

1ST READING

1-29-07

2ND READING

8-5-08

INDEX NO.

ORDINANCE NO. 12149

AN ORDINANCE TO AMEND PART II, CHATTANOOGA CITY CODE, CHAPTER 35, RELATIVE TO VEHICLES FOR HIRE.

SECTION 1. BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CHATTANOOGA, TENNESSEE, That Part II, Chattanooga City Code, Chapter 35, Article III, Division I, Section 46 is amended by adding the following new subsection:

Any type of motor vehicle for hire authorized to operate under this Chapter may be operated under one (1) Certificate of Public Convenience and Necessity upon approval by the Transportation Board and pursuant to rules and polices set by the Transportation Board.

SECTION 2. BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CHATTANOOGA, TENNESSEE, That Part II, Chattanooga City Code, Chapter 35, Article III, Division I, Section 55, Subsection (c) is amended by deleting the words "or annual renewal." Also, deleting "drug test" and inserting in lieu thereof "federal Department of Transportation drug and alcohol test (hereafter "DOT drug test") on a form approved by the Transportation Board."

SECTION 3. BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CHATTANOOGA, TENNESSEE, That Part II, Chattanooga City Code, Chapter 35, Article III, Division I, Section 56, Subsection is amended by deleting the section in its entirety and inserting in lieu thereof the following language:

- (a) The police department shall conduct an investigation of each applicant for a driver's permit. A report of such investigation and a copy of the traffic and police record of the applicant, if any, shall be attached to the application for the consideration of the Transportation Board.

(b) Upon receipt of an application, the Transportation Inspector(s) shall conduct a criminal conviction record investigation through computer terminals or other means of access to criminal convictions. The applicant shall submit a complete Tennessee Bureau of Investigation Tennessee Criminal History to the Transportation Inspector.

(c) The results of criminal conviction record investigations shall be used for the limited purpose of determining the suitability of the applicant for issuance of the license or permit or the suitability of the person for employment with the municipality.

(d) The costs incurred in conducting such criminal conviction records investigations shall be paid by the applicant for a drivers permit.

SECTION 4. BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CHATTANOOGA, TENNESSEE, That Part II, Chattanooga City Code, Chapter 35, Article III, Division I, Section 57, Subsection is amended by deleting the section in its entirety and inserting in lieu thereof the following language:

The Transportation Board shall, upon the consideration of the application and the reports and certificate required to be attached thereto, approve or reject the application. The applicant must appear in person if directed to appear by the Transportation Inspector or Board. The action of the Board approving or denying such application shall be final subject to a review at law.

SECTION 5. BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CHATTANOOGA, TENNESSEE, That Part II, Chattanooga City Code, Chapter 35, Article III, Division I, Section 58, Subsection is amended by deleting the last sentence of that section in its entirety and inserting in lieu thereof the following language:

Upon final approval of an application or renewal for a driver's permit, the Transportation Board shall issue a permit to the applicant, which shall bear such information as required to personal identification of a driver by such information as the

drivers name, address, age, signature, permit number, name of company employed by, state drivers license number and date of expiration or photograph of the applicant as required by the Transportation Board.

SECTION 6. BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CHATTANOOGA, TENNESSEE, That Part II, Chattanooga City Code, Chapter 35, Article III, Division I, Section 59 is amended by adding the following new subsection:

The Transportation Board or Transportation Inspector may require a driver to submit an updated medical exam or DOT drug and alcohol test when a driver applies to renew his drivers permit. A driver may appeal a decision of the Transportation Inspector requiring a DOT drug and alcohol test to the Transportation Board or as allowed by law. The Transportation Board shall determine the process and procedures for renewal of driver permits.

SECTION 7. BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CHATTANOOGA, TENNESSEE, That Part II, Chattanooga City Code, Chapter 35, Article III, Division I, Section 244 is amended by deleting "Taxi Board" and inserting in lieu thereof "Transportation Board."

SECTION 8. BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CHATTANOOGA, TENNESSEE, That Part II, Chattanooga City Code, Chapter 35, Article III, Division I, Section 246 is amended by deleting Subsection Nine (9).

SECTION 9. BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CHATTANOOGA, TENNESSEE, That Part II, Chattanooga City Code, Chapter 35, Article III, Division I, Section 249 is amended by deleting the language in Subsection "(c) Four (4)" and insert in lieu thereof the following the language:

Provide a statement from a licensed medical physician that certifies that he or she is in good physical condition or other

medical disabilities which may substantially impair his or her ability to operate a pedal carriage or pedicab.

SECTION 10. BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CHATTANOOGA, TENNESSEE, That Part II, Chattanooga City Code, Chapter 35, Article III, Division I, Section 249 is amended by adding the following new section:

Upon approval of an application or renewal for a driver's permit, the Transportation Inspector may issue a drivers' permit for a period not to exceed (60) days.

SECTION 11. BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CHATTANOOGA, TENNESSEE, That Part II, Chattanooga City Code, Chapter 35, Article III, Division I, Section 250, Section (b), is amended by deleting the language in Section (b) and inserting in lieu thereof the following:

(b) The pedal carriage or pedicab driver shall wear such photo identification card or place such photo on the pedal carriage or pedicab so that it is visible to passengers and enforcement officers when such pedal carriage or pedicab driver is operating a pedal carriage or pedicab.

SECTION 12. BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CHATTANOOGA, TENNESSEE, That Part II, Chattanooga City Code, Chapter 35, Article III, Division I, Section 251, Section (d) is amended by deleting "Taxi " and inserting in lieu thereof "Transportation."

SECTION 13. BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CHATTANOOGA, TENNESSEE, That Part II, Chattanooga City Code, Chapter 35, Article III, Division I, Section 253, is amended by deleting "Taxi" and inserting in lieu thereof "Transportation."

SECTION 14. BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CHATTANOOGA, TENNESSEE, That Part II, Chattanooga City Code, Chapter 35, Article III, Division I, Section 259, Subsection (a) is amended by deleting the section in its entirety and inserting in lieu thereof the following language:

A driver of a pedal carriage may walk a pedal carriage or pedicab on sidewalks for purpose of parking the pedal carriage or pedicab.

SECTION 15. BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CHATTANOOGA, TENNESSEE, That Part II, Chattanooga City Code, Chapter 35, Article III, Division I, Section 259, is amended by adding the following new sections:

- () Pedal carriages and pedicabs shall yield to pedestrians or bicycles when operating on or through any sidewalk or intersection.
- () It shall not be unlawful for a pedal carriage or pedicab to operate on any designated bicycle route on a public street.
- () A pedal carriage or pedicab driver may walk a pedal carriage or pedicab on sidewalks for purpose of parking the pedal carriage or pedicab.

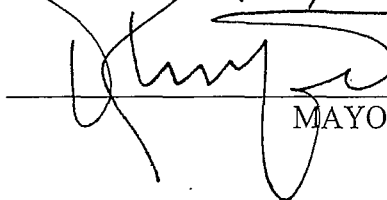
PASSED on Second and Final Reading

August 5, 2008.


CHAIRPERSON

APPROVED: DISAPPROVED:

DATE: 8/8/08, 2008


MAYOR

KOF/add