



Austin City Council  
301 W. Second Street  
Austin, Texas 78701

April 5, 2011

RE: consistent regulation of vehicles for hire

Dear Mayor and Council Members:

The Transportation section of the City Code could benefit from a thorough legal drafting review. Taxicabs have the most restrictions, while pedicabs and Electric Low Speed Vehicles (ELSV) operate without clear standards. Such lack of clarity often results in discriminatory enforcement and limited consumer protections. Pedicab drivers appear more special than other drivers; their insurance provision specifically states that drivers must be covered by insurance. Attached is a chart showing the inconsistencies in regulating vehicles for hire in Austin.

The organization of the Transportation Section should be reviewed to determine applicability of the provisions to the various types of authorized vehicles for hire. Provisions from Section 13-2-1 to 13-2-143, including, vehicle appearance standards in Section 13-2-142, may be applicable to all types of vehicles for hire. Some provisions are applicable to "other than taxis" (13-2-161) and some to pedicabs (13-2-271 to 13-2-276). ELSVs (13-2-284 to 13-2-288) appear to fall under Subchapter F pertaining to Touring and Sightseeing Services, rather than beginning numbering pursuant to a new Subchapter G.

Changes to these sections are proposed without any guidance from the consultant that the City Manager plans to engage. Clearly, authorizing a large number of vehicles for hire that compete with taxi cabs impacts the section on the formula for taxi permitting. The City Manager should wait for a report and possible options before muddying the regulatory waters further. When the draft ordinances come before you, we hope that you will give careful guidance to staff regarding policy decisions on these matters.

Sincerely,

  
Ann Darbonne

President

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Promoting The Economic Liberty and Interest of Austin Cab Drivers  
Safety Service Stewardship

## Regulation of Vehicles for Hire in Austin

	Taxicabs	Pedicabs	Low Speed EV
Cap on # of vehicles	YES	NO	NO
Established rate of fare	YES Set by Council, 13-2-361	NO	NO
# of holders of operating authority limited	YES	NO	NO
Self-insurance of vehicles permitted	YES 13-2-34(F)	NO	NO
Drivers covered by required insurance	NOT SPECIFICALLY 13-2-34	YES 13-2-34(G)	NOT SPECIFICALLY 13-2-34
Discrimination prohibited	YES 13-2-343(J)	YES 13-2-273	YES 13-2-287(O)
Appearance of vehicle regulated	YES 13-2-142	PAINT ONLY 13-2-166(N)(14)	UNCLEAR Not sure if 13-2-142 applies; otherwise, not addressed
Renewal of permits	PUBLIC NECESSITY & CONVENIENCE 13-2-302	MUST SERVE BEST INTEREST OF PUBLIC 13-2-168(C)(4)	NOT ADDRESSED/NO STANDARD
Limitations of solicitation	YES 13-2-349	NO 13-2-192 (Note: 13-2-273 does not apply)	NO
Doormen kickbacks prohibited	YES 13-2-354	NO	NO
Posted rate card	YES 13-2-362	YES 13-2-166(M) Fixed negotiated prior to service or tips only	YES 13-2-286 Must be agreed upon prior to trip whether negotiated or tips only
Multiple fares prohibited	YES 13-2-365	NO	NO
Complaint procedures	YES 13-2-383	NO	NO
Loading & unloading	13-2-52 Must do it at right hand sidewalk, except on one-way streets	13-2-52; 13-2-166(F) May not do it on sidewalks; only where approved by operating authority 13-2-273(C)(2)	13-2-52; 13-2-287(E) Curb or legal parking areas
Number of passengers limited	4 13-2-351	3 13-2-166(H)	4 13-2-287(H)
Restrictions on stopping or parking to wait for fare	YES 13-2-51(D) In taxi zones	YES May not do it on sidewalks 13-2-166(F); only where approved by operating authority 13-2-273(C)(2)	YES Legal parking areas, not driveways 13-2-287(E)