

ORDINANCE NO. 2010-10-059

AN ORDINANCE OF THE CITY OF BELLINGHAM, WASHINGTON AMENDING CHAPTER 6.54, TO ADD A NEW SUBSECTION IN 6.54.020 (c) TO DEFINE THE TERM "COMPENSATION" FOR PURPOSES OF THIS CHAPTER.

WHEREAS, the City has an interest in regulating taxi-cabs and for hire vehicles in order to preserve the public peace, health, safety, and welfare; and

WHEREAS, the City has an interest in ensuring that the regulations of Chapter 6.54 are applied in a uniform and fair manner;

WHEREAS, the City has previously enacted Chapter 6.54 to regulate such activity; and

WHEREAS, the City requires under Chapter 6.54 that persons who own or operate a taxi cab or for hire vehicle within the City to meet the following requirements: to procure a business license; to demonstrate that the vehicle or vehicles used as taxi cabs or for hire vehicles are licensed by the City; to file proof of liability insurance in the sum of \$100,000 for the injury or death of one person, or \$300,000 for the injury or death of more than one person in any one accident, and \$50,000 for property damage for each taxi cab or for hire vehicle owned or operated within the City with the Finance Department; to employ or subcontract with drivers licensed by the City; to submit the vehicle or vehicles being operated to an annual inspection by the Bellingham Police Department, and to pay any and all applicable fees, and

WHEREAS, while regulating such activity under Chapter 6.54, the City has become aware of a person or persons who operate vehicles as "for hire" vehicles without meeting the regulations based on an argument that such persons do not receive "compensation" for their services; and

WHEREAS, the term "compensation" needs to be broadly defined for purposes of this Chapter to effectively provide for the regulation of all vehicles that are being operated as taxi cabs or "for hire" vehicles to ensure that the regulations that are intended to preserve the public peace, health, safety, and welfare are applied in a uniform and fair manner;

NOW, THEREFORE, THE CITY OF BELLINGHAM DOES ORDAIN:

BMC 6.54.020 is hereby amended as follows:

6.54.020 - Definitions

For the purpose of this chapter, the following definitions shall apply:

A. Driver means a person who drives a taxicab or for-hire vehicle being used to convey passengers for compensation.

B. For-hire vehicle means a vehicle used for the transportation of passengers for compensation, except auto stages, school buses operating exclusively under a contract to a school district, and ride sharing vehicles.

C. "Compensation means any payment received by the driver of a vehicle for transportation of passengers, including, but not limited to, fares, salary, wages, gratuities, or donations."

D.. Owner means the legal entity, person, firm, association or corporation owning, managing or otherwise carrying on a business of conveying passengers for hire in taxicabs or for-hire vehicles.

E.. Taxicab means a for-hire vehicle operated to a destination determined by the passenger, with the fare based upon the amount recorded and indicated on a taximeter.

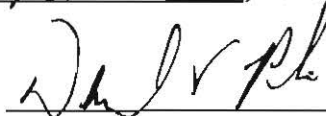
F.. Taximeter means a permanently mounted instrument or device by which the charge for hire of a taxicab is calculated either for distance traveled by the vehicle, or for waiting, or for both, and upon which such charges shall be indicated by means of dollars and cents.

PASSED by the Council this 25th day of October, 2010



Council President

APPROVED by me this 10 day of November, 2010.



Mayor

ATTEST:



Finance Director

APPROVED AS TO FORM:


Office of the City Attorney

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