

Agenda Report

DATE: September 25, 2006

TO: City Council

FROM: City Manager

RE: AMENDMENT TO CHAPTER 5.72 OF THE PASADENA MUNICIPAL CODE, "VEHICLES FOR HIRE" RELATING TO SERVICES TO INDIVIDUALS WITH DISABILITIES

RECOMMENDATION

It is recommended that the City Council direct the City Attorney to draft an Ordinance within 90 days amending Chapter 5.72 of the Pasadena Municipal Code, Vehicles for Hire, to prohibit taxi companies from refusing services to individuals with service animals; require taxi companies to arrange alternative service if unable to transport an individual in a wheelchair or with other mobility devices; require taxi companies to train drivers in transporting individuals with disabilities soon after hired and at least once per year thereafter; ensure the accuracy of taxi meters; require that taxi companies establish a citizen complaint procedure; and modify the penalty provision of the Municipal Code to enhance enforcement.

RECOMMENDATION OF THE ACCESSIBILITY AND DISABILITY COMMISSION

The Accessibility and Disability Commission considered the recommended modifications to Chapter 5.72 of the Pasadena Municipal Code at its June 2006 meeting and by consensus indicated support of staff's recommendations. The Commission respectfully requests that the Commission be provided an opportunity to review the draft Ordinance before it is presented to the City Council for consideration.

BACKGROUND

Chapter 5.72 of the Pasadena Municipal Code establishes the criteria and requirements for companies that operate vehicles for hire, including taxi cabs, to operate within the limits of the City of Pasadena. The Code regulates such things as licensing of taxi companies to operate within the city limits, vehicle inspections, drug and alcohol testing, standards of operation, and accessibility standards. The Code does not currently require a citizen complaint procedure. The penalty provision of the Code makes it a misdemeanor to violate any provision of Chapter 5.72.

After a complaint was received from a member of the public, the Accessibility and Disability Commission of the City of Pasadena requested amendments to Chapter 5.72 to address certain concerns of individuals with disabilities, as well as the public at large. Staff recommends the City Council consider the following concerns identified by the Accessibility and Disability Commission and staff's recommendations to address those concerns and to direct the City Attorney to draft amendments to Chapter 5.72 consistent therewith:

1. Regarding the Commission concern that persons with service animals and/or mobility devices are refused service: Staff recommends that the ordinance be amended to provide that if a wheelchair may be folded and placed in the taxi cab, the driver shall assist the passenger with folding and loading the wheelchair and provide reasonable assistance to the customer. If the driver is unable to assist the customer, the driver shall notify the customer of such and immediately notify their dispatch center to request another driver to assist and remain with the customer until assistance arrives. Any refusal to transport a service animal may only be based upon the criteria stated in the Americans with Disabilities Act, or any other federal or State law.
2. Regarding the Commission concern that taxi drivers do not receive adequate training in the legal procedures and requirements for transporting persons with disabilities: Staff recommends that the ordinance be amended to require that drivers shall be informed of the legal procedures for transporting persons with disabilities and/or service animals within seven (7) days of hire and at least once per year thereafter.
3. Regarding the Commission concern about the lack of a formal complaint procedure process: Staff recommends that the ordinance be amended to require that a telephone number where complaints can be filed and investigated be posted in a conspicuous location inside the taxi cab and that taxi companies be required to investigate and resolve complaints in a timely fashion and report the complaint, findings and resolution of the complaint to the City.
4. Regarding the Commission concern that taxi meters may not always be accurate: Staff recommends that taxi companies be required to show proof that taxi meters have been tested and sealed by the Los Angeles County Department of Weights and Measures and that the taxi owner sign under penalty of perjury that all taxi meters have been tested and determined accurate during the annual license renewal process.
5. Regarding the Commission concern that the penalty provision making it a misdemeanor to violate the ordinance is difficult to enforce: Staff recommends that the Vehicle for Hire ordinance be amended to make the administrative enforcement mechanisms of the Pasadena Municipal Code applicable to the Vehicle for Hire Ordinance. This would allow the enforcing department to

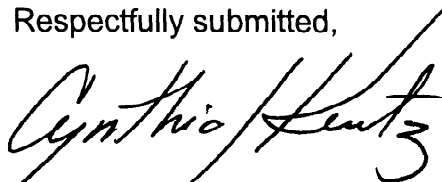
issue administrative penalty citations and notices to comply for violations of these and other provisions of the Taxicab Ordinance. The existing fine structure and related compliance mechanisms would enhance the ability to address violations of the accessibility provisions and other requirements of the Ordinance.

Staff met with the two business owners who operate taxi cabs in the City of Pasadena relative to proposed amendments to the Ordinance. The taxi companies' owners expressed support for changes to the Ordinance, but also expressed an interest in addressing other issues not raised by the Accessibility and Disability Commission including: 1) establishing taxi stand(s) in Old Pasadena; 2) reducing taxi fees to be consistent with other cities; 3) establishing rate limits consistent with other cities; 4) establishing driver uniform requirements consistent with other cities; 5) establishing a 3 to 5 year renewal period for taxi cab licenses; 6) enforcing prohibitions against unlicensed taxi services in Pasadena; 7) establishing minimum insurance requirements consistent with other cities; 8) establishing an age limit for vehicles operating as taxi cabs in the City of Pasadena; and, 9) studying whether the number of wheelchair accessible taxi cabs are sufficient. These issues will be further studied by staff and brought back as a separate item or items in the future if appropriate.

FISCAL IMPACT

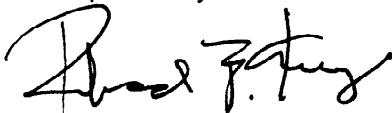
There is no fiscal impact associated with the recommended amendments to the Pasadena Municipal Code.

Respectfully submitted,



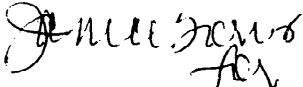
CYNTHIA J. KURTZ
City Manager

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KARYN S. EZELL
Director of Human Resources