

**AN ORDINANCE
of the
CITY OF
MINNEAPOLIS**

By Ostrow

Amending Title 13, Chapter 341 of the Minneapolis Code of Ordinances relating to Taxicabs.

The City Council of The City of Minneapolis do ordain as follows:

Section 1. That Section 341.270 of the above-entitled ordinance be and is hereby repealed:

~~**341.270. Public convenience and necessity.** (a) At least once every twenty-four (24) months, the city council shall conduct a hearing to consider whether public convenience and necessity warrant additional licenses. In determining whether public convenience and necessity warrant additional licenses, the city council shall take into consideration the level and quality of service being provided by existing taxicab operators; whether additional competition would improve the level and quality of service or the degree of innovation in delivery of services; the impact upon the safety of vehicular and pedestrian traffic; the impact upon traffic congestion and pollution; the available taxicab stand capacity; the public need and demand for service; the impact on existing taxicab operators; and such other factors as the city council may deem relevant.~~

(b) ~~In determining whether to increase the authorized number of taxicab licenses, and in determining which applicants should be awarded such additional licenses, the city council may consider the financial capability and responsibility of the applicant; the applicant's prior experience in the taxicab business; the level and quality of taxicab service provided by the applicant in the past in areas in which it has operated; the experience and competence of the applicant's drivers; the applicant's prior record of compliance with the taxicab ordinance including complaints and disciplinary actions against drivers and vehicle owners; the applicant's prior record of service complaints; the age and condition of the vehicles proposed to be licensed by the applicant; the applicant's prior experience in providing neighborhood service, and such other factors as the city council may deem relevant.~~

Section 2. That Section 341.300 of the above-entitled ordinance be amended to read as follows:

341.300. Authorized number of licenses. (a) Based upon the public record including the express findings of the City Council, it is determined that the public convenience and necessity requires annual increases in the authorized number of taxicab licenses over a five year period and the eventual deregulation of the number of authorized taxicab licenses issued by the city. All existing or new licenses issued pursuant to this ordinance shall be issued in accordance with rules and regulations of the division of business licensing and consumer services.

(b) From the effective date of this ordinance until December 1, 2006, the number of licenses currently issued to existing licensed service companies shall not be increased. By December 31, 2007 all licensed service companies in operation in the city on or before November 1, 2006 shall provide documentation to the city that five percent of their operational fleets are wheelchair accessible and an additional five percent run on alternative fuel or are fuel efficient, as determined by the city. By December 31, 2008 all licensed service companies in operation in the city on or before November 1, 2006 shall provide documentation to the city that ten percent of their operational fleets are wheelchair accessible and an additional ten percent run on alternative fuel or are fuel efficient, as determined by the city. By December 31, 2008 all licensed service companies in operation in the city on or before November 1, 2006 shall have a minimum of 15 licensed taxicabs in their fleets.

(c) By December 1, 2006, up to forty-five (45) new taxicab licenses shall be made available to be issued to new or existing licensed service companies as recommended by the division of business licensing and consumer services and approved by the City Council. If any licenses are issued to new licensed service companies, ten percent of the taxicabs must be wheelchair accessible and an additional ten percent must run on alternative fuel or be fuel efficient, as determined by the city.

(d) On February 1, 2007, up to forty five (45) new taxicab licenses shall be made available to be issued to new or existing licensed service companies as determined by the division of business licensing and consumer services. On January 1 of the years 2008, 2009 and 2010, up to forty five (45) new taxicab licenses shall be made available to be issued to new or existing licensed service companies as recommended by the division of business licensing and consumer services and approved by the City Council. If any licenses are issued to new licensed service companies, ten percent of the taxicabs must be wheelchair accessible and an additional ten percent must run on alternative fuel or be fuel efficient, as determined by the city.

(e) On January 1, 2011, any new or existing licensed service company may apply for any number of new taxicab licenses. Such licenses shall be granted in any number upon the recommendation of the division of business licensing and consumer services to be approved by the City Council. If any licenses are issued to new licensed service companies, ten percent of the taxicabs must be wheelchair accessible and an additional ten percent must run on alternative fuel or be fuel efficient, as determined by the city.

(f) The minimum number of licensed and operational taxicabs run by any new licensed service company shall be 15. If the number of licensed and operational taxicabs for any licensed service company drops below 15, the company shall submit documentation regarding the reduction in taxicabs and a business plan for returning to compliance with this section. All taxicab licenses granted pursuant to this ordinance must be operational and in service. If any licensed taxicab is not operational and in service for more than 30 days in any one year period, the company shall submit documentation regarding the taxicab license in question and a business plan for surrendering the license or returning the taxicab to operational service.

~~(a) The authorized number of licenses may be renewed and transferred by the owners thereof when permitted by and in accordance with the provisions of this chapter.~~

~~(b) Effective October 1, 1995, the authorized number of taxicab licenses shall be three hundred forty-three (343). The seventy (70) additional licenses issued in 1995 shall be issued in the following allotments:~~

~~(1) One (1) block of thirty-five licenses (35) shall be issued to applicants in a single service company and color scheme which is not currently licensed in the city based upon a review of written proposals submitted by interested parties. The licenses shall be issued to the service company and color scheme which, in the judgment of the city council, will best meet the criteria of additional licenses set forth in section 341.270(c);~~

~~(2) Thirty-five (35) licenses shall be awarded to existing licensed service companies through an unbiased lottery process, as approved by the city council. Such lottery process shall also be used to create a waiting list of qualified applicants who will be awarded any forfeited licenses. The director shall review the qualifications, resources, and experience of all applicants, and make a recommendation to the city council on the application of each. The city council shall accept or reject each application. The annual license fee for each new license shall be paid within twenty-four (24) hours of completion of the lottery process. In the event that the annual license fees for any new licenses awarded through the lottery process are not paid within twenty-four (24) hours, the licenses will be forfeited and re-awarded to applicants on the waiting list.~~

- ~~(3) Applicants awarded new licenses shall provide evidence of insurance, pass vehicle inspections, and be providing taxi service regularly with the new licenses within forty-five (45) days of the award. Failure to meet these deadlines shall result in forfeiture of the licenses. Forfeited licenses shall be re-awarded to applicants on the waiting list provided for in section 341.300(b)(2).~~
- ~~(c) Effective two (2) years after the effective date of the 1995 issuance of additional licenses, after a convenience and necessity hearing, additional licenses may be issued to service companies having a documented commitment to neighborhood service as defined by criteria established by the taxicab committee.~~
- ~~(d) Effective January 1, 2002, the authorized number of wheelchair accessible taxicab licenses shall be forty five (45). The forty five (45) wheelchair accessible taxicab licenses issued in 2002 shall be issued in the following allotments and according to the schedule below:~~
- ~~(1) Twenty (20) licenses shall be awarded to Airport/Town Taxi (Coach USA) in accordance with an approved service agreement submitted in connection therewith.~~
- ~~(2) Fifteen (15) licenses shall be awarded to Yellow Taxi in accordance with an approved service agreement submitted in connection therewith.~~
- ~~(3) Three (3) licenses shall be awarded to Rainbow Taxi in conjunction with the cessation of the pilot project instituted pursuant to section 341.320 and seven (7) licenses in accordance with an approved service agreement submitted in connection therewith.~~

Section 3. That Chapter 341 of the Minneapolis Code of Ordinances be amended by adding thereto a new Section 341.305 to read as follows:

341.305. License fees waived for taxicabs that are wheelchair accessible, fuel efficient or run on alternative fuel. There shall be no license fee for taxicabs that are wheelchair accessible, fuel efficient or run on alternative fuel, as determined by standards established by the division of business licenses and consumer services.

Section 4. That Section 341.310 of the above-entitled ordinance be amended to read as follows:

341.310. Seasonal licenses. New or existing licensed service companies may apply for seasonal licenses that are valid from October first of each year to April first of each year. The number of seasonal licenses granted on October 1, 2006 shall not exceed one (1) for every five (5) regular licenses held by the new or existing licensed service companies. The number of seasonal licenses granted on October 1, 2007 shall not exceed two (2) for every five (5) regular licenses held by the new or existing

licensed service companies. The number of seasonal licenses granted on October 1, 2008 shall not exceed three (3) for every five (5) regular licenses held by the new or existing licensed service companies. The number of seasonal licenses granted on October 1, 2009 shall not exceed four (4) for every five (5) regular licenses held by the new or existing licensed service companies. There will be no limit on the number of seasonal licenses granted on October 1, 2010.

~~**Limited license.** Taxicab licensees operating under a common color scheme may apply for additional licenses, to be known as limited licenses, for the period October first of each year to April first of the next year, for which applications shall be made on or before October first preceding the license period. The license fee shall be as specified in Appendix J, License Fee Schedule.~~

~~Taxicab licensees in each company or association operating under a common color scheme may be granted limited licenses in an amount not exceeding one (1) for every five (5) regular taxicab licenses held by that company or association. Fractions of less than one-half (1/2) shall be rounded down.~~

~~Limited licenses shall be held in the names of individual taxicab owners within each color scheme. Applicants for limited licenses shall file their applications and provide evidence of insurance by October 1, and pass vehicle inspection by October 31. Failure to meet these deadlines shall result in denial of the license application without refund of fees paid. The service company shall then designate another applicant for the limited license. If that applicant does not meet all requirements by November 30, the license shall be awarded by lottery to a different service company.~~

~~Failure of a limited licensee to operate the vehicle on the street, or failure to maintain insurance, shall be grounds for cancellation of the limited license.~~

~~Limited licenses shall not be transferable from person to person without the approval of the director of licenses and consumer services.~~

Section 5. That Section 341.320 of the above-entitled ordinance be and is hereby repealed:

~~**341.320. Authorization of additional taxicabs or other vehicles for hire to conduct studies concerning taxicab service and fares.** Notwithstanding any other ordinance, the city council may authorize by resolution, preceded by a public hearing, the temporary operation of additional taxicabs or other vehicles for hire, for a period not exceeding one (1) year, for the purpose of conducting studies, collecting information, and testing new services or fare structures. Such taxicabs or other vehicles for hire shall be allowed in addition to the authorized number of licenses in section 341.300 and the authorized number of limited licenses in section 341.310, and no public convenience and necessity hearing shall be required prior to their authorization, but the number of such additional vehicles shall not exceed ten (10) percent of the number of licensed vehicles permitted by section 341.300, up to a limit of 30, for any one study or test~~

~~program. Such taxicabs or other vehicles for hire shall be operated under an existing service company licensed by the City of Minneapolis, and shall comply with the minimum requirements of Chapter 341 concerning age of vehicle, maintenance, and insurance. The city council may authorize such additional taxicabs or other vehicles for hire to offer special fares and services not authorized in Article V of this chapter.~~