

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
29
30
31
32
33
34
35
36
37
38
39
40

RESOLUTION NO. 2022-13

**A RESOLUTION OF THE CITY OF LINCOLN CITY,
ADOPTING CITY ADMINISTRATION LICENSE AND APPLICATION FEES AND
CHARGES FOR VEHICLES FOR HIRE AND APPROVAL OF STANDARD FORMS**

WHEREAS, the City of Lincoln City has established fees and charges for Vehicles for Hire licenses and applications and;

WHEREAS, ORS 294.160 mandates that the City provide an opportunity for public comment when fees or charges are established or increased; and

WHEREAS, on April 11, 2022, the City Council provided an opportunity for public comment on the proposed new fees and charges proposed by Resolution; and

WHEREAS, Council desires to establish new fees and charges and/or increase fees and charges as set forth herein; and

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF LINCOLN CITY, AS FOLLOWS:

Section 1. The recitals set forth above are true and correct and incorporated herein by this reference.

Section 2. The Application Fee for all Vehicles for Hire is set at \$150.00 for the initial application and \$100.00 for renewal.

Section 3. The Annual License Fee for all Vehicles for Hire is set at \$100.00 for the initial license and \$100.00 for license renewal.

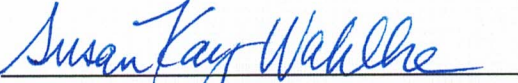
Section 4. The attached Exhibit A and B standard form Taxicab application and TNC application are hereby adopted as the current approve application forms, said forms being incorporated herein by this reference.

Section 5. The above referenced fees and charges shall be incorporated into the omnibus fee resolution to be adopted later this year.

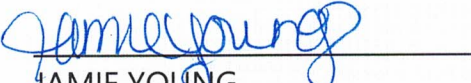
Section 6. This Resolution is effective as of the date of its adoption.

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

PASSED AND APPROVED by the City Council of the City of Lincoln City,
Oregon, this 11th day of April, 2022.


SUSAN WAHLKE
MAYOR

ATTEST:


JAMIE YOUNG
CITY RECORDER

APPROVED AS TO FORM


RICHARD APPICELLO
CITY ATTORNEY



VEHICLE FOR HIRE OPERATING LICENSE APPLICATION TAXI COMPANY

The City of Lincoln City, per Lincoln City Code Chapter 10.20 requires that vehicle for hire companies obtain a Vehicle for Hire (VFH) Operating License for their operations within the City. The City may include conditions, restrictions, or special provisions in the License related to routes, times of operation, or lighting if necessitated by the vehicles or operations of the companies. The City may also waive or lessen the requirements if the type of vehicles or operations of a company render the requirements unreasonable or unnecessary, in the sole discretion of the City.

“Vehicle for hire” means any vehicle used for the ground transportation of passengers for compensation within the City, including taxis and Transportation Network Companies (“TNC”) vehicles, as well as animal-drawn vehicles and vehicles powered by humans, including but not limited to vehicles such as pedi-cabs. The following motor vehicles are excluded from the definition of vehicle for hire and are exempt from Lincoln City Code Chapter 10.20:

1. School buses operated to transport students;
2. Vehicles used by nonprofit transportation providers solely for elderly or handicapped persons;
3. Vehicles used to provide courtesy transportation at no charge to and from parking lots, hotels, rental offices, retirement homes, and the like; and
4. Vehicles used to provide Ambulances Service.

“Taxi Company” means any person or entity operating one or more vehicles for hire, other than as a driver, regardless of the legal form of the entity and regardless of whether the taxis so operated are owned by the company, or leased, or owned by the individual members of an entity. Taxi companies do not include TNCs.

REQUIRED MATERIALS & SUBMITTAL INSTRUCTIONS

- Certificates of Insurance - Commercial General Liability for all Taxi Companies (Pages 4-5)
- Commercial Automobile Liability for Taxi Companies operating vehicles, if applicable (Pages 4-5)
- Government Issued Photo Identification of Business Owner(s)
- Photo of Vehicle Identification (Page 2)
- Occupational Tax Permit
- Copy of Oregon State Business Registration
- Application Fee Payment of \$150
 - Mail application, materials and check payment to the City of Lincoln City ATTN: Permits/Accounts Receivable at PO Box 50, Lincoln City, OR 97367.
 - Submit application, materials and payment in person to the Finance Department on the 3rd floor of City Hall, 801 SW HWY 101, Lincoln City, OR 97367. Hours are Monday – Friday, 8 a.m. – 5 p.m.
 - Email to Finance_AR@lincolncity.org and make payment over the phone by calling the Finance Department at 541-996-1211.

APPLICANT/LOCAL AGENT INFORMATION

Name	
Street Address	
Mailing Address 2	
City, State, Zip Code	
Phone Number	
Email Address	

BUSINESS INFORMATION

Business Name	
Owner(s)	
Location Address	
Mailing Address 2	
City, State Zip Code	
Phone Number	
Website Address	
Current # of Drivers	

GOVERNMENT-ISSUED PHOTO IDENTIFICATION

Identification of applicant/business owner(s). If the applicant is an entity, the identification of all owners and managers of the entity. Additional space is available at the end of this application for multiple owners. A copy of the identification(s) will be made at the time of application submittal or a copy may be provided by the applicant(s).

Identification Type (passport, driver's license, etc.)	
Identification Number	
State of issuance, if applicable	

BUSINESS REGISTRATION

All vehicle for hire businesses are required to also obtain a City of Lincoln City OTP in order to operate. Please visit the Lincoln City Finance Department to apply.

OTP Number	
------------	--

SECRETARY OF STATE REGISTRATION

Oregon Business Registry Number	
---------------------------------	--

TERM & EFFECTIVE DATE

- ❑ Licenses are valid for one-year calendar year, commencing upon issuance and continuing for one year from the assigned renewal date. Any renewal must be approved by the City prior to the expiration date in order for the company to continue providing vehicle for hire services within the City.
- ❑ Anyone with a taxicab operator permit under previous Chapter 10.20 Taxicabs, valid as of the effective date of the ordinance repealing the previous chapter and creating the new chapter is exempt from Lincoln City Code Chapter 10.20, Vehicles for Hire until January 1, 2023, unless the permit holder wishes to apply at an earlier date. All existing taxicab operator permits issued prior to the effective date of the ordinance creating this section will expire automatically on December 31, 2022.

LICENSE AND APPLICATION FEES

- ❑ Upon submission of the original application, the applicant shall submit a non-refundable application fee of \$150 based on the cost of administering the program and the annual license fee of \$100, as set by City Council resolution.

STANDARDS OF OPERATION

- ❑ All vehicles operating for Taxi Companies shall be clearly marked as such and shall include the Taxi Company name, phone number, and a vehicle identification number in plain sight.
- ❑ All companies shall implement and maintain at all times a zero tolerance policy on the use of drugs or alcohol applicable to all drivers employed by or affiliated with the company while providing vehicle for hire services. Companies shall provide notice of the zero tolerance policy on their website and/or have it clearly displayed in each vehicle. The notice must include contact information to report a complaint about a driver for possible violation of policy. A company shall immediately suspend a driver upon receipt of a passenger complaint alleging a violation of the zero tolerance policy, for at least the duration of the investigation of the complaint.
- ❑ Companies must provide reasonable accommodations to passengers with disabilities, including passengers accompanied by a service animal, passengers with hearing and visual impairments, and passengers with mobility devices, and must comply with all applicable requirements of the Americans with Disabilities Act.

DRIVER REQUIREMENTS

- ❑ All drivers shall be at least 21 years of age and shall possess a valid driver's license, proof of motor vehicle registration, and proof of current automobile liability insurance that meets the requirements of Lincoln City Code Chapter 10.20 and state law.
- ❑ Every company shall maintain accurate, current records for all drivers employed by, contracting with, or affiliated with the company, including all drivers accessing a company's digital network to operate in the City. The records shall include the driver's name, date of birth, address, social security number, criminal background check results, driver's license information, motor vehicle registration, and automobile insurance. These records will be made available to the City promptly on request.
- ❑ Prior to permitting a person to operate as a driver, and annually thereafter, the company shall conduct, or have a qualified third party conduct, a criminal background check. The criminal background check shall include a search of no less than seven years of database history, unless prohibited by law, in which case the duration of the search shall be the maximum number of years permitted by law. The criminal background check shall include local, state, and national criminal history databases and all accessible sex offender registries. Any person who is on a sex offender registry or has a record of a felony conviction within the previous seven years may not act as a driver. A record of a conviction of any of the following within the previous seven years will also disqualify a person from acting as a driver: crimes involving driving under the influence of alcohol or controlled substances, sexual offenses, or crimes involving physical harm or attempted physical harm to a person. The company or its agent shall maintain records of a criminal background checks for a period of at least two years. For purposes of this section, the term "conviction" includes convictions, bail forfeitures, and other final adverse findings.
- ❑ A company must revoke a driver's authority to operate as a driver for their company and inform the City if it finds at any time that the standards set forth in Lincoln City Code 10.20 are no longer being met by the driver. The company shall only reinstate a driver upon a finding by the company that all standards are again being met by the driver.
- ❑ Notwithstanding the standards of this section, upon application by a company, the Lincoln City Chief of Police has authority to allow a person to act as a driver if the Chief determines public safety would not be compromised. Please contact the Chief of Police at [541-994-3636](tel:541-994-3636) if you seek to take this action.

INSURANCE REQUIREMENTS

- ❑ For all required insurance, companies shall provide certificates of insurance naming the City, its officers, agents, and employees as additional insured parties and give at least 30 calendar days' notice to the City before a policy is canceled, expires, or has any reduction in coverage.
- ❑ A certificate of insurance **and** endorsement shall be provided to the City as part of this application. Failure to provide a valid certificate of insurance and endorsement will result in denial of your permit.
- ❑ Insurance requirements of this section shall be satisfied by insurance issued by a licensed insurer or an eligible surplus lines insurer in the State of Oregon.

- ❑ The insurance limits for all companies are subject to statutory changes as to maximum limits of liability imposed on municipalities of the State of Oregon during the License's term, other statutory changes, or other changes deemed necessary by the City.
- ❑ The adequacy of insurance coverage is subject to the review and approval of the City.
- ❑ All companies shall maintain continuous, uninterrupted coverage for the duration of the License and any operations in the City. Any lapse in insurance coverage, even if it is later backdated by the insurance company, is a violation of Lincoln City Code Chapter 10.20.
- ❑ All companies shall secure and maintain commercial general liability insurance with limits of not less than \$1 million per occurrence and \$2 million aggregate for claims arising out of, but not limited to, bodily injury and property damage incurred in the course of operating in the City.
- ❑ Taxi Companies operating any motor vehicles shall secure and maintain commercial automobile liability insurance covering those vehicles, with a combined single limit of not less than \$1 million per occurrence for claims arising out of, but not limited to, bodily injury and property damage incurred in the course of operating in the City.

AUDITS

- ❑ The City may audit Taxi Company records up to twice per calendar year to review compliance with Lincoln City Code Chapter 10.20. An audit shall occur at a time and location designated by the City. In addition to an audit, the City may require a company to produce records related to an investigation of a specific allegation of a violation of this Code or other applicable law, or to evaluate a complaint. Production of records for an investigation or to evaluate a complaint does not count toward the twice-per-year auditing limit.

REVOCATION, SUSPENSION, PENALTIES AND ENFORCEMENT

- ❑ In addition to any other enforcement options provided by the Lincoln City Code, the City may suspend, revoke, or refuse to issue a License if the vehicle for hire-company has violated or not met any of the provisions of Lincoln City Code 10.20. A violation includes any failure to meet or maintain any of the requirements or qualifications set forth, including the procedures and requirements for obtaining and maintaining a License, as well as the making of any materially false statement or representation. The decision to suspend, revoke or refuse to issue a License may be appealed to the City Council, which will conduct a hearing where the company and the City may present evidence and argument. The company shall have the burden of proving it has complied with all requirements of this Code necessary to obtain or maintain the License. The decision of the City Council on the appeal shall be the final decision of the City.
- ❑ A violation of Lincoln City Code Chapter 10.20 is a Class A civil infraction.
- ❑ The City has the administrative authority to implement and enforce Lincoln City Code Chapter 10.20, including adoption of rules, regulations, or policies. This provision shall not be construed to abrogate or limit the jurisdiction or authority of the Lincoln City Police Department or any law enforcement agency.
- ❑ To view the Lincoln City Code regarding this new program, please visit <https://www.codepublishing.com/OR/LincolnCity/#!/html/LincolnCity10/LincolnCity1020.html>.

I acknowledge that I have read the information provided in this application and am fully aware and knowledgeable of the applicable rules and regulations established by Lincoln City Code Chapter 10.20.

SIGNATURE

By signing this application, the applicant and vehicle for hire company agrees to abide by the Vehicle for Hire Operating License requirements as stated in Lincoln City Code Chapter 10.20. I warrant that the information provided in this application is true.

Disclosure: Information on this application is a public record subject to disclosure upon request under the Oregon Public Records Law unless an exemption applies.

Name

Date

DRAFT

ADDITIONAL OWNER INFORMATION & IDENTIFICATION

Name	
Address 1	
Address 2	
City, State, Zip Code	
Phone Number	
Email Address	
Identification Type	
Identification Number	
State of Issuance, If Applicable	

Name	
Address 1	
Address 2	
City, State, Zip Code	
Phone Number	
Email Address	
Identification Type	
Identification Number	
State of Issuance, If Applicable	

Name	
Address 1	
Address 2	
City, State, Zip Code	

Phone Number	
Email Address	
Identification Type	
Identification Number	
State of Issuance, If Applicable	

Name	
Address 1	
Address 2	
City, State, Zip Code	
Phone Number	
Email Address	
Identification Type	
Identification Number	
State of Issuance, If Applicable	