied with all requirements of this chapter for providing the service applied for; and
- (3) the current safety record of the applicant, and the previous safety record, if the applicant has operated a passenger transportation service in the past.

(b) The director shall issue operating authority to the applicant, if the director determines that:

- (1) the applicant has complied with all requirements for issuance of operating authority;
- (2) the public convenience and necessity require the operation of the proposed service;
- (3) the applicant has not been convicted twice within a two year period for violation of this chapter;
- (4) the applicant has not made a false statement as to a material matter in an application for operating authority;
- (5) the applicant has not been finally convicted for violation of another city, state, or federal law that indicates a lack of fitness of the applicant to perform a passenger transportation service; or
- (6) the applicant's operating authority has not been revoked within two years prior to the date of application.

(c) If the director determines that the requirements of Subsection (b) have not been met, the director shall deny operating authority.

(d) If the director determines that an applicant should be denied operating authority, the director shall notify the applicant in writing that the application is denied and include in the notice the reason for denial and a statement informing the applicant of the right of appeal. (Ord. 20766)

**SEC. 10A-11. LIMITATIONS OF OPERATING AUTHORITY.**

(a) Operating authority when issued must state on its face the type of service for which it is issued. It may also contain other conditions and limitations determined necessary by the director, including, but not limited to:

- (1) number of vehicles authorized;
- (2) description of vehicles to be operated;
- (3) number of passengers that may be transported in each vehicle;
- (4) customers to be served;
- (5) places and times of loading or unloading passengers;
- (6) schedules and routes to be followed, if applicable;
- (7) maximum rates to be charged, including any hourly minimums and gratuities;
- (8) operating procedures; and
- (9) special conditions or limitations.

(b) A holder commits an offense if he fails to comply with the conditions or limitations placed on the operating authority under which he is operating a limousine service. (Ord. 20766)

**SEC. 10A-17. FEES.**

(a) The annual fee for limousine service operating authority is:

- (1) \$550; and
- (2) \$50 for each vehicle authorized to operate under the operating authority.

(b) The annual fee for operating authority must be paid before operating authority will be issued. If operating authority is issued for a length of time less than one year, the fee shall be prorated on the basis of whole months.

(c) A \$220 application fee must be paid at the time an application for operating authority is submitted to the director.

(d) If operating authority is amended to increase the number of vehicles used under the operating authority, the director shall compute and collect an adjusted amount for the fee as a result of the increase in accordance with Subsection (a)(2) of this section.

(e) A \$138 amendment fee must be paid when requesting an amendment to operating authority under Section 10A-12, other than a temporary amendment authorizing supplemental vehicles.

(f) The fee for a temporary amendment to operating authority authorizing supplemental vehicles during peak demand periods under Section 10A-12 is \$20 for each vehicle.

(g) No refund of a fee required by this section may be made. (Ord. Nos. 20766; 21819; 25048; 26598; 27695)

**SEC. 10A-36. INSURANCE; SUSPENSION OF OPERATING  
AUTHORITY.**

(a) A holder shall procure and keep in full force and effect automobile liability insurance written by an insurance company that

- (1) is approved, licensed, or authorized by the State of Texas;
- (2) is acceptable to the city, and

(3) does not violate the ownership/ operational control prohibition described in Subsection (i) of this section.

(b) The insurance must be issued in the standard form approved by the Texas Department of Insurance, and all provisions of the policy must be acceptable to the city. 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 limousine service by the holder.

(c) The automobile liability insurance 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, for each motor vehicle used by the holder. Aggregate limits of liability are prohibited.

(d) If a vehicle is removed from service, the holder shall maintain the insurance coverage required by this section for the vehicle until the director receives satisfactory proof that all evidence of operation as a limousine has been removed from the vehicle.

(e) Insurance required under this section must include:

(1) a cancellation provision in which the insurance company is required to notify the

Dallas City Code

IS 7/08

□ 10A-36Limousines □ 10A-39

director in writing not fewer than 30 days before canceling, failing to renew, or making a material change to the insurance policy;

(2) a provision to cover all vehicles, whether owned or not owned by the holder, operated under the holder's operating authority; and

(3) a provision requiring the insurance company to pay every claim on a first-dollar basis.

(f) Insurance required by this section may be obtained from an assigned risk pool if all of the policies and coverages are managed by one agent, and one certificate of insurance is issued to the city.

(g) Operating authority will not be granted or renewed unless the applicant or holder furnishes the director with such proof of insurance as the director considers necessary to determine whether the applicant or holder is adequately insured under this section.

(h) If the insurance of a holder lapses or is canceled and new insurance is not obtained, the director shall suspend the operating authority until the holder provides evidence that insurance coverage required by this section has been obtained. A person shall not operate a passenger transportation service while operating authority is suspended under this section whether or not the action is appealed. A \$100 fee must be paid before operating authority suspended under this section will be reinstated.

(i) No person with any direct or indirect ownership interest in the holder's limousine service may have any operational control, direct or indirect, in any insurance company that provides insurance

required by this section to the limousine service. For purposes of this subsection, Operational control means holding any management position with the insurance company (including, but not limited to, the chief executive officer, the president, any vice-president, or any person in a decision-making position with respect to insurance claims) or having the right to control the actions or decisions of any person in such a management position in the insurance company. (Ord. Nos. 20766; 22805; 25215; 27091)



**SEC. 10A-39. FAILURE TO PAY AD VALOREM TAXES.**

A holder or an applicant for operating authority shall not allow the payment of ad valorem taxes upon any vehicle, equipment, or other property used directly or indirectly in connection with the limousine service to become delinquent. (Ord. Nos. 20766, 27091)

**ARTICLE VI.  
FARES.**

**SEC. 10A-47. RATES OF FARE.**

- (a) A driver or holder shall not charge a fare for operating a limousine that is inconsistent with the rates authorized in the limousine service operating authority.
- (b) A holder desiring to change the authorized rates of fare must submit a written request in accordance with Section 10A-12 of this chapter.
- (c) The rates listed in the holder's operating authority must be strictly adhered to, and no change in rates may be implemented without written approval of the director.
- (d) The director may require a holder to display rates on or within a limousine in a manner prescribed by the director.
- (e) The driver or holder shall give the person paying a fare a ticket or receipt that indicates the name, address, and phone number of the limousine company and the amount of the fare.
- (f) The use of any type of meter or measuring device to calculate rates of fare for limousine service is prohibited. (Ord. 20766)

fyi

Sent from my iPad

Begin forwarded message:

**From:** Mike Rawlings <mrawlings@cicpartners.com>  
**Date:** June 3, 2013, 2:13:21 PM CDT  
**To:** "mary.suhm@dallascityhall.com" <mary.suhm@dallascityhall.com>  
**Subject:** Fw: Uber Discounted Rides To and From Pink Party

A little support for your case they are acting like "they" are providing the transport

---

**From:** Sam Khoury <info@mailva.evite.com>  
**To:** Mike Rawlings  
**Sent:** Mon Jun 03 11:31:30 2013  
**Subject:** Uber Discounted Rides To and From Pink Party

Evite

### 5th Annual Pink Party

Hosted by Sam Khoury

Uber is providing 50% off rides to and from the 5th Annual Pink Party on Friday, June 7th. Uber allows everyone to request a private driver through iPhone, Android, SMS and web based requests. All Uber rides beginning or ending at The Room on Main (2030 Main Street) will automatically receive a 50% discount, no need to enter a promo code. To learn more about Uber and sign up for an Uber Account click: [www.uber.com/cities/dallas#](http://www.uber.com/cities/dallas#). See everyone in Pink on Friday!

[View This Invitation](#)

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**From:** Jon DeRohwer <jdero24@yahoo.com>  
**Sent:** Tuesday, October 22, 2013 9:35 AM  
**To:** Victory Document Services  
**Subject:** Fwd: Uber Technologies, Inc.  
**Attachments:** Dallas Letter to Moore.pdf; Untitled attachment 00038.htm

**From:** Shirin Schokrpur <[shirin@uber.com](mailto:shirin@uber.com)>  
**Subject:** Uber Technologies, Inc.  
**Date:** October 21, 2013 4:09:24 PM CDT  
**To:** <[dmoore@specializedinvestigations.net](mailto:dmoore@specializedinvestigations.net)>  
**Cc:** Salle Yoo <[salle@uber.com](mailto:salle@uber.com)>, "Wageman, Paul" <[PWageman@winstead.com](mailto:PWageman@winstead.com)>

Dear Mr. Moore,

Per your conversation with Mr. Wageman, please see attached statement by Uber Technologies, Inc.

Thank you,  
Shirin Schokrpur  
Paralegal  
Uber Technologies, Inc.



Uber Technologies, Inc.  
405 Howard Street, Suite 550  
San Francisco, CA 94105

October 21, 2013

Mr. David Moore  
Specialized Investigations, Inc.  
1999 McKinney Avenue  
Dallas, TX 75201

RE: Mayor Rawling's Investigation Into Proposed Amendment To  
The City of Dallas' ("City") Limousine Ordinance

Dear Mr. Moore:

On Monday, October 14, 2013, Leandre Johns, Uber Technologies, Inc.'s ("Uber") Dallas General Manager, received a call from you -- a private investigator working with Bill Hill—relating to Mayor Rawling's investigation into the proposed amendment to the City's limousine ordinance, colloquially referred to as the anti-Uber ordinance. From your conversation with our counsel, Paul N. Wageman of Winstead PC, we understand that you do not have any specific questions of Uber relating to your investigation. However, you inquired whether Uber wished to provide any information regarding the events which culminated in the proposed amendment to the limousine ordinance being placed on the City Council's consent agenda. You confirmed to Mr. Wageman that you were pleased to accept from Uber a written statement for inclusion in your report to Mayor Rawlings.

Uber hereby submits the following written statement:

Uber is a technology company that has developed a software platform that provides riders a convenient method of requesting transportation services from licensed and insured transportation providers. Uber launched its service in the Dallas area in August 2012. The Uber application service allows transportation companies to receive and accept requests for transportation, thus allowing them the opportunity to grow their transportation businesses. The Uber application service also allows Dallas-area residents and visitors with greater access to a safe, efficient and reliable transportation option.

Since launching its business operations in Dallas, Uber has worked to maintain open communication and engagement with local authorities.

On November 2, 2012, Uber received a letter from Mr. Christopher D. Bowers, First Assistant City Attorney, that included a notice to cease providing taxicab or limousine service in the City. As noted previously, Uber is a technology company that provides a software product that benefits existing transportation providers; it is not a transportation company. Uber does not own vehicles or employ drivers. Further, the Uber software application service is not available to taxi cabs operating in the Dallas area.

In response to this letter, Uber met with City officials at Dallas City Hall on January 10, 2013, to provide information regarding Uber's business model and to answer questions from the City officials. In attendance from Uber were Salle Yoo, General Counsel, and Leandre Johns and Paul N. Wageman and Tommy Mann of Winstead PC, counsel to Uber. Representing the City was Joey Zapata, Assistant City Manager, James Martin, Director, Department of Code Compliance, Stephanie McHenry, Assistant Director, Department of Code Compliance, Christopher D. Bowers and Heather Mazac, Assistant City Attorney. Uber answered all the questions posed by the City officials.

On February 27, 2013, Mr. Wageman received a letter from Mr. Bowers requesting further confirmation of information regarding Uber's business model. The letter to Uber was cc'd to Thomas P. Perkins, Jr., City Attorney, Joey Zapata, James Martin and Stephanie McHenry. On March 29, 2013, Mr. Wageman provided a written response to the City's February 27, 2013 letter correcting certain inaccuracies and misunderstandings reflected in the letter.

On April 30, 2013, the City of Dallas filed Complaint No. Z13-00520-01 against Uber in the Municipal Court of the City of Dallas. The City requested two postponements of the original trial date for this complaint. On September 4, 2013, the City tried its complaint against Uber in front of a jury. After a short deliberation, the jury returned a unanimous "not guilty" verdict for Uber.

Separately, since May 2013, City and DFW Airport licensed limousine companies who use the Uber application service to receive and accept requests for transportation have received fifty-six (56) tickets issued by the City's Department of Code Compliance. Over ten (10) of these tickets were received in connection with transportation provided to Ms. Debbie Burns.

Thank you for your consideration of this statement, and please contact us with any questions.

Sincerely,

A handwritten signature in black ink, appearing to read "Salle E. Yoo", with a long horizontal flourish extending to the right.

Salle E. Yoo  
General Counsel  
Uber Technologies, Inc.