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Enactment date: 12/6/2023 **Enactment #:** 19700

Title: AN ORDINANCE relating to taxicabs and for-hire vehicles and fees related to the for-hire transportation industry; amending Ordinance 2165, Section 6, as amended, and K.C.C. 2.98.060, Ordinance 2165, Section 8, as amended, and K.C.C. 2.98.080, Ordinance 18398, Section 8, as amended, and K.C.C. 4A.601.025, Ordinance 10498, Section 6, as amended, and K.C.C. 4A.750.100, Ordinance 18230, Section 79, as amended, and K.C.C. 6.01.150, and Ordinance 18230, Section 16, as amended, and K.C.C. 20.22.070 and adding a new chapter to K.C.C. Title 6 and prescribing penalties.

Sponsors: Pete von Reichbauer

Indexes:

Code sections:

Attachments: 1. Ordinance 19700, 2. 2023-0231 Striking Amendment S1, 3. A. Schedule of Fees, dated November 28, 2023, 4. 2023-0231 Legislative Review Form, 5. 2023-0231 Transmittal Letter - Taxi and FHR Ordinances, 6. 2023-0231 Copy of Fiscal Note - Taxi and FHR Ordinance 6.65, 7. 2023-0230_0231_0232_0233_SR_TaxiForHireTNC-Package_10-10-23, 8. 2023-0231 ATT3 Proposed Ordinance, 9. 2023-0231 ATT5 Substantive Summary, 10. 2A_2023-0231_S1, 11. 2B_2023-0231_AttachmentA_Schedule of Fees, 12. 2C_2023-0231_S1_tracks, 13. 2D_2023-0231_T1, 14. 2023-0230_0231_0232_0233_Amendment Tracker_20231114-GAO, 15. 2023-0230_0231_0232_0233_SR_TaxiForHireTNC-Package_11-14-23-GAO (2), 16. 2023-0231 Vote Sheet, 17. 2023-0230_0231_0232_0233_RevisedSR_TaxiForHireTNC-Package_11-14-23-GAO, 18. 2023-0230 & -0231 - Seattle Times - Invoice & Affidavit - Order #67183 - \$381.12

Date	Ver.	Action By	Action	Result
11/28/2023	2	Metropolitan King County Council	Passed as Amended	Pass
11/14/2023	1	Government Accountability and Oversight Committee	Recommended Do Pass Substitute Consent	Pass
10/10/2023	1	Government Accountability and Oversight Committee	Deferred	
10/3/2023	1	Metropolitan King County Council	Introduced and Referred	

AN ORDINANCE relating to taxicabs and for-hire vehicles and fees related to the for-hire transportation industry; amending Ordinance 2165, Section 6, as amended, and K.C.C. 2.98.060, Ordinance 2165, Section 8, as amended, and K.C.C. 2.98.080, Ordinance 18398, Section 8, as amended, and K.C.C. 4A.601.025, Ordinance 10498, Section 6, as amended, and K.C.C. 4A.750.100,

Ordinance 18230, Section 79, as amended, and K.C.C. 6.01.150, and Ordinance 18230, Section 16, as amended, and K.C.C. 20.22.070 and adding a new chapter to K.C.C. Title 6 and prescribing penalties.

STATEMENT OF FACTS:

1. The county desires to continue comprehensively regulating for-hire transportation industries, including taxicabs and for-hire vehicles.
2. The county has implemented new policies over the last few years to help the operators of taxicabs and for-hire vehicles navigate the loss of business during the COVID pandemic and subsequent economic recession.
3. Industry participants have requested legislation to modernize licensing and operating requirements and align them with the county's vision to make King County a welcoming community where all people can thrive.
4. The county desires to allow for regional operation of all licensed taxicabs and for-hire vehicles, implement new taximeter technology, offer the option to apply for an enhanced for-hire driver's license, and convert all for-hire vehicles into taxicabs.
5. Requiring transitional regional dispatch agencies or regional dispatch agencies to implement new taximeter technology could result in increased deductions for dispatch services that negatively impact a driver's ability to earn a living wage and capping such deductions at ten percent of the fare paid by the passenger could protect driver payments from unrestricted deductions for dispatch services and support a living wage.
6. The county is committed to ensuring that drivers benefit from new regulations and experience equitable opportunities for compensation within the for-hire transportation industry.
7. The county is a leader on establishing practices that support economic security and contribute to a fair, healthy, and vibrant economy.

8. The county partners with the city of Seattle to regulate the broader for-hire transportation industry and desires to maintain that partnership under common regulations in the future.

9. Due to changes in state law governing the regulation of transportation network companies, establishing a new King County Code chapter to regulate taxicabs and for-hire vehicles and amending an existing King County Code chapter to continue to regulate the transportation network industry provides the best approach to implement the county's policy objectives for these industries.

BE IT ORDAINED BY THE COUNCIL OF KING COUNTY:

SECTION 1. Sections 2 through 53 of this ordinance should constitute a new chapter in K.C.C. Title 6.

NEW SECTION. SECTION 2.

A. This chapter is an exercise of King County's power to regulate the for-hire transportation industry. That exercise includes the power to license and regulate taxicabs, for-hire vehicles, taxicab and for-hire vehicle drivers, transitional regional dispatch agencies, and regional dispatch agencies. Some of its regulatory purposes are to increase the safety, reliability, cost-effectiveness, and economic viability and stability of privately operated for-hire vehicle and taxicab services within King County.

B. The obligation of complying with this chapter belongs to the licensee or applicant for a license. Neither a provision of, nor a term used in, this chapter is intended to impose any duty whatsoever upon the county or any of its officers or employees, for whom the implementation or enforcement of this chapter shall be discretionary and not mandatory.

C. This chapter is not intended to be and shall not be construed to create or form the basis for any liability on the part of the county or its officers, employees, or agents, for any injury or damage resulting from the failure of a licensee or applicant for license to comply with this chapter, or by reason or in consequence of any act or omission in connection with the implementation or enforcement of this chapter on the part of the county by its officers, employees, or agents.

D. This chapter is intended to reduce regulatory complexity, promote equity and innovation, improve transportation and integration of the for-hire transportation industry, and ensure consumer protection and public safety. To fulfill these purposes, King County:

1. Establishes reciprocal licensing privileges for city of Seattle medallion owners to operate within King County. This reciprocity authorizes medallion owners to operate in both King County and the city of Seattle;
2. Establishes regional operating privileges for taxicab and for-hire vehicle drivers licensed by the city of Seattle to operate within King County. This license allows the driver to operate in both King County and the city of Seattle;
3. Consolidates the regulatory classifications of taxicabs and for-hire vehicles into a single taxicab standard. When a for-hire vehicle transitions to a taxicab, the reciprocal operating privilege will follow;
4. Consolidates the regulatory classifications of taxicab associations and for-hire vehicle companies into a single, regional dispatch agency license that is subject to a common set of operating rules and standards;
5. Establishes regional licensing privileges for taxicab associations and for-hire vehicle companies licensed by the city of Seattle to operate in King County. When a taxicab association or for-hire vehicle company transitions to a regional dispatch agency, the regional license will follow; and
6. Establishes a requirement for each regional dispatch agency to adopt a smart taximeter system.

NEW SECTION. SECTION 3. This chapter applies to taxicab associations, for-hire vehicle companies, taxicabs, for-hire vehicles, and drivers of those vehicles. K.C.C. chapter 6.64 applies to transportation network companies, transportation network company drivers, and transportation network company vehicles. Regulation of transportation network companies, transportation network company drivers, or transportation network company endorsed vehicles remains in K.C.C. chapter 6.64.

NEW SECTION. SECTION 4. The executive may execute an interlocal agreement with either the city of Seattle or the Port of Seattle, or both, for the purposes of coordinating and consolidating the regulation of the

for-hire transportation industry under this chapter.

NEW SECTION. SECTION 5. The executive or designee may enter into agreements with any other city, town, county, or port district for the joint regulation of for-hire and taxicab drivers in a manner consistent with the provisions of this chapter. Agreements may provide for, but are not limited to, the granting, revocation, and suspension of taxicab and for-hire driver licenses, or the sharing of enforcement responsibilities.

NEW SECTION. SECTION 6. For the purposes of this chapter and unless the context plainly requires otherwise, the following definitions apply:

"Abnormal disruption of the market" means any change in the market, whether actual or imminently threatened, resulting from stress of weather, convulsion of nature, failure or shortage of electric power or other source of energy, strike, civil disorder, war, military action, national or local emergency, or any other cause.

"Application dispatch system" means technology that allows consumers, via the Internet using devices such as, but not limited to, smartphone and tablet applications to:

1. Directly request dispatch of regional for-hire drivers for trips; and
2. Accept payments for those trips.

"Approved mechanic" means a mechanic or technician on a list maintained by the director. The list shall contain the name each mechanic or technician that has been approved by director because they:

1. Have met all requirements of the National Institute for Automotive Service Excellence;
2. Have been awarded a Certificate in Evidence of Competence satisfactory to the director; and
3. Do not own, lease, or drive a taxicab, for-hire vehicle, or transportation network company endorsed vehicle.

"Automated driving system" means hardware and software that are collectively capable of performing the entire dynamic driving task on a sustained basis, regardless of whether it is limited to a specific operational design domain and regardless of the presence of a driver.

"Autonomous operation" means the performance of the entire dynamic driving task by an automated driving system, beginning upon performance of the entire dynamic driving task by an automated driving system and continuing until the automated driving system is disengaged.

"Autonomous vehicle" means a vehicle with a level 3, level 4, or level 5 automated driving system as provided in the Society of Automotive Engineering International's J3016 standard.

"Certificate of safety" means a document from an approved mechanic certifying that a particular vehicle meets all vehicle safety standards set forth in this chapter, including the vehicle safety inspection, and rules adopted by the director in accordance with this chapter.

"Citation" means an enforcement action taken by the director that imposes monetary penalties when a person violates a requirement of this chapter.

"Contract rate" means the rate specified in a written agreement signed by both parties before the dispatch of a taxicab or for-hire vehicle for the services identified in the contract.

"Director" means the director of the records and licensing services division of the department of executive services, or the director's designee.

"Disability" has the same meaning as in K.C.C. 12.22.020.

"Dispatch system" means a system that allocates requests for trips to available drivers and that facilitates communication between a dispatcher and driver. A dispatch system may be integrated into a smart taximeter system.

"Egregious" means any moving violation that posed an immediate threat to the safety of the driver, any passengers in the vehicle, or to others.

"Fare" means anything of economic value that is provided, promised, or donated primarily in exchange for services rendered.

"For-hire transportation services" means services provided by licensees under this chapter.

"For-hire vehicle" means any motor vehicle used for the transportation of passengers for hire, and not

operated exclusively over a fixed and definite route, except:

1. Taxicabs;
2. School buses operating exclusively under a contract to a school district;
3. Ride-sharing vehicles under chapter 46.74 RCW;
4. Limousine carriers licensed under chapter 46.72A RCW;
5. Vehicles used by nonprofit transportation providers solely for elderly or handicapped persons and their attendants under chapter 81.66 RCW;
6. Vehicles used by auto transportation companies licensed under chapter 81.68 RCW;
7. Vehicles used to provide courtesy transportation at no charge to and from parking lots, hotels, and rental offices;
8. Vehicles licensed under, and used to provide "charter party carrier" and "excursion service carrier" services as defined in, and required by, chapter 81.70 RCW; and
9. Transportation network company endorsed vehicles as defined in K.C.C. chapter 6.64 and transportation network company vehicles as defined in chapter 46.72B RCW.

"For-hire vehicle company" means a person that represents or owns for-hire vehicles licensed by the county that use the same color scheme, trade name, and dispatch services.

"Lessee" means a person who has a regional for-hire driver's license that leases a taxicab or for-hire vehicle required to be licensed under this chapter.

"Lessor" means a person who has leased a taxicab or for-hire vehicle to a lessee.

"License action" means an enforcement action taken by the director against a licensee that is a suspension, summary suspension, denial, or revocation of the license.

"Licensee" means any person required to be licensed under this chapter.

"Medallion" means a license issued by the director as a plate, decal, or other physical representation, that is evidence that a taxicab or for-hire vehicle medallion is intangible property.

"Medallion owner" means a person who owns a taxicab medallion, a wheelchair accessible taxicab medallion, or a for-hire vehicle medallion, issued by the director.

"Medallion reciprocity endorsement" means a designation on a medallion issued by the city of Seattle, or alternatively in the director's record of the medallion owner, which permits a vehicle to operate in King County.

"Medallion system" means the system that deems a taxicab or for-hire vehicle medallion to be intangible property that may be used as collateral to secure a loan from a bank or any other financial institution.

"Motor vehicle" means every motorized vehicle by or upon which any person may be transported or carried upon a public street, highway, or alley. Vehicles used exclusively upon stationary rail tracks or propelled by use of overhead electric wires are not considered motor vehicles for purposes of this chapter.

"Operate" or "operating" means owning, leasing, advertising, driving, parking in a taxicab zone, having a top light on, occupying, or otherwise being in control of a taxicab or for-hire vehicle that is available to transport, en route to pick up a passenger, or transporting any passenger for a fare from a point in unincorporated King County or any jurisdiction that has an interlocal agreement with King County for for-hire regulatory services. A taxicab association, for-hire vehicle company, transitional regional dispatch agency, or regional dispatch agency is "operating" if it represents or dispatches any taxicab or for-hire vehicle that at any time transports any passenger for a fare from a point within unincorporated King County or any jurisdiction that has an interlocal agreement with King County for for-hire regulatory services.

"Person" means any individual, partnership, association, corporation, firm, institution, or other entity, whether or not operated for profit. "Person" does not include:

1. A governmental entity of or within the United States;
2. An entity operating exclusively under contract with a government entity; or
3. That portion of an entity that is operating exclusively under contract with a government entity.

"Regional dispatch agency" means a person licensed under this chapter who represents or owns for-hire

vehicles, until March 31, 2026, or taxicabs licensed by King County that use the same trade name and dispatch services.

"Regional dispatch agency representative" means a person who a transitional regional dispatch agency or regional dispatch agency has authorized to:

1. File applications and other documents on behalf of the agency; and
2. Receive and accept all correspondence and notices from the director pertaining to the agency or its taxicabs, taxicab owners, for-hire vehicles, for-hire vehicle owners, or regional for-hire drivers affiliated with the regional dispatch agency.

"Regional for-hire driver" means any person in physical control of a taxicab or for-hire vehicle who is required to be licensed under this chapter and includes a lessee, owner/operator, or employee, who drives taxicabs or for-hire vehicles.

"Regional for-hire driver's license" means a license issued to an applicant for a regional for-hire driver's license who meets all criteria under this chapter for a regional for-hire driver's license.

"Regional for-hire driver's license wheelchair accessible vehicle endorsement" means an endorsement applied to a regional for-hire driver's license that demonstrates that the driver has successfully completed required training regarding the special needs of passengers in wheelchairs, including but not limited to, loading and tie-down procedures and door-to-door service.

"Smart taximeter" means a system of hardware and software that integrates a taximeter and other components together to perform functions required by this chapter.

"Smart taximeter system" means the system a regional dispatch agency uses to dispatch trips to, communicate with, and track the location of, affiliated vehicles and drivers through the smart taximeter. A smart taximeter system may include an application dispatch system.

"Taxicab" means every motor vehicle required to have a taxicab medallion to be used for the transportation of passengers for a fare, where the route traveled or destination is controlled by the passenger,

and the fare is based on an amount recorded and indicated on a taximeter, smart taximeter, or on an application dispatch system.

"Taxicab association," means a person that represents or owns taxicabs licensed by King County that use the same uniform color scheme, trade name, and dispatch services.

"Taximeter" means any instrument or device by which the fare for a trip provided in a taxicab is measured or calculated either for the distance traveled by the taxicab or for waiting time, or for both, and upon which such calculated charges shall be indicated by means of figures.

"Transitional regional dispatch agency" means taxicab associations and for-hire vehicle companies, or other persons that meet the requirements of a transitional regional dispatch agency in this chapter that do not have a regional dispatch agency license.

"Transparent" means the trip fare, the fare range, and other pricing variables, are made readily available to a passenger before the passenger commits to taking the trip.

"Transportation network company" means the same as it is defined in K.C.C. chapter 6.64.

"Transportation network company endorsed vehicle" means the same as it is defined in K.C.C. chapter 6.64.

"Transportation network company vehicle endorsement" means the same as it is defined in K.C.C. chapter 6.64.

"Uniform color scheme" means the color or colors used by vehicles affiliated with a transitional regional dispatch agency or regional dispatch agency and approved by the director for exclusive use.

"Voluntarily converted wheelchair accessible vehicle" means a director-inspected and director-approved taxicab or for-hire vehicle that is accessible to passengers in wheelchairs or other mobility devices but that is not required to be so as a condition of the vehicle's medallion.

"Wheelchair accessible taxicab" means a taxicab that is required to be accessible to passengers in wheelchairs or other mobility devices as a condition of its wheelchair accessible taxicab medallion.

"Wheelchair accessible taxicab medallion" means a type of medallion issued by the director that requires the vehicle operated under the medallion to be accessible to passengers in wheelchairs and other mobility devices.

"Wheelchair accessible vehicle" means a taxicab or for-hire vehicle that has been designed or modified to transport passengers in wheelchairs or other mobility devices, conforms to the accessibility requirements of the regulations of the Americans with Disabilities Act of 1990, as amended, and has been inspected and approved by the director. "Wheelchair accessible vehicle" includes both voluntarily converted wheelchair accessible vehicles and wheelchair accessible taxicabs.

NEW SECTION. SECTION 7.

A. Fees applicable to this chapter are set out in K.C.C. 4A.750.100 and fee amounts may be changed by the director in accordance with this section and section 50 of this ordinance.

B. The director shall make available to the public a description of the procedures for setting fee amounts. The description shall include information on how to inquire about the proposed and adopted fee amounts and public comment opportunities.

C.1. The director shall give at least thirty days' notice of the intention to change fee amounts by providing the notification letter required by section 50 of this ordinance and to:

a.(1) all persons who have made a timely request for advance notice of fee setting; and

(2) all existing fee payers; and

b. by publishing in the official county newspaper a summary of the notice of the proposed action, including the information in subsection C.2. a. through f. of this section.

2. The notice made in subsection C.1. of this section shall:

a. include a reference to this section;

b. include a reference to the fee type to which the proposed fee amount will be applied;

c. include a date and place by which comments must be submitted;

- d. specify whether the proposal is a change to the fee amount or an elimination of a fee;
- e. if the proposal is to change the fee amount, indicate both the amount of the existing fee and the proposed fee amount; and
- f. state the reason for and methodology used to determine the proposed new fee amount.

3. The director shall consider all comments received by the prescribed date for comment before the fee amount is set.

D. A fee amount is set when signed by the director. The director is authorized to sign only if no motion rejecting the proposed fee amount is passed by the council in accordance with section 50 of this ordinance or an ordinance amending a fee is effective. The new fee amount takes effect ten days after the director's signature.

E. Once a fee amount is set, the director shall post the amount of the fee in both written and electronic form for inspection, review and copying by the public and post the fee on the division's website.

F. A new fee may not be established unless the fee is approved by the council by ordinance.

G. The director may from time to time declare periods of amnesty in which the director may waive any penalty imposed under this chapter for delinquent payment of fees. Such periods of amnesty and the terms thereof may be established by the director upon a finding by the director that to do so would further the goals of the for-hire transportation industry and be in the public interest. The director may promulgate rules and procedures to implement the provisions of this section.

NEW SECTION. SECTION 8.

A. Each taxicab licensee and for-hire vehicle licensee shall pay a fee surcharge of the amount in K.C.C. 4A.750.100.C. and D. for all rides originating in:

- 1. Unincorporated King County; or
- 2. Any municipality that contracts with the county for the county to license taxicabs and for-hire vehicles that operate in the municipality.

B. The fee surcharge in subsection A. of this section shall be used to offset the operational costs

incurred by owners and operators of wheelchair accessible taxi, wheelchair accessible for-hire vehicle or wheelchair accessible transportation network company endorsed vehicle services including, but not limited to, the costs associated with purchasing and retrofitting an accessible vehicle, fuel and maintenance costs and the time involved in providing wheelchair accessible trips.

C. The director shall adopt rules to establish the conditions and procedure for distributing funds to wheelchair accessible taxicab, wheelchair accessible for-hire vehicle or wheelchair accessible transportation network company endorsed vehicle owners and drivers, including the maximum amount of reimbursement.

NEW SECTION. SECTION 9.

A. It is unlawful for a person to operate a taxicab or for-hire vehicle without first having obtained a valid regional for-hire driver's license. A regional for-hire driver's license shall expire one year from the date of application. A regional for-hire driver's license is not transferable or assignable.

B. As of the effective date of this ordinance, any valid for-hire driver's license previously issued to a driver under K.C.C. chapter 6.64, other than a for-hire driver's license that displays as a "for-hire permit" under K.C.C. 6.64.595, shall become a regional for-hire driver's license and all references to for-hire driver's licenses shall mean regional for-hire driver's licenses. As of the effective date of this ordinance, for-hire drivers with a valid for-hire driver's license issued by the city of Seattle shall be deemed to also have a corresponding regional for-hire driver's license from King County, which shall be valid until the original expiration date.

C. Drivers with a for-hire driver's license that displays as a "for-hire permit" may continue to operate a taxicab or for-hire vehicle until the first license expiration date after the effective date of this ordinance, at which time a regional for-hire driver's license or enhanced regional for-hire driver's license issued under this chapter shall be required to operate a taxicab or for-hire vehicle.

NEW SECTION. SECTION 10. It is unlawful for a driver to operate a wheelchair accessible vehicle without a regional for-hire driver's license wheelchair accessible vehicle endorsement. To obtain such an endorsement, a driver shall submit proof that the driver has successfully completed a director-approved training

for providing for-hire transportation services in wheelchair accessible vehicles. Wheelchair accessible vehicle drivers must comply with section 32 of this ordinance, in addition to the requirements of sections 9 through 21 of this ordinance. The director may take enforcement action against a regional for-hire driver's license wheelchair accessible vehicle endorsement, a regional for-hire driver's license, or both, as consistent with this chapter.

NEW SECTION. SECTION 11. The director shall issue a regional for-hire driver's license to an applicant who:

- A. Is at least twenty years old;
- B. Possesses a valid driver's license;
- C. Completes driver training as approved by the director before submitting an initial application for a regional for-hire driver's license. Training shall include, but is not limited to:
 1. A general for-hire driver training course with information about use of emergency procedures and equipment for the driver's personal safety, risk factors for crimes against for-hire drivers, and passenger service;
 2. A defensive driving course provided by the National Safety Council and approved by the director, or an alternative defensive driving course approved by the director; and
 3. Any other courses if required by the director after September 1, 2024;
- D. Successfully completes a regional for-hire driver license examination or examinations approved by the director;
- E. Submits a complete application, or consents to an application being submitted on the applicant's behalf, for a regional for-hire driver's license annually on a form or in a format approved by the director;
- F. Provides a certification of fitness as a regional for-hire driver on a form or in a format approved by the director. The director may at any time require any applicant for, or holder of, a regional for-hire driver's license to be examined by a physician licensed to practice in the state of Washington if it appears that the applicant or licensee has become physically or mentally incapacitated so that the applicant or licensee is unfit

as a regional for-hire driver. The director shall prescribe by rule the scope of the examination and provide a form for the physician to complete. A United States Department of Transportation medical certification meets the requirements of this subsection;

G. Consents to a background check, with ongoing monitoring if available, from an entity that is approved by the director. The director shall require the third party to demonstrate competency in providing accurate information prior to being approved by the director, and shall include local, state, and national databases, and access at least five years of database history when performing background checks;

H. Successfully passes a criminal background check, including:

1. No convictions, bail forfeitures, or other final adverse findings, including in civil suits or administrative hearings, pertaining to any of the following within the past five years:

a. attempting to elude the police;

b. reckless driving;

c. hit and run;

d. any alcohol- or drug-related driving crime;

e. any class A or B felony, as defined in Title 9A RCW;

f. any violent offense or serious violent offense or most serious offense, as defined in chapter 9.94A RCW;

g. a crime involving physical violence, other than those crimes in subsection H.1.e. or f. of this section, if the director determines the circumstances of the crime make the person unsafe to operate as a regional for-hire driver;

h. a crime that is directly related to the applicant's honesty and integrity, including, but not limited to, theft, burglary, and extortion, if the director determines the circumstances of the crime make the person incompatible with the duties of a regional for-hire driver; or

j. any conviction for any offense committed in another jurisdiction that includes the elements of any

of the offenses listed in this subsection H.1.;

2. No convictions, bail forfeitures, or other final adverse findings, including in a civil suit or administrative hearing, pertaining to any sex offense as defined in chapter 9.94A RCW or convictions that include a special allegation of sexual motivation, including convictions for any offense committed in another jurisdiction that includes the elements of a sex offense as defined in chapter 9.94A RCW, within the past seven years;

3. Not being listed in the United States department of justice national sex offender public website, and not required to register as a sex offender; and

4. No active arrest warrant for any crime;

I. Authorizes the director to obtain the applicant's current driving history, and the results of ongoing monitoring if available, from the Washington state Department of Licensing and from an entity that is approved by the director that provides a multistate driving abstract that includes the state of Washington;

J. Successfully passes a check of the applicant's driving record, meaning: (1) the applicant's driving record has no egregious law violations within the past five years, and (2) the applicant's driving record leads the director to reasonably conclude that the applicant will operate a vehicle in a safe manner and comply with this chapter;

K. Consents to the director obtaining other information directly concerning the applicant's past conduct and general qualifications that shows the applicant's ability and skill as a regional for-hire driver and the applicant's honesty and integrity for the purposes of determining whether the applicant is suitable to operate as a regional for-hire driver;

L. Agrees to the affiliated transitional regional dispatch agency or regional dispatch agency receiving, on the applicant's or licensee's behalf, general correspondence, citations, license actions, and notices of complaints from the director; and

M. Meets the criteria necessary for obtaining a regional for-hire driver's license from the city of Seattle

and applies for a regional for-hire driver's license from the city of Seattle concurrently with applying for a regional for-hire driver's license from King County.

NEW SECTION. SECTION 12. A regional for-hire driver's license issued by King County and a regional for-hire driver's license issued by the city of Seattle to the same individual shall be considered one inseparable regional for-hire driver's license.

NEW SECTION. SECTION 13. Effective September 1, 2024, an enhanced regional for-hire driver's license is a type of regional for-hire driver's license that, in addition to meeting the requirements in section 11 of this ordinance for a regional for-hire driver's license, requires a driver to consent to and successfully pass a fingerprint-based background check, with ongoing monitoring if available, from an entity that is approved by the director, consistent with the criteria in section 11.H. of this ordinance.

NEW SECTION. SECTION 14. An enhanced regional for-hire driver's license issued by King County and an enhanced regional for-hire driver's license issued by the city of Seattle to the same individual shall be considered one inseparable enhanced regional for-hire driver's license.

NEW SECTION. SECTION 15. Pending final action on a regional for-hire driver's license application, the director may issue a temporary regional for-hire driver's license when the review of an application is anticipated to be longer than two days. A temporary regional for-hire driver's license shall be issued for a period up to sixty days unless extended by the director.

NEW SECTION. SECTION 16. In considering an application for a regional for-hire driver's license, the director may consider any other information that may lead the director to reasonably conclude that the applicant will not operate a vehicle in a safe manner or comply with this chapter. The director shall reject an application if it has a material misstatement or omission.

NEW SECTION. SECTION 17.

A. An applicant whose application for a regional for-hire driver's license was denied shall:

1. Be ineligible to reapply for a regional for-hire driver's license until the date specified in the final

notice of denial; and

2. Not reapply for a regional for-hire driver's license that was denied until correction of the deficiency on which the denial was based is deemed acceptable by the director.

B. A regional for-hire driver whose regional for-hire driver's license was revoked shall be ineligible to reapply for a regional for-hire driver's license until the date specified in the final notice of revocation.

NEW SECTION. SECTION 18.

A regional for-hire driver shall:

A. Have in the driver's possession and available upon request of the director at any time the driver is operating a taxicab or for-hire vehicle:

1. A valid driver's license;
2. The vehicle's registration;
3. Proof of insurance as required by this chapter; and

4. A valid regional for-hire driver's license, which shall also be on display in the vehicle and visible to passengers as prescribed by the director;

B. Ensure that the vehicle's medallion plate or decal is valid and is displayed as required;

C. Ensure the lights, brakes, tires, steering, seat belts, any system relied on for safe operation, taximeter, and other vehicle equipment are working properly prior to each shift and while operating;

D. Maintain the vehicle interior and exterior, including exterior markings, in clean and good repair;

E. Allow the director to inspect the vehicle without prior notice at any reasonable time or place;

F. At all times while operating a taxicab or for-hire vehicle, be signed into at least one dispatch system, smart taximeter system, or application dispatch system provided by the affiliated transitional regional dispatch agency or regional dispatch agency;

G. Provide service to passengers in wheelchairs before any other passengers when operating wheelchair accessible vehicles;

H. Activate the taximeter or smart taximeter at the beginning of each paid trip, whether the fare is computed by the taximeter, smart taximeter, application dispatch system, contract, or flat rate, and deactivate the taximeter or smart taximeter upon completion of the trip. The beginning of a trip is the point where the passenger is seated, and any materials are stowed, and the forward motion of the vehicle begins;

I. Ensure that the taximeter or smart taximeter display is visible to passengers at all times while operating a taxicab;

J. If the fare for a trip is an upfront fare or a flat rate fare, confirm the fare with the passenger before beginning the trip;

K. Operate the taxicab or for-hire vehicle with due regard for the safety, comfort, and convenience of passengers and always provide passengers with professional and courteous service. The driver shall not use threatening behavior or offensive language, expressions, or gestures to any person while operating;

L. If requested, be willing to assist a passenger entering or exiting the vehicle and placing luggage or packages that are under fifty pounds in and out of the vehicle. Upon request for this assistance, a driver must so assist a passenger or otherwise ensure the passenger's assistance request is fulfilled;

M. Use the most direct or most expedient available route on all trips unless the passenger specifically requests to change the route;

N. Record all trips, process all payments, and issue a receipt for all payments through a dispatch or payment system provided by the transitional regional dispatch agency or regional dispatch agency;

O. Be able to provide a reasonable and prudent amount of change, and, if correct change is not available, no additional charge may be made to the passenger in attempting to secure the change;

P. If dispatched by a transportation network company's application dispatch system and allowed by the transportation network company, accept payment of fares via cash payment for any trip dispatched through a transportation network company's application dispatch system;

Q. At the end of each trip, check the vehicle for any article or articles that are left behind by passenger

or passengers and promptly secure the article or articles and report the found article or articles to the transitional regional dispatch agency or regional dispatch agency;

R. Comply with any license action, citation, or director order, and pay any penalties issued under this chapter that are either not appealed or are upheld after review;

S. Immediately surrender the vehicle medallion plate or decal in a manner approved by the director when the vehicle medallion is temporarily deactivated or revoked;

T. Comply with policies and procedures established by the transitional regional dispatch agency or regional dispatch agency to meet the requirements of this chapter and to ensure passenger satisfaction;

U. Comply with applicable business license requirements for any jurisdiction for which the driver operates; and

V. Meet any other requirement established by the director by rule.

NEW SECTION. SECTION 19. A regional for-hire driver shall not:

A. Transport either more passengers than the number of seat belts available or more luggage than the vehicle capacity will safely and legally allow;

B. Operate a taxicab or for-hire vehicle that does not have the rate on display as prescribed by the director by rule;

C. Operate a taxicab or for-hire vehicle that is unaffiliated with a taxicab association, for-hire vehicle company, transitional regional dispatch agency, or regional dispatch agency;

D. Use a personal electronic device while driving a motor vehicle on a public roadway, unless consistent with RCW 46.61.672;

E. Operate a taxicab or for-hire vehicle under the influence of any alcohol, narcotics, drugs, or prescription or over-the-counter medication that impairs the 'driver's ability to operate a taxicab or for-hire vehicle or in any way jeopardizes the safety or security of passengers or the public;

F. Knowingly possess illegal substances or open containers of alcohol while operating a taxicab or for-

hire vehicle;

G. Operate a taxicab or for-hire vehicle for more than fourteen hours in any twenty-four-hour period. Thereafter, the regional for-hire driver shall not operate a taxicab or for-hire vehicle until eight consecutive hours have elapsed. Stand-by time does not count towards the fourteen-hour limit. For the purposes of this subsection, "stand-by time" includes any time the regional for-hire driver is available for hire but is not physically in the vehicle;

H. Use the taxicab or for-hire vehicle, or allow the taxicab or for-hire vehicle to be used, in the commission of any crime;

I. Refuse to transport in the taxicab or for-hire vehicle, cancel a dispatched call, or end a trip in progress because of:

1. Any passenger's wheelchair or other mobility device that can be folded and safely placed in either the passenger or trunk compartment of the vehicle;

2. A service or assistive animal, as defined in K.C.C. chapter 12.22; or

3. A passenger's groceries, packages, or luggage;

J. Refuse to transport any person except when:

1. The driver has already been dispatched on another call;

2. The passenger is acting in a disorderly, threatening, or suspicious, manner, or otherwise causes the driver to reasonably believe that the driver's health or safety, or that of others, may be endangered;

3. The passenger cannot, upon request, show ability to pay the fare;

4. The passenger refuses to state a specific destination upon entering the taxicab or for-hire vehicle; or

5. The trip covers more than one hundred miles or includes traveling over a mountain pass or on a ferry;

K. Smoke or allow passengers to smoke in the vehicle;

L. Ask, demand, or collect any rate or fare other than as specified on the taximeter, smart taximeter, or

application dispatch system;

M. Solicit passengers from anywhere other than the driver's seat or standing within direct view of the taxicab or for-hire vehicle, and never solicit when the taxicab or for-hire vehicle is in motion. The driver of a taxicab or for-hire vehicle shall not use any other person to solicit passengers;

N. Park a taxicab or for-hire vehicle in a marked passenger load zone, truck load zone, commercial load zone, or charter bus zone; except that a driver may drop off or pick up passengers in a passenger load zone; and

O. Misstate or omit a material fact on any document provided to the director, or alter any document or record provided to or issued by the director.

NEW SECTION. SECTION 20.

A. Designated taxicab zones are for taxicabs only. A regional for-hire driver shall not do any of the following in a taxicab zone:

1. Leave the taxicab unattended in a taxicab zone for more than fifteen minutes;
2. Occupy a taxicab zone unless operating a taxicab that is available for hire;
3. Perform engine maintenance or repairs on the taxicab while in a taxicab zone;
4. Refuse a request for service because of the driver's position in line at a taxicab zone; a passenger

may select any taxicab in the line; or

5. Use a taxicab zone while under suspension from that taxicab zone.

B. A violation of this section may result in a suspension from one or more taxicab zones, in addition to penalties as authorized in section 46 of this ordinance.

NEW SECTION. SECTION 21. Regional for-hire drivers operating at Seattle-Tacoma International Airport shall adhere to the following additional standards:

A. Load or unload passengers at Seattle-Tacoma International Airport only as permitted by the Seattle-Tacoma International Airport Schedule of Rules and Regulations;

B. When available for hire, shall not drive, be in control of, or operate a taxicab or for-hire vehicle to

pick up passengers on Seattle-Tacoma International Airport property without the vehicle displaying a Port of Seattle authorized permit; and

C. Not solicit passengers on Seattle-Tacoma International Airport property, unless the driver is in the driver's seat or standing within direct view of the vehicle, and the vehicle is safely and legally parked.

NEW SECTION. SECTION 22.

A. As of the effective date of this ordinance, every valid taxicab and for-hire vehicle medallion issued by the city of Seattle shall be issued a county medallion reciprocity endorsement. The medallion and medallion reciprocity endorsement shall be inseparable. A medallion cannot be issued, renewed, transferred, or temporarily deactivated separately from the medallion reciprocity endorsement. Any restriction imposed on a medallion through a license action applies with equal force to the corresponding medallion reciprocity endorsement. Any restriction imposed on a medallion reciprocity endorsement through a license action applies with equal force to the corresponding medallion.

B. Effective September 1, 2024, an existing medallion issued by the county and an existing medallion issued by the city of Seattle and that were previously required to be used with the same vehicle may be separated to be used with different vehicles or to be transferred. Such medallions used with the same vehicle in both King County and the city of Seattle may be separated at any time by the medallion owner by requesting such separation on a form or in a format established by the director. This provision applies to all medallion types.

C. The owner of a taxicab or for-hire vehicle medallion may use the medallion as collateral to secure a loan from a bank or any other financial institution. Medallion owners shall file with the director the name of any and all lienholders, on forms furnished by the director. The collateral shall be described as "King County taxicab medallion" or, until March 31, 2026, "King County for-hire vehicle medallion," and shall include the medallion number. Within thirty days of the date of creation of the pledge, lien, or security interest, the party that holds the pledge, lien, or security interest, shall record the same as required by state law and provide a copy

of the recording to the director.

D. The interest of a medallion owner may be suspended or revoked for any reason enumerated in this chapter for the suspension or revocation of a medallion.

E. Upon a final order of medallion revocation, when all appellate proceedings, if any, have been concluded, the medallion may only be transferred as prescribed by this section, section 26 of this ordinance, and as prescribed by the director by rule.

F. In accepting a medallion, medallion owners waive any and all liability, claims, actions, suits, loss, costs, expense judgments, attorneys' fees, or damages of every kind and description resulting directly or indirectly from any act or omission of the county, its officials, officers, employees, and agents regarding the valuation or devaluation of the medallion.

G. The county assumes no liability for any devaluation of the medallion, including but not limited to any devaluation due to regulatory action or market forces.

H. Except for an owner awarded a new taxicab or for-hire vehicle medallion that is required to meet the minimum operating requirements in **section 45.H. of this ordinance**, a medallion owner may voluntarily transfer or sell a medallion in accordance with this section, section 26 of this ordinance, and as prescribed by the director by rule.

I. Medallion owners may lease an interest in the medallion as prescribed by director's rule. A leased medallion shall not be subleased to another party.

NEW SECTION. SECTION 23.

A. Unless adjusted by the director by rule, the maximum number of taxicab medallions is one thousand three hundred. Wheelchair accessible taxicab medallions do not count towards the maximum number.

B. On April 1, 2026, all for-hire vehicle medallions shall become taxicab medallions. The medallion system for for-hire vehicles shall no longer be in effect after March 31, 2026.

C. The director may issue additional taxicab medallions only as specified by this section.

D. The director may adjust by rule the maximum number of taxicab medallions and shall periodically determine the need for additional taxicab service. Factors to be considered to adjust the maximum number of taxicab medallions or to issue additional taxicab medallions include:

1. Coordination with the city of Seattle to promote a regional licensing and regulatory framework for for-hire transportation services;
2. Growth in population, tourists, and other visitors to the area;
3. The quality of existing taxicab service as indicated by passenger satisfaction, including wheelchair accessible vehicle service, if applicable;
4. A comparison of actual average taxicab response times to optimum average taxicab response times established by the director;
5. Availability and quality of for-hire transportation services in underserved communities, including areas of lower population density;
6. Available data of medallion sales on the private market;
7. Analysis of drivers' ability to earn a living wage, including the impact of adjusting the number of medallions on driver income; and
8. Other indications of market demand.

E.1. If the director determines that issuance of additional taxicab medallions is warranted, such medallions shall be issued as follows:

- a. a competitive request for proposals and award process under which medallions will be issued to medallion applicants whose proposals demonstrate that they are most able to meet the needs of the public in providing taxicab service by meeting qualifications prepared by the director that are not in conflict with the general provisions of this chapter;
- b. a lottery of qualified medallion applicants; or
- c. a combination of both procedures as prescribed by the director by rule.

2. Regardless of the method used, the director shall consider a medallion applicant's driving record, driving experience, current or previous medallion ownership, and any additional qualifications required by the director.

3. If issuing a wheelchair accessible taxicab medallion, the director may additionally consider the medallion applicant's qualifying experience transporting individuals with disabilities who require any type of mobility device, including a manual or motorized wheelchair, and any additional qualifications required by the director.

F. Any additional taxicab medallion shall only be issued to a medallion applicant who is an individual. No corporation, limited liability company, or partnership shall obtain any medallion held by an individual until the expiration of three years following the original date of issuance to that individual; however, additional taxicab medallions may be issued to and be held by the following business entities:

1. Corporations held by a single shareholder, except that the taxicab must be personally operated by the single shareholder for a period of three years from the date of issuance of the medallion and the ownership of the shares of the corporation cannot be changed within the three-year period. Any change of ownership of shares of the corporation shall result in revocation of the medallion; or

2. Limited liability companies comprised of a single member, except that the taxicab must be personally operated by the single member for a period of three years from the date of issuance of the medallion and no change of membership may take place within the three-year period. Any change of membership of the limited liability company shall result in revocation of the medallion.

G. For three years following the date of issuance of an additional taxicab medallion or an additional wheelchair accessible taxicab medallion in accordance with subsections E. and J. of this section, the medallion owner must personally drive the taxicab for at least thirty hours per week for a minimum of forty weeks per year. If the medallion owner fails to fulfill this minimum operating requirement in any one-year period within the three-year period following the date of issuance, the medallion shall be revoked and shall not be eligible for

transfer by its original owner. The medallion shall be transferable upon the completion of the three-year operating requirement.

H. A medallion plate, medallion decal, or other indicia issued to a medallion owner shall remain the property of the director.

I. A medallion owner may seek director approval to permanently convert a medallion to a wheelchair accessible taxicab medallion. Such a conversion shall be subject to conditions prescribed by the director by rule. Conversion of a taxicab medallion to a wheelchair accessible taxicab medallion is not considered the issuance of an additional medallion. A medallion that has been operated for three or more years that is permanently converted to a wheelchair accessible taxicab medallion shall be transferrable and not subject to a new three-year operating requirement.

J. As an alternative to the process outlined in subsection E. of this section, the director may issue King County medallion reciprocity endorsements to medallion applicants selected by the city of Seattle to be issued a city of Seattle taxicab medallion or a city of Seattle wheelchair accessible taxicab medallion, as applicable.

NEW SECTION. SECTION 24.

A. Effective September 1, 2024, any time a medallion is not operating for sixty days or more, the medallion owner, or an authorized representative, shall file a notice of temporary deactivation with the director in a manner determined by the director. A temporary deactivation may be for any reason, including, but not limited to, an inoperable or unavailable vehicle, a temporary lack of affiliation with an agency, an extended leave of absence, or owner convenience.

B. When a notice of temporary deactivation is filed with the director:

1. If the medallion is not expired, the deactivation period shall not exceed twelve consecutive months from the date the temporary deactivation notice is filed with the director;
2. If the medallion is expired, the deactivation period shall not be more than twelve consecutive months from September 1, 2024, or from the date the medallion expired, whichever is longer; and

3. If the medallion is expired or expires during the temporary deactivation period, the medallion renewal process must be completed before the medallion can be reactivated.

C. The director may initiate a temporary deactivation when the director becomes aware that a medallion has not been operating for sixty days or more.

D. For medallions revoked, relinquished, or otherwise held by the director after January 31, 2015, and before September 1, 2024, the temporary deactivation period shall begin on September 1, 2024. A medallion previously revoked, relinquished, or otherwise held by the director, must be renewed within twelve months of September 1, 2024.

E. If a medallion owner fails to reactivate the medallion within twelve months from the effective date of the temporary deactivation, the director shall issue a notice of retirement to the medallion owner. Within sixty days of the notice of retirement, the medallion owner may reactivate or transfer the medallion. If the medallion is not reactivated or transferred within sixty days of the notice of retirement, the medallion is retired and an order of retirement will be issued by the director. The medallion owner may appeal the order of retirement in accordance with section 48 of this ordinance. Failure to appeal means the order of retirement issued by the director is final. The taxicab or for-hire vehicle medallion plate or decal that has been retired shall be returned to the director within fifteen days of the final order of retirement, or if the order is appealed and affirmed, within fifteen days after all appellate proceedings have concluded.

F. Medallions issued via a lottery or request for proposals shall not be transferrable until the obligations section 23.G. of this ordinance have been met.

G. Vehicle insurance is not required if a medallion is temporarily deactivated. The medallion owner must provide proof of vehicle insurance when reactivating the medallion.

NEW SECTION. SECTION 25. It is unlawful to operate a taxicab or for-hire vehicle with a medallion that is suspended or revoked. The operation of the taxicab or for-hire vehicle must cease, and the medallion owner shall immediately surrender the medallion plate or medallion decal to the director.

NEW SECTION. SECTION 26. Except for an owner subject to the minimum operating requirements in section 23.G. of this ordinance, a taxicab or for-hire vehicle medallion may be transferred subject to the following restrictions and conditions:

- A. The medallion and medallion reciprocity endorsement are inseparable and must be transferred together;
- B. There are no pending enforcement actions or penalties, fees, or surcharges owed that were issued under this chapter, no unexpired vehicle lease agreements, and no unexpired medallion lease agreements;
- C. Transfers of medallions with liens filed with the director will not be approved unless the medallion owner provides proof that the lien is paid or the lienholder provides written approval of the transfer. Only liens filed with the director according to section 22.C. of this ordinance will be considered in the transfer review;
- D. The medallion owner and proposed transferee shall submit a notice of transfer on a form or in a format prescribed by the director;
- E. The proposed transferee shall meet all requirements in section 26 of this ordinance. A transfer shall not become effective, and the proposed transferee may not operate the taxicab or for-hire vehicle, until the proposed transferee receives the medallion plate or medallion decal; and
- F. Upon the final order of revocation, when all appellate proceedings, if any, have been concluded, a medallion owner shall immediately surrender the taxicab or for-hire vehicle medallion plate or decal to the director. Effective September 1, 2024, except for revocation according to section 22.G. of this ordinance, the medallion owner has sixty days from the final order of revocation to transfer the medallion; however, medallions subject to a lien as evidenced by the filing requirement in section 22.C. of this ordinance cannot transfer unless the medallion owner provides proof that the lien is paid or the lienholder provides written approval of the transfer. If the medallion is not transferred within the sixty days, the medallion shall be deemed permanently retired, the lien, if any, is removed, and the director shall not reissue the medallion.

NEW SECTION. SECTION 27.

A. When a taxicab or for-hire vehicle medallion or stock in a corporation owning such a medallion is distributed from an estate to a beneficiary by a court of law, the transferee shall submit to the director the court order directing the county to transfer the medallion to the beneficiary. Notwithstanding the court order, and except as allowed under subsection B. of this section, transfer shall not become effective, unless and until the transferee meets all requirements in section 26 of this ordinance.

B. An executor or administrator may continue the operation of a taxicab or for-hire vehicle only with prior written approval of the director. The executor or administrator shall apply for such approval.

NEW SECTION. SECTION 28. All medallions shall expire one year from the date of issuance. Medallions and their associated medallion reciprocity endorsements are inseparable and expire and renew concurrently. Unless an appeal is pending, no medallion may be renewed unless all outstanding penalties owed under this chapter have been paid.

NEW SECTION. SECTION 29.

A. All for-hire vehicles must be operated as taxicabs using a smart taximeter system and must be affiliated with a regional dispatch agency that has a valid regional dispatch agency license by a date consistent with section 36 of this ordinance.

B. It is unlawful to operate a taxicab or for-hire vehicle without first having obtained, for each and every vehicle so used, a taxicab medallion or for-hire vehicle medallion issued in accordance with this section.

C. The taxicab or for-hire vehicle medallion application shall include the following:

1. Applicant type:

a. If the applicant is an individual, the applicant's full name, business address, primary telephone number, primary email address, and date of birth, which must be at least eighteen years before the date of application; or

b. If the applicant is a corporation, limited liability company, partnership, or other entity:

(1) the applicant's name, business address, telephone number, and state of incorporation or

partnership registration; and

(2) the full name, title, date of birth, which must be at least eighteen years before the date of application, business address, and phone number for each individual representative who is vested with authority to manage or direct the affairs of the legal entity or to bind the legal entity in dealings with third parties;

2. Vehicle information including: the make; model; year, which shall be no more than fifteen model years before the application date unless otherwise adjusted by the director by rule; engine type; vehicle identification number; Washington state license plate number; and vehicle number if previously assigned by the director. The vehicle must be a passenger car as defined in RCW 46.04.382;

3. Certificate or other proof of affiliation with a transitional regional dispatch agency or regional dispatch agency;

4. Insurance policy as required by this chapter;

5. A copy of the state of Washington vehicle registration or confirmation of vehicle registration on a form or in a format accepted by the director. The applicant does not need to be the registered owner;

6. Certificate of safety based on a vehicle safety inspection conducted annually by an approved mechanic; and

7. Any other information the director may reasonably require in order to make a licensing decision, take enforcement action, or perform any other duties of the director authorized by this chapter.

D. The director shall reject a medallion application if it has a material misstatement or omission.

E. The application and information required in this section must also be completed and supplied during each annual medallion renewal. The director will not process a medallion application if any required information or documentation is missing or incomplete. Completed applications and copies of required documentation shall be provided to the director by the medallion owner, or the transitional regional dispatch agency or regional dispatch agency on behalf of the medallion owner.

F. If any of the information in the application changes, including if it ceases to be true or is superseded

in any way by new information, the applicant shall within seven days of the change:

1. Inform the director, or
2. Inform the transitional regional dispatch agency or regional dispatch agency, if the application was submitted on behalf of the applicant.

G. A medallion shall not be renewed if the medallion does not have an associated vehicle or if the vehicle to which the medallion is associated is not affiliated with a transitional regional dispatch agency or regional dispatch agency. In such cases, the owner of the medallion shall initiate a temporary deactivation with the director.

NEW SECTION. SECTION 30.

A. At all times while operating as a taxicab or for-hire vehicle, there must be valid insurance as described in this section. All insurance policies shall either comply with chapter 46.72 RCW and have underinsured motorist coverage of at least one hundred thousand dollars per person and three hundred thousand dollars per accident; or comply with the coverage amounts required by RCW 46.72B.180. All insurance policies that cover a vehicle while operating as a taxicab or for-hire vehicle and for which a medallion is required shall be filed with the director. The insurance policy shall:

1. Be issued by an admitted carrier in the state of Washington with an A.M. Best Rating of not less than B- and be not less than A.M. Best Financial Size Category VII or show evidence to the director of surplus lines from an insurer with an A.M. Best Rating of not less than B and be not less than A.M. Best Financial Size Category VII;
2. Name King County, its officers, officials, agents, and employees as an additional insured on the insurance policy;
3. Provide that the insurer will notify the director, in writing, of cancellation for nonpayment of premium no less than ten days before the cancellation takes effect, or of cancellation for any other reason no less than thirty days before the cancellation or nonrenewal takes effect. If an insurance policy is cancelled or

not renewed, proof of a new policy must be filed before the expiration of the policy. The taxicab or for-hire vehicle is automatically suspended and cannot operate until coverage is secured;

4. Not include aggregate limits, named driver requirements or exclusions, or radius restrictions. Other limitations or restrictions beyond standard insurance services office business auto policy form are subject to approval by the director; and

5. Be in effect at any time the taxicab or for-hire vehicle is operating.

B. When a taxicab or for-hire vehicle is dispatched by a transportation network company, the taxicab's or for-hire vehicle's insurance covers that trip, unless the transportation network company maintains an insurance policy that includes trips provided by a taxicab or for-hire vehicle.

C. The director may suspend or suspend and modify any requirements of this section when no other viable insurance options are available to the industry.

NEW SECTION. SECTION 31.

A. The vehicle safety inspection and certificate of safety required by section 29.C.6. of this ordinance shall be provided by an approved mechanic and shall certify that the following items on taxicab or for-hire vehicle are mechanically sound and fit for driving:

1. Foot brakes;
2. Emergency brakes;
3. Steering mechanism;
4. Windshield;
5. Rear window and other glass;
6. Windshield wipers;
7. Headlights;
8. Taillights;
9. Turn indicator lights;

10. Stop lights;
11. Front seat adjustment mechanism;
12. Doors, including that the doors properly open, close, and lock;
13. Horn;
14. Speedometer;
15. Bumpers;
16. Muffler and exhaust system, except for where vehicle propulsion systems emit zero emissions

such as in battery electric vehicles;

17. Condition of tires, including tread depth;
18. Interior rear view mirror and exterior side view mirrors;
19. Safety belts and air bags for driver and a passenger or passengers; and
20. Other items reasonably required by the director.

B. If the vehicle is sold, the certificate of safety remains valid until the next medallion renewal date.

C. An approved mechanic who performs vehicle safety inspections must not have a conflict of interest as defined by the director by rule. The director may remove an approved mechanic from the list maintained by the director for a violation of this chapter or rules prescribed by the director or due to substantiated complaints from drivers.

D. Vehicles shall be maintained consistent with the service standards recommended by the vehicle manufacturer. The vehicle owner and driver shall keep all maintenance and service records for all vehicles owned and used for for-hire transportation services for three years.

E. The vehicle owner and driver shall remedy a vehicle defect in a manner consistent with a vehicle safety recall notice issued by the vehicle manufacturer and/or the National Highway Traffic Safety Administration, after being notified of the recall by the vehicle manufacturer, the driver's affiliated agency or company, or the director.

F. The vehicle owner and driver shall ensure that all requirements in this section are met and continually maintained.

G. A vehicle that has been in a collision and determined by the insurance adjuster to be a total wreck or total loss shall not be placed back in service until an approved mechanic with a current certification in structural analysis and damage repair or airbags has verified that there is no damage to the vehicle frame and that the airbag system is working properly. The inspection is separate from the vehicle safety inspection completed each year.

H. The director shall summarily suspend a medallion and place a vehicle out of service if the vehicle fails a vehicle safety inspection or the director determines that a violation of this section is an immediate safety hazard and it is necessary to prevent a clear, substantial and imminent hazard to life, safety, or property.

NEW SECTION. SECTION 32. In addition to meeting all vehicle standards established in this chapter, the following requirements apply to wheelchair accessible vehicles:

A. The vehicle must conform to the vehicle accessibility requirements of the regulations of the Americans with Disabilities Act of 1990, Title 49 C.F.R. Chapter 38, Subpart B, as amended;

B. Taxicabs and for-hire vehicles may not convert to wheelchair accessible vehicles without director approval. The director may approve applications for conversion consistent with criteria prescribed by rule;

C. A vehicle operating with a wheelchair accessible taxicab medallion must be a wheelchair accessible vehicle; and

D. Before being placed into service and annually thereafter, a separate inspection of the vehicle and any installed accessibility equipment must occur. In addition to checking for conformance with vehicle accessibility requirements in accordance with this subsection, the vehicle driver or drivers may be required to pass a practical demonstration of proper wheelchair securement techniques during this inspection. If a driver of the vehicle is unable to demonstrate proper securement techniques during this inspection, the director shall suspend the driver's regional for-hire driver's license wheelchair accessible vehicle endorsement and may

require the driver to undergo additional training before returning to try the practical demonstration again. A wheelchair accessible vehicle shall not pass the inspection unless the driver is able to pass a practical demonstration of proper wheelchair securement techniques. Upon passing the practical demonstration of proper wheelchair securement techniques, the driver's regional for-hire driver's license wheelchair accessible vehicle endorsement will no longer be suspended and is effective.

E. If prescribed by the director by rule, affiliated wheelchair accessible vehicles shall participate in a director-approved dispatch system for wheelchair accessible trips.

NEW SECTION. SECTION 33.

A. The director may establish a rule to determine the viability of electric vehicles for taxicab and for-hire vehicle owners and regional for-hire drivers and, if viable, create incentives to promote the use of electric vehicles. When determining electric vehicle viability for for-hire transportation services, the director shall consider, but not be limited to, the following factors:

1. The price of new or used electric vehicles compared to new and used nonelectric vehicles;
2. If the mileage range for new and used electric vehicles meets the needs of full-time for-hire transportation services;
3. The availability of recharging infrastructure in locations and at times that are convenient for regional for-hire drivers, and if recharging time conflicts with the regional for-hire driver's need to operate the vehicle; and
4. If the vehicle life cycle for existing and new electric vehicles creates an undue burden for the vehicle owner or regional for-hire driver.

B. Nothing in this chapter shall be construed to require or restrict a regional for-hire driver's use of electric vehicles for for-hire transportation services.

NEW SECTION. SECTION 34.

A. A taxicab or for-hire vehicle with a valid medallion may operate if the taxicab or for-hire vehicle:

1. Is operated by a driver with a valid regional for-hire 'driver's license issued under this chapter;
2. Has insurance as required by this chapter;
3. Displays, in a location specified by the director, a current taxicab or for-hire vehicle medallion plate or decal issued by the director; however, a licensed taxicab or for-hire vehicle does not require a transportation network company endorsement decal when dispatched by a transportation network company;
4. Displays the vehicle medallion number and name of the affiliated transitional regional dispatch agency or regional dispatch agency on the exterior of the vehicle and displays any rates that apply to a trip not requested via an application dispatch system, as prescribed by the director by rule;
5. Is equipped to accept electronic payment of fares and issue receipts;
6. When operating with a taxicab medallion, is equipped with an approved and properly functioning taximeter or smart taximeter and is connected to a mobile data terminal to accept electronic payment of fares and issue receipts;
7. Displays any passenger information prescribed by the director by rule;
8. Displays, on or in the vehicle, signs, including notices, announcements, pictures, advertisements, or other messages that do not create a visible distraction or safety hazard for the driver of the vehicle or for other vehicles on the road. The director may prescribe by rule the manner in which the signs may be displayed, including, but not limited to, requirements concerning the number of signs per vehicle, placement on or within vehicles, size limitations, and devices or mechanisms used to display the signs;
9. Is equipped with a monitored duress alarm approved by the director in accordance with specifications prescribed by the director by rule;
10. Is equipped with a monitored vehicle tracking system, which may be part of an approved smart taximeter system or application dispatch system, in accordance with specifications prescribed by the director by rule;
11. Maintains a continuous connection between the taximeter and the dispatch system or between the

taximeter and the application dispatch system;

12. Operates on a dispatch system of the affiliated transitional regional dispatch agency or regional dispatch agency and may also operate on one or more approved application dispatch systems, including those operated by a licensed transportation network company;

13. Is affiliated with a transitional regional dispatch agency or regional dispatch agency and adopts the uniform color scheme of that transitional regional dispatch agency or regional dispatch agency unless otherwise authorized by the director. The director may prescribe by rule any additional criteria for vehicle colors and markings;

14. Meets current taximeter standards and has installed and uses a smart taximeter when a smart taximeter system is implemented by the affiliated regional dispatch agency;

15. Is compliant with policies and procedures established by the transitional regional dispatch agency or regional dispatch agency to meet the requirements of this chapter and ensure passenger satisfaction; and

16. Meets any other requirement established by the director by rule;

B. To operate a taxicab or for-hire vehicle, the medallion owner or vehicle owner shall:

1. Not have any outstanding monetary penalties issued under this chapter; and

2. Inform the director and the prior transitional regional dispatch agency or regional dispatch agency within five business days of the vehicle affiliating with a new transitional regional dispatch agency or regional dispatch agency.

C. A citation, license action, or both issued for a violation of this section 34 shall be issued to the medallion owner, the medallion lessee, the person operating the vehicle, or any combination thereof, as appropriate.

NEW SECTION. SECTION 35.

A. All lease agreements for taxicabs or for-hire vehicles shall be in writing, and the lessor shall file the original lease agreement with the director prior to the effective date of the lease in a manner specified by rule

adopted by the director.

B. If a change of transitional regional dispatch agency or regional dispatch agency is made, any existing vehicle lease must be filed with the new agency at the time of the change.

C. The lease amount charged to a lessee shall not exceed the maximum amount established by rule adopted by the director. In determining the maximum lease amount, if any, the director shall consider vehicle purchase prices, the cost of insurance premiums, fuel costs, and variations in the U.S. Bureau of Labor Statistics Consumer Price Index for All Urban Consumers (CPI-U), for the Seattle area, evaluated over a twenty-four month time period preceding the determination of the lease amount, and may consider any other factors that may affect the market for taxicab or for-hire vehicle leases or that may affect the provision of for-hire transportation services. Costs already factored into the lease amount shall not be charged to the driver as an additional amount.

D. A vehicle lessee shall not sublease a taxicab or for-hire vehicle.

NEW SECTION. SECTION 36.

A. Taxicab associations and for-hire vehicle companies must transition to become regional dispatch agencies by March 31, 2026.

B. As of the effective date of this ordinance, a valid King County taxicab association license or for-hire vehicle company registration shall automatically become a transitional regional dispatch agency license and shall expire on March 31, 2024. As of the effective date of this ordinance, every taxicab association with a valid license issued by the city of Seattle and every for-hire vehicle company recognized by the city of Seattle shall be issued a transitional regional dispatch agency license by King County and shall expire on March 31, 2024. A transitional regional dispatch agency license or a regional dispatch agency license permits the licensee to operate in King County and the city of Seattle. New taxicab association licenses shall not be issued and new for-hire vehicle companies shall not be registered after the effective date of this ordinance.

C. Upon initial license renewal, a transitional regional dispatch agency shall submit for director

approval a transition plan on a form provided by the director for adopting a smart taximeter system. The transition plan must include a clear process for adopting a smart taximeter system by no later than March 31, 2026. The director may grant an extension of the deadline for implementing a smart taximeter system for up to twelve months based upon consideration of the following nonexclusive factors:

1. Previous efforts of a transitional regional dispatch agency to implement a smart taximeter system in its fleet of affiliated vehicles;

2. Costs and availability of a smart taximeter system; and

3. Economic viability of operating a taxicab.

D. Transitional regional dispatch agencies seeking to continue operating beyond March 31, 2026, shall apply for a regional dispatch agency license. Unless the director approves an extension for adopting a smart taximeter system, a valid regional dispatch agency license is required to operate after March 31, 2026.

NEW SECTION. SECTION 37.

A. It is unlawful for a person to operate as a regional dispatch agency without a valid regional dispatch agency license. A regional dispatch agency license is valid for one year and is not transferable. To be licensed as a regional dispatch agency, all regional dispatch agencies shall meet the criteria necessary for obtaining a regional dispatch agency license from the city of Seattle, and shall apply for a regional dispatch agency license from the city of Seattle concurrently with applying for a regional dispatch agency license from King County, and shall:

1. Apply for a license on a form approved by the director;

2. Have an identified representative authorized to make business decisions on behalf of the agency or company;

3. Adopt a zero-tolerance policy for alcohol and drug use while operating a taxicab or for-hire vehicle licensed under this chapter;

4. Adopt a policy that prohibits the agency or company, including their affiliated drivers, from

discriminating against passengers or potential passengers on the basis of race; color; national origin; religious belief or affiliation; sex; disability; age; use of a service animal; sexual orientation; gender identity; or geographic beginning or endpoints of the ride, unless the trip covers more than one hundred miles or includes traveling over a mountain pass or on a ferry;

5. Have a process for receiving, tracking, and resolving passenger complaints;

6. Have and maintain a secure process for passengers to retrieve items left behind in an affiliated vehicle as soon as possible but no longer than two calendar days following the date of the trip. Such policy shall be in writing and readily accessible to passengers;

7. Have a system that enables each passenger to receive an electronic or paper receipt upon payment of the fare. A receipt shall include at least the following information:

a. the date and time the trip began and ended;

b. the medallion number for a taxicab or for-hire vehicle trip;

c. the driver's regional for-hire driver's license number or unique driver identification number;

d. the fare charged and any tip paid;

e. the transitional regional dispatch agency or regional dispatch agency with which the vehicle is affiliated; and

f. a phone number, email address, or website to submit passenger feedback and inquiries to the transitional regional dispatch agency or regional dispatch agency;

8. Have an approved smart taximeter system that includes the following functions:

a. is capable of metering a trip using an onboard diagnostic connection to the vehicle or the use of location tracking technology, or some combination of the two, to measure time and distance traveled;

b. has an integrated payment and receipting system that accepts credit cards and other electronic payments such as electronic taxi scrip, promotional codes, and alternative payment channels;

c. has an integrated dispatch system that:

- (1) supports two-way communication between the dispatcher and the driver;
 - (2) is equipped with monitored vehicle tracking technology and be able to track vehicle location in real time;
 - (3) does not exclusively dispatch calls by phone or radio; and
 - (4) provides a duress alarm for the driver;
- d. supports pricing based on static and dynamic market conditions;
 - e. has the ability to calculate an upfront fare to present to a passenger before the passenger accepts the ride;
 - f. is capable of notifying a passenger if a convenience fee for electronic payment, or other known fees, will be added to the fare;
 - g. includes driver authentication and system security features;
 - h. automates data collection and reporting;
 - i. provides geographic location information;
 - j. incorporates a director-approved mobility data standard for on-demand for-hire vehicles to support external integration;
 - k. can be used and configured for one or more regional dispatch agencies and can dispatch vehicles from one or more registered trade names;
 - l. if required by the director by rule, is connected to a director-approved external dispatch system for the purpose of dispatching wheelchair accessible vehicles; and
 - m. meets any other requirement prescribed by the director by rule; and
9. Have a driver training program, for for-hire drivers, approved by the director.
- B. Prior to obtaining a regional dispatch agency license, transitional regional dispatch agencies shall comply with regional dispatch agency licensing and operating requirements in this section, except that:
 1. A transitional regional dispatch agency shall not be required to have a smart taximeter system; and

2. A transitional regional dispatch agency that is affiliated with taxicabs at the time of being issued a transitional regional dispatch agency license that does not have a smart taximeter system approved by the director, shall provide a dispatch system integrated with the vehicle's taximeter for all affiliated vehicles.

NEW SECTION. SECTION 38. A transitional regional dispatch agency license or regional dispatch agency license issued by King County and a corresponding regional dispatch agency license or transitional regional dispatch agency license issued by the city of Seattle shall be considered one inseparable license.

NEW SECTION. SECTION 39.

A. At all times, a transitional regional dispatch agency or regional dispatch agency shall:

1. Operate with a valid transitional regional dispatch agency or regional dispatch agency license;
2. Ensure all information provided to the director does not misstate or omit material facts;
3. Inform the director in writing within seven days if any of the information provided in the transitional regional dispatch agency or regional dispatch agency license application changes, including if it ceases to be true or is superseded in any way by new information;
4. Ensure any driver of an affiliated vehicle possesses a valid regional for-hire driver's license, enhanced regional for-hire driver's license, or regional for-hire driver's license wheelchair accessible vehicle endorsement, or any combination thereof, as applicable to either the ride type or the vehicle type, or both;
5. Require affiliated vehicles to meet all requirements of this chapter, including but not limited to passing an annual vehicle safety inspection and being licensed, endorsed, and insured;
6. Notify the director in writing within seven days upon adding or removing an affiliated vehicle;
7. Require affiliated vehicles to be fully equipped as required by this chapter whenever operating as a taxicab or for-hire vehicle;
8. Accept service of general correspondence, license actions, citations, and notices of complaints on behalf of an affiliated driver or vehicle owner and forward such to the respective affiliated driver or vehicle owner;

9. Prioritize dispatch services to passengers in wheelchairs or other mobility devices when dispatching affiliated wheelchair accessible vehicles;

10. Allow passengers to indicate whether they require a wheelchair-accessible vehicle and connect passengers to those services either directly or via a weblink, application, or phone number, if no wheelchair accessible vehicles are available on the agency's application dispatch system. The director may suspend or alter this requirement by rule if a director-approved dispatch system is established for wheelchair accessible trips;

11. Maintain a phone number, mailing address, and email address for passenger service;

12. Record all trips, process all payments, and issue a receipt for all payments through the dispatch system, a smart taximeter system, or an application dispatch system provided to affiliated drivers;

13. Comply with the data reporting requirements established in this chapter;

14. Operate only director approved application dispatch systems ;

15. Require affiliated vehicles to comply with applicable rate structures defined in this chapter;

16. Have, maintain, and monitor, while one or more affiliated vehicles are active, a duress alarm for the driver;

17. Establish and enforce operating standards for affiliated drivers and vehicles to ensure code compliance and passenger satisfaction;

18. Satisfy every request for service as long as there are affiliated taxicabs or for-hire vehicles available; except that transitional regional dispatch agencies, regional dispatch agencies, and regional for-hire drivers, that refuse service within the meaning of section 19.J of this ordinance, shall not be subject to any penalties by the director, and, in the case of regional for-hire drivers, by the transitional regional dispatch agency or regional dispatch agency;

19. Require affiliated vehicles to use a uniform color scheme or any associated graphics, or both, approved by the director;

20. Provide a supervisor at a taxicab zone whenever such zone is used by affiliated taxicabs if the director determines that it is necessary due to complaints received from passengers and adjacent property owners or improper use of nearby passenger load zones, truck load zones, and charter bus zones. If the transitional regional dispatch agency, or regional dispatch agency, fails to provide a supervisor as required by the director, the director may prohibit all affiliated taxicabs from using the taxicab zone;

21. Require affiliated vehicles to operate on an approved taximeter, smart taximeter system, or application dispatch system as required in this chapter;

22. Remit fares made via electronic payment to regional for-hire drivers within two business days after the ride was completed;

23. Remit fares made via electronic payment through the smart taximeter system to regional for-hire drivers in amounts not less than the full fare paid by the passenger, excluding deductions for fees agreed to in accordance with section 40 of this ordinance;

24. Comply with applicable business license requirements for any jurisdiction for which the transitional regional dispatch agency or regional dispatch agency operates; and

25. Meet any other requirement established by the director by rule.

B. A transitional regional dispatch agency that is not affiliated with taxicabs at the time of being issued a transitional regional dispatch agency license does not need to:

1. Affiliate with taxicabs;

2. Have or operate a taximeter;

3. Comply with taximeter rates; or

4. Provide a supervisor at a taxicab zone because for-hire vehicles are not permitted to operate at a taxicab zone.

C. Persons not previously licensed as a taxicab association or registered as a for-hire vehicle company may apply for a transitional regional dispatch agency license in a manner determined by the director.

D.1. Transitional regional dispatch agencies and regional dispatch agencies shall maintain accurate and complete operational records for all affiliated vehicles and shall submit quarterly reports, in an electronic format approved by the director.

2. Reports shall include the following:

- a. a total count of ride per origination ZIP Code;
- b. a total count of ride per destination ZIP Code;
- c. a total count of unfulfilled ride requests by ZIP Code;
- d. a total count of rides provided by a wheelchair accessible vehicle by ZIP Code;
- e. a total count of unfulfilled ride requests for a wheelchair accessible vehicle by ZIP Code;
- f. a list of vehicle collisions; including the vehicle medallion number, regional for-hire driver's

license number, and if known, whether the collision was the fault of the regional for-hire driver; and whether the collision resulted in any injuries;

- g. a list of crimes committed against drivers;
- h. a list of passenger complaints; and
- i. any other data required by the director to ensure compliance.

3. Transitional regional dispatch agencies and regional dispatch agencies shall retain records related to the reports required under subsection D. of this section for the current year and at least the two prior calendar years. Records may be maintained electronically.

4. If a public records request is made of the county for documents that have been designated by a licensee as confidential or proprietary, the county may provide third party notice to the providing party prior to disclosure.

E. A transitional regional dispatch agency and regional dispatch agency shall store, and upon request permit the director to review, all records required by this chapter for affiliated drivers and vehicles including, but not limited to, copies of regional for-hire driver's licenses, taxicab and for-hire vehicle medallions, lists of

all affiliated drivers and their affiliated vehicles, passenger feedback, new driver training records, dispatch records, and proof of vehicle insurance and vehicle registration. In addition, the transitional regional dispatch agency or regional dispatch agency shall:

1. Retain records, electronically or otherwise, for the current year and at least the prior two calendar years;

2. Provide the director with any other information the director may reasonably require upon request; and

3. Timely respond to the director's request for information.

F. The director may authorize a transitional regional dispatch agency or regional dispatch agency to submit regional for-hire driver's license applications on behalf of its affiliated drivers, in a manner approved by the director.

G. A transitional regional dispatch agency or regional dispatch agency may maintain a rating system for drivers and passengers to rate each other following a trip.

NEW SECTION. SECTION 40.

A. A transitional regional dispatch agency and regional dispatch agency shall put in writing all policies that affect affiliated medallion owners, vehicle owners, and regional for-hire drivers.

B. Prior to implementing or changing a policy, the transitional regional dispatch agency or regional dispatch agency shall provide a copy of the draft policy to the affiliated medallion owner, vehicle owner, or regional for-hire driver, and post a copy of the draft policy in the transitional regional dispatch agency or regional dispatch agency office and send via electronic transmittal a copy of the draft policy to the affiliated medallion owners, vehicle owners and regional for-hire drivers. Affiliated medallion owners, vehicle owners and regional for-hire drivers shall have a minimum of twenty days to review and provide input on the draft policy before the policy takes effect. Notwithstanding this twenty-day timeline, a policy proposed for purposes of addressing an emergent issue may be temporarily established for up to thirty days. After thirty days,

medallion owners, vehicle owners, and regional for-hire drivers shall be given an opportunity to provide input before the policy may be permanently adopted.

C. A transitional regional dispatch agency and regional dispatch agency shall make known to the regional for-hire driver the amount of the fare for each trip provided by that driver. If the amount remitted to the driver is less than the full fare paid by the passenger, the remittance to the driver shall include a description detailing the deductions made. With the exception of any fees that are authorized in Section 41 of this ordinance, a transitional regional dispatch agency or regional dispatch agency may only make a deduction on trips dispatched by the agency, and the maximum allowable amount of such deduction shall be ten percent of the fare paid by the passenger.

D. A transitional regional dispatch agency or regional dispatch agency shall establish a written policy governing an owner's or driver's access to the smart taximeter system, application dispatch system, the ability to work on any contracted accounts, and affiliation with the dispatch agency. The policy must include written notice of impending deactivation with sufficient information for the driver to understand the reason for deactivation, an opportunity for the owner or driver to be heard, and a period for the owner or driver to cure the violation before deactivation begins, unless the deactivation is ordered by the director or is an immediate threat to public safety.

NEW SECTION. SECTION 41.

A. Regional taximeter rates and the requirements for regional taximeter rates are as follows:

1. Unless specified elsewhere in this section or prescribed by the director by rule, it shall be unlawful for anyone operating a taxicab licensed by King County to advertise, charge, demand or receive any greater or lesser rate than the following regional taximeter rates:

- a. drop charge: for passengers for first 1/9 mile: \$2.60;
- b. Per mile: For each 1/9 mile or fraction thereof after the first 1/9 mile: \$0.30;
- c. For every one minute of waiting time: \$0.50, charged at \$0.30 per 36 seconds. Waiting time rates

are charged when taxicab speed is less than 11 miles per hour or when a taxicab driver is asked to wait for the passenger; and

d. Additional per passenger charge for more than two persons, excluding children under twelve years of age: \$0.50;

2. The director may adjust or prescribe new regional taximeter rates and other rates, such as minimum fares for trips, or both, by rule. In determining new regional taximeter rates, the director may consider, among other things, the following factors:

a. operational data supplied by a regional dispatch agency or data obtained by the director through other sources, including, but not limited to, regional consumer price index data;

b. the public's need for adequate for-hire transportation services at reasonable rates consistent with the provision, maintenance, and continuation of such services;

c. the rates of other for-hire transportation providers operating in similar areas;

d. rates paid by passengers using other modes of transportation;

e. The ability of a driver to earn a living wage after covering all operating costs incurred by the owner or driver;

f. other regulatory, access, or similar fees paid by drivers to serve the transportation needs of the region; and

g. alignment with rates established by the city of Seattle;

3. Regional taximeter rates are exclusive of any per-trip fee established by the Port of Seattle and set forth in any operating agreement or tariff, a temporary fuel surcharge authorized by the director, a technology fee if authorized by the director, a convenience fee for electronic payment of fares, the wheelchair accessible surcharge, or any toll or charge established for roads, bridges, tunnels, or ferries;

4. A regional dispatch agency's affiliated taxicabs shall have regional taximeter rates programmed into its smart taximeter system. Variations from regional taximeter rates are permitted, as follows:

- a. Variations from regional taximeter rates may be applied to contract trips, upfront fares, dynamic pricing, fare splitting, trip bidding, and unless prohibited by the director by rule, for flat-rate fares, minimum trip fares, or when operating on an application dispatch system;
 - b. The director may prescribe by rule variations from regional taximeter rates;
 - c. Unless prescribed otherwise by the director by rule, any variation from regional taximeter rates shall be established by a regional dispatch agency and not by an individual driver. A regional dispatch agency shall not vary a rate so that it results in a higher dispatch fee or other fee to be paid by an affiliated driver;
 - d. Variations from regional taximeter rates shall be applied in a manner that does not discriminate on the basis of a protected class or on the basis of the ride's geographic beginning or endpoints;
 - e. Unless a trip is dispatched via an application dispatch system, an upfront fare shall be based on the estimated time and distance calculated by the smart taximeter and multiplied by the regional taximeter rate. If the passenger rejects an upfront fare, the regional taximeter rates apply; and
 - f. If a flat rate between two defined points has been established, the flat rate shall be made available to the passenger prior to accepting a ride. Regional dispatch agencies must maintain a list of all established flat rates, including their defined origin and destination points, and make such list available for inspection upon request of the director;
5. Contract rates shall be in writing, be retained by the regional dispatch agency, and be available for inspection upon request of the director; and
 6. Before a licensee may use a smart taximeter system that is integrated with an application dispatch system, the director must first determine the application dispatch system rates are transparent under subsection B. of this section.
- B. The requirements for application dispatch system rates are as follows:
1. Before using an application dispatch system, or using a smart taximeter system as an application dispatch system, the transitional regional dispatch agency or regional dispatch agency shall provide to the

director either written documentation or a physical demonstration, or both, that the application dispatch system rate structure is transparent to the passenger prior to confirming the ride. Application dispatch system rates do not need to be filed with the director unless requested by the director. The director shall determine that the rate structure is transparent if:

a. one of the following methodologies is used:

(1) the rate by either distance or time, or a combination of distance and time, and the total fare or fare range is clearly displayed on the application dispatch system to the passenger upon requesting a ride, but before confirming the ride; or

(2) the fare for the ride is made clear to the passenger prior to confirming the ride through an alternative method deemed acceptable by the director;

b. any additional or higher charges such as tips, waiting time, tolls, or any other charges not included in subsection B.1.a. of this section shall be clearly identified by specific amount, if known, or by category, on the application dispatch system before confirming a ride; and

c. the receipt showing all charges paid by the passenger is available to the regional for-hire driver in the application dispatch system; and

2. During an abnormal disruption of the market, lasting for no longer than twelve consecutive hours in King County, a transitional regional dispatch agency or regional dispatch agency shall not raise its normal range of fare more than two times the fare that would otherwise be applicable.

C. The requirements for for-hire vehicle rates are as follows:

1. For-hire vehicles must charge for service based on: a written contract; flat rate per trip or by zone; or by an hourly rate with minimum increments of thirty minutes. Flat charges by zone or hourly rate may vary by time of day. Zone boundaries shall be set by the director by rule and shall be consistent across all for-hire vehicle operators;

2. Records of all for-hire vehicle rates in place prior to implementing a smart taximeter system shall

be maintained by the for-hire vehicle company and be made available for inspection upon request by the director. All rates and charges shall be conspicuously available in the interior of the for-hire vehicle;

3. The for-hire vehicle rate structure shall remain in effect until the vehicle transitions to a taxicab or March 31, 2026, whichever occurs sooner. After March 31, 2026, all for-hire vehicles shall have transitioned to taxicabs and are subject to the regional taximeter rates and application dispatch system rate requirements under this chapter; and

4. If using an application dispatch system, the director must first determine that the rates are transparent to the passenger under subsection B. of this section.

D. If the director establishes a minimum fare flat rate from one location to another location, or other rates, based on the factors identified in subsection A.2. of this section, such minimum fare, flat rate, or other rate shall apply whether the trip originated via a taximeter, a smart taximeter, or, if specified by the director, an application dispatch system. In addition to the general authority authorized in this subsection D, the following shall apply:

1. For all trips originating at SeaTac International Airport, and no later than December 31, 2024, the director shall establish a minimum fare by rule; and

2. On the effective date of this ordinance, and expiring on December 31, 2024, or upon the date the director's rule goes into effect, whichever is earlier, in accordance with subsection D.1. of this section, the minimum fare for all trips originating at SeaTac International Airport shall be twenty dollars exclusive of any fees, surcharges, or tolls as indicated in subsection A.3. of this section. Any flat rate, dynamic price, or other method of pricing established by a transitional regional dispatch agency or a regional dispatch agency shall not be below this minimum for trips that originate at Seattle-Tacoma International Airport.

E. Other rate and fare requirements are as follows:

1. It is unlawful to charge additional fees for carrying individuals with disabilities and their equipment or to charge rates higher to passengers with a disability than are charged to other persons. To promote equitable

access to for-hire transportation for persons with disabilities, and to ensure that wheelchair accessible vehicle service is reliably available at reasonable and predictable rates, the director may prescribe by rule fares for wheelchair accessible trips or other conditions on the rates, fares, fees, and other surcharges, or both, for providing wheelchair accessible transportation services to persons with disabilities;

2. The director is authorized to establish a fuel surcharge to the regional taximeter rate that can be added as an amount to the passenger's total fare any time the price of fuel, as published by the American Automobile Association for the local area, exceeds a fuel surcharge trigger price established in accordance with a rule adopted by the director. The surcharge shall be an amount necessary to recoup the increased fuel costs;

3. A toll or charge established for roads, bridges, tunnels, or ferries while passengers are being transported may be added to the passenger's total fare if such charges are not already included in the calculation of the fare;

4. Discriminatory charges are prohibited. For the purposes of this subsection E.4., "discriminatory charges" means policies or practices that result in higher charges or rates being applied to passengers belonging to a protected class compared to other passengers; and

5. The director may establish by rule the process and criteria associated with the director's review and approval of a technology fee that is intended to help offset the cost of implementing, operating and maintaining a smart taximeter system and that may be added to the fare for all trips subject to the taximeter rates in subsection A. of this section.

NEW SECTION. SECTION 42.

A. The director may prescribe by rule the implementation of a discrete licensing program for emerging for-hire transportation models that do not fit within the parameters of this chapter or K.C.C. chapter 6.64.

B. The director shall determine whether a proposed business activity is an emerging for-hire transportation model that falls outside the parameters of any existing license under this chapter or K.C.C. chapter 6.64, and whether the proposed business activity presents potential risks to the public health, safety, and

welfare such that, for the protection of the public, the activity must be regulated and licensed.

C. The director may grant the applicant an emerging for-hire transportation license to operate in the proposed business activity on a pilot basis.

D. The emerging for-hire transportation license shall be renewed annually for a maximum of two years, after which the license shall expire. The emerging for-hire transportation license shall be a personal privilege and not property. The emerging for-hire transportation license shall not be transferrable to another location, person, or business entity.

E. The director may attach conditions to the emerging for-hire transportation license as are reasonably required to protect the public health, safety, labor harmony, and welfare from risks including, but not limited to: adverse impact on public health; public safety; increased demand on government services; increased environmental impacts; or increased traffic or congestion in the public way. The director may attach any such conditions when the emerging for-hire transportation license is issued, or the director may attach, remove, or modify conditions at any time during the term of the license, upon reasonable notice to the licensee.

F. The director may determine at any time during the term of the emerging for-hire transportation license that the licensed business activity as conducted presents an unreasonable risk to public health and safety that cannot be mitigated, and may revoke the license, with or without prior notice. If a license is revoked, the licensee shall be given the opportunity to appear before the director for an informal hearing to introduce any evidence to appeal the revocation before the revocation is effective or no later than ten days after the revocation is effective. The director shall render a decision affirming or reversing the revocation within three business days after conclusion of the hearing. The decision of the director is final.

G. If the director determines an emerging for-hire transportation model that has been issued an emerging for-hire transportation license under a pilot program should be regulated by ordinance, the director shall convey the determination to the council prior to the expiration of the license. The license shall not be extended beyond two years unless an ordinance regulating the emerging for-hire transportation model is

effective and the emerging for-hire transportation model has obtained the necessary licenses required under that ordinance.

NEW SECTION. SECTION 43. The director may establish, in conjunction with the city of Seattle and the Port of Seattle, a shared process to receive and, when appropriate, resolve passenger feedback and may communicate the process to passengers.

NEW SECTION. SECTION 44.

A. Upon receiving a written complaint involving the conduct of a licensee, where the conduct may be a violation of this chapter, the director shall review the complaint, and if appropriate:

1. Issue a notice of complaint to the licensee, and if applicable, the affiliated transitional regional dispatch agency or regional dispatch agency, advising them of the allegation or allegations made in the complaint;
2. Require the licensee and, if applicable, the affiliated transitional regional dispatch agency or regional dispatch agency, to respond in writing or by contacting the issuing inspector to provide a response to the allegation or allegations in the notice of complaint within fifteen calendar days from the date the notice of complaint was issued;
3. Investigate the allegations in the written complaint and the response submitted by the licensee and if applicable, the response submitted by the transitional regional dispatch agency or regional dispatch agency representative; and
4. Make a finding as to the validity of the allegations in the written complaint. If the complaint is found to be valid the director may take enforcement action consistent with this chapter.

B. Failure to respond to a notice of complaint, either in writing or by contacting the issuing inspector, within fifteen calendar days shall constitute a waiver of the licensee's and, if applicable, the affiliated agency's right to respond to the allegations in the written complaint and shall be prima facie evidence that the allegations are valid.

NEW SECTION. SECTION 45.

A. It is a violation for any person to not meet or maintain compliance with any requirement of this chapter or rule issued by the director. If the director determines that any of this chapter's requirements or rules have been violated, the director may issue:

1. A citation;
2. A license action, including denial, revocation, suspension, or summary suspension; or
3. A citation and a license action.

B. In determining a monetary penalty, the director shall consider the gravity of the violation; the number of past violations committed; the size of the business of the violator; the deterrent effect of monetary penalties; and the good faith of the violator in attempting to achieve compliance after notification of the violation.

C. A person shall pay all fees, surcharges, and monetary penalties that are owed under this chapter. If the person cited fails to pay a monetary penalty imposed under this chapter, the monetary penalty may be referred to a collection agency. The cost for the collection services will be added to the penalty. Alternatively, the director may pursue collection in any other manner allowed by law. The director shall refuse to issue a license, endorsement, or medallion at the time of renewal if the person has outstanding fees, surcharges, or monetary penalties issued under this chapter.

D. Each day a person violates or fails to comply with one of the requirements of this chapter may be considered a separate violation for which a citation, license action, or both, may be issued.

E. It is a misdemeanor for any person to violate the operating standards established in this chapter three or more times in a twelve-month period. The director may refer such a person for prosecution as an alternative to the citation and license action procedures outlined in this chapter.

F. The director may seek legal or equitable relief to enjoin any acts or practices when necessary to achieve compliance.

G. Nothing in this section limits or precludes any action or proceeding to enforce this chapter, and nothing obligates or requires the director to issue a citation or license action prior to the imposition of criminal penalties.

NEW SECTION. SECTION 46. The following monetary penalties shall be assessed or license action taken for violations of the listed sections or subsections of this chapter:

A. The director shall assess a Class A penalty, which is a one-hundred-twenty-five-dollar civil penalty for a first offense, a two-hundred-fifty-dollar penalty for a second offense, or a five-hundred-dollar civil penalty for a third or subsequent offense:

1. Section 18.A., B., D., L., N., Q., and U. of this ordinance;
2. Section 19.B., M., and N. of this ordinance;
3. Section 20.A.1., 2., and 3. of this ordinance;
4. Section 31.D., E., and F. of this ordinance; and
5. Section 34.A.4., 5., 6., 7., and 8. of this ordinance;

B. The director shall assess a Class B penalty, which is a two-hundred-fifty-dollar civil penalty for a first offense, a five-hundred-dollar civil penalty for a second offense, or a one-thousand-dollar civil penalty for a third or subsequent offense:

1. Section 18.C., E., F., G., H., I., J., K., and M. of this ordinance;
2. Section 19.A., D., G., I., J., K., and L. of this ordinance;
3. Section 20.A.4. and 5. of this ordinance;
4. Section 34.A.3., 9., 10., 11., 12., 13., 14., and 15. of this ordinance; and
5. Section 34.B.2, and 3. of this ordinance;

C. The director shall assess a Class C penalty, which is a one-thousand-dollar civil penalty for an offense:

1. Section 19.F. of this ordinance;

2. Section 39.A.1., 3., 4., 5., 6., 7., 8., 9., 10., 11., 12., 13., 14., 15., 16., 17., 18., 19., 20., 21., 22., and 23. of this ordinance; and

3. Section 40.A., B., C., and D. of this ordinance;

D. The director shall assess a one-thousand-dollar civil penalty for the first offense and suspend the license or medallion for the second and subsequent offenses:

1. Section 35.A. and C. of this ordinance;

2. Section 39.D. and E. of this ordinance; and

3. Section 41.A.4. of this ordinance;

E. The director shall assess a one-thousand-dollar civil penalty for each offense. It is a criminal misdemeanor for the second and subsequent offenses, which the director may refer for prosecution:

1. Section 9.A. of this ordinance;

2. Section 25 of this ordinance; and

3. Section 29.B. of this ordinance;

F. For offenses violating the following, the director shall take the listed action:

1. Section 11.A., B., E., F., G., H., I., J., K., L., and M. of this ordinance, denial;

2. Section 18.O., R., and S. of this ordinance, revocation;

3. Section 19.C., E., and H. of this ordinance, suspension;

4. Section 23.G. of this ordinance, revocation;

5. Section 26.E. of this ordinance, denial;

6. Section 29.A. of this section, revocation;

7. Section 29.C. of this ordinance, denial;

8. Section 31.A., G., and H. of this ordinance, summary suspension;

9. Section 32.C. of this ordinance, suspension;

10. Section 32.D. of this ordinance, suspension of the regional for-hire driver's license wheelchair

accessible vehicle endorsement;

11. Section 34.A.1. and 2. of this ordinance, summary suspension;
12. Section 36.A. of this ordinance, revocation;
13. Section 37.A. of this ordinance, denial; and
14. Section 39.A.24. of this ordinance, suspension;

G. The director shall suspend a license or medallion, or shall deny a license or medallion application at renewal:

1. Section 29.F. of this ordinance;
2. Section 30.A. of this ordinance;
3. Section 34.B.1. of this ordinance; and
4. Section 39.A.2. of this ordinance;

H. The director shall assess a two-hundred-fifty-dollar civil penalty for the first offense and a one-thousand-dollar civil penalty for second and subsequent offenses of section 10 of this ordinance;

I. The director shall revoke a license or deny a license application at renewal for an offense of section 19.O. of this ordinance;

J. For rules promulgated in accordance with section 18.V. of this ordinance, section 34.A.16. of this ordinance, and section 39.A.25. of this ordinance, the director shall specify any applicable civil penalty or license action in the rule itself.

K. Any violation not enumerated in this section that does not pose a threat or hazard to life, safety, or property shall have a civil penalty of up to five-hundred-dollars. Any violation not enumerated in this section that poses a threat or hazard to life, safety, or property shall have a civil penalty of up to one-thousand-dollars.

NEW SECTION. SECTION 47.

A. The director may issue citations and suspend, summarily suspend, deny, or revoke any license, endorsement, or medallion of any person for violating or failing to comply with any applicable provision of this

chapter.

B. Notwithstanding any other provision of this chapter, the director may summarily suspend a license, endorsement, or medallion issued under this chapter, with the suspension to take effect immediately by order of the director prior to any hearing upon finding that:

1. There is reasonable cause to believe that the licensee has engaged in activity that causes or will cause a clear, substantial, and imminent hazard to life, safety, property, or privacy of the driver, passenger, or public, or any combination thereof; or

2. There is a lapse in coverage or the coverage of any surety bond or public liability insurance policy required to be filed with the director is less than the minimum requirements in section 30 of this ordinance.

C. The following applies to license actions:

1.a. Whenever any license, endorsement, or medallion is revoked or summarily suspended the revocation or summary suspension is effective upon issuance of the notice. Such notice may be appealed in accordance with the procedures of section 48 of this ordinance. If a timely appeal is not filed by the licensee, the notice of revocation or summary suspension shall be final.

b. A final order of revocation shall extend for twelve months, except for a final medallion revocation. Upon the final order of revocation of a medallion, where all appellate proceedings, if any, have been concluded, a medallion owner shall immediately surrender the taxicab or for-hire vehicle medallion plate or decal to the director and has sixty days to transfer the medallion as prescribed by section 26 of this ordinance.

c. A final order of summary suspension shall extend until the license, endorsement, or medallion expires or until evidence satisfactory to the director is produced showing that the violation is cured, whichever occurs first;

2. If the licensee does not file a timely appeal in accordance with section 48 of this ordinance, the notice of suspension shall be final. Suspensions are effective upon the date included in the notice of suspension or if timely appealed under section 48 of this ordinance, when an order on appeal affirming such notice

becomes final. Suspensions shall extend until the license or endorsement expires or until evidence satisfactory to the director is produced showing that the violation is cured, whichever occurs first; and

3. Except in the case of revocation or summary suspension, whenever a timely appeal is filed in accordance with section 48 of this ordinance, a licensee may continue to operate pending a final decision on appeal. Any applicant not licensed in the preceding license year may not engage in the activity for which the license is required pending a final decision on appeal.

NEW SECTION. SECTION 48.

A. A citation or license action shall include the following:

1. The name and address of the person to whom the citation or license action is issued;
2. The address of the location, if relevant, where the violation occurred;
3. A separate statement of each provision violated;
4. The date of the violation;
5. The applicable monetary penalty or license action;
6. A statement that the person cited must respond to the citation or license action within twenty-four calendar days after service;
7. A statement that a response must be sent to the hearing examiner and received not later than 4:30 p.m. on the day the response is due;
8. Contact information for where the response to the citation or license action is to be filed;
9. A statement that the citation or license action represents a determination that a violation has been committed by the person named in the citation or license action and that the determination shall be final unless appealed in accordance with this chapter; and
10. A statement certified under penalty of perjury by the director's representative issuing the citation or license action setting forth facts supporting issuance of the citation or license action.

B. The citation or license action shall be addressed to the person allegedly responsible for the violation,

and be served by first-class mail, electronically, or in person. Service by first-class mail shall be deemed complete three days after the mailing. If a citation or license action sent either electronically or by first class mail, and is returned as undeliverable, the citation or license action may be served in person. The director shall respond to inquiries concerning the facts and process of the decision and request for any files that detail the facts on which the director based the ruling.

C. A person cited must respond to a citation in one of the following ways:

1. Pay the amount of the monetary penalty specified in the citation within thirty calendar days of issuance, in which case the record shall show a finding that the person cited committed the violation;
2. Timely request in writing a hearing to mitigate, by explaining the circumstances surrounding the commission of the violation, and providing an address to which notice of the hearing may be sent; or
3. Timely request in writing a hearing to appeal, by disputing the commission of the violation, and providing an address to which notice of the hearing may be sent.

D. The director's license action is final unless the person cited timely requests in writing a hearing to appeal the license action and provides an address to which notice of such hearing may be sent.

E. If requesting a hearing, a response to a citation or license action must be received by the hearing examiner no later than twenty-four calendar days after the date the citation is served. When the last day of the appeal period so computed is a Saturday, Sunday, or holiday, the period shall run until 4:30 p.m. on the next business day. If a person fails to respond to a citation or license action within twenty-four calendar days of service, the citation and monetary penalty or license action shall become the final order of the director and is unreviewable by the hearing examiner.

F.1. Appeals of license actions shall be heard by the hearing examiner of the jurisdiction issuing the license action. The presiding hearing examiner shall decide the appeal under the applicable portions of both the King County Code and the Seattle Municipal Code. The King County hearing examiner is bound by any interpretation of the applicable Seattle Municipal Code by the city hearing examiner in a license action appeal.

The King County hearing examiner shall forward all decisions made under this subsection F. to the Seattle hearing examiner within ten business days of issuing the decision.

2. Appeals of citations shall be heard by the hearing examiner of the jurisdiction issuing the citation, and the hearing examiner shall decide the appeal under the King County Code.

3. The hearing for a license action or a citation shall be held within forty-five calendar days after written response is received by the hearing examiner, except that hearings for summary suspensions shall be held within ten business days of the request, unless a later date is agreed to by the person issued the license action. With the exception of summary suspension hearings, notice of the time, place, and date of the hearing shall be sent to the address specified in the request for hearing not less than ten calendar days before the hearing.

G. Hearings to appeal the citation or license action shall be conducted in accordance with the procedures and rules of the hearing examiner. The issues heard at the hearing shall be limited to those that are raised in writing in the response to the citation or license action and that are within the jurisdiction of the hearing examiner. The hearing examiner may issue subpoenas for the attendance of witnesses and the production of documents. The director shall have the burden of proving by a preponderance of the evidence both that the violation occurred and the appropriateness of the remedy the director has imposed.

H. A citation or license action shall not be deemed insufficient for failure to contain a detailed statement of the facts constituting the specific violation that the person is alleged to have committed or by reason of defects or imperfections, but only if the lack of detail, or the defects or imperfections, do not prejudice substantial rights of the person. A citation or license action may be amended before the conclusion of the hearing to conform to the evidence presented if substantial rights of the affected person are not thereby prejudiced.

I. The certified statement or declaration authorized by chapter 5.50 RCW shall be prima facie evidence that a violation occurred and that the person listed on the citation or license action is responsible. The certified

statement or declaration authorized under penalty of perjury and any other evidence accompanying the report shall be admissible without further evidentiary foundation.

J. In cases where the person seeks to mitigate the citation, the person may explain the circumstances surrounding the commission of the violation. In cases where the person disputes the citation or license action, the person may rebut the director's evidence and establish that the violation or violations preceding the citation or license action did not occur or that the person appealing the citation or license action is not responsible for the violation.

K. In a mitigation hearing, the hearing examiner shall determine whether the person's explanation justifies reduction of the monetary penalty. However, the monetary penalty may not be reduced unless the director affirms or certifies that the violation has been corrected prior to the mitigation hearing. Factors that may be considered in whether to reduce the penalty include: whether the violation was caused by the act, neglect, or abuse of another; or whether correction of the violation was commenced before the issuance of the citation but full compliance was prevented by a condition or circumstance beyond the control of the person cited. The hearing examiner shall enter an order finding that the person cited committed the violation and assess a monetary penalty.

L. If the citation or license action is sustained at the hearing, the hearing examiner shall enter an order finding that the person committed the violation and impose the applicable monetary penalty or enter an order affirming the license action. The hearing examiner may reduce the monetary penalty of a citation in accordance with subsection K. of this section. If the hearing examiner determines that the violation did not occur, the hearing examiner shall enter an order dismissing the citation or denying the license action.

M. Failure to appear for a requested hearing will result in the hearing examiner entering an order finding that the person committed the violation and assessing the penalty specified in the citation or finding that the person committed the violation and affirming the license action. For good cause shown and upon terms the hearing examiner deems just, the hearing examiner may set aside an order entered upon a failure to appear and

schedule a new hearing date.

N. If a license action involving a vehicle is upheld, and the vehicle is to be temporarily or permanently placed out of service, the director shall initiate the temporary deactivation process authorized under this chapter and the licensee shall immediately surrender all applicable vehicle medallion plates or decals to the director.

O. The decision of the hearing examiner shall be final and conclusive unless review is timely filed with the appropriate court.

P. The hearing examiner may affirm, modify, or reverse the decisions of the director.

Q. The director may contract with a third party to serve as the hearing examiner for purposes of this chapter, if done in conjunction with the city of Seattle.

NEW SECTION. SECTION 49. The director shall issue a joint annual report with the city of Seattle on the state of for-hire transportation in the region on or before April 30 of each year, and the director shall make the annual report, for the previous calendar year, publicly available on the director's website. The report may include but is not limited to the following:

A. The number of licensed vehicles providing for-hire transportation services in King County and the city of Seattle during the reporting period and during the preceding year;

B. The number of licensed regional for-hire drivers in King County and the city of Seattle during the reporting period and during the preceding year;

C. The numbers and nature of complaints;

D. The results of any survey of taxicab response times and any changes in response times from the previous year;

E. What, if any, organizations have been authorized to operate as an emerging for-hire transportation model; and

F. Any other information or recommendations deemed appropriate by the director.

NEW SECTION. SECTION 50.

A. The director is authorized to implement, enforce, and administer this chapter, including adopting, revising, or rescinding rules deemed necessary, appropriate, convenient, or efficient to implement, enforce and administer this chapter under the procedures specified in K.C.C. chapter 2.98.

B. 1. If the director determines that certain provisions of this chapter related to licensing and operating standards, fees, or both should be temporarily suspended or modified, the director shall electronically transmit a temporary suspension or modification notification letter to the council detailing the scope and rationale for the determination, which may include, but not be limited to, the following factors:

- a. the action would serve the public interest, including the public's need for safe, reliable, and effective for-hire transportation;
- b. technology has changed such that the requirements are no longer necessary or new requirements are necessary;
- c. the action would improve the economic viability for drivers and vehicle owners; and
- d. the action would encourage and enable companies and agencies to innovate and improve customer service and increase access to for-hire transportation options.

2. Unless the council passes a motion rejecting the proposed temporary suspension or modification within thirty days of the director's transmittal, the director may proceed with the temporary suspension or modification as set forth in the notification letter. The director shall electronically file the letter with the clerk of the council, who will retain an electronic copy and provide an electronic copy to all councilmembers, the council chief of staff, and the lead staff for the government accountability and oversight committee or its successor.

3. Temporary suspensions or modifications under this section shall last no more than six months from the end of the thirty-day period if the council by motion has not rejected the temporary suspension or modification.

NEW SECTION. SECTION 51. Unless granted such authority by the director by rule, a vehicle

equipped with an automated driving system providing for-hire transportation services is prohibited from autonomous operation. A director's rule granting such authority is subject to the following conditions:

A. The director must obtain written concurrence in advance from the directors of the King County department of local services and the King County sheriff's office to authorize autonomous operation of an autonomous vehicle providing for-hire transportation services; and

B. The director must establish safety and regulatory requirements for autonomous operation of an autonomous vehicle providing for-hire transportation services, including, but not limited to, requiring the following items before deployment: advanced notification of deployment; notice of contact information and public outreach events; first responder interaction information with the King County sheriff's office and any city with which the county has contracted under section 5 of this ordinance; proof of insurance acceptable to the County; indemnification acceptable to the County; notification of collisions, moving violations, or other reportable events as required by state law; and demonstrated compliance with Washington state Department of Licensing requirements, including but not limited to self-certification; and any other requirements from state law.

NEW SECTION. SECTION 52. Notwithstanding the existence or use of any other remedy, the prosecuting attorney may seek legal or equitable relief to enjoin an act or practice that constitutes or will constitute a violation of this chapter or an applicable rule adopted under this chapter.

NEW SECTION. SECTION 53.

A penalty issued under K.C.C. chapter 6.64, regarding matters now in the scope of this chapter, that was either not appealed or was upheld after review, and that remains unpaid as of the effective date of this ordinance, shall remain due and payable after the effective date of this ordinance.

SECTION 54. Ordinance 2165, Section 6, as amended, and K.C.C. 2.98.060 are hereby amended to read as follows:

A.1. Prior to the adoption, amendment or repeal of any rule, each department shall give at least forty-

five days' notice of its intended action, except rules being adopted, amended or repealed under K.C.C. chapter X.XX (the new chapter created under section 1 of this ordinance) shall give at least fourteen days' notice of intended action, by:

a. filing a notice with the executive department responsible for archives and records management functions;

b. providing, at least in writing or by electronic format, the notice to: all persons and other parties who have made timely request of the agency for advance notice of its rulemaking proceedings on a specific topic; the clerk of the council; and each member of the county council; and

c. giving public notice by one publication in the official newspaper of King County.

2. The notice shall include:

a. reference to the authority under which the rule is proposed;

b. a statement of either the terms or substance of the proposed rule or a description of the subjects and issues involved; and

c. the time, place and manner, including at least in writing or by electronic format, in which interested persons may present their views on the rule. To the extent practicable, the department should permit persons to present their views at a public meeting, according to rules established by the department.

B. The department giving the notice required in this section shall consider all comments received by the prescribed time and shall make reasonable efforts to provide written responses to the comments before the rule is adopted.

C. Adoption of a rule by a department other than a county board, commission, committee or other multimember body is accomplished by the department's director or the sheriff, assessor or director of elections, for the director or other elected official's respective department, signing the proposed rule. Adoption of a rule by a county board, commission, committee or other multimember body is accomplished by majority vote in favor of the rule by the members of the body, as evidenced in the approved minutes of the body, and in

compliance with the Open Public Meetings Act of 1971, chapter 42.30 RCW, as applicable.

D. A rule adopted under this section is not valid unless adopted in substantial compliance with this section. In any proceeding, a rule shall not be considered invalid on the ground of noncompliance with the procedural requirements of this section if two years or more have elapsed from the effective date of the rule.

SECTION 55. Ordinance 2165, Section 8, as amended, and K.C.C. 2.98.080 are hereby amended to read as follows:

A. Emergency rules adopted under K.C.C. 2.98.070 take effect ~~((upon))~~ on the date of filing with the executive department responsible for archives and records management functions. Rules adopted under K.C.C. chapter X.XX (the new chapter created under section 1 of this ordinance) shall take effect on the date of filing with the executive department responsible for archives and records management. All other rules adopted under this chapter take effect thirty days after the date of filing with the executive department responsible for archives and records management functions, unless a later date is required by statute or specified in the rule.

B. The executive department responsible for archives and records management functions shall compile and index all rules adopted by each department. Compilations shall be supplemented or revised as often as necessary and at least once every year.

SECTION 56. Ordinance 18398, Section 8, as amended, and K.C.C. 4A.601.025 are hereby amended to read as follows:

Subject to appropriation by the county council, the following county departments and agencies are authorized to absorb the operational and business costs accepting electronic payments, including transaction processing costs, for the specified fees, fines, charges, fares or other payments listed:

A. The department of executive services, records and licensing services division, for payments for animal shelter, care and control and pet licensing purposes, including all fees, donations and penalties in K.C.C. 11.04.035, and for payments of for-hire licensing, regulatory fees and penalties in K.C.C. chapter X.XX (the new chapter created under section 1 of this ordinance) and K.C.C. 4A.750.100;

- B. District court for court-related fees, fines and other charges;
- C. The department of natural resources and parks, parks and recreation division, for park services and facilities usage provided to the public;
- D. The department of natural resources and parks, wastewater treatment division, for sewage capacity charges;
- E. The department of natural resources and parks, solid waste division, for municipal solid waste fees;
- F. The department of public health for public health environmental permits and community health clinic fees;
- G. The department of local services, permitting division, for permitting and environmental review permit fees;
- H. The department of information technology for geographic information system course fees; and
- I. The Metro transit department for public transportation fares.

SECTION 57. Ordinance 10498, Section 6, as amended, and K.C.C. 4A.750.100 are each hereby amended to read as follows:

A. ~~The ((following fees shall apply until the director adopts fees under subsection B. of this section))~~
director may set the amount for the fees listed in this subsection in accordance with sections 7 and 50 of this ordinance. The records and licensing services division shall post the fees and their amounts on the division's website. The fees are:

1. Taxicab or for-hire vehicle ~~((license))~~ medallion fees

((Taxicab license)) <u>Annual medallion fee</u>	(((\$450.00))
<u>Annual medallion reciprocity endorsement fee</u>	
<u>Annual</u> ((W)) <u>wheelchair accessible taxicab</u> ((license)) <u>medallion fee</u>	((No fee))
<u>Annual wheelchair accessible taxicab medallion reciprocity endorsement fee</u>	
((Taxicab license)) <u>Medallion or medallion reciprocity endorsement late fee</u>	(((\$45.00))
((For hire vehicle license	\$450.00
For hire vehicle license late fee	(\$45.00))

Change of vehicle associated with the medallion fee
Change or transfer of medallion owner corporation, limited liability company, or partnership members fee
 Vehicle equipment change fee (\$75.00)
~~Change of owner July/Dec Jan/June~~ \$450.00 \$225.00
~~Replace taxicab))~~ Replacement medallion plate or decal fee ((\$25.00))
~~((Vehicle inspection rescheduling fee~~ \$25.00;))
Wheelchair accessible vehicle and installed equipment inspection fee
Special inspection fee (for tests and inspections conducted on vehicles without a medallion)

2. Change of agency affiliation fee
 For-hire driver fees, except transportation network company drivers

Annual regional for-hire ((D))driver license fee ((\$85.00))
Driving ((abstract)) history report fees: ((Per charge authorized by RCW 46.52.130))

Driving abstract per RCW 46.53.130 fee
Third-party driving history report fee
 ((License)) Late fee (10% of the annual license fee rounded to the nearest whole dollar) ((\$15.00))

~~((ID photo~~ \$5.00))
Criminal background check fees:
Fingerprinting fee ((per charge authorized by RCW 10.97.100))

Third-party background check fee (regional for-hire driver's license)
Fingerprint-based background check fee (enhanced regional for-hire driver's license)

Replacement license fee ((\$5.00))
Training ((fee)) fees ((per contract))
Rescheduling fee ((\$15.00))

3. ~~((Taxicab association license fee or for hire vehicle company fee))~~ Regional dispatch agency fee or

transitional regional dispatch agency fee

~~((One to fifteen vehicles))~~ Annual regional dispatch agency license fee: ((\$250.00)
~~Sixteen to twenty-five vehicles~~ \$500.00))
Fifty or fewer affiliated vehicles
Fifty-one or more affiliated vehicles
~~((Twenty-six or more vehicles~~ \$1,000.00))

Late regional dispatch agency license renewal fee: Fifty or fewer affiliated vehicles Fifty-one or more affiliated vehicles ~~(((\$100.00; and))~~

Annual transitional regional dispatch agency license fee:

Fifty or fewer affiliated vehicles

Fifty-one or more affiliated vehicles

Late transitional regional dispatch agency license fee: Fifty or fewer affiliated vehicles Fifty-one or more affiliated vehicles

Additional trade names registration fee

4.a. A transportation network company shall pay a quarterly fee ~~((of))~~ per ride on a schedule

determined by the director for all rides originating in:

(1) unincorporated King County; or

(2) any municipality that contracts with the county for the county to license transportation network companies that operate in the municipality.

b. The amount of the fee shall be determined in accordance with RCW 46.72B.190(2) and the quarterly fee amount will be posted on the division's website.

c. The fee is for the regulatory and enforcement costs related to the company and its drivers and endorsed vehicles.

B. By February 15, 2015, the director shall review the fees in subsection A. of this section in coordination with the city of Seattle. The purpose of the review shall be to determine the fees that are needed to cover the director's regulatory and enforcement costs. Thereafter, the director may adjust ~~((any))~~ fee amounts in subsection A.1., 2., and 3. of this section as authorized in ~~((K.C.C. 6.64.026))~~ section 7 of this ordinance. In adjusting fees, the director shall consider at least the following factors:

1. The projected costs and annual budget for regulatory and enforcement costs related to transportation network companies, taxicabs, for-hire vehicles and for-hire drivers;
2. The need for increased enforcement activities; and
3. The total number of trips across transportation network companies, taxicabs and for-hire vehicles.

C. In addition to the fees under subsection A. of this section, each taxicab licensee, for-hire vehicle

licensee or transportation network company shall pay a fee surcharge of ten cents per ride as prescribed in K.C.C. 6.64.111 and section 8 of this ordinance.

D. Annual medallion fees and annual medallion reciprocity fees for wheelchair accessible vehicles may be waived by the director. To be eligible for this waiver, the licensee must demonstrate compliance with additional standards established by rule, including, but not limited to, providing a minimum number of trips annually to passengers in wheelchairs.

E. After November 16, 2015, the director may adjust the fee surcharge in subsection C. of this section under K.C.C. 6.64.026 and section 8 of this ordinance. In adjusting the fee surcharge, the director shall consider at least the following factors:

1. Reimbursement already made for purchasing and retrofitting wheelchair accessible taxicabs, for-hire vehicles or transportation network company endorsed vehicles;
2. The estimated need for purchasing and retrofitting wheelchair accessible taxicabs, for-hire vehicles or transportation network company endorsed vehicles in the upcoming year; and
3. Factors that may affect the supply, demand and financial viability of wheelchair accessible taxi rides.

~~((E))~~ E. Any late fee established in this Section applies when an application for license renewal is received later than one business day after the expiration date of the prior license or a scheduled payment for a fee is overdue.

SECTION 58. Ordinance 18230, Section 79, as amended, and K.C.C. 6.01.150 are each hereby amended to read as follows:

A. The office of the hearing examiner is designated to hear appeals by parties aggrieved by actions of the director pursuant to any business license ordinance. For appeals under K.C.C. chapter X.XX (the new chapter created under section 1 of this ordinance) the office of the hearing examiner is designated to hear such appeals unless a different party is designated by the director. The examiner may adopt reasonable rules or

regulations for conducting its business. Copies of all rules and regulations adopted by the examiner shall be delivered to the director, who shall make them freely accessible to the public. All decisions and findings of the examiner shall be rendered to the appellant in writing, with a copy to the director.

B. For-hire transportation appeals under K.C.C. chapter 6.64 and adult beverage businesses appeals under K.C.C. chapter 6.74 shall be filed in accordance with K.C.C. 20.22.080 and the hearing process conducted in accordance with K.C.C. chapter 20.22. Appeals under K.C.C. chapter X.XX (the new chapter created under section 1 of this ordinance) shall be filed in accordance with section 48 of this ordinance and the hearing process conducted in accordance with that same section. Subsections C. through H. of this section do not apply to this subsection B.

C. Any person entitled to service under K.C.C. 6.01.130 may appeal any notice and order or any action of the director by filing at the office of the director within seven days from the date of service of such order, a written appeal containing;

1. A heading in the words: "Before the Office of the Hearing Examiner";
2. A caption reading: "Appeal of" giving the names of all appellants participating in the appeal;
3. A brief statement setting forth the legal interest of each of the appellants in the business or entertainment involved in the notice and order;
4. A brief statement in concise language of the specific order or action protested, together with any material facts claimed to support the contentions of the appellant;
5. A brief statement in concise language of the relief sought, and the reasons why it is claimed the protested order or action should be reversed, modified or otherwise set aside;
6. The signatures of all parties named as appellants, and their official mailing addresses; and
7. The verification (by declaration under penalty of perjury) of at least one appellant as to the truth of the matters stated in the appeal.

D. As soon as practicable after receiving the written appeal, the examiner shall fix a date, time and

place for the hearing of the appeal. The date shall be neither less than ten days nor more than sixty days from the date the appeal was filed with the director. Written notice of the time and place of the hearing shall be given at least ten days before the date of the hearing to each appellant by the examiner either by causing a copy of the notice to be delivered to the appellant personally or by mailing a copy thereof, postage prepaid, addressed to the appellant at the appellant's address shown on the appeal.

E. At the hearing the appellant shall be entitled to appear in person and be represented by counsel and offer such evidence as is pertinent and material to the action of the director.

F. Only those matters or issues specifically raised by the appellant in the written notice of appeal shall be considered in the hearing of the appeal.

G. Failure of any person to file an appeal in accordance with this section shall constitute a waiver of the person's right to an administrative hearing and adjudication of the notice and order, or any portion thereof.

H. Enforcement of any notice and order of the director shall be stayed during the pendency of an appeal therefrom that is properly and timely filed.

SECTION 59. Ordinance 18230, Section 16, as amended, and K.C.C. 20.22.070 are hereby amended to read as follows:

A. K.C.C. 20.22.080 applies to all appeals to the office of the hearing examiner. If there is a direct conflict between the appeal provisions in K.C.C. 20.22.080 and the appeal provisions found in subsection B. of this section, the appeal provisions found in subsection B. of this section shall control.

B. The provisions for appealing the following decisions are found in the following chapters of the King County Code:

1. Career service review, K.C.C. chapter 3.12A;
2. Appeals under K.C.C. Title 6, except for for-hire transportation, K.C.C. chapter 6.64 and K.C.C. chapter X.XX (the new chapter created under section 1 of this ordinance), shall follow K.C.C. 20.22.080;
3. Discrimination and equal employment opportunity in employment by contractors, subcontractors,

and vendors, K.C.C. chapter 12.16;

4. Unfair housing practices, K.C.C. chapter 12.20;
5. Denial of C-PACER applications, K.C.C. chapter 18.19;
6. Regional motor sports facility, K.C.C. 21A.55.105;
7. Abandoned, wrecked, dismantled, or inoperative vehicles, K.C.C. chapter 23.10;
8. Citations, K.C.C. chapter 23.20;
9. Penalty appeals, K.C.C. chapter 23.32;
10. Transit rider suspension appeals, K.C.C. 28.96.430;
11. Other appeals prescribed by ordinance.

SECTION 60. The fee amounts for fees established by section 57 of this ordinance are set out in the Schedule of Fees, which is Attachment A to this ordinance. Once this ordinance is effective, the division shall post these approved fees on the division's website.

SECTION 61. Severability. If any provision of this ordinance or its application to any person or circumstance is held invalid, the remainder of the ordinance or the application of the provision to other persons or circumstances is not affected.