

LEGISTAR # 34016 – SUBSTITUTE – VERSION 3

DRAFTER'S ANALYSIS: These ordinance amendments permit Transportation Network Companies (TNC's), their drivers, and their vehicles to be licensed as public passenger vehicles in the City of Madison. They require TNC's to pay the same licensing fees as meter and zone taxicabs, but allow for more flexible levels of insurance to fit the TNC business model. They also require TNC's to maintain a business office in the City, maintain the same records as meter and zone taxicabs, and require a 19-point inspection annually of all vehicles affiliated with a TNC. The amendments require that TNC's maintain 24-hour service beginning in the second year of operation in the City. These amendments require TNC vehicles to be marked with a decal identifying them as a public passenger vehicle. They also permit the use of GPS-enabled devices to calculate fares and permit 45 days of "surge" pricing per year.

The Common Council of the City of Madison do hereby ordain as follows:

1. Paragraph 2. of Subdivision (a) of Subsection (2) entitled "License Required" of Section 11.06 entitled "Licensing and Regulating Public Passenger Vehicles, For Hire" of the Madison General Ordinances is amended to read as follows:

"2. Transportation of passengers for hire shall include taking any tip, donation or gratuity for the service, regardless of whether an actual quoted fare is paid."

2. Subsection (3) entitled "Definitions" of Section 11.06 entitled "Licensing and Regulating Public Passenger Vehicles, For Hire" of the Madison General Ordinances is amended by creating therein the following:

"Global Positioning System" or "GPS" shall mean a navigational system using satellite signals to fix the location of a radio receiver on or above the earth's surface.

"Transportation Network Company" or "TNC" shall mean any company or organization that provides transportation services using an online-enabled platform to connect passengers with drivers using their personal vehicles."

3. The Table of Subdivision (a) of Subsection (4) entitled "Licensing of Public Passenger Services" of Section 11.06 entitled "Licensing and Regulating Public Passenger Vehicles, for Hire" of the Madison General Ordinances is amended by creating therein the following:

| "Type of Service | Initial license – 1 year | Initial License – 2 years | Renewal- 2 years |
|--------------------------------|---------------------------------|----------------------------------|-------------------------|
| Transportation Network Company | \$1,200 | \$2,075/license | \$1,755/license" |

4. The third introductory paragraph of Subdivision (b) entitled "Application for Initial License to Engage in the Business of Transporting Passengers for Hire" of Subsection (4) entitled "Licensing of Public Passenger Services" of Section 11.06 entitled "Licensing and Regulating Public Passenger Vehicles, for Hire" of the Madison General Ordinances is amended to read as follows:

"The applicant shall identify the number and type of accessible vehicle(s) which will be furnished as part of applicant's accessible taxicab service responsibilities; or, in the event this obligation will be fulfilled by contracting with or referring to another currently licensed operator in the business of public passenger vehicles for hire in the City of Madison, the applicant shall provide a copy of the agreement with that operator as evidence of compliance with the requirements in Section 11.06(7)(a). Applicants solely wishing to operate pedal-cabs, low-speed vehicles, horse-drawn vehicles, or commercial quadricycles shall be exempt from this requirement as it pertains to accessible vehicle requirements."

5. Subdivision (a) of Subsection (5) entitled "Licensing of Public Passenger Vehicles" of Section 11.06 entitled "Licensing and Regulating Public Passenger Vehicles, for Hire" of the Madison General Ordinances is amended by creating therein the following:

“(a) Public Passenger Vehicle Permit Fees. The fees under this subsection are hereby fixed as follows:

Commencing with the 2004 licensing year, and subsequent thereto, the following fees shall be in effect:

| | |
|---------------------------------------|--------------------------|
| Meter Taxicab | \$60/vehicle/year |
| Zone Taxicab | \$60/vehicle/year |
| Airport Shuttle Vehicle | \$60/vehicle/year |
| Horse-Drawn Vehicle | \$60/vehicle/year |
| Specialized Transportation Vehicle | \$60/vehicle/year |
| <u>Transportation Network Vehicle</u> | <u>\$60/vehicle/year</u> |
| Transfer of Permit | \$20/transfer |
| Pedal-Cab Vehicle | \$30/vehicle/year” |

6. Subdivision (a) entitled “Hours Service to be Provided” of Subsection (7) entitled Operating Requirements” of Section 11.06 entitled “Licensing and Regulating Public Passenger Vehicles, for Hire” of the Madison General Ordinances is amended to read as follows:

“(a) ~~Hours Service to be Provided By Meter or Zone Taxi Cabs and Transportation Network Companies.~~

1. ~~Geographic Coverage.~~ It shall be a condition of any meter taxicab, zone taxicab or transportation network company operating license that the license shall furnish service throughout the City of Madison.
2. ~~It shall be a condition of any meter or zone taxicab service or transportation network company operating license that the licensee shall have it its fleet no less than six (6) vehicles. All vehicles in the fleet must meet all licensing requirements outlined in this section, including, but not limited to inspection requirements, required markings, and insurance requirements.~~
3. ~~Hours.~~ It shall be a condition of any meter or zone taxicab service or transportation network company operating license granted hereunder that the licensee shall furnish adequate provide twenty-four (24) hour taxicab service throughout the City of Madison and shall provide a twenty-four (24) hour telephone number. It shall also be a condition of any meter or zone taxicab service operating license granted hereunder that the licensee shall furnish adequate twenty-four (24) hour accessible taxicab service, i.e. public passenger vehicle for hire service using an accessible vehicle, throughout beginning in the second year of licensing and continuing as long as the licensee continues operating in the City of Madison.
4. ~~Accessible Service.~~ It shall be a condition of any meter or zone taxicab or transportation network company operating license that the licensee shall provide accessible service throughout the City of Madison. The licensee’s accessible taxicab service obligations may be fulfilled directly by providing an accessible vehicle in its regular operating fleet or by contracting with another licensed operator to provide it or by referring all accessible vehicle requests to another licensed operator to provide it. In all cases the licensee shall remain responsible for compliance with all applicable rules of operation and other applicable ordinance requirements under this Chapter. Conditions of horse-drawn vehicle operating licenses, pedal-cab vehicle operating licenses, and commercial quadricycle operating licenses are contained in Subdivisions (k), (l) and (m), respectively, below.

Unsafe Weather Conditions. A metered or zoned taxicab licensee is not required to provide twenty-four (24) hour taxicab or accessible taxicab service when Madison Metro Transit has suspended bus operations for unsafe weather conditions, upon being notified by the Division of Traffic Engineering via FAX, e-mail or telephone. The notification shall include the start and end dates and times of Metro’s suspension of service, if known. If an end time is not stated, Division of Traffic Engineering will notify the licensee when Metro has resumed service via FAX, email or telephone. The licensee must resume complete, twenty-four (24) hour service by the stated end time or upon notification from the Division of Traffic Engineering that Metro has resumed service. During hours when Metro does not offer service, the

City Traffic Engineer or designee may declare a “weather emergency” for purposes of suspension of taxicab service and notify licensees using the methods above.”

7. New Subdivision (b) entitled “Special Operating Requirements for Transportation Network Companies” of Subsection (7) entitled Operating Requirements” of Section 11.06 entitled “Licensing and Regulating Public Passenger Vehicles, for Hire” of the Madison General Ordinances is created to read as follows:

- “(b) Special Operating Requirements for Transportation Network Companies. It shall be a condition of any Transportation Network Company operating license granted hereunder that the licensee shall meet the following requirements.
1. Maintain a business office in the City of Madison that shall be open and personally staffed by an employee of the TNC on all business days between the hours of 9 a.m. and 5 p.m., excluding City recognized holidays.
 2. Maintain a toll-free business telephone number or electronic communication service that is answered during all hours TNC drivers are operating.
 3. Shall have a local mailing address and email address where the TNC staff will accept mail.
 4. Shall maintain all records that this chapter requires the TNC to maintain including copies of for-hire drivers licenses and TNC vehicle endorsements (if applicable) of TNC drivers, lists of all TNC drivers and their affiliated vehicles, new driver training records, vehicle insurance policies, vehicle registrations, and passenger complaint records. Records shall be retained by the licensee for a period of at least one (1) year, and shall be made available at any time for the inspections by the Chief of Police or designee or the City Traffic Engineer or designee. Records may be maintained electronically.
 5. Shall provide a plan to the City Traffic Engineer on how passengers may recover lost items.
 6. Shall provide service throughout the City of Madison.
 7. One (1) year from the effective date of this ordinance, the TNC shall submit to the City Traffic Engineer a report detailing all attempted rides not completed due to unavailable drivers. This report shall include the address from which each declined ride was solicited within a designated area to be determined by the City Traffic Engineer.
 8. Drivers shall not accept payment of a fare or a gratuity directly. All payments shall be made electronically via the TNC’s online-enabled platform.
 9. The company shall ensure that TNC drivers do not pick up hails or otherwise solicit riders. Drivers shall only transport passengers who solicit rides via the online-enabled platform.
 10. Shall require that passengers be able to view a picture of the driver and vehicle license plate number on their smart phone, tablet or other mobile device used to connect with the TNC dispatch application before the trip is initiated.
 11. No commercial advertisements, or lighting not installed by the original manufacturer shall be displayed on the exterior of any transportation network vehicle unless it is approved by the City Traffic Engineer.
 12. Shall provide a written or electronic version of a list of best practices developed with the City Traffic Engineer.”

8. Current Subdivisions (b) through (m) of Subsection (7) entitled Operating Requirements” of Section 11.06 entitled “Licensing and Regulating Public Passenger Vehicles, for Hire” of the Madison General Ordinances are hereby renumbered to Subdivisions (c) through (n), respectively.

9. New Paragraph 3. of renumbered Subdivision (f) entitled “Daily Logs” of Subsection (7) entitled Operating Requirements” of Section 11.06 entitled “Licensing and Regulating Public Passenger Vehicles, for Hire” of the Madison General Ordinances is created to read as follows:

“3. Daily logs may be maintained in an electronic form.”

10. Current Paragraphs 3. and 4. of renumbered Subdivision (e) entitled “Daily Logs” of Subsection (7) entitled Operating Requirements” of Section 11.06 entitled “Licensing and Regulating Public Passenger Vehicles, for Hire” of the Madison General Ordinances are hereby renumbered to Paragraphs 4. and 5.

11. The introductory paragraph of Paragraph 1. of renumbered Subdivision (f) entitled "Refusal To Carry Passengers Prohibited" of Subsection (7) entitled Operating Requirements" of Section 11.06 entitled "Licensing and Regulating Public Passenger Vehicles, for Hire" of the Madison General Ordinances is amended to read as follows:

"1. Zone or meter taxicab ~~D~~drivers may elect to charge estimated fares in advance for rides when a passenger or prospective passenger engages in any of the following activities:"

12. Paragraph 5. of renumbered Subdivision (f) entitled "Refusal To Carry Passengers Prohibited" of Subsection (7) entitled Operating Requirements" of Section 11.06 entitled "Licensing and Regulating Public Passenger Vehicles, for Hire" of the Madison General Ordinances is amended to read as follows:

"5. No ~~driver or licensee~~ meter or zone taxicab may refuse to carry passengers or baggage unless a passenger or prospective passenger engages in violent, abusive or indecent behavior or refuses to pay the estimated fare in advance when the driver makes that request for one of the above reasons. A driver ~~or licensee~~ may also refuse to carry a passenger or baggage if the driver ~~or licensee~~ can demonstrate that the passenger intentionally summoned more than one licensee for the same ride.

13. Paragraph 6. of renumbered Subdivision (f) entitled "Refusal To Carry Passengers Prohibited" of Subsection (7) entitled Operating Requirements" of Section 11.06 entitled "Licensing and Regulating Public Passenger Vehicles, for Hire" of the Madison General Ordinances is amended to read as follows:

"6. Except as provided above, no ~~driver or licensee~~ meter or zone taxicab may refuse to carry passengers or baggage to or from any part of the City with reasonable promptness and at prices established in compliance within this ordinance."

14. Subsection (8) entitled "Financial Responsibility" of Section 11.06 entitled "Licensing and Regulating Public Passenger Vehicles, for Hire" of the Madison General Ordinances is amended to read as follows:

"(8) Financial Responsibility.

(a) It shall be unlawful to operate a ~~vehicle~~ meter or zone taxicab for the conveyance of passengers for hire or permit the same to be operated, nor shall any license be issued hereunder until and unless the applicant for license deposits with the City Clerk a policy or certificate of auto liability insurance for the vehicles for which licenses are sought. Auto liability insurance policies shall be issued by a company or companies authorized to do business in the State of Wisconsin and licensed by the State of Wisconsin Office of the Commissioner of Insurance. Coverage shall be provided for in the minimum amount of one million dollars (\$1,000,000) per accident. Each insurance policy shall contain a provision that the same may not be canceled before the expiration of its term except upon thirty (30) days written notice to the City Clerk, City of Madison, Wisconsin. Every day upon which any vehicle is operated for the conveyance of passengers for hire or when taxicab or cab or similar transportation is offered to the public without an insurance policy as required herein being in effect and on file with the City Clerk, City of Madison, shall be deemed a separate violation, and every person, firm, or corporation operating or permitting such operation shall be subject to a forfeiture of not more than two hundred dollars (\$200) for each offense.

(b) It shall be unlawful to operate a vehicle using a transportation network company or permit the same to be operate, nor shall any license be issued hereunder until and unless the applicant for license deposits with the City Clerk a policy or certificate of auto liability insurance that provides coverage for accidents involving a vehicle operating using a transportation network company that occur from the period of time beginning when the driver of the vehicle accepts a request for a ride through the company's online-enabled platform, continues while the driver transports the passenger in the vehicle, and ends when the passenger departs from the vehicle. Auto liability insurance policies shall be issued by a company or companies authorized to do business in the State of Wisconsin and licensed by the State of Wisconsin Office of the Commissioner of Insurance. Coverage shall be provided for in the minimum amount of one million dollars

(\$1,000,000) per accident during the times described above. For the period of time when a driver is logged into a transportation network company's digital network but is not engaged in a transporting a passenger, the company shall maintain a primary automobile insurance policy that recognizes that the driver is a transportation network company driver and covers the driver's provision of transportation network services while the driver is logged into the transportation network company's digital network and must meet at least a minimum coverage of fifty thousand dollars (\$50,000) to any one (1) person in any one (1) accident, one hundred thousand (\$100,000) dollars to all persons in any one (1) accident, and for property damage arising out of the use of the motor vehicle to a limit, exclusive of interest and costs, of thirty thousand (\$30,000) dollars in any one (1) accident. Each insurance policy shall contain a provision that the same may not be canceled before the expiration of its term except upon thirty (30) days written notice to the City Clerk, City of Madison, Wisconsin. Every day upon which any transportation network company vehicle is operated for the conveyance of passengers for hire is offered to the public without an insurance policy as required herein being in effect and on file with the City Clerk, City of Madison, shall be deemed a separate violation, and every person, firm, or corporation operating or permitting such operation shall be subject to a forfeiture of not more than two hundred dollars (\$200) for each offense.

(bc) It shall be unlawful for pedal-cab, low-speed vehicle or commercial quadricycle operators to operate a pedal-cab, low-speed vehicle or commercial quadricycle for the conveyance of passengers for hire or permit the same to be operated, nor shall any license be issued hereunder until and unless the applicant for a license deposits with the City Clerk a policy or certificate of commercial general liability insurance coverage. Insurance policies shall be issued by a company or companies authorized to do business in the state of Wisconsin and licensed by the State of Wisconsin Office of the Commissioner of Insurance. Coverage shall be provided for in the minimum amount of one million dollars (\$1,000,000) per occurrence, shall be primary and non-contributory, and shall list the City of Madison, its officers, officials, and employees as additional insureds. Each insurance policy shall contain a provision that the same may not be canceled before the expiration of its term except upon thirty (30) days written notice to the City Clerk, City of Madison, Wisconsin. Every day upon which any pedal-cab, low-speed vehicle or commercial quadricycle is operated is operated for the conveyance of passengers for hire without an insurance policy as required herein being in effect and on file with the City Clerk, City of Madison, shall be deemed a separate violation, and every person, firm, or corporation operating or permitting such operation shall be subject to a forfeiture of not more than two hundred dollars (\$200) for each offense.

(ed) The Police Department shall have the power to impound any vehicle which is being operated in violation of the provisions of this subsection. Any such vehicle which is impounded hereunder shall be released to the owner or operator thereof when the provisions of this subsection have been complied with or upon the owner thereof filing a signed statement with the City Clerk wherein s/he agrees that said vehicle will not be operated as a public passenger vehicle until all provisions of this subsection have been complied with and shall file therewith a bond in the penal sum of two hundred dollars (\$200) with surety to be approved by the Common Council guaranteeing the performance of said agreement.”

15. Subsection (9) entitled “Rates of Fares” of Section 11.06 entitled “Licensing and Regulating Public Passenger Vehicles, for Hire” of the Madison General Ordinances is amended to read as follows:

“(9) Rates of Fares.

(a) No license granted under Subsection (4) of this ordinance shall have any force or effect unless the licensee files with the City Clerk a schedule of rates of fares. Licensees may charge fares measured according to zones, ~~or~~ according to meters, or according to GPS-enabled devices, except that horse-drawn vehicle and pedal-cab vehicle licensees shall charge fares according to subs. (m) and (p) below. ~~It shall be unlawful for any owner or operator to charge or permit to be charged any other or different rates of fares than those listed on such schedule. Any discounts or special fares shall be included in the rates of fares filed with the City Clerk. A schedule of rates of fares must be on file with the City Clerk for 28 days before the rates are effective, except that promotional discounts or coupons may be implemented if the City Traffic Engineer is notified at~~

least forty-eight (48) hours in advance. Any duly established rate other than the said promotional discounts shall remain in effect for a minimum duration of six months. In the case of extreme changes in conditions, the owner of a licensed company may petition the Transit and Parking Commission to review a schedule of rate change within a shorter period of time. After reviewing the request the Transit and Parking Commission may approve a rate change effective within the six-month period but may not approve such a rate change unless the current rates of fares have been in effect for at least ninety (90) days. The rates of fares authorized to be established by this ordinance shall not vary with time of day.

Notwithstanding the foregoing, at any time during the first twelve (12) months from the effective date of the accessible taxicab requirement, the owner of a licensed company may modify its schedule of rates of fares provided such modification is solely due to the cost of compliance with the accessible taxicab ordinance. The schedule of rates of fares so modified must be on file with the City Clerk for twenty-eight (28) days before the rates are effective.

- (b) Notwithstanding the provisions of Subdivision (a) above, a licensee of meter or zoned taxicab services may charge an accessible taxicab surcharge not to exceed twenty cents (\$.20) per trip or fifty cents (\$.50) per trip as described below, subject to the following conditions:
1. The accessible taxicab surcharge shall not exceed twenty cents (\$.20) per trip except that if the licensee provides a dedicated accessible vehicle and driver twenty-four hours per day, seven days per week to furnish its required accessible taxicab service, the allowable surcharge shall not exceed fifty cents (\$.50) per trip.
 2. The exact fee imposed as a surcharge must be on file with the City Clerk before any surcharge may be collected and cannot be increased during the license year.
 3. The amount of the surcharge shall be marked on the interior of the vehicle, in addition to the information required by Subsection (10)(a)1. of this ordinance.
 4. The amount of the surcharge shall be marked on the right and left exterior sides of the taxicab, in addition to the markings required by Subsection (10)(a)2. of this ordinance.
 5. Notwithstanding the provisions of this subdivision, a licensee is not authorized to charge and shall not collect an accessible taxicab surcharge during any period that its accessible vehicle is out of service as described in Sec. 11.06(10)(g).
 6. This provision, permitting licensees to charge an accessible taxicab surcharge, expires and shall have no further effect commencing three (3) years after the effective date of the accessible taxicab service provisions of this ordinance, Substitute Ordinance # 13,596, as determined per Subsection (7)(l), unless extended by action of the Common Council.

- (b) A schedule of rates of fares must be on file with the City Clerk for twenty-eight (28) days before the rates are effective, except that promotional discounts or coupons may be implemented if the City Traffic Engineer is notified at least forty-eight (48) hours in advance. Any duly established rate other than the said promotional discounts shall remain in effect for a minimum duration of six (6) months. In the case of extreme changes in conditions, the owner of a licensed company may petition the Transit and Parking Commission to review a schedule of rate change within a shorter period of time. After reviewing the request the Transit and Parking Commission may approve a rate change effective within the six (6)-month period but may not approve such a rate change unless the current rates of fares have been in effect for at least ninety (90) days. The rates of fares authorized to be established by this ordinance shall not vary with time of day.

Notwithstanding the foregoing, at any time during the first twelve (12) months from the effective date of the accessible taxicab requirement, the owner of a licensed company may modify its schedule of rates of fares provided such modification is solely due to the cost of compliance with the accessible taxicab ordinance. The schedule of rates of fares so modified must be on file with the City Clerk for twenty-eight (28) days before the rates are effective.

- (c) Every licensee may charge special fares not included in their standard rate schedule on forty-five (45) days per calendar year. The licensee shall submit a request to the City Traffic Engineer by October 1 of the preceding year specifying which forty-five (45) days they would like to charge these special fares. All special fares shall be approved by the City Traffic Engineer.

Any discounts or special fares shall be included in the rates of fares filed with the City Clerk. At the end of each calendar year, each licensee that charges special fares for any number of days during that year shall report the number of special fares that were charged that year.

Special fares may not be charged during declared weather emergencies within the City of Madison or Dane County.

(d) At any time a driver is to charge a fare that differs from what is listed in their standard rate schedule, the passenger must be made aware and accept that fare prior to commencing the ride.

(ee) Meter Taxicab Rates.

1. Taximeter Required. Every meter taxicab shall contain a taximeter in good repair, inspected by the City Sealer or Weights and Measures Inspector as required in Subsection (10)(eb)2. The taximeter shall be set to measure only the rates listed below:
 - a. The meter taxicab rate filed with the City Clerk.
 - b. A mileage rate filed with the City Clerk, to be used only for out-of-city trips, pursuant to Paragraph 3. below.
2. Mileage Charge. For conveying one (1) passenger on a mileage basis the charge shall be the scheduled rate for a unit of distance and the scheduled rate for each additional unit of distance. No charge may be made for additional passengers going to the same place, however a premium fare may be charged for large parties as permitted under sub. (9)(i)6.
3. For out-of-city trips a licensee shall charge the mileage rate from the point of origin to the point of destination.
4. Waiting Charge. On vehicles operating on the mileage rate, a waiting charge for each unit of time may be charged after the passenger has entered the taxi or requested the operator to wait. In addition, a waiting charge for each unit of time may be charged a passenger who is not ready for pick-up commencing five (5) minutes after a "time call" pick-up time or five (5) minutes after the actual taxicab arrival time for a "time call", whichever is later, or commencing five (5) minutes after the taxicab arrival time for an "on-demand" pick-up.
5. Shortest Route. Meter taxicabs must take the shortest, most direct route to a certain destination, unless the passenger approves a different route.
6. Unlawful to Charge any Other Amount Than That Registered on Taximeter. Except for multiple loading or shared rides as provided in Paragraph 8. below, it shall be unlawful for any driver of a meter taxicab to convey any passenger within the limits of the City of Madison unless the taximeter is used in determining the fare to be charged, unless the driver and passenger agree that an hourly rate shall be charged instead. Such agreements are subject to the requirements of Subdivision (e) of this Subsection. If the driver and passenger have not agreed on an hourly rate, no other or different fare shall be charged to the passenger than is recorded on the reading face of the taximeter for the trip. This paragraph does not prohibit the premium fare for large parties allowed under sub. (9)(i)6., which shall be calculated based upon a percentage of the metered rate, nor shall this paragraph prohibit other fees expressly allowed elsewhere in this ordinance.
7. Individual Service. Any patron who first engaged service in a meter cab shall receive individual service, unless the passenger requests that one or more additional passengers be carried, or unless Paragraph 8. below is applicable.
8. Multiple Loading or Shared Ride. For rides to or from the Dane County Airport, multiple loading, as defined in Subsection (3)(m) above, is permitted for meter taxicabs during peak periods if all passengers consent. The term "peak period" is defined in Subsection (3)(e) above. The fare shall be no greater than the lowest airport shuttle rate filed pursuant to Section 11.06(9)(c) of the Madison General Ordinances for the airport shuttle zone or zones through which the cab will travel.

(ef) Zone Taxicab Rates.

1. The base rate of fare per passenger shall be the scheduled rate for the first passenger from any point to any other point within one (1) zone plus the scheduled rate for the first passenger when that passenger crosses from one zone into another zone.
 - a. The charge for additional passengers starting at the same point and going to the same destination shall be the scheduled rate for each additional passenger regardless of the zones traversed.
 - b. Beyond and starting from the last designated zone lines on the zone map to the present or future City limits, which for the purposes of this ordinance shall be

designated the "outer zone", the charge shall be the scheduled rate per unit of distance or fraction thereof.

2. Waiting Charge. A waiting charge may be added when the vehicle is waiting at the direction of the passenger. The waiting charge shall be charged to the passenger who requested the wait. In addition, a waiting charge may be charged a passenger who is not ready for pick-up commencing five (5) minutes after a "time call" pick-up time or five (5) minutes after the actual taxicab arrival time for a "time call", whichever is later, or commencing five (5) minutes after the taxicab arrival time for an "on-demand" pick-up.
 3. For trips originating in the outer zone and ending in the outer zone:
 - a. The First passenger shall be charged the initial scheduled zone rate established in paragraph one above, plus the additional scheduled rate established in paragraph one above for each unit of distance or fraction thereof established in paragraph one above, starting from point of origin.
 - b. Each additional passenger to the same destination shall be charged the scheduled rate established in paragraph one above.
 4. If a trip originates in an outer zone and ends in a zoned area the above rates would apply, mileage beginning at the point of origin and ending at the first zone line crossed; thereafter and including the first zone line so crossed: The scheduled rate established in paragraph one above for the first passenger, additional when crossing from one zone into another.
 5. If an out-of-town trip originates within a zone, the regular zone fare to the last zone line applies.
 6. Direct Trip Required. The charge made by zone taxicabs must be for a direct trip to a certain destination, provided said trip may be indirect as to a passenger, for the purpose of delivering or picking up a delivery or another passenger or passengers.
 7. Hourly Rate. Zone taxicabs are permitted to agree with passengers on an hourly rate, subject to the requirements in Subdivision (ek) of this Subsection.
- (eg) Zones. The City Traffic Engineer, in consultation with licensees operating under the zone system, is hereby authorized to establish zones for the operation of zone taxicabs. A complete and current description of such zones shall be available for public inspection and copying in the office of the Department of Transportation.
1. When territory is annexed into the City, the new territory shall continue as an outer zone until a new zone is created by action of the Transit and Parking Commission.
 2. At least every ten (10) years, commencing in 1994, the Department of Transportation shall study the system of zones and recommend revised and updated zones to the Transit and Parking Commission.
- (h) GPS-Calculated Rates.
1. GPS Device Required. Every public passenger vehicle operating under a Transportation Network Company shall contain a GPS device in good repair.
 2. Mileage Charge. For conveying one (1) passenger on a mileage basis the charge shall be the scheduled rate for a unit of distance and the scheduled rate for each additional unit of distance. No charge may be made for additional passengers going to the same place, however a premium fare may be charged for large parties as permitted under sub. (9)(l)6.
 3. For out-of-city trips a licensee shall charge the mileage rate from the point of origin to the point of destination.
 4. Waiting Charge. On vehicles operating on the mileage rate, a waiting charge for each unit of time may be charged after the passenger has entered the taxi or requested the operator to wait. In addition, a waiting charge for each unit of time may be charged a passenger who is not ready for pick-up commencing five (5) minutes after a "time call" pick-up time or five (5) minutes after the actual taxicab arrival time for a "time call," whichever is later, or commencing five (5) minutes after the taxicab arrival time for an "on-demand" pick-up.
 5. Shortest Route. Drivers operating public passenger vehicles using a Transportation Network Company must take the shortest, most direct route to a certain destination, unless the passenger approves a different route.

6. Unlawful to Charge any Other Amount Than That Registered on a GPS Device. Except for multiple loading or shared rides as provided in Paragraph 8. below, it shall be unlawful for any driver to convey any passenger within the limits of the City of Madison unless the GPS device is used in determining the fare to be charged, unless the driver and passenger agree that an hourly rate shall be charged instead. Such agreements are subject to the requirements of Subdivision (k) of this Subsection. If the driver and passenger have not agreed on an hourly rate, no other or different fare shall be charged to the passenger than is recorded on the reading face of the GPS device for the trip. This paragraph does not prohibit the premium fare for large parties allowed under sub. (9)(l)6., which shall be calculated based upon a percentage of the metered rate, nor shall this paragraph prohibit other fees expressly allowed elsewhere in this ordinance.
7. Individual Service. Any patron who first engaged service in a vehicle operated using a Transportation Network Company shall receive individual service, unless the passenger requests that one or more additional passengers be carried, or unless Paragraph 8. below is applicable.
8. Multiple Loading or Shared Ride. For rides to or from the Dane County Airport, multiple loading, as defined in Subsection (3)(i) above, is permitted for vehicles operating using Transportation Network Companies during peak periods if all passengers consent. The term "peak period" is defined in sub. (3) above. The fare shall be no greater than the lowest airport shuttle rate filed pursuant to Sec. 11.06(9)(c), MGO, for the airport shuttle zone or zones through which the vehicle will travel.
- (fi) Airport Shuttle Rates. The City Traffic Engineer, in consultation with airport shuttle licensees, is hereby authorized to establish zones for the operation of airport shuttle service. A complete and current description of such zones shall be available for public inspection and copying in the office of the Department of Transportation.
- (gj) Flat Rate. When a specialized transportation vehicle is occupied by one (1) passenger, a rate not to exceed the scheduled rate for the first unit of distance, and an additional maximum scheduled rate for each additional unit of distance, may be charged. When the specialized transportation vehicle is occupied by two (2) or more passengers, an additional scheduled rate per passenger may be charged.
- (hk) Hourly Rate. Zone taxicabs, ~~and~~ meter taxicabs, vehicles operating using a Transportation Network Company, and specialized transportation vehicles may charge a rate by the hour provided that the passenger requests it and the driver agrees to it before the commencement of the ride. The rate for one hour is the minimum that may be charged. No additional charge may be made for additional passengers under the hourly rate.
1. The hourly rate may be requested by the passenger at any time to commence at the said time. Any metered or zoned fare accrued at the time of the hourly rate request shall be paid by the passenger in addition to the hourly rate.
 2. After a passenger requests an hourly rate charge, no additional mileage, meter or zone charge may be assessed.
 3. Charges for other services as authorized in Subdivision (fi) below may be assessed for the services specified therein.
 4. The rate charged for the hourly service shall be posted in the vehicles at all times.
- (il) Rates For Other Services.
1. Personal Baggage and Groceries. For personal baggage, drivers shall charge the scheduled rate. If the driver is required to carry grocery bags from the cab to the door of a residence or building, the driver shall charge the scheduled rate for the service.
 2. Trunks, Footlockers and Other Large Items. Drivers shall charge the scheduled rate for each trunk, footlocker or other large item transported.
 3. Aids to persons with disabilities, including but not limited to wheelchairs, walkers, canes, crutches, and service animals shall be transported free of charge, nor shall there be any charge if the driver is required to load or unload any of these aids into or from the taxicab. The limitations of Sec. 11.06(9)(f)5. shall apply to any aid the driver may be requested to handle.
 4. The driver is not required to handle any single article greater than fifty (50) pounds in weight.

5. A driver may refuse to transport items which are too heavy or too large to be transported safely, and any animal which the driver reasonably believes is dangerous to health or safety.
 6. Large Party Fare. A metered or zoned taxicab licensee may charge a premium fare of up to one and one-half the regular fare when a passenger requests a single vehicle to accommodate service for a party of six (6) or more passengers. If a licensee elects to use this charge, it shall be stated on the schedule of rates of fare required under sub. (9)(a)
- (jm) Rate Allowance for Airport Taxicab Fee. An additional charge per taxicab shall be made whenever the taxicab is required to pay an airport taxicab fee. Said charge shall not exceed the fee imposed by the Dane County Regional Airport.
- (kn) Fraudulent Representations Forbidden. It shall be unlawful for the owners, drivers, or any persons engaged in the business of carrying passengers for hire to induce any person to employ her/him by knowingly or carelessly misinforming or misleading such person, either as to the time of arrival or departure of any railroad car or train, or other public conveyance, or as to the location of any railroad depot, office, station, or railroad ticket office, or the location of any hotel, public place or private residence within the City of Madison; and it shall be unlawful for any such owner or driver knowingly or carelessly to misinform any person carried as a passenger as to the distance such person is carried or as to the distance between two (2) locations.
- (lo) Rates for Horse-Drawn Vehicles. Rates as set by the driver of a horse-drawn vehicle shall be set by the hour or fraction thereof and shall be in the form of a stated amount for the first hour and a stated amount for each fraction of an hour thereafter.
- (mp) Rates for Pedal-Cab Vehicles. Rates as set by the operator of a pedal-cab vehicle service shall be set by the hour or fraction thereof or by the block and shall be in the form of a stated amount for the first hour or block and a stated amount for each fraction of an hour or additional block thereafter. Pedal-cabs may opt to accept any tip or gratuity for the service, in lieu of a set rate.
- (nq) Additional Authorized Charges. A licensee engaged in the business of transporting passengers for hire may charge the following additional fees, however these fees shall not be considered part of the rate of fare:
1. Soiling or damaging vehicle. A passenger may be charged a reasonable fee for the cost of cleaning a public passenger vehicle that has been soiled or damaged by the passenger to the extent that the vehicle must be taken out of service and cleaned or repaired before it can be put back into service. This paragraph shall not act as a limit or waiver upon any private right of action between the licensee or permittee and the passenger.
 2. No-Load Fee. If a taxicab licensee can prove that a passenger has intentionally summoned more than one licensee for the same ride or if the licensee can prove that a passenger called for service but subsequently does not use the service and does not cancel the request before the arrival of the taxicab, the passenger may be charged a no-load fee equal to the amount of the first mileage increment fee ("drop fee") for a metered taxicab or the first zone fee for a zoned taxicab.
- (or) Temporary Fuel Surcharge. Notwithstanding the provisions of Subdivision 11.06(9)(a) of this ordinance, a licensee may charge a fuel surcharge in any amount not to exceed one dollar (\$1.00) per trip, subject to the following conditions:
1. Licensee shall file a statement with the City Clerk indicating the amount of the surcharge, prior to implementing the surcharge. A licensee may vary the amount of its surcharge, up to the \$1.00 limit, by filing a new statement with the Clerk and changing the vehicle markings as required below.
 2. When multiple loading is permitted on trips to and from the airport during declared peak periods as defined in subsection (3), and all passengers are going to the same destination, a metered taxicab may charge only one (1) such surcharge per trip, and the surcharge shall be divided equally among the passengers.
 3. On a shared ride in a zoned taxicab, as defined in subsection (3), if all passengers are going to the same destination, only one (1) surcharge may be charged and shall be divided equally among the individual passenger fares.
 4. The amount of the surcharge shall be marked on the interior of the vehicle, in addition to the information required by Subsection (10)(a)1. of this ordinance.

5. The amount of the surcharge shall be marked on the right and left exterior sides of the taxicab, in addition to the markings required by Subsection (10)(a)2. of this ordinance.
6. Sunset Clause and Effect of Rate Change. This provision, Sec. 11.06(9)(e), permitting licensees to charge a fuel surcharge, shall have no effect after six (6) months after the date of publication of the ordinance creating it, however if a licensee obtains a regular rate change during this six-month period, that licensee shall no longer be permitted to charge a fuel surcharge under this provision."

16. Subdivision (a) entitled "Vehicle Marking" of Subsection (10) entitled "Vehicles" of Section 11.06 entitled "Licensing and Regulating Public Passenger Vehicles, for Hire" of the Madison General Ordinances of the Madison General Ordinances is amended to read as follows:

"(a) Vehicle Marking. All public passenger vehicles shall be appropriately marked as required herein. Vehicles not in compliance with these requirements shall not be used for carrying passengers.

1. Interior Marking. Each vehicle shall be marked on the interior or electronically displayed to the passenger with the owner's name, vehicle license number, driver's permit, type of vehicle permit issued, City complaint telephone number or City complaint email form, and current rates of fare. Each vehicle issued a permit to operate on a zone or airport shuttle basis shall also contain a clear and readable notice informing the passenger that zone information is available upon request. The foregoing requirements do not apply to specialized transportation vehicles.
2. Exterior Marking. Each meter or zone taxicab or vehicle operating using a transportation network company shall be conspicuously ~~and permanently marked on the right and left exterior sides with the owner's name, with a decal approved by the City Clerk on the exterior of the vehicle. The decal shall be displayed on a placard on the left dashboard and visible from the outside of the vehicle through the windshield. The decal shall contain the company name,~~ vehicle permit number, type of vehicle permit issued, and current rates of fare.

Vehicles issued a permit to operate on a flat rate or airport shuttle basis need not display a current rate of fare.

Vehicles which are required to display current rates of fare shall include at least the following information:

- a. The minimum or first increment rate.
- b. The rate per mile, calculated according to rates filed with the City Clerk.
- c. Waiting charge.
- d. Charge for additional mileage increments.

Vehicles shall be conspicuously and permanently marked on the rear with the vehicle permit number. Specified exterior markings as determined by the City Traffic Engineer shall be in letters and numbers not less than three (3) inches in height and shall be a light color on a dark background or a dark color on a light background."

17. New Subdivision (c) of Subsection (10) entitled "Vehicles" of Section 11.06 entitled "Licensing and Regulating Public Passenger Vehicles, for Hire" of the Madison General Ordinances of the Madison General Ordinances is created to read as follows:

(c) If a TNC company does not operate using a uniform color scheme, they shall be prohibited from operating on State Street and shall be prohibited from using Taxicab Stands."

18. Subdivisions (c) through (g) of Subsection (10) entitled "Vehicles" of Section 11.06 entitled "Licensing and Regulating Public Passenger Vehicles, for Hire" of the Madison General Ordinances of the Madison General Ordinances are hereby renumbered to Subdivisions (d) through (h)

19. Paragraph 1. of renumbered Subdivision (d) entitled "Inspection of the Condition of the Vehicles for Public Conveyance" of Subsection (10) entitled "Vehicles" of Section 11.06 entitled "Licensing and Regulating Public Passenger Vehicles, for Hire" of the Madison General Ordinances of the Madison General Ordinances is amended to read as follows:

- “1. Each Public Passenger Vehicle shall be kept and maintained in a safe operating condition. To insure the safe condition of all vehicles:
- a. Meter and Zone Taxicab Inspections. ~~The~~ All meter and zone taxicab licensees shall cause all Public Passenger Vehicles under the licensee’s operation or control to be inspected once for each five thousand (5,000) miles driven. The licensee shall maintain adequate inspection facilities. In addition to regular inspections, the licensee shall cause all Public Passenger Vehicles under its operation or control to undergo such special inspections as the City Traffic Engineer may require. If any Public Passenger Vehicle fails to pass a regular or special inspection, it shall be removed from service until such time as it has passed inspection.
 - bi. The licensee shall establish or cause to be established a system of regular and frequent maintenance checks of lifts/ramps and securement devices of accessible vehicles to determine if they are operative.
 - eii. The licensee shall maintain maintenance records for all Public Passenger Vehicles under the licensee’s operation or control, including but not limited to records of all tests of brakes, tires, steering wheels, mechanical parts and lighting equipment and shall make said records available to the City Traffic Engineer or designee upon her/his request.
 - diii. All mobility devices, securement devices and other required equipment for accessible vehicles shall be maintained in a safe operating condition and in compliance with the 49 CFR Parts 37 and 38 sections set forth in Section 11.06(3)(~~a~~), above, currently in effect and as amended from time to time.
 - b. Transportation Network Company Vehicle Inspections. All TNC companies shall require every affiliated vehicle to undergo a nineteen (19)-point inspection by a mechanic approved by the City Traffic Engineer prior to operating as a public passenger vehicle, and annually after that. That inspection shall certify in writing that the following items are mechanically sound and fit for driving:
 1. Foot brakes (check stopping at twenty (20) mph, a vehicle must be capable of stopping within twenty-five (25) feet).
 2. Emergency brakes (engine stall test).
 3. Steering mechanism.
 4. Windshield (no cracks or chips larger than one inch).
 5. Rear window and other glass (no cracks or chips larger than one inch).
 6. Windshield wipers.
 7. Headlights.
 8. Tail lights.
 9. Turn indicator lights.
 10. Stop lights.
 11. Front seat adjustment mechanism.
 12. Doors (open, close, lock).
 13. Horn.
 14. Speedometer.
 15. Bumpers.
 16. Muffler and exhaust system.
 17. Condition of tires, including tread depth.
 18. Interior and exterior rear view mirrors; and.
 19. Safety belts and air bags for the driver and passenger(s).”

20. Renumbered Subdivision (f) entitled “Legal Passenger Load” of Subsection (10) entitled “Vehicles” of Section 11.06 entitled “Licensing and Regulating Public Passenger Vehicles, for Hire” of the Madison General Ordinances of the Madison General Ordinances is amended to read as follows:

- “(e) Legal Passenger Load. It shall be unlawful for any driver of a taxicab, ~~or low-speed vehicle,~~ or vehicle operating using a transportation network company to carry at one time a number of passengers greater than the number of seat belts available and in good working order in the taxicab.”