

City of Houston, Texas, Ordinance No. 2015-997

AN ORDINANCE AMENDING CHAPTER 46 OF THE CODE OF ORDINANCES, HOUSTON, TEXAS, RELATING TO REGULATION OF VEHICLES FOR HIRE; MODIFYING THE LICENSEE APPEARANCE REQUIREMENTS; AMENDING THE REGULATIONS THAT PERTAIN TO PHYSICIAN'S CERTIFICATES OF MEDICAL EXAMINATION; MODIFYING PERMIT INSTALLMENT PAYMENT DUE DATES; AMENDING TRANSPORTATION NETWORK COMPANY INSURANCE REQUIREMENTS; DECLARING CERTAIN CONDUCT UNLAWFUL AND PROVIDING PENALTIES THEREFORE; CONTAINING FINDINGS AND OTHER PROVISIONS RELATING TO THE FOREGOING SUBJECT; PROVIDING FOR SEVERABILITY; AND DECLARING AN EMERGENCY.

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WHEREAS, the City of Houston ("City") is a home-rule municipality pursuant to Article XI, Section 5 of the Texas Constitution; and

WHEREAS, Section 215.073 of the Local Government Code provides that a home-rule municipality may license, fix the charges or fares made by, or otherwise regulate any person who owns, operates, or controls any type of vehicle used on the public streets or alleys of the municipality for carrying passengers or freight for compensation; and

WHEREAS, Chapter 46 of the City of Houston Code of Ordinances ("Code") contains the City's permit-based regulatory provisions regarding the operation of vehicles for hire within the City limits; and

WHEREAS, the Administration and Regulatory Affairs Department ("ARA") is responsible for the oversight and implementation of the City's regulations concerning all vehicles for hire operating within the City; and

WHEREAS, ARA is committed to the implementation of practical regulations that serve to improve the quality of service provided to passengers, and create uniform and equitable standards across all vehicle for hire platforms, where appropriate and possible; **NOW, THEREFORE**,

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF HOUSTON, TEXAS:

Section 1. That the findings contained in the preamble of this Ordinance are determined to be true and correct and are hereby adopted as part of this Ordinance.

Section 2. That the definition of the term *metropolitan area* in Section 46-1 of the Code of Ordinances, Houston, Texas, is hereby amended to read as follows

"*Metropolitan area* means the metropolitan statistical area that includes the City of Houston, as defined by the United States Office of Management and Budget within the Executive Office of the President of the United States, as amended."

Section 3. That Section 46-6 of the Code of Ordinances, Houston, Texas, is hereby amended to read as follows:

"Sec. 46-6. Physician's certificate of medical examination; fingerprints; drug screening.

(a) Each applicant for a license issued pursuant to this chapter shall provide a certificate from a physician duly licensed by the Texas Medical Board or a healthcare professional that is certified by the Federal Motor Carrier Safety Administration pursuant to 49 CFR 390.103, showing that the physician or healthcare professional has examined the person within the 30-day period preceding the date of the filing of the license application and that the person has no disability or ailment that would prevent the person from safely operating the vehicle for hire for which the applicant has sought a license. The director shall have the authority to require a medical examination and the provision of a replacement certificate at any time upon five days' notice in writing to a licensee or driver if the director has cause to believe that the driver's medical condition has materially changed or that the previously filed certificate is otherwise no longer accurate.

(b) Additionally, each applicant for a license issued pursuant to this chapter shall provide or cause to be provided evidence that the applicant has passed a drug screening test within the 30-day period preceding the date of filing of the application for issuance or renewal. The director shall promulgate rules and regulations relating to the drug screening test. The test procedure shall be equivalent to that prescribed by the mayor for pre-employment drug screenings for city employees. The director shall authorize laboratories and facilities that meet nationally recognized standards to obtain samples and perform the tests. The responsibility for obtaining the test and all costs associated therewith shall rest with the applicants.

(c) Each applicant for a permit, certificate of registration, or license issued pursuant to this chapter shall submit himself to be fingerprinted at the location indicated by the director to determine if the applicant has been convicted of any applicable offense(s) listed in section 1-10 of this Code. The applicant shall complete any forms required for the director to obtain the report and shall bear the cost to cover any fees imposed by state or federal agencies for the report. The provision of this requirement shall not

be construed to preclude the director from obtaining interim reports at the expense of the city."

Section 4. That Subsections (b) and (c) of Section 46-9.4 of the Code of Ordinances, Houston, Texas, are hereby amended to read as follows:

"(b) The term *suitably dressed* means the licensee shall wear slacks, trousers, dress or cargo shorts, a shirt with collar or blouse with or without a tie, a dress or suit, shoes, and, if desired, appropriate outer garments, except that a licensee operating a pedicab or jitney shall be permitted to wear a T-shirt and a short uniform design displaying the permittee's name, trademark, logo, or other similar identifying information. All uniform designs shall be submitted to and kept on file with the director."

"(c) Clothing that is not considered appropriate and is not permitted when the licensee is operating a vehicle for hire includes: T-shirts, underwear (as an outer garment), tank tops, body shirts, swimwear, jogging suits, or similar types of attire when worn as an outer garment, cut off shorts or trunks (jogging or bathing), or sandals. All clothing must be free of rips, tears and holes. It is an affirmative defense to prosecution under this section that the licensee is a pedicab or jitney operator otherwise in compliance with the requirements articulated in this section."

Section 5. That Subsection (b) of Section 46-11 of the Code of Ordinances, Houston, Texas, is hereby amended by deleting the word *and* at the end of Item (12), replacing the period at the end of Item (13) with a semicolon followed by the word *and*, and adding new Item (14) to read as follows:

"(14) Additionally, taxicab permittees must comply with the requirements of section 46-35(c) of this Code."

Section 6. That Subsection (b) of Section 46-11.3 of the Code of Ordinances, Houston, Texas, is hereby amended to read as follows:

"(b) The provisions of this section shall not be applicable to the renewal or amendment of permits for vehicles for hire operating with vehicle title classifications prescribed in subsection (a) that were originally issued on the basis of applications that were filed and permits issued on or before August 6, 2014, the date this section was adopted; provided however, the revocation of a permit for a vehicle operated pursuant to this special exemption or any transfer, lease, sale, rental, assignment or any

other conveyance of a vehicle operated pursuant to this special exemption from a licensee or permittee shall result in the forfeiture of the privilege of operating pursuant thereto and shall require the submission of a new application and compliance with the vehicle for hire title classifications prescribed in this section."

Section 7. That Section 46-15.1 of the Code of Ordinances, Houston, Texas, is hereby amended in its entirety to read as follows:

"Sec. 46-15.1. Qualifications of license applicant.

Each applicant for a license required by this chapter pursuant to this division must:

- (1) Have a valid state class A, B or C Texas driver license.
- (2) Be 18 years of age or older.
- (3) Be able to read and write the English language.
- (4) Provide the certificate from a duly licensed physician or healthcare professional described in section 46-6(a) of this Code.
- (5) Have no criminal history that is disallowed under section 1-10 of this Code.

- (6) Provide evidence, in a form to be specified by the director, that he is either:
 - a. A citizen of the United States of America by birth or naturalization; or
 - b. An alien legally residing in the United States of America who has the legal right to engage in employment as a licensee.
- (7) Provide a driving record, in a form to be specified by the director, from Texas and from any state that has issued the applicant a driver license that was valid at any time within the three years immediately preceding the submission of the application.
- (8) Demonstrate the attendance and successful completion of a training course approved by the director."

Section 8. That Subsection (b) of Section 46-21 of the Code of Ordinances, Houston, Texas, is hereby amended to read as follows:

"(b) A permittee shall not operate or cause or suffer or allow to be operated a taxicab in the city unless and until a permit number has been assigned by the director at the time the permit is issued under this article. The number shall remain in full force and effect for each permit so long as the permit remains valid. The number shall be displayed on the taxicab in four separate and plainly visible locations as follows: on the right of the trunk lid when viewed from the rear of the taxicab; on the left of the hood when viewed from the front of the taxicab; and one on each side of the taxicab immediately below the handles of the rear doors. If a taxicab has only one rear door, then the number for the side where there is no rear door shall be placed in an alternative location designated by the director. Each number shall be not less than three inches in length and not less than 5/16 of one inch in width."

Section 9. That Section 46-23 of the Code of Ordinances, Houston, Texas, is hereby amended to read as follows:

"Sec. 46-23. Certification decals and taxicab permits.

At the time a taxicab permit is issued or renewed under this article, the director shall issue one certification decal to the permittee for the taxicab covered by the permit. The certification decal and taxicab permit shall be attached to the taxicab for which it is issued, at the place on the taxicab designated by the director and shall be affixed by the director or designee. It shall further be unlawful for any person to drive a taxicab without the certification decal being so attached."

Section 10. That Items (3), (4), and (9) of Subsection (a) of Section 46-31 of the Code of Ordinances, Houston, Texas, are hereby amended to read as follows:

"(3) *IAH flat rates.* Alternative flat rates shall be imposed for trips between George Bush Intercontinental Airport/Houston (IAH) and its geographic zones I through X. Current rates shall be posted on the website maintained by the department of administration and regulatory affairs and kept on file in the office of the city secretary, where, upon request, such rates shall be made available for viewing during normal business hours. Provided that the lesser of the applicable flat rate or the actual metered rate shall be charged. A copy of the zone map for IAH taxicab rates shall remain on file for public inspection in the office of the city secretary. The centers of

the streets and geographic features noted thereon as boundary lines shall determine boundaries between adjacent zones. The foregoing zone rates exclude the airport use fees, which may be additionally imposed on metered or flat fares."

"(4) *HOU flat rates.* Alternative flat rates shall be imposed for trips between William P. Hobby Airport (HOU) and its geographic zones I through XI. Current rates shall be posted on the website maintained by the department of administration and regulatory affairs and kept on file in the office of the city secretary, where, upon request, such rates shall be made available for viewing during normal business hours. Provided that the lesser of the applicable flat rate or the actual metered rate shall be charged. A copy of the zone map for HOU taxicab rates shall remain on file for public inspection in the office of the city secretary. The centers of the streets and geographic features noted thereon as boundary lines shall determine boundaries between adjacent zones. The foregoing zone rates exclude the airport use fees, which may be additionally imposed on metered or flat fares."

"(9) *Alternate central business district flat rate.* An alternate flat rate of \$6.00 shall be imposed for trips entirely within the central business district. All forms of payment shall be accepted for these trips."

Section 11. That Item (10) of Subsection (a) of Section 46-31 of the Code of Ordinances, Houston, Texas, is hereby amended by inserting the following sentence after the first full sentence thereof:

"Current rates as adjusted by the TCI shall be on file in the office of the city secretary and upon request made available for viewing during normal business hours."

Section 12. That Section 46-32 of the Code of Ordinances, Houston, Texas, is hereby amended by adding a new Subsection (e) that reads as follows:

"(e) In lieu of placement of the information cards required in this section, the director may authorize the information to be displayed on the Passenger Information Module in the rear of the vehicle. However, rate card information must still be displayed in the front passenger area of the vehicle."

Section 13. That Subsection (a) of Section 46-33 of the Code of Ordinances, Houston, Texas, is hereby amended to read as follows:

"(a) A licensee or permittee shall not drive or cause or suffer or allow to be driven a taxicab in the city, unless it is equipped with a properly functioning credit card payment device integrated with a global positioning satellite system. Additionally, it shall be unlawful for any permittee or licensee to refuse to accept a passenger's payment of posted rates by credit card. The payment by credit card shall be through the credit card payment device integrated with the meter and global positioning satellite system. The use of other credit card payment devices is expressly prohibited."

Section 14. That Item (2) of Subsection (a) of Section 46-35 of the Code of Ordinances, Houston, Texas, is hereby amended to read as follows:

"(2) If any permit is not obtained or any taxicab is not placed into service as provided herein, the permit shall be automatically revoked, and the director shall cause the permittee to surrender any certification decals or other permit indicia that have been issued."

Section 15. That Section 46-69 of the Code of Ordinances, Houston, Texas, is hereby amended to read as follows:

"Sec. 46-69. Placing newly permitted vehicles into service.

(a) A permittee shall place a taxicab into service, including any for which a permit is granted under this division, as follows:

- (1) The permittee shall present the taxicab for initial placement into service and for inspection at a location authorized and identified by the director within 180 days subsequent to the date of the granting of the permits; and
- (2) If any taxicab is not placed into service as provided herein, the permit shall be automatically revoked.

(b) Notwithstanding subsection (a), vehicles may be taken out of service for repairs as provided in subsection 46-35(c) of this Code, and permits may be temporarily surrendered as provided in subsection 46-35(d) of this Code. "

Section 16. That Subsections (b) and (d) of Section 46-72 of the Code of Ordinances, Houston, Texas, are hereby amended to read as follows:

"(b) The terms of this section do not apply to a license, lease, or subcontractor arrangement in conformity with section 46-17 of this Code between a permittee and an individual driver-operator that allows the driver-operator to operate a taxicab under one of the permittee's permits, provided that the permittee remains fully responsible to the city for the driver's compliance with this chapter."

"(d) Any transfer to a person who is not an existing permittee shall be subject to an application to be filed in the same manner as under section 46-65 of this Code for a permit application and shall only be allowed to the extent that the applicant is determined to be qualified thereunder. Every transfer must be approved in advance by the director or director's designee.

A nonrefundable transfer fee shall be paid by the transferee at the time of application or upon transfer of the permit by the director. Any permit issued in conjunction with a permit computation conducted in 2017 or later is subject to the nonrefundable transfer fee. The transfer fee shall be five percent of the purchase price."

Section 17. That 46-72 of the Code of Ordinances, Houston, Texas, is hereby further amended by adding new Subsections (g) and (h) that read as follows:

"(g) All transferred permits must be acquired by a transferee who utilizes a dispatch service."

"(h) A permit may only be transferred to a new entrant applicant if:

- (1) The new entrant applicant has filed an application fulfilling the requirements of section 46-65 of this Code; and
- (2) The new entrant applicant maintains a minimum fleet size of at least 20 vehicles."

Section 18. That Subsection (b) of Section 46-153 of the Code of Ordinances, Houston, Texas, is hereby amended to read as follows:

"(b) In addition to the application processing fee provided in subsection (a) of this section, an annual permit fee in the amount stated for this provision in the city fee schedule shall be paid in advance to the department of administration and regulatory affairs for each pedicab before it is placed into service and annually thereafter on or before May 1st of each year."

Section 19. That Subsection (b) of Section 46-154 of the Code of Ordinances, Houston, Texas, is hereby amended to read as follows:

"(b) Each permit applicant (including the proprietor if a proprietorship, each partner if a partnership, or each corporate officer if a corporation) shall appear at a location specified by the director for identification and fingerprinting to determine the existence of any conviction of any applicable offense(s) set forth in subsection (c) of section 1-10 of this Code. If any conviction exists, the director shall follow the procedures set forth in section 1-9 of this Code and conduct a hearing if timely requested."

Section 20. That Subsection (d) of Section 46-161 of the Code of Ordinances, Houston, Texas, is hereby amended to read as follows:

"(d) The director shall provide replacement certification decals only upon reinspection of the pedicab."

Section 21. That the first sentence of Subsection (a) of Section 46-202 of the Code of Ordinances, Houston, Texas, is hereby amended to read as follows:

"A permit shall be issued for a term of five years and shall authorize the permittee to operate in a manner under which persons picked up at various points are taken upon a route including stops at various points of public interest and eventually discharged at the place at which they were picked up."

Section 22. That the third sentence of Section 46-205 of the Code of Ordinances, Houston, Texas, is hereby amended to read as follows:

"The director shall determine the number of vehicles a permittee shall be authorized to operate at any one time."

Section 23. That the last sentence of Subsection (a) of Section 46-208 of the Code of Ordinances, Houston, Texas, is hereby amended to read as follows:

"It shall be a violation of this article on the part of any permittee and licensee to fail to comply or to fail to require compliance with any of the provisions of this article."

Section 24. That Subsection (a) of Section 46-211 of the Code of Ordinances, Houston, Texas, is hereby amended to read as follows:

"(a) *Fees.* The annual fee for a permit under this division for each sightseeing or charter vehicle is stated for this provision in the city fee schedule and shall be paid in advance to the department of administration and regulatory affairs in two installments on or before January 1st and March 1st of each calendar year in amounts prescribed in the city fee schedule. In the event the permit is issued for a period of time less than one year, the fee shall be prorated, payable at the rate stated for this provision in the city fee schedule for each month or fraction thereof remaining in the calendar year, not to exceed the full annual fee. The reissuance of each certification decal that is lost, mutilated, or otherwise rendered unusable shall be provided only upon reinspection of the sightseeing or charter service vehicle."

Section 25. That Subsection (a) of Section 46-232 of the Code of Ordinances, Houston, Texas, is hereby amended to read as follows:

"(a) *Required.* The annual fee for a permit under this division for each limousine is stated for this provision in the city fee schedule shall be paid in advance to the department of administration and regulatory affairs in two installments on or before January 1st and March 1st of each calendar year in amounts prescribed in the city fee schedule. In the event the permit is issued for a period of time less than one year, the fee shall be prorated, payable at the rate stated for this provision in the city fee schedule for each month or fraction thereof remaining in the calendar year, not to exceed the full amount of the annual fee. The reissuance of any certification decal that is lost, mutilated, or otherwise rendered unusable shall be provided only upon reinspection of the limousine."

Section 26. That the catchline of Section 46-235 of the Code of Ordinances, Houston, Texas, is hereby amended to read as follows:

"Sec. 46-235. Permit—Term; renewal; temporary vehicles."

Section 27. That Subsection (a) of Section 46-236 of the Code of Ordinances, Houston, Texas, is hereby amended to read as follows:

"(a) Each permittee shall cause each limousine operated under his permit to be submitted for inspection by the director from time to time at intervals not exceeding 12 months as more particularly provided in section

46-237 of this Code. The director shall inspect each limousine before the permittee initially places the limousine into service and thereafter before January 1st of each year. The inspection compliance decal shall be affixed by the director to the windshield of the vehicle. It shall be unlawful to drive or to cause to be driven any limousine permitted under this division that does not have a current inspection compliance decal affixed by the director."

Section 28. That Subsection (a) of Section 46-289 of the Code of Ordinances, Houston, Texas, is hereby amended to read as follows:

"(a) There is hereby assessed an annual fee which shall be paid by each permittee in advance to the department of administration and regulatory affairs in two installments on or before November 1st and February 1st of each calendar year."

Section 29. That the last sentence of Subsection (b) of Section 46-292 of the Code of Ordinances, Houston, Texas, is hereby amended to read as follows:

"If a proper replacement policy is not provided to the director on or before the tenth business day after the date of termination or cancellation of the policy, the permit shall automatically terminate."

Section 30. That Section 46-324 of the Code of Ordinances, Houston, Texas, is hereby repealed, deleted and reserved.

Section 31. That the next to last sentence of Subsection (b) of Section 46-338 of the Code of Ordinances, Houston, Texas, is hereby amended to read as follows:

"If a proper replacement policy is not provided to the director on or before the tenth business day after the date of termination or cancellation of the policy, the permit shall automatically terminate."

Section 32. That the next to last sentence of Subsection (b) of Section 46-340 of the Code of Ordinances, Houston, Texas, is hereby amended to read as follows:

"A fee stated for this provision in the city fee schedule shall be imposed for each route filing, per jitney."

Section 32a. That Subsections (a) and (d) of Section 46-340 of the Code of Ordinances, Houston, Texas, are hereby amended to read as follows:

"(a) Each jitney shall be operated upon a route that has been filed by the permittee with the director. The rate shall be a fixed amount, per person, for transportation from any place on the route to any other place on the route. Rates may either be constant or may be differentiated between peak and off-peak hours, provided that the hours during which each rate will be imposed are specified."

"(d) It shall be unlawful for a licensee or permittee while in service with any passenger for hire on board to deviate from the route as filed with the director for that jitney; unless a route deviation is a result of a road closure or construction on a route currently authorized for use by the permittee and its licensees."

Section 33. That Subsection (a) of Section 46-394 of the Code of Ordinances, Houston, Texas, is hereby amended to read as follows:

"(a) The annual permit fee in the amount stated for this provision in the city fee schedule per low-speed shuttle shall be paid in advance to the department of administration and regulatory affairs on or before June 1st of each year."

Section 34. That the last sentence of Subsection (b) of Section 46-395 of the Code of Ordinances, Houston, Texas, is hereby amended to read as follows:

"If any conviction exists, the director shall follow the procedures set forth in section 1-9 of this Code and conduct a hearing if timely requested."

Section 35. That the next to last sentence of Subsection (b) of Section 46-398 of the Code of Ordinances, Houston, Texas, is hereby amended to read as follows:

"If a proper replacement policy is not provided to the director on or before the tenth business day after the date of termination or cancellation of the policy, the permit shall automatically terminate."

Section 36. That the next to last sentence of Subsection (b) of Section 46-400 of the Code of Ordinances, Houston, Texas, is hereby amended to read as follows:

"The applicable fees stated for this provision in the city fee schedule shall be imposed for each zone, per low-speed shuttle and for the amendment of all zone information submitted to the director."

Section 37. That Section 46-508 of the Code of Ordinances, Houston, Texas, are hereby amended by amending Subsections (a), (b), (c), and (f) and adding a new Subsection (b-1) to read as follows:

"(a) Every permittee and transportation network driver shall comply with all applicable insurance requirements mandated by federal, State of Texas, and city laws, including those articulated in Chapter 1954 of the Insurance Code."

"(b) Each applicant for the issuance or renewal of a permit shall provide proof that the applicant has automobile liability insurance, issued by either a company listed as an authorized auto liability lines carrier on the Texas Department of Insurance's List of Authorized Insurance Companies or a surplus lines insurer listed on the Texas Department of Insurance's List of Eligible Surplus Lines Insurance Companies. The eligible surplus lines insurance company is required to have a Best's Rating of at least B+ and a Best's Financial Size Category of Class VI or better according to the most current edition of Best's Key Rating Guide, Property-Casualty, United States."

"(b-1) Notwithstanding subsection (b) of this section, a licensee may fulfill the requisite automobile insurance requirements by maintaining personal liability insurance that complies with the standards articulated in subsection (c)."

"(c) The insurance required in subsection (a) shall be in the form of:

- (1) Automobile liability insurance with a combined single limit for bodily injury and property damage of \$1,000,000.00 per accident covering liability resulting from any occurrence arising out of or caused by the operation of a transportation network vehicle for incidents involving a driver from the time a driver is matched with and accepts a trip request through the transportation network company until the completion of the trip including the drop off of passenger(s) at their final destination, regardless of whether the driver maintains personal insurance adequate to cover any portion of the claim and regardless of whether a driver is logged onto the transportation network company's internet-enabled application or digital platform at any point following the acceptance of the trip request; and
- (2) Automobile liability insurance coverage in no less than \$50,000 for bodily injury to or death for each person in an

incident; \$100,000 for bodily injury to or death of a person per incident; and \$25,000 for damage to or destruction of property of other in an incident during the time that a driver for a transportation network company is logged in and available to provide vehicle for hire transportation services on the transportation network company's internet-enabled application or website, but not actively engaged in providing the service."

"(f) Each permittee shall be required to provide proof of insurance (electronic certificates of insurance) required by this section to each transportation network driver before the driver begins providing service and for as long as the driver remains available to provide service."

Section 38. That the first two sentences of Section 46-513 of the Code of Ordinances, Houston, Texas, are hereby replaced with the following sentence:

"In addition to the provisions of section 46-514 of this Code, no licensee or permittee shall drive or cause to be driven upon the streets of the city any transportation network vehicle that is more than seven years old."

Section 39. That Sections 46-72, 46-191, 46-276, and 46-321 are hereby amended by replacing the term *ascribed* with the term *assigned*.

Section 40. That, effective January 1, 2016, Subsection (a) of Section 46-336 of the Code of Ordinances, Houston, Texas, is hereby amended to read as follows:

"(a) There is hereby assessed the annual permit fee stated for this provision in the city fee schedule per jitney, which shall be paid in advance to the department of administration and regulatory affairs on or before June 1st and September 1st of each year. In the event that a permit is issued after December, then an amount equal to ½ of the foregoing fees shall be payable for the balance of the annual fee period."

Section 41. That Subsection (b) of Section 46-20 of the Code of Ordinances, Houston, Texas, is hereby replaced with new Subsections (b) and (c) that read as follows:

"(b) A licensee or permittee may drive or cause to be driven a taxicab for an additional four-year period beyond the age limitation prescribed in subsection (a) of this section provided the licensee or

permittee submits the taxicab for inspection each year at a location authorized and identified by the director prior to the expiration of the permit and the director determines that the taxicab is in compliance with the provisions of section 46-37 of this Code and any other conditions of operation prescribed by the director.

(c) A permittee or licensee may initially submit a vehicle into service during the vehicle age extension period, if such vehicle meets the requirements of section 46-18 and subsections (a) and (b) of this section."

Section 42. That Subsection (b) of Section 46-237 of the Code of Ordinances, Houston, Texas, is hereby replaced with new Subsections (b), (c), and (d) that read as follows:

"(b) A licensee or permittee may drive or cause to be driven a sedan-type luxury motor vehicle or sport utility vehicle operated as a chauffeured limousine for an additional four-year period beyond the age limitations prescribed in subitems (a) and (c), respectively, of the definition of chauffeured limousine in section 46-191 of this Code provided:

- (1) The licensee or permittee submits the sedan-type luxury motor vehicle or sport utility vehicle for inspection each year at a location authorized and identified by the director prior to the expiration of the permit issued authorizing the operation of the chauffeured limousine; and
- (2) The vehicle is determined to be in compliance with the provisions of section 46-236 of this Code and any other conditions of operation prescribed by the director.

(c) A licensee or permittee may drive or cause to be driven an extended-body type motor vehicle or passenger van operated as a chauffeured limousine for an additional five-year period beyond the age limitations prescribed in subitems (b) and (d), respectively, of the definition of chauffeured limousine in section 46-191 of this Code provided:

- (1) The licensee or permittee submits the vehicle for inspection each year at a location authorized and identified by the director prior to the expiration of the permit issued authorizing the operation of the chauffeured limousine; and
- (2) The vehicle is determined to be in compliance with the provisions of section 46-236 of this Code and any other conditions of operation prescribed by the director.

(d) A permittee or licensee may initially submit a vehicle into service during the vehicle age extension period, if such vehicle meets the requirements of section 46-191 and subsection (b) or (c) of this section."

Section 43. That Section 46-513 of the Code of Ordinances, Houston, Texas, is hereby amended to read as follows:

"Sec. 46-513. Transportation network vehicles—Age and mechanical condition.

(a) In addition to the provisions of section 46-514 of this Code, no licensee or permittee shall drive or cause to be driven upon the streets of the city any transportation network vehicle that is more than seven years old. For purposes of this requirement, a transportation network vehicle will be considered to be seven years old on July 31st of the seventh year following the manufacturer's model year of the vehicle, regardless of the purchase date or the date it was originally placed into service.

(b) A licensee or permittee may drive or cause to be driven, a transportation network vehicle for an additional three-year period beyond the age limitations described in subsection (a), if the licensee or permittee submits the vehicle for inspection each year at a location authorized and identified by the director prior to the expiration of the permit issued authorizing the operation of the transportation network vehicle.

(c) A permittee or licensee may initially submit a vehicle into service during the vehicle age extension period, if such vehicle meets the requirements of section 46-512 and subsections (a) and (b) of this section."

Section 43a. That Section 46-353 of the Code of Ordinances, Houston, Texas, is hereby amended by adding a new Subsection (c) that reads as follows:

"(c) A permittee or licensee may initially submit a vehicle into service beyond the age limitations prescribed in subsections (a) and (b) of this section, provided:

- (1) The licensee or permittee submits the jitney for inspection at a location authorized and identified by the director; and
- (2) The vehicle is determined to be in compliance with the provisions of section 46-337 of this Code and any other conditions of operation prescribed by the director."

Section 44. That with the exception of **Section 39**, which shall take effect as provided in those Sections, the provisions of this Ordinance shall become effective immediately upon its passage and approval by the Mayor.

Section 45. That the City Attorney is hereby authorized to direct the publisher of the Code of Ordinances, Houston, Texas, (the "Code") to make such nonsubstantive changes to the Code as are necessary to conform to the provisions adopted in this Ordinance, and also to make such changes to the provisions adopted in this Ordinance to conform them to the provisions and conventions of the published Code.

Section 46. That, if any provision, section, subsection, sentence, clause, or phrase of this Ordinance, or the application of same to any person or set of circumstances, is for any reason held to be unconstitutional, void or invalid, the validity of the remaining portions of this Ordinance or their application to other persons or sets of circumstances shall not be affected thereby, it being the intent of the City Council in adopting this Ordinance that no portion hereof or provision or regulation contained herein shall become inoperative or fail by reason of any unconstitutionality, voidness or invalidity of any other portion hereof, and all provisions of this Ordinance are declared to be severable for that purpose.

Section 47. That there exists a public emergency requiring that this Ordinance be passed finally on the date of its introduction as requested in writing by the Mayor; therefore, this Ordinance shall be passed finally on such date and shall take effect as provided in **Section 44**, above.

PASSED AND APPROVED this 14th day of October, 2015.

Annis D. Parker
 Mayor of the City of Houston

mc [Signature]

Prepared by Legal Dept. _____
 TNE:JWG:jmb:asw 10/05/2015 Assistant City Attorney
 Requested by Tina Paez, Director, Department of Administration and Regulatory Affairs
 L.D. File No. 037140012001

AYE	NO	
✓		MAYOR PARKER
....	COUNCIL MEMBERS
✓		STARDIG
✓		DAVIS
✓		COHEN
✓		BOYKINS
✓		MARTIN
	✓	NGUYEN
	ABSENT-ON PERSONAL BUSINESS	PENNINGTON
✓		GONZALEZ
✓		GALLEGOS
✓		LASTER
✓		GREEN
✓		COSTELLO
✓		ROBINSON
✓		KUBOSH
✓		BRADFORD
✓		CHRISTIE
CAPTION	ADOPTED	