

# CHAPTER 33 - VEHICLES FOR HIRE

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## ARTICLE VIII. TAXICABS

### Sec. 33-900. Scope of instant article.

Holders of permits to operate taxicab services and drivers of taxicabs shall be governed by the provisions of Articles I and VIII of this chapter.

Secs. 33-901 - 33-908, reserved.

### Sec. 33-909. Business office.

A holder of an operating permit to operate taxicab services shall maintain a business office in a location other than a dwelling.

Secs. 33-910 - 33-923, reserved.

### Sec. 33-924. Qualification as self-insurer.

In lieu of furnishing an insurance policy required under Sec. 33-018 of this chapter, a taxicab service may qualify for and obtain, pursuant to Sec. 601.124 of the Transportation Code, a certificate of self-insurance for the types of insurance and amounts of coverage required by this chapter. Should a holder opt for such self-insurance, however, proof thereof must be provided to the director prior to commencement of any operations under this chapter. The holder must also meet the city's approved self-insurance requirements.

### Sec. 33-925. Amount of insurance.

Except as otherwise provided by the holder's operating authority, the public liability and property damage insurance required by this chapter shall be the minimum amount. The state minimum amount shall be required for the following categories:

- (a) For damages arising out of bodily injury to or death of one person in any one accident;
- (b) For damages arising out of bodily injury to or death of two or more persons in any one accident; and
- (c) For damages arising out of injury to or destruction of property in any one accident.

Secs. 33-926 – 33-927, reserved.

# CHAPTER 33 - VEHICLES FOR HIRE

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## **Sec. 33-928. Classifications and requirements of vehicles.**

Holders shall operate taxicabs in the city in accordance with the terms and conditions of the type of operating permit issued. The types of operating permits authorized by this chapter shall be classified as city-wide and airport, as defined in Sec. 33-003 of this chapter.

(a) Each holder, owner and driver shall remove from city-wide and airport service any taxicab that does not comply with Rule 421 established by the director under this chapter. The age of the vehicle shall be calculated from the vehicle's model year.

(b) Wheelchair accessible vehicle requirements:

(1) Wheelchair accessible vehicles shall service the entire city.

(2) Wheelchair accessible vehicles shall comply with the rules and regulations as established by the director.

(3) Wheelchair accessible vehicles may pick-up and drop-off at the airport as requested.

(4) Wheelchair accessible vehicles shall not have any age limits; however, vehicles may be removed from service by the director if the vehicle(s) do not comply with any part of this chapter, the rules and regulations, or vehicle inspection guidelines.

## **Sec. 33-929. Number of taxicabs; authority to operate additional taxicabs.**

(a) A holder shall maintain in service a minimum of three taxicabs.

(b) The number of vehicles authorized by the permit agreement and the number of vehicle permits issued pursuant thereto shall be reduced to reflect the actual number of vehicles the holder is able to operate and maintain in accordance with the provisions of this chapter, the operating permit, the permit agreement, and the rules and regulations established by the director.

(c) All applicants for permits or additional permits shall be eligible to receive only such additional taxicab permits as are necessary to meet the service needs of the city's population growth. The number of additional taxicab permits for each calendar year shall be determined by a ratio of one taxicab per 1,700 population within the legal boundaries of the city. The population figure for the city will be based upon the annual population estimate as determined by the planning department as of December 31 of the year preceding the allocation period.

# CHAPTER 33 - VEHICLES FOR HIRE

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(d) The procedure to distribute the Taxicab permits shall be outlined in the City of San Antonio rules and regulations.

(e) In addition to the requirements of subsection (c) above, other factors which may be relied on in determining eligibility for additional or new permits include, but are not limited to, whether:

(1) One hundred percent of the holder's authorized taxicabs passed the most recent scheduled semi-annual inspection;

(2) Holder has complied with this chapter and the rules and regulations established by the director.

(f) The holder's application for additional vehicle permits may be denied if any of the requirements of the section above are not met or if at any time during the twelve month period immediately preceding the application for additional permits the holder:

(1) Failed to pay a fine or fee owed within the time required by this chapter or the director;

(2) Failed to maintain the license/permit bond or insurance required by this chapter;

(3) Had a vehicle permit revoked or suspended; or

(4) Has failed to assign any previously issued vehicle permits to a vehicle.

(g) A holder who is approved for additional vehicle permits shall execute an amended permit agreement authorizing the additional vehicles. The amended permit agreement shall supersede any such agreements previously executed between the city and the holder. The duration of the amended permit agreement shall be for the same period of time as provided for in the original permit agreement.

(h) A holder receiving new or additional vehicle permits shall, within 180 days of signing the permit agreement have presented the vehicle(s) to the City and passes the initial inspection.

# CHAPTER 33 - VEHICLES FOR HIRE

---

## **Sec. 33-930. Permit Usage**

- (a) A holder shall operate and maintain a city approved fleet of vehicles consistent with the number of vehicles authorized in the permit agreement. No company shall operate and maintain less than three vehicles.
- (b) A holder shall replace a vehicle within 180 days from the date that the vehicle taken out of service. Permits that are not filed after 180 days shall have the permits revoked.
- (c) The number of vehicles authorized by the permit agreement shall be reduced to reflect the actual number of vehicles the holder is able to operate and maintain.

## **Sec. 33-931. Approval of wheelchair accessible vehicle permits for operation of taxicabs.**

- (a) The director may approve wheelchair accessible permits for the purpose of providing a service to the disability community and these vehicles must give priority to individuals that need a wheelchair accessible vehicle as outlined in the Taxicabs Rules and Regulations. (h) All other provisions of this chapter applicable to taxicabs apply to the operation of wheelchair accessible taxicabs pursuant to this section where such provisions are not in conflict with this section.

## **Sec. 33-932. Owner/ Operators.**

- (a) The director shall issue up to 75 owner/operator permits to individual persons who own a motor vehicle for use as a taxicab service. These permits shall be included in calculating the number of additional permits available pursuant to the Sec. 33-929(c). Owner/Operators are exempt from Sec. 929 (d) - (l).
- (b) An applicant for an owner/operator permit must be a continuously active and permitted taxicab driver in San Antonio for at least one year at the time of the application.
- (c) The owner/operator vehicle may not be operated as a vehicle for hire by anyone other than the permitted owner/operator
- (d) The procedure for distribution of owner/operator permits is outlined in City of San Antonio Taxicab Rules and Regulations.
- (e) An individual who is approved for an owner/operator permit must make timely payment of all tax assessments and fees.

# CHAPTER 33 - VEHICLES FOR HIRE

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(f) Applicants and vehicles for owner/operator permits shall comply with all provisions of Chapter 33 except for the following:

Sec. 33-007 (f), (h), (i), (l), and (m)  
Sec. 33-009  
Sec. 33-971.

(g) Within ninety (90) days after receipt of an owner/operator permit, the holder shall operate a city-wide ground transportation service in accordance with the provisions of this chapter, the operating permit, permit agreement, and the rules and regulations established by the director, for a period of five (5) years beginning on the date stated in the permits agreement. Thereafter, the owner/operator permit shall be renewed for a period of two (2) years, subject to the provisions in Sec. 33.025.

## **Sec. 33-933. Fees.**

The following fees are hereby established:

- (1) Driver permit . . . \$30
- (2) Renewal of driver permit . . . \$30
- (3) Replacement of lost driver permit . . . \$15
- (4) Driver transfers from one holder to another . . . \$15
- (5) Taxicab application . . . \$110 per permit
- (6) \*Citywide taxicab operating permit (per year/per vehicle) . . . \$250
- (7) Late permit payment . . . \$30
- (8) Re-inspection . . . \$28
- (9) Inspection re-scheduling ...\$28

All fees are due upon request of service and are non-refundable.

Taxicab operating permit fees shall be paid to the city for each taxicab authorized by the permit agreement. The taxicab operating permit fees shall be paid in one payment or two semi-annual payments, due on the first business day of January and July.

Permit fees shall not be pro-rated.

# CHAPTER 33 - VEHICLES FOR HIRE

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Late permit payments shall be charged for all permit payments that are received after the close of business on the fifth business day of the month payment is due.

Permits that do not have fees paid prior to 30 calendar days from the due date shall be suspended until all fees are paid. If the fees are not paid prior to 60 calendar days from the due date all permits shall be revoked.

Secs. 33-934 - 33-970, reserved.

## **Sec. 33-971. Operating requirements.**

(a) Every taxicab shall be operated as a unit of an effective operating group of sufficient number and equipped with such approved communication facilities for rendering satisfactory call service, unless expressly exempted by the director. This requires that owners of small fleets or single taxicabs shall operate as members of a city approved operating association or as independent contractors as provided for in this chapter.

(b) Each member of an approved association or cooperative shall own and maintain sole registered ownership of one association or cooperative vehicle only.

## **Sec. 33-972. Driver as an independent contractor.**

(a) A holder may contract with a driver on an independent contractor basis if and only if:

(1) Either the holder himself or the driver with whom he contracts is the owner of the vehicle for hire to be operated by such driver in the holder's ground transportation service;

(2) The contract provides that the holder indemnifies the city and holds the city harmless for all claims and/or causes of action against the city arising from the acts or inactions of the driver;

(3) The contract provides that the driver being contracted with is insured under the holder's insurance policy as required by this chapter;

(4) The contract imposes a condition that the driver must comply with the requirements of this chapter, rules and regulations established by the director, rules and regulations established by the city's director of aviation and all other applicable rules, regulations and laws, and that failure to so comply may be considered by the holder as a material breach of the contract; and

# CHAPTER 33 - VEHICLES FOR HIRE

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(5) The holder provides to the director within two business days, an itemized disclosure of all lease fees charged to each driver. The contract shall state that an independent contractor will not be charged more than a 5 percent processing fee for credit and debit cards.

(b) A holder who continues to contract with a driver who repeatedly violates Chapter 33 may face revocation or suspension of the holder's permit(s) under Article I, Division 3, revocation /suspension of permits.

(c) The form of the contract between a holder and driver must be approved by the director. The director may disapprove a contract form if he determines that the contract is inconsistent with this chapter, regulations established under this chapter, or other applicable law. A holder may not use a contract that has been disapproved by the director.

## **Sec. 33-973. Driver conduct**

A driver shall not offer, confer or agree to confer on another person money, compensation or any benefit in order to receive a paying fare:

(a) A driver's permit shall be suspended for 60 days for the violation of this provision.

(b) A driver's permit shall be revoked for a second violation of this provision within 24 months from the date of the first violation.

Secs. 33-974 - 33-980, reserved.

## **Sec. 33-981. Rate of fares.**

(a) Taxicab fare rates shall be:

Drop charge . . . \$3.50

Per mile . . . \$2.70

Per hour wait time . . . \$27.00

Per hour traffic delay . . . \$27.00

(b) Taxicab operator may charge a rate that is less than the maximum rate outlined in Sec. 33-981 (a). All passengers must be notified of discounted rates through an electronic application, website, or over the phone by a dispatcher. The Taxicab meter must be utilized at all time to include during a discounted fare.

# CHAPTER 33 - VEHICLES FOR HIRE

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- (c) The minimum rate charge on any trip originating at the San Antonio International Airport or any pre-arranged (time-call) trip shall be \$20.00 or the meters fare, whichever is greater.
- (d) The minimum rate charge on any trip originating in the "downtown rate zone" shall be \$10.00. "Downtown rate zone" is the geographical area bounded by Interstate 37, traveling south from IH 35 to E. Houston St.; E. Houston St., traveling east to N. Cherry St.; N. Cherry Street, traveling south to Caesar Chavez Blvd.; Caesar Chavez Blvd., traveling west to Alamo St.; Alamo St., traveling south to Frio St.; Frio St., traveling north to W. Houston; W. Houston, traveling east to IH 35; IH 35, traveling north to IH 37.
- (e) Taxicab operators may charge \$2.00 for each additional passenger over 4 passengers (the 5<sup>th</sup> and 6<sup>th</sup> passengers) not to exceed more that \$4.00.
- (f) A driver or holder shall not charge a fare for operating a taxicab that is higher than permitted in Sec. 33-981 of this chapter. A driver or holder shall not charge any additional fees to include but not limited to: credit card processing fees, debit card processing fees, any third party card processing fees, and any other fees that are inconsistent with Sec. 33-981 of this chapter.
- (g) A driver or holder may be authorized to charge a \$5.00 surcharge to be added to the amount on the meter for trips that originate from the following venues:
1. AT&T Center
  2. Alamodome
  3. Freeman Coliseum
  4. Toyota Field
  5. During Official Fiesta Events
- (h) A driver may charge up to a \$200 cleaning fee, when at no fault of the driver a passenger leaves the taxicab in a state that requires immediate cleaning or the taxicab could not transport additional passengers. Prior to charging this fee the driver shall report the situation to their dispatch company and record the date, time, detailed information of the cleaning needed, and the amount the driver is charging.
- (i) The director may require a holder to display rates on or within a vehicle for hire in a manner prescribed by the director.
- (j) A per-mile fuel surcharge shall be added to the fares established by this section where the average price of regular unleaded gasoline is \$2.20 or greater. The per-mile surcharge shall be as outlined in appendix A Sec. 33-982;



# CHAPTER 33 - VEHICLES FOR HIRE

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(k) A fuel surcharge adjustment shall be done when the average price of fuel increases or decreases more than \$.25 from the last effective date. Fuel surcharge adjustments shall be done within 45 days from the date that the calculated average fuel price is received by the director

(l) Taxicab operators may charge an airport departure fee to the customer at the rate that is equal to the amount charged to the operator pursuant to Sec. 3-86 of the City Code of San Antonio, Texas.

(m) Between January 1 and April 1 of every even numbered year, the Transportation Advisory Board shall review the taxicab fare rates and make a recommendation to city council, no later than July 1, whether to adjust the rates in effect at the time of the recommendation. Nothing in this section shall preclude the city from undertaking a study of taxicab rate of fares at its own discretion at any time, for referral to city council.

# CHAPTER 33 - VEHICLES FOR HIRE

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## Sec. 33-981. Per mile surcharge.

Average Gas Price	Per-Mile Surcharge
Under \$2.20	\$0.00
\$2.20 - \$2.49	\$0.05
\$2.50 - \$2.79	\$0.10
\$2.80 - \$2.99	\$0.15
\$3.00 - \$3.20	\$0.20
\$3.21 - \$3.49	\$0.25
\$3.50 - \$3.79	\$0.30
\$3.80 - \$3.99	\$0.35
\$4.00 - \$4.19	\$0.40
\$4.20 - \$4.49	\$0.45
\$4.50 - \$4.79	\$0.50
\$4.80 - \$4.99	\$0.55
\$5.00 - \$5.19	\$0.60
\$5.20 - \$5.49	\$0.65
\$5.50 - \$5.79	\$0.70
\$5.80 - \$5.99	\$0.75
\$6.00 - \$6.19	\$0.80
\$6.20 - \$6.49	\$0.85
\$6.50 - \$6.79	\$0.90
\$6.80 - \$6.99	\$0.95
\$7.00 and above	\$1.00

Secs. 33-983 - 33-999, reserved.