



OFFICE OF THE CITY ATTORNEY
Long Beach, California

ORD-24

CHARLES PARKIN
City Attorney

MICHAEL J. MAIS
Assistant City Attorney

MONTE H. MACHIT
Assistant City Attorney

PRINCIPAL DEPUTIES

Dominic Holzhaus
Anne C. Lattime

DEPUTIES

C. Geoffrey Allred
Gary J. Anderson
Richard F. Anthony
William R. Baerg
Kendra L. Carney
LaTasha N. Corry
Charles M. Gale
Haleh R. Jenkins
Michele L. Levinson
Barbara J. McTigue
Howard D. Russell
Arturo D. Sanchez
Tiffani L. Shin
Linda T. Vu
Amy R. Webber
Theodore B. Zinger

June 2, 2015

HONORABLE MAYOR AND CITY COUNCIL
City of Long Beach
California

RECOMMENDATION:

Recommendation to declare ordinance amending the Long Beach Municipal Code by adding Section 5.80.400, establishing a Taxi Regulation Modernization Pilot Program, read the first time and laid over to the next regular meeting of the City Council for final reading. (Citywide)

DISCUSSION:

Pursuant to your request on May 19, 2015, this ordinance has been prepared and is submitted for your consideration.

SUGGESTED ACTION:

Approve recommendation.

Very truly yours,

CHARLES PARKIN, City Attorney

By

AMY R. WEBBER
Deputy City Attorney

ARW:bg A15-01044
L:\Apps\CityLaw32\WPDocs\ID021\PO24\00538371.DOC

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

ORDINANCE NO.

AN ORDINANCE OF THE CITY COUNCIL OF THE
CITY OF LONG BEACH AMENDING THE LONG BEACH
MUNICIPAL CODE BY ADDING SECTION 5.80.400,
ESTABLISHING A TAXI REGULATION MODERNIZATION
PILOT PROGRAM

WHEREAS, Chapter 5.80 sets forth the requirements for obtaining a
taxicab permit and operating a taxicab in the City of Long Beach; and

WHEREAS, the City Council of the City of Long Beach desires to ensure
that the public is provided with a broad range of economically competitive, safe, reliable,
accessible and technologically innovative transportation options; and

WHEREAS, the City of Long Beach wishes to determine if reforms to
certain aspects of Chapter 5.80 are needed in order to achieve the objectives identified in
the preceding recital, and therefore desires to implement a pilot program for the purpose
of gathering and evaluating necessary data;

NOW, THEREFORE, the City Council of the City of Long Beach ordains as
follows:

Section 1. Section 5.80.400 is hereby added to the Long Beach
Municipal Code to read as follows:

5.80.400 Taxi Regulation Modernization Pilot Program.

The Taxi Regulation Modernization Pilot Program ("Pilot Program") is
hereby established in the City of Long Beach. The current lawfully
permitted operator of taxicab service in the City of Long Beach (the
"Operator") may designate a specified number of vehicles which will
participate in the Pilot Program (the "Pilot Program Fleet"). All vehicles

1 deployed or otherwise used and put into service by the Operator shall be
2 subject to inspection as provided under Section 5.80.270 of this Chapter.
3 All drivers of the Pilot Program Fleet shall be required to obtain and at all
4 times maintain a valid taxi driver permit pursuant to Section 8.30.310 of this
5 Code. All vehicles must comply with the requirements of Sections 5.80.050
6 (Insurance and Indemnity), 5.80.070 (Payment of Fees), 5.80.110 (Business
7 License), and 5.80.180 (Discrimination Prohibited); however, a designated
8 number of vehicles may operate subject to the regulations set forth in the
9 following sections.

10 A. Fares.

11 1. Fare Deregulation: The Pilot Program Fleet may
12 charge variable, demand-based rates, which must be just, reasonable and
13 nondiscriminatory, and not in violation of any provisions contained in this
14 Chapter or any other provision of law, taking into account and giving due
15 and reasonable consideration to the cost of all comparable transportation
16 services performed by all persons engaged in the transportation of persons
17 for compensation in the City, including length of haul, any additional
18 transportation service performed or to be performed, or of any accessory
19 service and the value of facilities reasonably necessary to perform such
20 transportation service. The rates for the Pilot Program Fleet must be the
21 same: There will be no penalties for discounts or promotions.

22 2. Rates must be filed with the City on a monthly basis,
23 and must be promptly available to the public through the Operator's website
24 and/or mobile application. The Operator shall provide a complete
25 description of the meter algorithm establishing the rates, including all
26 variations and surcharges, and must give thirty (30) day's advance notice of
27 a rate change.

28 3. The Operator will establish a smart phone / internet

1 based electronic application which will permit the public to book a taxicab.
2 The Operator's provider of a booking application may charge a convenience
3 fee for booking through the application.

4 4. The mobile application will, at a minimum, permit pre-
5 tipping, allowing a customer to pay extra money to incentivize driver to take
6 trip; allow a customer to pay a predetermined tip amount; allow the
7 Operator to request a "no show" fee during peak service periods; allow
8 customers and Operator to enter into a guaranteed ride agreement, during
9 peak periods, by allowing the customer to communicate his or her intended
10 tip amount for a ride. Peak period pricing may take the form of per-trip
11 surcharges or different meter rates.

12 B. Fleet Size. Operator shall designate a number of vehicles,
13 approved in advance by the City, which shall comprise the Pilot Program
14 Fleet. These vehicles may be identified in an alternative manner to the
15 permitted taxis, but prior to commencement of the Pilot Program the City
16 shall be given identifying information.

17 C. Examination of Expedited Driver Activation. City will examine
18 through its Police Department the use of expedited driver background-
19 checks and licensing procedures for drivers, including private investigator
20 background checks, and will report its findings and recommendation to the
21 City Council at the conclusion of the Pilot Program.

22 D. Hail-a-Cab Zones. Pilot Program Fleet may pick up or
23 discharge passengers in areas not official taxi stands, as designated by the
24 City, except bus zones, for active loading and unloading of passengers.

25 E. Enforcement. The City shall continue to enforce operations of
26 unpermitted operations, including unauthorized street hails, picking up at
27 taxi stands, and illegal staging of vehicles.

28 F. Reporting. The Pilot Program shall be the subject of

1 reasonable performance measures established by the City. During the Pilot
2 Program, Operator shall provide the City with monthly reports, including but
3 not limited to increases or decreases in ridership, use of mobile applications
4 and websites, use of the flexible tipping feature, variable pricing structure,
5 availability of fare notices, customer complaints, citations, accidents and
6 any other information that will assist the City in the evaluation of the Pilot
7 Program. At the end of the Pilot Program's term, the City may, after
8 evaluation of the information, recommend expanding the Pilot Program,
9 amending the Pilot Program conditions, extending the Pilot Program
10 duration or terminating the Pilot Program based upon its determination of
11 the best interests of the City.

12 G. This section shall remain in effect for six (6) months from the
13 date the Pilot Program takes effect, unless extended by the City Council.
14

15 Section 2. The City Clerk shall certify to the passage of this ordinance by
16 the City Council and cause it to be posted in three (3) conspicuous places in the City of
17 Long Beach, and it shall take effect on the thirty-first (31st) day after it is approved by the
18 Mayor.

19 ///
20 ///
21 ///
22 ///
23 ///
24 ///
25 ///
26 ///
27 ///
28 ///

OFFICE OF THE CITY ATTORNEY
CHARLES PARKIN, City Attorney
333 West Ocean Boulevard, 11th Floor
Long Beach, CA 90802-4664

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

I hereby certify that the foregoing ordinance was adopted by the City Council of the City of Long Beach at its meeting of _____, 2015, by the following vote:

Ayes: Councilmembers: _____

Noes: Councilmembers: _____

Absent: Councilmembers: _____

City Clerk

Approved: _____
(Date)

Mayor