

PURCHASING AND LICENSING COMMITTEE

10-001-0

ORDINANCE NO. _____

AN ORDINANCE AMENDING CHAPTER 47, VEHICLES FOR HIRE,
AMENDING SECTION 47-16 OF THE DULUTH CITY CODE, 1959, AS
AMENDED.

CITY PROPOSAL:

The city of Duluth does ordain:

Section 1. That Section 47-16 of the Duluth City Code, 1959, as amended,
is hereby amended to read as follows:

Sec. 47-16. Definitions.

For the purpose of this Article, the following words shall
have the meanings respectively ascribed to them by this Section:

Ambulance. A motor vehicle which is designed and intended to
be used for providing transportation of a wounded, injured, sick,
invalid or incapacitated human being, or an expectant mother.

Ambulance service. The transportation by ambulance for a
wounded, injured, sick, invalid, or incapacitated human being, or an
expectant mother, which is regularly offered or provided to the
public by any person.

Limousine. An unmarked, luxury class automobile which carries
passengers for hire, driven by a uniformed chauffeur, subject to
call only from its own garage or central place of business, and the
use of which results incustomers being billed at an hourly, daily
or trip rate that is greater than the current taxi-meter rate for a
comparable trip.

Motor vehicle and street or highway. As defined in Section
33-1 of this Code.

Taxicab. Any motor vehicle used for the purpose of
transporting any passengers for hire over and upon any street or
highway in the city, except any of the following:

(a) Any ~~common~~ motor carrier of passengers which is operated

under a permit from the ~~public service commission~~ department of transportation of the state or special transportation service provider certified by the department of transportation of the state pursuant to Minnesota Statute 174.29 et. seq., and using a driver who is qualified pursuant to Minnesota Rules Chapter 8840, when transporting a person requiring an accessible vehicle for any purpose;

(b) Any ambulance, used for providing ambulance service and which is operated under authority of a license issued by the state board of health;

(c) Any motor vehicle operated by the Duluth transit authority under authority of Laws of Minnesota 1969, Chapter 720;

(d) A limousine as defined herein;

(e) A transportation vehicle operated by a federal, state, county, municipal or school district governmental unit in conjunction with a program sponsored or run by such governmental unit;

(f) Any motor vehicle providing transportation services to a federal, state, county, municipal or school district governmental unit pursuant to a written, extended term, contract between said transportation provider and the governmental unit;

(g) Any motor vehicle used for recreational or sightseeing rides under a license issued pursuant to Article II of this Chapter.

Section 2. That this ordinance shall take effect 30 days after its passage and publication.

Approved:

Approved for presentation to council:

Department Director

Chief Administrative Officer

Approved as to form:

Approved:

Attorney

Auditor

DPD/ATTY JMC:cjk 12/29/2009

STATEMENT OF PURPOSE: The purpose of this amendment is to update language in the ordinance. Under state statute, a "common carrier" is now referred to as a "motor carrier of passengers" and the public service commission duties were transferred to the department of transportation.

The amendment also clarifies the intent of the ordinance to exempt special transportation service providers certified pursuant to Minnesota Statute 174.29 et. seq. Special transportation service is motor vehicle transportation that is designed exclusively or primarily to serve individuals who are elderly or disabled and who are unable to use regular means of transportation. Special transportation services are certified by the Minnesota department of transportation. The current city ordinance has an overly broad definition of "taxicab" which would include a special transportation service. This ordinance makes it clear that a special transportation service does not fall under the definition of a taxicab.