ORDINANCE G-6164

AN ORDINANCE RELATING TO COMMERCIAL GROUND TRANSPORTATION AT PHOENIX AIRPORTS; AMENDING PHOENIX CITY CODE CHAPTER 4, ARTICLE I, SECTION 4-1, AND ARTICLE III, SECTION 4-51, CHANGING THE TERM “HANDICAPPED” TO “DISABLED”; AMENDING ARTICLE IV, SECTIONS 4-67 THROUGH 4-78 AND SECTIONS 4-80 THROUGH 4-86, RELATING TO ACCESSIBLE TRANSPORTATION, DRIVER BACKGROUND CHECKS, GROUND TRANSPORTATION MOTOR VEHICLE TRIP TRACKING, DEMAND-BASED TRIP FEES, PROVIDER PERMITTING, VIOLATIONS, AND ENFORCEMENT; TRANSFERRING AND RENUMBERING; AND MAKING CONFORMING AND CLARIFYING CHANGES, AS NECESSARY.

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BE IT ORDAINED BY THE COUNCIL OF THE CITY OF PHOENIX as follows:

SECTION 1. That Phoenix City Code, Chapter 4, Article I, Section 4-1 is amended to read:

Sec. 4-1. Definitions.

In this chapter, unless the context otherwise requires, the following definitions shall apply. In addition, all definitions contained within the Federal Aviation Act of 1958 and all subsequent amendments shall be included and all definitions shall be interpreted on the basis and intention of the FAA Act and its amendments. A supplemental set of definitions is provided in Section 4-67 that relate only to Article IV. A second supplemental set of definitions is provided in Section 4-138 that relate only to Section 4-138. A third supplemental set of definitions is provided in Section 4-22 that only relate to Section 4-22.
**Accident** means a collision between an aircraft or a vehicle, and an aircraft, vehicle, person, stationary object or other thing which results in property damage, personal injury, or death; or an entry into or emerging from a moving aircraft or vehicle by a person which results in personal injury or death to such person or some other person, or which results in property damage.

**Air carrier** means a person who is certificated by the Federal Aviation Administration to engage in air transportation directly by lease or by other arrangement.

**Aircraft** means a device that is used or intended to be used for flight in the air.

**Aircraft movement area** means any restricted portion of the airport specifically meant for the ground operation of an aircraft including runways, ramps, aprons, parking and loading areas.

**Aircraft operation** means an aircraft landing, takeoff or maneuver. **Aircraft parking and storage area** means the open areas of an airport to be used for aircraft parking.

**Airport** means all of the land, buildings, and facilities comprising Phoenix Sky Harbor International Airport (PSHIA), Phoenix Deer Valley Airport (PDVA), or Phoenix Goodyear Airport (PGA), including the Rental Car Center, as now existing or as the same may hereafter be expanded and developed, unless otherwise designated.

**Air terminal** means any building owned and operated by the City of Phoenix with designated aircraft loading gates.

**Air traffic** means aircraft operating in the air or on an airport surface, exclusive of loading ramps and parking areas.

**Air transportation** means intrastate, interstate, overseas, or foreign air commerce or the transportation of mail by aircraft.

**Aviation Director** means the Aviation Director of the City of Phoenix or his designee.

**Best management practices** means any program technology, process, siting criteria, operating method, measure, or device that controls, removes, or reduces pollution.

**Business or concession** means the sale, offering for sale, or the furnishing of any commodity, article, facility or service.
Cargo means personal property transported or intended to be transported by air transportation.

City means the City of Phoenix, Arizona.

Commercial activity means the conduct of any aspect of a business or concession on the airport for revenue.

Council means the City Council of the City of Phoenix, Arizona.

DISABLED SERVICES VEHICLE MEANS A VAN OR ANY OTHER MOTOR VEHICLE THAT IS DESIGNATED BY THE AVIATION DIRECTOR AS A DISABLED SERVICES VEHICLE AUTHORIZED TO OPERATE ON AN AIRPORT IN ACCORDANCE WITH THIS CHAPTER.

Environmental laws includes, without limitation, local, State and federal laws now in effect or enacted hereafter which control or regulate substances or materials that may be detrimental to human health, safety, or the environment, including hazardous substances, hazardous wastes, pollutants and petroleum products.

Fixed base operator means a person, firm or corporation that, subject to the provisions of a lease at the airport, is providing or offering general aviation services to the public.

Flying club means any partnership, corporation or group of individuals which, neither for profit nor reward possesses one or more aircraft for the purpose of rental to its members and is in compliance with other rules and regulations adopted by the Aviation Director.

Fuel dispenser means the authorized storage, transfer or other handling of aviation petroleum products in quantities greater than one hundred U.S. gallons.

Fuel handling means the transportation, delivery, fueling, and draining of fuel or fuel waste products.

Fuel storage area means any portion of an airport temporarily or permanently designated by the Aviation Director as areas where gasoline, and any other type of fuel, may be stored or loaded in compliance with applicable environmental laws.

General aviation services means:
1. Aircraft accessories: Sales, services, repair, exchange and installation of new or used aircraft accessories such as alternators, generators, starters and oil coolers.

2. Aircraft fuel and lubricant retail sale.

3. Aircraft maintenance: Inspection, repair, service, modification and replacement of airframes, power plants, components and accessories.

4. Aircraft parts: Purchase, sales and exchange of new, used or rebuilt aircraft parts, accessories equipment or tools at retail or wholesale.

5. Aircraft refinishing: Installation, replacement, modification or repair of aircraft interior upholstery and furnishings, and aircraft painting.

6. Aircraft rental: Allowing the use of aircraft in return for payment.

7. Aircraft sales: Purchase, sales, exchange and brokerage of new or used aircraft.

8. Aircraft storage: Rental of tiedowns or hangar space.

9. Contract operations: Special contractual services such as helicopter sling operations, firefighting, aerial photography and aerial advertising.

10. Pilot training: Instruction by qualified ground school and flight instructors to prepare students to take written, oral and flight examinations for a pilot’s license, aircraft rating or periodic review; and aircraft rental for dual or solo flight training, pilot proficiency and currency.

11. Any other activities approved in writing by the Aviation Director.

Handicapped services vehicle means a van or any other motor vehicle that is designated by the Aviation Director as a handicapped services vehicle authorized to operate on an airport in accordance with Article IV.

Itinerant operations means all aircraft operations at a site other than its designated base.
*Loading gate* means that terminal space reserved for the loading and unloading of aircraft.

*Loading ramp* means the aircraft area used for the loading and unloading of aircraft.

*Loading zone* means that space adjacent to a curb reserved for loading or unloading passengers, baggage or materials from vehicles.

*Off-airport rental car company* means a person or business entity that rents vehicles to airport customers but does not lease space from the City at the airport.

*On-airport rental car company* means a person or business entity that rents vehicles to airport customers from space at the airport that has been leased from the City.

*Operator* means the person, firm or corporation in possession of an aircraft or vehicle; or, any person who has rented such for the purpose of operation by himself or his agent.

*Over-height vehicle* means a vehicle which exceeds a height of six feet ten inches above the level surface on which the vehicle stands.

*Park or parking* means an aircraft, bicycle or motor vehicle standing attended or unattended.

*Pedestrian* means any person afoot.

*Permission or permit* means permission granted by the Aviation Director unless otherwise herein specifically provided.

*Pilot* means the person responsible for the operation and control of an aircraft.

*Regulated substance* includes without limitation, any substance, materials or wastes that are or become regulated under, or that are classified as hazardous or toxic under any environmental law, including petroleum.

*Rental Car Center or RCC* means the ground area and improvements to the site within Sky Harbor Center from which all on-airport airport rental car companies serve airport customers.

*Roadway* means any street or roadway whether improved or unimproved within the boundaries of the airport set aside or designated for use by vehicles whether dedicated or not.
Sky Harbor Center means The Sky Harbor Center Redevelopment Area as identified in The Sky Harbor Center Redevelopment Area Redevelopment Plan adopted by the Phoenix City Council on April 24, 1985 by Resolution Number 16569.

Stormwater Enforcement Procedures and Civil Penalty Policy means a policy enacted by the City to achieve compliance with Phoenix City Code Chapter 32C and to prevent pollution of the waters of the United States via the public storm drain system by airport users.

Traffic means pedestrians and vehicles, either singly or together while using any airport area.

Vehicle means a device in, upon or by, which any person or property is or may be propelled, moved, or drawn upon a roadway or other ground surface.

Vehicle parking area means any portion of an airport designated and made available, temporarily or permanently, by the Aviation Director for the parking of vehicles.

Walkway means any sidewalk, crosswalk, ramp, dock, concourse, lobby area or other such area designed for pedestrian traffic.

SECTION 2. That Phoenix City Code, Chapter 4, Article III, Section 4-51 is amended to read:

Sec. 4-51. Vehicle parking restrictions.

A. A person may not park any vehicle on the Airport except within an area designated for vehicle parking.

B. No person may park, stop, or leave a vehicle, or cause or permit a vehicle to remain halted within a vehicle parking area, aircraft movement area, fuel storage area or cargo facility, except at such places and for such periods of time as are designated by the Aviation Director.

C. No aircraft refueling, defueling or servicing equipment or apparatus may be parked on the Airport except in areas designated by the Aviation Director for such purpose.

D. At night, or when visibility is impaired due to weather conditions, no unlighted vehicles or equipment may be staged in an aircraft movement area, or
otherwise operated or parked in such manner that blocks or impedes aircraft movement.

E. No person may park a vehicle in a posted reserved parking space or area on the Airport unless the vehicle displays an appropriate authorization parking decal issued by the Aviation Department for that space or area.

F. No person may park a vehicle in a posted handicapped DISABLED services vehicle space or area or in a posted over-height vehicle parking space or area on the Airport unless the vehicle is a handicapped DISABLED services vehicle or an over-height vehicle.

SECTION 3. That Phoenix City Code, Chapter 4, Article IV, Section 4-67 is amended to read:

**Sec. 4-67.  Definitions.**

In this article, unless the context otherwise requires:

_Airport terminal zone_ means those parts of Phoenix Sky Harbor International Airport that are within five hundred feet of any passenger terminal, including the Lincoln J. Ragsdale Executive Terminal.

_Alt**er**na**tive Fuel means the energy source, other than gasoline or diesel, used to power a motor vehicle, as prescribed in Airport rules and regulations._

_Authorized Provider means a person, authorized by the Aviation Director under permit or contract, to engage in commercial ground transportation._

_**Au**thorized signer_ is a designated representative of a company doing business at Phoenix Sky Harbor International Airport and AN AUTHORIZED PROVIDER, who is authorized to request ACT ON BEHALF OF THE PROVIDER, INCLUDING REQUESTING OR CERTIFYING identification media for company employees A DRIVER, AND INCLUDING ACCEPTING SERVICE OF A NOTICE OF VIOLATION AND CIVIL CITATION._

_Automated vehicle identification and tracking system (AVITS (AVI)) means radio frequency identification or Global Positioning Satellite (GPS) technology utilized to track a ground transportation motor vehicle while at Phoenix Sky Harbor International Airport ON AN AIRPORT._
**Automated vehicle identification tag (AVI Tag)** means a radio frequency identification or GPS transponder placed on a ground transportation motor vehicle for the purpose of tracking ground transportation operations at Phoenix Sky Harbor International Airport on an airport.

**Badge fee** means a fee charged to an applicant for obtaining an initial, renewal or replacement identification media.

**Bus** means a motor vehicle with a designated seating capacity of twenty-three designed for carrying sixteen or more passengers, including the driver.

**City Manager** means the City Manager of the City of Phoenix or his designee.

**COMMERCIAL GROUND TRANSPORTATION MEANS** the use of a ground transportation motor vehicle for commercial activity.

**COMMERCIAL GROUND TRANSPORTATION PERMIT OR PERMIT** means written permission issued by the Aviation Director to authorize a person to engage in commercial ground transportation.

**COMMERCIAL GROUND TRANSPORTATION PROVIDER OR PROVIDER** means a person that engages in commercial ground transportation.

**Courtesy vehicle** means a motor vehicle operated by or on behalf of a hotel, motel or commercial parking lot facility located off an airport without a direct fee being paid by the person picking up a passenger at an airport and transporting the passenger to an off-airport location, including a hotel, motel or commercial parking lot, where the authorized provider or driver does not directly charge or receive a fee from the passenger for the transportation service so rendered.

**DESIGNATED LOCAL POINT OF CONTACT MEANS A REPRESENTATIVE OF AN AUTHORIZED PROVIDER, WHO IS AUTHORIZED TO ACT AS AN AUTHORIZED SIGNER IN ALL WAYS EXCEPT FOR SIGNING THE PERMIT.**
DESIGNATED WAITING AREA MEANS AN AREA ON AN AIRPORT DESIGNATED BY THE AVIATION DIRECTOR WHERE AN AUTHORIZED PROVIDER OR DRIVER OPERATING UNDER AN AUTHORIZED PROVIDER’S PERMIT OR CONTRACT MAY STOP, STAND, OR PARK A GROUND TRANSPORTATION MOTOR VEHICLE.

DIGITAL NETWORK OR SOFTWARE APPLICATION MEANS ANY ONLINE-ENABLED APPLICATION, SOFTWARE, WEBSITE, OR SYSTEM THAT IS OFFERED OR USED BY AN AUTHORIZED PROVIDER AND THAT ENABLES A POTENTIAL PASSENGER TO ARRANGE A RIDE WITH A TRANSPORTATION NETWORK DRIVER.

DISABLED SERVICES VEHICLE MEANS A VAN OR ANY OTHER MOTOR VEHICLE THAT IS DESIGNATED BY THE AVIATION DIRECTOR AS A DISABLED SERVICES VEHICLE AUTHORIZED TO OPERATE ON AN AIRPORT IN ACCORDANCE WITH THIS ARTICLE.

Driver means any person INDIVIDUAL who drives, IS DRIVING, OR IS IN ACTUAL PHYSICAL CONTROL OF, a ground transportation motor vehicle.

GEOFENCE MEANS AN ELECTRONIC PERIMETER, DESIGNATED BY THE AVIATION DIRECTOR, OF AIRPORT PROPERTY AND SUB-PERIMETERS WITHIN AIRPORT PROPERTY.

GLOBAL POSITIONING SATELLITE (GPS) MEANS ANY GLOBAL POSITIONING SATELLITE TECHNOLOGY, APPROVED BY THE AVIATION DIRECTOR, USED TO TRACK A GROUND TRANSPORTATION MOTOR VEHICLE WHILE ON AN AIRPORT.

Ground transportation motor vehicle means A MOTOR VEHICLE USED FOR COMMERCIAL ACTIVITY, INCLUDING a bus, courtesy vehicle, handicapped SERVICES vehicle, mini-bus, motorcycle, off-airport rental car company vehicle, time-scheduled van, unscheduled limousine, unscheduled taxicab, V.I.P. vehicle, or intercity ground transporters vehicle—SHARED RIDE VAN, TAXICAB, OTHER DESIGNATED VEHICLE, PREARRANGED VEHICLE, TRANSPORTATION NETWORK COMPANY VEHICLE, OR INTERCITY PROVIDER VEHICLE.

Handicapped services vehicle means a van or any other motor vehicle that is designated by the Aviation Director as a handicapped services vehicle authorized to operate on an airport in accordance with this article.

Identification media or media or badge means any credential, card, badge, or other photo identification issued by the security badging office for use at Phoenix Sky Harbor International Airport. MEANS A PHYSICAL
IDENTIFICATION OR DIGITAL IDENTIFICATION THAT IDENTIFIES A DRIVER AS REQUIRED IN THIS ARTICLE, ISSUED OR APPROVED BY THE AVIATION DIRECTOR.

INCLUDE OR INCLUDING MEANS INCLUDING, BUT NOT LIMITED TO; AND, INCLUDING, WITHOUT LIMITATION.

Intercity ground transporter means an owner or driver who utilizes a multi-occupant motor vehicle of a type authorized by regulations promulgated by the Aviation Director.

PROVIDER MEANS AN AUTHORIZED PROVIDER THAT USES AN INTERCITY PROVIDER VEHICLE.

INTERCITY PROVIDER VEHICLE MEANS A MOTOR VEHICLE USED to transport passengers and baggage from Phoenix Sky Harbor International Airport to cities or towns located farther than a thirty-five mile radius from Phoenix Sky Harbor International Airport, and that are otherwise outside of the service areas of other contract ground transportation service AUTHORIZED providers operating UNDER CONTRACT WITH THE CITY TO OPERATE at Phoenix Sky Harbor International Airport.

Contracted limousine means a vehicle, without a meter, that includes a converted chassis and a seating capacity of between seven and fourteen passengers, and that is operated under contract with the City of Phoenix awarded pursuant to a request for proposal process to provide on-demand limousine services at the airport.

Mini-bus means any motor vehicle with a designated seating capacity between fifteen and twenty-three passengers.

MOTOR VEHICLE MEANS A DEVICE UPON WHICH ANY INDIVIDUAL IS OR MAY BE TRANSPORTED UPON A PUBLIC HIGHWAY EXCEPTING A DEVICE MOVED BY HUMAN POWER OR USED EXCLUSIVELY UPON STATIONARY RAILS OR TRACKS.

Motorcycle means a motor vehicle that has a seat or saddle for the use of the rider and that is designed to travel on not more than three wheels in contact with the ground.

Motor vehicle means any device, licensed by the State of Arizona, upon which any person is or may be transported upon a public highway excepting devices moved by human power or used exclusively upon stationary rails or tracks.

Notice of penalty means a violation of this article which resulted in the issuance by the Aviation Director of a written notice to the permittee or driver, and a penalty assessed.
Notice of violation means a violation of this article which resulted in the issuance by the Aviation Director of a written notice to the permittee or driver.

NOTICE OF VIOLATION (NOV) MEANS A VIOLATION OF THIS ARTICLE THAT RESULTED IN THE AVIATION DIRECTOR ISSUING A NOTICE TO THE AUTHORIZED PROVIDER.

Off-airport rental car company vehicle means a motor vehicle operated by or on behalf of an off-airport rental car company for the purpose of transporting customers and baggage between the Rental Car Center (RCC) and an off-airport rental car company facility located off the airport, where no direct fee is paid by the person or baggage transporter for the service so rendered.

Owner means the person, partnership, association, firm or corporation having beneficial ownership of OTHER DESIGNATED VEHICLE MEANS A MOTOR VEHICLE OF A TYPE NOT OTHERWISE DEFINED HEREIN THAT MAY BE DESIGNATED BY THE AVIATION DIRECTOR AS A ground transportation motor vehicle and holding the right to use said vehicle for his/her or its economic interest AUTHORIZED TO OPERATE ON AN AIRPORT IN ACCORDANCE WITH THIS ARTICLE.

Permittee means any person, partnership, association, firm or corporation operating or conducting business on an airport under TO WHOM THE AVIATION DIRECTOR HAS ISSUED a commercial ground transportation permit as provided in this article.

PERSON MEANS AN INDIVIDUAL, ASSOCIATION, COMPANY, CORPORATION, JOINT VENTURE, LIMITED LIABILITY COMPANY, ORGANIZATION, PARTNERSHIP, TWO OR MORE INDIVIDUALS ACTING AS A UNIT, AND ANY OTHER ENTITY.

PREARRANGED PROVIDER MEANS AN AUTHORIZED PROVIDER THAT USES A PREARRANGED VEHICLE.

PREARRANGED VEHICLE MEANS A GROUND TRANSPORTATION MOTOR VEHICLE USED TO PICK-UP A PASSENGER(S) ON AN AIRPORT, WHERE THE AUTHORIZED PROVIDER HAS SCHEDULED THE PICK-UP PRIOR TO ENTERING AN AIRPORT, OR WHILE PARKED IN A DESIGNATED WAITING AREA.

Safety regulations means those parts of Title 49 Code of Federal Regulations adopted by the Arizona Department of Transportation-Motor
Vehicle Division, as published in the Arizona Administrative Code as R17-5-202, as the same are amended from time to time.

Scheduled means a ground transportation motor vehicle picking up a passenger or passengers at an airport on a pre-arranged contract basis.

Shared ride means non-exclusive use of a ground transportation motor vehicle by two or more unrelated passengers, to predetermined destinations, or destinations agreed upon by the passengers and driver.

SHARED RIDE VAN SERVICE MEANS OPERATION OF A FLEET OF MULTI-PASSENGER VANS, UNDER CONTRACT WITH THE CITY OF PHOENIX, TO CONDUCT SHARED RIDE COMMERCIAL GROUND TRANSPORTATION.

Small operator parcel means the area in the rental car center that provides shared space for up to five rental car companies, each of whom have a market share of the total of Phoenix area rental car market of approximately one percent or less.

Taxicab means a motor vehicle authorized under a contract with the City of Phoenix, with a designated seating capacity of less than seven passengers, excluding the driver, having four doors for passenger ingress and egress, furnished for hire on an exclusive basis, and at a charge or fare based upon time and/or mileage and recorded and indicated on a taxicab meter.

Cab TAXICAB meter means a meter device that conforms to the standards established by the City Manager pursuant to Section 36-202 of the Phoenix City Code, and that otherwise measures the distance driven and/or time upon which the fare is based, and numerically displays in dollars and cents such THE fare in a manner readily visible to the passenger(s) PASSENGERS.

Scheduled means a ground transportation motor vehicle picking up a passenger or passengers on an airport other than on a prearranged basis.

TRADE DRESS MEANS A DISTINCT LOGO, INSIGNIA OR EMBLEM ATTACHED TO, AND VISIBLE FROM FIFTY FEET IN FRONT OF, A GROUND TRANSPORTATION MOTOR VEHICLE, AS APPROVED BY THE AVIATION DIRECTOR.

Van means any motor vehicle with a designated seating capacity between six and sixteen passengers.
TRANSPORTATION NETWORK COMPANY MEANS AN ENTITY THAT HAS BEEN ISSUED A PERMIT BY THE STATE OF ARIZONA, THAT OPERATES IN THE STATE OF ARIZONA, THAT USES A DIGITAL NETWORK OR SOFTWARE APPLICATION TO CONNECT PASSENGER(S) TO TRANSPORTATION NETWORK SERVICES PROVIDED BY TRANSPORTATION NETWORK DRIVERS, AND THAT MAY BUT IS NOT DEEMED TO OWN, OPERATE OR CONTROL A PERSONAL MOTOR VEHICLE OF A TRANSPORTATION NETWORK DRIVER.

TRANSPORTATION NETWORK COMPANY VEHICLE MEANS A MOTOR VEHICLE WITH A SEATING CAPACITY NOT EXCEEDING EIGHT PASSENGER(S), INCLUDING THE DRIVER, THAT IS AUTHORIZED BY A TRANSPORTATION NETWORK COMPANY, AND THAT IS USED BY A TRANSPORTATION NETWORK DRIVER TO PROVIDE TRANSPORTATION NETWORK SERVICES.

TRANSPORTATION NETWORK DRIVER MEANS AN INDIVIDUAL WHO RECEIVES CONNECTIONS TO POTENTIAL PASSENGER(S) AND RELATED SERVICES FROM A TRANSPORTATION NETWORK COMPANY IN EXCHANGE FOR PAYMENT OF A FEE TO THE TRANSPORTATION NETWORK COMPANY AND WHO OPERATES A TRANSPORTATION NETWORK COMPANY VEHICLE.

TRANSPORTATION NETWORK SERVICES MEANS THE TRANSPORTATION OF A PASSENGER BETWEEN POINTS CHOSEN BY THE PASSENGER AND ARRANGED WITH A TRANSPORTATION NETWORK DRIVER THROUGH THE USE OF A TRANSPORTATION NETWORK COMPANY’S DIGITAL NETWORK OR SOFTWARE APPLICATION.

TRIP FEE MEANS A FEE IMPOSED PURSUANT TO SECTION 4-78.

TRIP MEANS AN AUTHORIZED PROVIDER PICKING UP A PASSENGER ON AN AIRPORT.


V.I.P. vehicle means a limousine, van or any other motor vehicle not otherwise defined herein that may be designated by the Aviation Director as a ground transportation motor vehicle authorized to operate on an
airport in accordance with this article as authorized by the Aviation Director.

WAYBILL MEANS A PHYSICAL DOCUMENT IDENTIFYING A PASSENGER PICK-UP INCLUDING THE DATE, TIME, COMPANY, TERMINAL, LICENSE PLATE NUMBER, DRIVER, AIRLINE, FLIGHT NUMBER, AND PASSENGER NAME.

SECTION 4. That Phoenix City Code, Chapter 4, Article IV, Section 4-70 is renumbered as Section 4-68, and Section 4-68, as so renumbered, is amended to read:

Sec. 4-70. 4-68. Commercial ground transportation; permit required; application; REQUIREMENTS; expiration.

A. A commercial parking lot facility, hotel/motel, or off-airport rental car company shall not engage, or permit anyone on its behalf to engage, in the business of picking up passengers or engage in other

A. NO PERSON MAY ENGAGE IN COMMERCIAL GROUND TRANSPORTATION, INCLUDING THE commercial activity of PICKING UP PASSENGER(S) at ON the AN airport, without a valid commercial ground transportation permit in accordance with this section, EXCEPT AS SPECIFIED IN SECTION 4-82 AND SECTION 4-84 OF THIS ARTICLE.

B. An owner or driver of a commercial ground transportation motor vehicle shall not engage in the business of picking up passenger(s) at the airport without a valid commercial ground transportation permit in accordance with this section.

B. COMMERCIAL GROUND TRANSPORTATION PERMIT APPLICATION

C. An applicant for A commercial ground transportation permit OR RENEWAL shall complete OR UPDATE an application form provided by the Aviation Director and shall provide such information and certifications deemed necessary by the Aviation Director, including, but not limited to:

1. The name, ADDRESS, and BILLING address of the applicant.

2. A description of the motor vehicle(s) to be used.
2. A LIST OF AUTHORIZED SIGNERS AND DESIGNATED LOCAL POINTS OF CONTACT.

3. An appropriate ACCEPTABLE certificate of automobile liability insurance with at least the minimum amounts of coverage required by Arizona law for the vehicle category, including an endorsement thereon that names the City of Phoenix, its officers, officials, agents, employees and volunteers as "additional insureds." AND AIRPORT RULES AND REGULATIONS.

4. An indemnification agreement in favor of the City of Phoenix.

5. A statement of whether the described motor vehicle(s) APPLICANT will be operated OPERATE on a scheduled PREARRANGED or unscheduled COURTESY basis.

6. A certification that all statements of the applicant are true and complete, and an acknowledgment that any falsification or material omission shall cause WILL VOID the permit to be void.

7. A statement that the applicant complies with ALL APPLICABLE FEDERAL, STATE, AND LOCAL LAWS, INCLUDING the Americans WITH Disabilities Act, 42 U.S.C. Secs. 12101 et seq., plus all applicable federal, state, and local laws AND SECTION 504 OF THE REHABILITATION ACT, AND THAT THE APPLICANT WILL PROVIDE ACCESSIBLE GROUND TRANSPORTATION TO CUSTOMERS PROTECTED BY THESE LAWS OR, IF UNABLE TO DO SO, MAKE ALTERNATIVE ARRANGEMENT FOR ACCESSIBLE TRANSPORTATION WITHIN THIRTY MINUTES AFTER LEARNING OF THE CUSTOMER’S NEEDS.

8. A STATEMENT INDICATING WHETHER THE APPLICANT WILL USE AUTOMATED VEHICLE IDENTIFICATION (AVI), GLOBAL POSITIONING SATELLITE (GPS) TECHNOLOGY, OR OTHER TECHNOLOGY APPROVED BY THE AVIATION DIRECTOR TO TRACK THE MOTOR VEHICLE(S) TO BE USED FOR COMMERCIAL ACTIVITY ON AN AIRPORT.

9. A STATEMENT INDICATING WHICH OF THE BACKGROUND CHECK OPTIONS IN SUBSECTION C, PARAGRAPH 1 THE APPLICANT WILL REQUIRE DRIVERS OPERATING UNDER THE APPLICANT’S PERMIT TO COMPLETE.
10. A STATEMENT THAT THE APPLICANT WILL REQUIRE ALL AUTHORIZED SIGNERS AND DESIGNATED LOCAL POINTS OF CONTACT TO UNDERGO BACKGROUND CHECKS AS PRESCRIBED IN AIRPORT RULES AND REGULATIONS.

11. A STATEMENT THAT ALL VEHICLES OPERATED ON BEHALF OF THE APPLICANT WILL UNDERGO AND PASS AN INDUSTRY STANDARD INSPECTION, AS DESIGNATED BY THE AVIATION DIRECTOR, AT A MINIMUM OF ONCE EVERY TWELVE MONTHS.

12. A STATEMENT INDICATING WHETHER THE APPLICANT WILL USE A VEHICLE DECAL, ISSUED BY THE AVIATION DIRECTOR, OR A VALID TRADE DRESS, APPROVED BY THE AVIATION DIRECTOR, FOR VEHICLES OPERATED UNDER THE APPLICANT’S PERMIT.

13. AN APPLICANT APPLYING TO OPERATE USING TRADE DRESS FOR VEHICLE IDENTIFICATION SHALL PROVIDE A SAMPLE OF ITS TRADE DRESS TO THE AVIATION DIRECTOR WITH THE PERMIT APPLICATION.

14. A STATEMENT INDICATING WHICH DRIVER IDENTIFICATION METHOD, AS DESCRIBED IN SECTION 4-69, THE APPLICANT WILL REQUIRE DRIVERS OPERATING UNDER THE APPLICANT’S PERMIT TO USE.

15. A STATEMENT VERIFYING APPLICANT AND ALL DRIVERS OPERATING UNDER THE APPLICANT’S PERMIT HAVE BEEN INFORMED OF AND WILL COMPLY WITH AIRPORT RULES AND REGULATIONS.

C. PERMITTEE REQUIREMENTS

1. PERMITTEE MAY ONLY USE ONE OF THE FOLLOWING OPTIONS FOR ALL DRIVERS OPERATING UNDER THAT PERMITTEE’S PERMIT:

   a. A PERMITTEE THAT USES THE AVIATION DEPARTMENT CRIMINAL HISTORY RECORDS CHECK WITH SECURITY THREAT ASSESSMENT BACKGROUND CHECK FOR ALL DRIVERS AND AUTHORIZED SIGNERS OPERATING UNDER THAT PERMITTEE’S PERMIT, SHALL DO SO IN ACCORDANCE WITH THE FOLLOWING:
i. Applicant shall have each driver and authorized signer operating under permittee’s permit go to the aviation department offices to submit one full set of fingerprints;

ii. Applicant shall submit documents that establish identity, employment eligibility, and citizenship status in accordance with 49 C.F.R. Part 1542 and other Department of Homeland Security Transportation Security Administration (TSA) requirements, including security directives, and shall be required to obtain authorization from the TSA in compliance with the requirements of the security threat assessment;

iii. The criminal history records check shall be designed to identify, at a minimum, the crimes identified in 49 C.F.R. 1542.209(D); and

iv. The aviation department will submit or electronically transmit all completed fingerprint cards to the Department of Public Safety, appropriate federal agency, or other authorized agency or contractor to conduct a criminal history records check. Criminal history records checks conducted by the Department of Public Safety will be conducted pursuant to Section 41-1750, Arizona Revised Statutes, and Public Law 92-544, as amended. The Department of Public Safety is authorized to exchange the submitted fingerprint card information with the Federal Bureau of Investigation for a national criminal history records check.

b. A permittee that uses the enhanced third-party name-based background check for all drivers and authorized
SIGNERS OPERATING UNDER THAT PERMITTEE’S PERMIT, SHALL DO SO IN ACCORDANCE WITH THE FOLLOWING:

i. THE BACKGROUND CHECK SHALL INCLUDE A LOCAL AND NATIONAL CRIMINAL BACKGROUND CHECK THAT INCLUDES A SEARCH OF A MULTIJURISDICTIONAL CRIMINAL RECORDS LOCATED OR SIMILAR, VALIDATED COMMERCIAL NATIONWIDE DATABASE AND A NATIONAL SEX OFFENDER REGISTRY DATABASE;

ii. THE BACKGROUND CHECK SHALL BE CONDUCTED AT LEAST ONCE EVERY TWO YEARS BY A CONSUMER REPORTING AGENCY ACCREDITED BY THE NATIONAL ASSOCIATION OF PROFESSIONAL BACKGROUND SCREENERS;

iii. DATA POINT IDENTIFIERS SHALL INCLUDE, AT A MINIMUM, THE NAME, DATE OF BIRTH, ADDRESS, AND SOCIAL SECURITY NUMBER OF THE APPLICANT;

iv. THE BACKGROUND CHECK SHALL INCLUDE AN ADJUDICATION PROCESS;

v. THE BACKGROUND CHECK SHALL BE DESIGNED TO IDENTIFY ANY CRIMINAL HISTORY FOR A MINIMUM OF THE PAST TEN YEARS;

vi. THE BACKGROUND CHECK SHALL BE DESIGNED TO IDENTIFY, AT A MINIMUM, THE CRIMES IDENTIFIED IN 49 C.F.R. 1542.209(D);

vii. THE PERMITTEE SHALL OBTAIN AUTHORIZATION FROM THE TSA IN COMPLIANCE WITH THE REQUIREMENTS OF THE SECURITY THREAT ASSESSMENT FOR ANYONE OPERATING UNDER PERMITTEE’S PERMIT; AND

viii. THE PERMITTEE SHALL PERMIT THE AVIATION DIRECTOR TO CONDUCT A
RANDOM MONTHLY BACKGROUND CHECK AUDIT, AT ANY TIME THROUGHOUT THE TERM OF THE COMMERCIAL GROUND TRANSPORTATION PERMIT, OF UP TO TEN PERCENT OF THE POOL OF DRIVERS OPERATING UNDER THAT PERMITTEE’S PERMIT, WHO HAVE MADE A PICK-UP ON AN AIRPORT IN THE MONTH PRECEDING THE AUDIT REQUEST DATE. THE AUDIT WILL BE CONDUCTED AS FOLLOWS:

1. THE AUDIT WILL BE PERFORMED BY A THIRD PARTY ACCREDITED BY THE NATIONAL ASSOCIATION OF PROFESSIONAL BACKGROUND SCREENERS AND SELECTED BY THE AVIATION DIRECTOR;

2. THE AVIATION DIRECTOR WILL PROVIDE PERMITTEE WITH A LIST OF DRIVER NAMES OR UNIQUE DRIVER IDENTIFICATION NUMBERS. ANY DRIVER DECLINING TO CONSENT TO A BACKGROUND CHECK WILL BE INELIGIBLE TO CONDUCT PICK-UPS ON AN AIRPORT UNTIL THE CONSENT IS GRANTED;

3. PERMITTEE SHALL PROVIDE IDENTIFYING INFORMATION, WHICH SHALL INCLUDE, AT A MINIMUM, THE NAME, DATE OF BIRTH, ADDRESS, AND SOCIAL SECURITY NUMBER, FOR THE DRIVERS SELECTED BY THE AVIATION DIRECTOR TO THE THIRD PARTY BACKGROUND CHECK PROVIDER;

4. PERMITTEE SHALL CERTIFY TO THE AVIATION DIRECTOR, IN A MANNER APPROVED BY THE AVIATION DIRECTOR, THE RESULTS OF THE AUDIT; AND

5. IN THE EVENT THAT AN AUDITED DRIVER FAILS THE BACKGROUND CHECK ACCORDING TO THE CRITERIA IN SUBSECTION C, PARAGRAPH 2, THE PERMITTEE SHALL REMOVE THE
DRIVER’S AUTHORITY TO OPERATE ON AN AIRPORT WITHIN TWENTY FOUR HOURS.

c. A PERMITTEE THAT USES THE NAME-BASED BACKGROUND CHECK FOR ALL DRIVERS OPERATING UNDER PERMITTEE’S PERMIT, SHALL DO SO IN ACCORDANCE WITH THE FOLLOWING:

i. THE BACKGROUND CHECK SHALL INCLUDE A LOCAL AND NATIONAL CRIMINAL BACKGROUND CHECK THAT INCLUDES A SEARCH OF A MULTIJURISDICTIONAL CRIMINAL RECORDS LOCATOR OR SIMILAR, VALIDATED COMMERCIAL NATIONWIDE DATABASE AND A NATIONAL SEX OFFENDER REGISTRY DATABASE;

ii. DATA POINT IDENTIFIERS SHALL INCLUDE, AT A MINIMUM, THE NAME, ADDRESS, AGE, AND DRIVER LICENSE NUMBER;

iii. THE BACKGROUND CHECK SHALL INCLUDE AN ADJUDICATION PROCESS; AND

iv. THE PERMITTEE SHALL PERMIT THE AVIATION DIRECTOR TO CONDUCT A RANDOM MONTHLY BACKGROUND CHECK AUDIT, AT ANY TIME THROUGHOUT THE TERM OF THE COMMERCIAL GROUND TRANSPORTATION PERMIT, OF UP TO TEN PERCENT OF THE POOL OF DRIVERS OPERATING UNDER THAT PERMITTEE’S PERMIT, WHO HAVE MADE A PICK-UP ON AN AIRPORT IN THE MONTH PRECEDING THE AUDIT REQUEST DATE. THE AUDIT WILL BE CONDUCTED AS FollowS:

1. THE AUDIT WILL BE PERFORMED BY A THIRD PARTY ACCREDITED BY THE NATIONAL ASSOCIATION OF PROFESSIONAL BACKGROUND SCREENERS AND SELECTED BY THE AVIATION DIRECTOR;
2. THE AVIATION DIRECTOR WILL PROVIDE PERMITTEE WITH A LIST OF DRIVER NAMES OR UNIQUE DRIVER IDENTIFICATION NUMBERS. ANY DRIVER DECLINING TO CONSENT TO A BACKGROUND CHECK WILL BE INELIGIBLE TO CONDUCT PICK-UPS ON AN AIRPORT UNTIL THE CONSENT IS GRANTED;

3. PERMITTEE SHALL PROVIDE IDENTIFYING INFORMATION, WHICH SHALL INCLUDE, AT A MINIMUM, THE NAME, ADDRESS, AGE, AND DRIVER LICENSE NUMBER, FOR THE DRIVERS SELECTED BY THE AVIATION DIRECTOR TO THE THIRD PARTY BACKGROUND CHECK PROVIDER;

4. PERMITTEE SHALL CERTIFY TO THE AVIATION DIRECTOR, IN A MANNER APPROVED BY THE AVIATION DIRECTOR, THE RESULTS OF THE AUDIT; AND

5. IN THE EVENT THAT AN AUDITED DRIVER FAILS THE BACKGROUND CHECK ACCORDING TO THE CRITERIA IN SUBSECTION C, PARAGRAPH 3, THE PERMITTEE SHALL REMOVE THE DRIVER’S AUTHORITY TO OPERATE ON AN AIRPORT WITHIN TWENTY FOUR HOURS.

2. ANY PERMITTEE THAT USES THE BACKGROUND CHECK OPTION IDENTIFIED IN SUBSECTION C, PARAGRAPH 1, SUBPARAGRAPH (A) SHALL NOT ALLOW ANYONE TO OPERATE UNDER THAT PERMITTEE’S PERMIT WHO:

   a. IS IDENTIFIED AS A DISQUALIFIED INDIVIDUAL AS SET FORTH IN 49 C.F.R. PART 1542; OR

   b. IS IDENTIFIED AS A DISQUALIFIED INDIVIDUAL AS SET FORTH IN DEPARTMENT HOMELAND SECURITY TRANSPORTATION SECURITY ADMINISTRATION REQUIREMENTS, INCLUDING SECURITY DIRECTIVES.

3. ANY PERMITTEE THAT USES THE BACKGROUND CHECK OPTION IDENTIFIED IN SUBSECTION C, PARAGRAPH
1. SUBPARAGRAPH (B) SHALL NOT ALLOW ANYONE TO OPERATE UNDER THAT PERMITTEE’S PERMIT WHO:

   a. HAS HAD MORE THAN THREE MOVING VIOLATIONS, OR ONE MAJOR VIOLATION, PURSUANT TO A.R.S. TITLE 28 IN THE PRECEDING THREE YEARS. MAJOR VIOLATIONS INCLUDE ATTEMPTING TO EVADE THE POLICE, RECKLESS DRIVING OR DRIVING ON A SUSPENDED OR REVOKED LICENSE; OR

   b. HAS BEEN CONVICTED WITHIN THE PRECEDING TEN YEARS OF VIOLATION OF A.R.S. SECTION 13-706, 28-1381, 28-1382 OR 28-1383 OR TITLE 13, CHAPTER 14, 19, 22, 23, 34 OR 35.1, OR A VIOLATION OF ANY CRIME IDENTIFIED IN 49 C.F.R. 1542.209(D); OR

   c. IS LISTED IN A NATIONAL SEX OFFENDER REGISTRY DATABASE.

4. ANY PERMITTEE THAT USES THE BACKGROUND CHECK OPTION IDENTIFIED IN SUBSECTION C, PARAGRAPH 1, SUBPARAGRAPH (C) SHALL NOT ALLOW ANYONE TO OPERATE UNDER THAT PERMITTEE’S PERMIT WHO:

   a. HAS HAD MORE THAN THREE MOVING VIOLATIONS, OR ONE MAJOR VIOLATION, PURSUANT TO A.R.S. TITLE 28 IN THE PRECEDING THREE YEARS. MAJOR VIOLATIONS INCLUDE ATTEMPTING TO EVADE THE POLICE, RECKLESS DRIVING OR DRIVING ON A SUSPENDED OR REVOKED LICENSE; OR

   b. HAS BEEN CONVICTED WITHIN THE PRECEDING SEVEN YEARS OF VIOLATION OF A.R.S. SECTION 13-706, 28-1381, 28-1382 OR 28-1383 OR TITLE 13, CHAPTER 14, 19, 22, 23, 34 OR 35.1; OR

   c. IS LISTED IN A NATIONAL SEX OFFENDER REGISTRY DATABASE.

5. ANY PERMITTEE THAT USES THE BACKGROUND CHECK OPTION IDENTIFIED IN SUBSECTION C, PARAGRAPH 1, SUBPARAGRAPH (A) SHALL REMOVE A DRIVER’S AUTHORITY TO OPERATE UNDER THAT PERMITTEE’S
PERMIT WITHIN TWENTY FOUR HOURS OF DISCOVERING THAT THE DRIVER’S BACKGROUND CHECK NO LONGER COMPLIES WITH SUBSECTION C, PARAGRAPH 1, SUBPARAGRAPH (A) OR SUBSECTION C, PARAGRAPH 2.

6. ANY PERMITTEE THAT USES THE BACKGROUND CHECK OPTION IDENTIFIED IN SUBSECTION C, PARAGRAPH 1, SUBPARAGRAPH (B) SHALL REMOVE A DRIVER’S AUTHORITY TO OPERATE UNDER THAT PERMITTEE’S PERMIT WITHIN TWENTY FOUR HOURS OF DISCOVERING THAT THE DRIVER’S BACKGROUND CHECK NO LONGER COMPLIES WITH SUBSECTION C, PARAGRAPH 1, SUBPARAGRAPH (B) OR SUBSECTION C, PARAGRAPH 2.

7. ANY PERMITTEE THAT USES THE BACKGROUND CHECK OPTION IDENTIFIED IN SUBSECTION C, PARAGRAPH 1, SUBPARAGRAPH (C) SHALL REMOVE A DRIVER’S AUTHORITY TO OPERATE UNDER THAT PERMITTEE’S PERMIT WITHIN TWENTY FOUR HOURS OF DISCOVERING THAT THE DRIVER’S BACKGROUND CHECK NO LONGER COMPLIES WITH SUBSECTION C, PARAGRAPH 1, SUBPARAGRAPH (C) OR SUBSECTION C, PARAGRAPH 3.

8. PERMITTEE SHALL REQUIRE AUTHORIZED SIGNERS AND DESIGNATED LOCAL POINTS OF CONTACT TO UNDERGO BACKGROUND CHECKS AS PRESCRIBED IN AIRPORT RULES AND REGULATIONS.

9. PERMITTEE SHALL ENSURE THAT EACH DRIVER OPERATING UNDER THAT PERMITTEE’S PERMIT, OBTAINS A DRIVERS IDENTIFICATION MEDIA AS PROVIDED IN SECTION 4-69 AND HAS A PHYSICAL OR VIRTUAL WAYBILL FOR EACH PICK-UP. PERMITTEE SHALL REQUIRE THAT DRIVERS MAKE THAT IDENTIFICATION MEDIA AND WAYBILL AVAILABLE TO AIRPORT REPRESENTATIVES UPON REQUEST.

10. A PERMITTEE THAT USES TRADE DRESS SHALL REQUIRE EACH DRIVER OPERATING UNDER THAT PERMITTEE’S PERMIT TO DISPLAY THE PERMITTEE’S TRADE DRESS, APPROVED BY THE AVIATION DIRECTOR, AT ALL TIMES WHILE ON AN AIRPORT AND THAT THE DRIVER WILL MAKE AVAILABLE TO AIRPORT REPRESENTATIVES, UPON REQUEST, A WAYBILL INDICATING A TRANSACTION THAT MATCHES THE PERMITTEE’S TRADE DRESS.
11. PERMITTEE SHALL ENSURE EACH VEHICLE OPERATED UNDER THAT PERMITTEE’S PERMIT, HAS UNDERGONE AND PASSED AN INDUSTRY STANDARD INSPECTION, AS DESIGNATED BY THE AVIATION DIRECTOR, WITHIN THE PREVIOUS TWELVE MONTHS. PERMITTEE SHALL ALLOW THE AVIATION DIRECTOR TO CONDUCT AN AUDIT, AT ANY TIME THROUGHOUT THE TERM OF THE COMMERCIAL GROUND TRANSPORTATION PERMIT, OF THE VEHICLE INSPECTION RECORDS.

12. ANY PERMITTEE THAT USES GPS TRIP TRACKING SHALL ELECTRONICALLY NOTIFY AIRPORT REPRESENTATIVES OF THE TRACKING INFORMATION REQUIRED BY THE AVIATION DIRECTOR, INCLUDING THE DRIVER’S UNIQUE IDENTIFIER, IMMEDIATELY UPON THE DRIVER ENTERING ON AN AIRPORT. PERMITTEES USING GPS TRIP TRACKING SHALL MAKE AVAILABLE TO THE CITY UPON REQUEST THE NAME OF THE DRIVER ASSOCIATED WITH THE DRIVER’S UNIQUE IDENTIFIER.

13. EXCEPT AS APPROVED BY THE AVIATION DIRECTOR, ANY PERMITTEE THAT USES GPS TRIP TRACKING SHALL DISABLE ITS MOBILE APPLICATION’S FUNCTIONALITY AND ABILITY FOR A DRIVER OPERATING UNDER THAT PERMITTEE’S PERMIT TO ACCEPT A RESERVATION WHILE THAT DRIVER IS ON AN AIRPORT WITHIN THE GEOFENCE ESTABLISHED BY THE AVIATION DIRECTOR, UNLESS THE DRIVER IS IN A DESIGNATED WAITING AREA.

14. ANY PERMITTEE THAT USES GPS TRIP TRACKING SHALL PROVIDE CLEAR WAYFINDING DIRECTIONS TO PASSENGERS WHO ARE BEING PICKED UP ON AN AIRPORT, THROUGH THE PERMITTEE’S MOBILE APPLICATION, TO DIRECT THEM TO THE PROPER PICK-UP LOCATION. UPON WRITTEN NOTICE FROM THE AVIATION DIRECTOR OF ANY NON-CONFORMITY WITH THIS SECTION, THE PERMITTEE SHALL TAKE ALL STEPS NECESSARY TO REMEDY THE CONDITION, CONDUCT, AND/OR VIOLATION IMMEDIATELY.

15. UNLESS PERMITTEE DEMONSTRATES THAT EXIGENT CIRCUMSTANCES EXIST THAT PREVENT COMPLIANCE, PERMITTEE SHALL PROVIDE ACCESSIBLE GROUND TRANSPORTATION TO CUSTOMERS PROTECTED BY ALL APPLICABLE FEDERAL, STATE, AND LOCAL LAWS, INCLUDING the Americans with Disabilities Act, 42 U.S.C. Secs. 12101 et seq., plus all applicable federal, state, and local laws AND
SECTION 504 OF THE REHABILITATION ACT, OR, IF UNABLE TO DO SO, MAKE ALTERNATIVE ARRANGEMENT FOR ACCESSIBLE TRANSPORTATION WITHIN THIRTY MINUTES AFTER LEARNING OF THE CUSTOMER’S NEEDS.

16. PERMITTEE SHALL REQUIRE ALL AUTHORIZED SIGNERS AND DESIGNATED LOCAL POINTS OF CONTACT TO ACCEPT SERVICE OF ALL NOTICES OF VIOLATION AND CITATIONS ISSUED TO THAT PERMITTEE.

17. PERMITTEE SHALL IMMEDIATELY TERMINATE A DRIVER’S AUTHORIZATION TO OPERATE UNDER THAT PERMITTEE’S PERMIT IF THE DRIVER’S IDENTIFICATION MEDIA IS REVOKED UNDER SECTION 4-75.

   a. PERMITTEE SHALL RETRIEVE ANY PLACARD ISSUED TO THE DRIVER UNDER SECTION 4-69 SUBSECTION B AND RETURN THE PLACARD TO THE AVIATION DIRECTOR WITHIN FIVE DAYS OF NOTIFICATION.

   b. PERMITTEE SHALL RETRIEVE ANY PLACARD ISSUED TO THE DRIVER UNDER SECTION 4-69 SUBSECTION C, PARAGRAPH 1 WITHIN FIVE DAYS OF NOTIFICATION.

18. PERMITTEE SHALL NOTIFY THE AVIATION DIRECTOR OF ANY ADDITION OR REMOVAL OF A NAME TO THE PERMITTEE’S LIST OF AUTHORIZED SIGNERS OR DESIGNATED LOCAL POINTS OF CONTACT AUTHORIZED TO OPERATE UNDER THAT PERMITTEE’S PERMIT WITHIN FIVE DAYS OF THE CHANGE.

19. PERMITTEE AND ALL AUTHORIZED SIGNERS, DESIGNATED LOCAL POINTS OF CONTACT, AND DRIVERS OPERATING UNDER THAT PERMITTEE’S PERMIT, SHALL COMPLY WITH ALL AIRPORT RULES AND REGULATIONS.

D. A PERMIT WILL EXPIRE, UNLESS TERMINATED SOONER, TWO YEARS FROM THE DATE THE PERMIT WAS ISSUED.

E. THE AVIATION DIRECTOR WILL NOT ISSUE A PERMIT TO, OR RENEW A PERMIT FOR, AN APPLICANT THAT IS NOT IN GOOD FINANCIAL STANDING WITH THE CITY.
F. THE AVIATION DIRECTOR MAY ISSUE A TEMPORARY OR DAILY USE PERMIT AS THE AVIATION DIRECTOR DEEMS NECESSARY FOR THE SAFE, EFFICIENT, AND ORDERLY OPERATION ON AN AIRPORT.

D. An applicant shall pay the commercial ground transportation permit fees that are assessed by the City Council, including any fees that would have been payable for any period of operation prior to the date of permit application or renewal.

E. AVI Tags:

1. A commercial ground transportation motor vehicle permit will not be issued to the following ground transportation motor vehicles unless an AVI tag is obtained from the Aviation Department:
   a. Unscheduled taxicabs.
   b. Unscheduled contracted limousines.
   c. Bus.
   d. Courtesy vehicle.
   e. Intercity ground transporter vehicle.
   f. Time-scheduled van service vehicle.
   g. V.I.P. vehicle.

G. An owner of a commercial TO ENSURE THE SAFE, ORDERLY, AND EFFICIENT USE OF AN AIRPORT, THE AVIATION DIRECTOR MAY REGULATE AND RESTRICT THE NUMBER OF ground transportation motor vehicle that is equipped with an AVI tag shall pay the AVI tag fees that are assessed in Section 4-78 VEHICLES ON AN AIRPORT.

H. A commercial ground transportation permit shall not be construed to be a contract, agreement or grant of a franchise or any property right to engage in commercial activity at ON an airport and is revocable.

I. A commercial ground transportation company A PERMIT APPLICANT requesting reconsideration of the Aviation Director’s decision to deny or revoke their ITS permit shall have fourteen FIFTEEN calendar days after date of service of notice if personally served, or twenty-one FOURTEEN calendar days from the date of mailing by certified mail at the last known address submitted to the Aviation Department, to request reconsideration by the Aviation Director. The request for reconsideration of the denial or revocation of a permit
must SHALL be in writing and must SHALL state the specific allegations in the Aviation Director’s decision with which the commercial ground transportation company PERMIT APPLICANT disagrees. The request for reconsideration shall EITHER be personally delivered to the Aviation Director or deposited in the United States Mail, certified, return receipt requested, postage prepaid, addressed to the Office of the Aviation Director, within the above-stated time. The Aviation Director shall notify the commercial ground transportation company UNLESS THE AVIATION DIRECTOR REQUIRES ADDITIONAL INFORMATION, OR IN THE EVENT OF EXIGENT CIRCUMSTANCES, THE AVIATION DIRECTOR WILL NOTIFY THE PERMIT APPLICANT in writing of the Aviation Director’s final decision within five TEN business days after the request for reconsideration is received.

J. IF A PERMITTEE VIOLATES ANY PROVISIONS OF THIS ARTICLE, THE PERMITTEE IS SUBJECT TO SECTIONS 4-75, 4-77, AND 4-80, AND THE AVIATION DIRECTOR MAY DENY THE RENEWAL OF THE PERMITTEE’S PERMIT.

SECTION 5. That Phoenix City Code, Chapter 4, Article IV, Section 4-69 is amended to read:

Sec. 4-69.  Driver’s identification-card-and-identification-media.

A. AS PROVIDED BELOW, the driver of any ground transportation motor vehicle, except a bus, must SHALL have a valid driver’s identification card or a valid temporary driver’s identification card issued by the Aviation Department and shall display the valid driver’s identification card or valid temporary driver’s identification card inside the vehicle as directed by the Aviation Director.

B. A driver of a ground transportation motor vehicle, except a bus, shall not engage in the business of picking up passengers or engage in other commercial activity at the airport without having both of the following documents in the driver’s possession:

1. A valid driver’s identification card or valid temporary driver’s identification card issued by the Aviation Department; and

2. A valid identification media issued by the Aviation Department’s Security Badging Office.

B. AVIATION-ISSUED DRIVER’S IDENTIFICATION PLACARD
AN AUTHORIZED PROVIDER OPERATING UNDER SECTION 4-68 SUBSECTION C, PARAGRAPH 1, SUBPARAGRAPH (A) OR SECTION 4-68 SUBSECTION C, PARAGRAPH 1, SUBPARAGRAPH (B) SHALL OBTAIN A DRIVER’S IDENTIFICATION PLACARD OR TEMPORARY DRIVER’S IDENTIFICATION PLACARD FROM THE AVIATION DIRECTOR FOR EACH DRIVER ACTING UNDER THAT AUTHORIZED PROVIDER’S PERMIT OR CONTRACT. AN AUTHORIZED PROVIDER SHALL REQUIRE EACH DRIVER ACTING UNDER THAT PROVIDER’S PERMIT OR CONTRACT TO DISPLAY THE IDENTIFICATION PLACARD INSIDE THE VEHICLE AS DIRECTED BY THE AVIATION DIRECTOR. THE AUTHORIZED PROVIDER SHALL REQUIRE THE DRIVER TO PRESENT THE PLACARD TO AIRPORT REPRESENTATIVES UPON REQUEST. THE DRIVER, ACTING UNDER THAT PROVIDER’S PERMIT OR CONTRACT, SHALL PRESENT THE PLACARD TO AIRPORT REPRESENTATIVES UPON REQUEST.

1. THE AUTHORIZED PROVIDER SHALL SUBMIT TO THE AVIATION DIRECTOR A LIST OF AUTHORIZED SIGNERS. THE AUTHORIZED PROVIDER SHALL NOTIFY THE AVIATION DIRECTOR OF ANY ADDITION OR REMOVAL OF A NAME TO THE AUTHORIZED PROVIDER’S LIST OF AUTHORIZED SIGNERS WITHIN FIVE DAYS OF THE CHANGE.

2. THE AUTHORIZED PROVIDER’S AUTHORIZED SIGNER SHALL REQUEST AN IDENTIFICATION PLACARD OR TEMPORARY IDENTIFICATION PLACARD FOR EACH DRIVER ACTING UNDER THAT AUTHORIZED PROVIDER’S PERMIT OR CONTRACT.

3. AN AUTHORIZED SIGNER FOR AN AUTHORIZED PROVIDER OPERATING UNDER SECTION 4-68 SUBSECTION C, PARAGRAPH 1, SUBPARAGRAPH (B) SHALL CERTIFY EACH DRIVER HAS MET THE REQUIREMENTS UNDER SECTION 4-68 SUBSECTION C, PARAGRAPH 3 BEFORE SUBMITTING AN APPLICATION FOR A DRIVER’S IDENTIFICATION PLACARD OR TEMPORARY IDENTIFICATION PLACARD.

4. A DRIVER’S IDENTIFICATION PLACARD EXPIRES TWO YEARS AFTER THE DATE THE PLACARD WAS ISSUED.

5. AN AUTHORIZED PROVIDER AND DRIVER SHALL NOTIFY THE AVIATION DIRECTOR OF ANY CHANGE TO THE NAME, ADDRESS, AND PHONE NUMBER OF THE DRIVER NO LATER THAN SEVEN DAYS FROM THE CHANGE.
6. AN AUTHORIZED PROVIDER SHALL RETURN AN IDENTIFICATION PLACARD OR TEMPORARY IDENTIFICATION PLACARD TO THE AVIATION DIRECTOR WITHIN FIVE DAYS FROM A DRIVER TERMINATION OR END OF A DRIVER’S AUTHORIZATION TO OPERATE UNDER THAT AUTHORIZED PROVIDER’S PERMIT OR CONTRACT.

C. AUTHORIZED PROVIDER-ISSUED IDENTIFICATION MEDIA

AN AUTHORIZED PROVIDER OPERATING UNDER SECTION 4-68 SUBSECTION C, PARAGRAPH 1, SUBPARAGRAPH (C) SHALL PROVIDE TO EACH DRIVER ACTING UNDER THAT AUTHORIZED PROVIDER’S PERMIT OR CONTRACT, ONE OF THE FOLLOWING FORMS OF IDENTIFICATION MEDIA:


2. A DIGITAL IDENTIFICATION THROUGH A DIGITAL NETWORK OR SOFTWARE APPLICATION, WHICH DISPLAYS THE NAME OF THE DRIVER, A FULL-FACE VIEW

SECTION 6. That Phoenix City Code, Chapter 4, Article IV, Section 4-73 is renumbered as Section 4-70, and Section 4-70, as so renumbered, is amended to read:

Sec. 4-70. Process to obtain driver’s identification cards and identification media PLACARD; REVOCATION.

A. AN AUTHORIZED PROVIDER OPERATING UNDER SECTION 4-68 SUBSECTION C, PARAGRAPH 1, SUBPARAGRAPH (A) OR SECTION 4-68 SUBSECTION C, PARAGRAPH 1, SUBPARAGRAPH (B) SHALL OBTAIN A DRIVER’S IDENTIFICATION PLACARD OR TEMPORARY DRIVER’S IDENTIFICATION PLACARD FROM THE AVIATION DIRECTOR FOR EACH DRIVER ACTING UNDER THAT AUTHORIZED PROVIDER’S PERMIT OR CONTRACT, IN ACCORDANCE WITH THIS SECTION.

B. ANY DRIVER AUTHORIZED TO OPERATE UNDER AN AUTHORIZED PROVIDER’S PERMIT OR CONTRACT, AS AUTHORIZED BY THE AVIATION DIRECTOR TO OPERATE USING THE BACKGROUND CHECK SPECIFIED IN SECTION 4-68 SUBSECTION C, PARAGRAPH 1,
SUBPARAGRAPH (A) OR SECTION 4-68 SUBSECTION C, PARAGRAPH 1, SUBPARAGRAPH (B), AT ALL TIMES WHILE ON AN AIRPORT, SHALL HAVE A VALID DRIVER’S IDENTIFICATION PLACARD OR VALID TEMPORARY DRIVER’S IDENTIFICATION PLACARD, OBTAINED IN ACCORDANCE WITH THIS SECTION.

A. No driver of a ground transportation motor vehicle may engage in the business of picking up passenger(s) at the airport without first obtaining and displaying a valid driver’s identification card or valid temporary driver’s identification card and a valid identification media in accordance with this section.

C. AVIATION-ISSUED DRIVER’S IDENTIFICATION PLACARD APPLICATION

B. An applicant for an AUTHORIZED PROVIDER OPERATING UNDER SECTION 4-68 SUBSECTION C, PARAGRAPH 1, SUBPARAGRAPH (A) OR SECTION 4-68 SUBSECTION C, PARAGRAPH 1, SUBPARAGRAPH (B), SHALL COMPLETE A SEPARATE APPLICATION FOR EACH driver’s identification card and identification media shall complete an application provided by the Aviation Department and shall provide such PLACARD FOR EACH DRIVER ACTING UNDER THAT AUTHORIZED PROVIDER’S PERMIT OR CONTRACT. THE APPLICANT SHALL PROVIDE information and certifications deemed necessary AS REQUIRED by the Aviation Director, including:

1. The name and address of the applicant.

1. THE NAME AND ADDRESS OF THE DRIVER.

2. One full set of fingerprints obtained by the Aviation Director.

2. A COMPLETED CRIMINAL HISTORY RECORDS CHECK AND SECURITY THREAT ASSESSMENT IN ACCORDANCE WITH SECTION 4-68 SUBSECTION C, PARAGRAPH 1, SUBPARAGRAPH (A) FOR DRIVERS OPERATING UNDER THAT AUTHORIZED PROVIDER’S PERMIT OR CONTRACT, AS AUTHORIZED BY THE AVIATION DIRECTOR UNDER THAT SECTION, OR A COMPLETED SECURITY THREAT ASSESSMENT IN ACCORDANCE WITH SECTION 4-68 SUBSECTION C, PARAGRAPH 1, SUBPARAGRAPH (B) FOR DRIVERS OPERATING UNDER THAT AUTHORIZED PROVIDER’S PERMIT OR CONTRACT, AS AUTHORIZED BY THE AVIATION DIRECTOR UNDER THAT SECTION.

3. The name, address, and signature of the AUTHORIZED SIGNER OF THE AUTHORIZED PROVIDER THAT IS AUTHORIZING THE DRIVER TO OPERATE UNDER THAT
AUTHORIZED PROVIDER’S PERMIT OR CONTRACT. THE AUTHORIZED SIGNER SHALL:

a. 3. The name and address of the authorized signer of the commercial ground transportation company the driver will be representing while driving at the airport. The authorized signer must IF OPERATING UNDER AN AUTHORIZED PROVIDER’S PERMIT OR CONTRACT, AS AUTHORIZED BY THE AVIATION DIRECTOR UNDER SECTION 4-68 SUBSECTION C, PARAGRAPH 1, SUBPARAGRAPH (A), complete the fingerprint-based criminal history records check and security threat assessment facilitated by the Aviation Department IN ACCORDANCE WITH THAT SECTION; OR

b. IF OPERATING UNDER AN AUTHORIZED PROVIDER’S PERMIT OR CONTRACT, AS AUTHORIZED BY THE AVIATION DIRECTOR UNDER SECTION 4-68 SUBSECTION C, PARAGRAPH 1, SUBPARAGRAPH (B), COMPLETE THE ENHANCED NAME-BASED BACKGROUND CHECK AND SECURITY THREAT ASSESSMENT IN ACCORDANCE WITH THAT SECTION AND MEET THE REQUIREMENTS LISTED IN SECTION 4-68 SUBSECTION C, PARAGRAPH 3.

4. Proof of a valid driver’s license issued by the Arizona Motor Vehicle Department.

5. Documents that establish identity, employment eligibility and citizenship status in accordance with 49 Code of Federal Regulations Part 1542, and other Department of Homeland Security Transportation Security Administration (TSA) requirements, including security directives.

6. Authorization from the TSA in compliance with the requirements of the security threat assessment.

7. Proof of a current Department of Transportation medical examiner’s certificate, issued in accordance with the requirements of the Federal Motor Carrier Safety Regulations.

8. A certification that all statements of the applicant are true and complete, and an acknowledgment that any falsification or omission
shall cause the driver’s identification card and identification media to be void.

C. A driver’s identification card and identification media may not be issued until the applicant has completed the application, certifications, and criminal history records check, and it is determined that the applicant is not an individual that would be disqualified as set forth in 49 Code of Federal Regulations Part 1542.

D. The fees for obtaining, renewing, or replacing an identification media will be charged in accordance with Section 4-22(D). The City Controller is authorized to remit a portion of any such fees to the agency or company processing fingerprints.

D. A DRIVER’S IDENTIFICATION PLACARD WILL NOT BE ISSUED UNTIL THE AUTHORIZED PROVIDER HAS COMPLETED THE APPLICATION, CERTIFICATIONS, AND CRIMINAL HISTORY RECORDS CHECK AND SECURITY THREAT ASSESSMENT IN ACCORDANCE WITH SECTION 4-68 SUBSECTION C, PARAGRAPH 1, SUBPARAGRAPH (A) FOR DRIVERS OPERATING UNDER THAT AUTHORIZED PROVIDER’S PERMIT OR CONTRACT, AS AUTHORIZED BY THE AVIATION DIRECTOR UNDER THAT SECTION AND THE AVIATION DIRECTOR DETERMINES THAT THE DRIVER IS NOT A DISQUALIFIED INDIVIDUAL AS SET FORTH IN 49 C.F.R. PART 1542, OR A COMPLETED SECURITY THREAT ASSESSMENT IN ACCORDANCE WITH SECTION 4-68 SUBSECTION C, PARAGRAPH 1, SUBPARAGRAPH (B) FOR DRIVERS OPERATING UNDER THAT AUTHORIZED PROVIDER’S PERMIT OR CONTRACT, AS AUTHORIZED BY THE AVIATION DIRECTOR UNDER THAT SECTION, AND THE AVIATION DIRECTOR DETERMINES THAT THE DRIVER IS NOT A DISQUALIFIED INDIVIDUAL AS SET FORTH IN 49 C.F.R. PART 1542, AND THE AUTHORIZED PROVIDER CERTIFIES THAT THE DRIVER IS NOT A DISQUALIFIED INDIVIDUAL AS SET FORTH IN SECTION 4-68 SUBSECTION C, PARAGRAPH 3.

E. The Aviation Department shall submit or electronically transmit all completed fingerprint cards to the Department of Public Safety, appropriate federal agency, or other authorized agency or contractor to conduct a criminal history records check. The applicant shall bear the cost of the identification media as set forth in Section 4-22(D). Criminal history records checks conducted by the Department of Public Safety shall be conducted pursuant to Section 41-1750, Arizona Revised Statutes, and Public Law 92-544, as amended. The Department of Public Safety is authorized to exchange the submitted fingerprint card information with the Federal Bureau of Investigation for a national criminal history records check.
E. AVIATION-ISSUED TEMPORARY DRIVER’S IDENTIFICATION PLACARD APPLICATION

The Aviation Director may issue a temporary driver’s identification card valid for 45 days. A driver PLACARD TO DRIVERS OPERATING UNDER AN AUTHORIZED PROVIDER’S PERMIT OR CONTRACT, AS AUTHORIZED BY THE AVIATION DIRECTOR TO OPERATE UNDER SECTION 4-68 SUBSECTION C, PARAGRAPH 1, SUBPARAGRAPH (A) OR SECTION 4-68 SUBSECTION C, PARAGRAPH 1, SUBPARAGRAPH (B), WHICH SHALL BE VALID FOR FORTY-FIVE DAYS. AN AUTHORIZED PROVIDER SHALL COMPLETE A SEPARATE APPLICATION FOR EACH TEMPORARY DRIVER’S IDENTIFICATION PLACARD FOR EACH DRIVER ACTING UNDER THAT AUTHORIZED PROVIDER’S PERMIT OR CONTRACT. AN AUTHORIZED PROVIDER shall not apply for a temporary driver’s identification card PLACARD FOR A DRIVER ACTING UNDER THAT AUTHORIZED PROVIDER’S PERMIT OR CONTRACT more than once. An applicant for a temporary driver’s identification card shall complete an application provided by the Aviation Department and shall provide such information and certifications deemed necessary by the Aviation Director, including:

1. The name and address of the applicant DRIVER.

2. THE NAME, ADDRESS, AND SIGNATURE OF THE AUTHORIZED SIGNER OF THE AUTHORIZED PROVIDER THAT IS AUTHORIZING THE DRIVER TO OPERATE UNDER THAT AUTHORIZED PROVIDER’S PERMIT OR CONTRACT. THE AUTHORIZED SIGNER SHALL:

   a. THE NAME, ADDRESS, AND SIGNATURE OF THE AUTHORIZED SIGNER OF THE AUTHORIZED PROVIDER THAT IS AUTHORIZING THE DRIVER TO OPERATE UNDER THAT AUTHORIZED PROVIDER’S PERMIT OR CONTRACT. THE AUTHORIZED SIGNER SHALL:

      2. The name and address of the authorized signer of the commercial ground transportation company the driver will be representing while driving at the airport. The authorized signer must IF OPERATING UNDER AN AUTHORIZED PROVIDER’S PERMIT OR CONTRACT, AS AUTHORIZED BY THE AVIATION DIRECTOR UNDER SECTION 4-68 SUBSECTION C, PARAGRAPH 1, SUBPARAGRAPH (A), complete the fingerprint-based criminal history records check and security threat assessment facilitated by the Aviation Department IN ACCORDANCE WITH THAT SECTION; OR

      b. IF OPERATING UNDER AN AUTHORIZED PROVIDER’S PERMIT OR CONTRACT, AS AUTHORIZED BY THE AVIATION DIRECTOR UNDER SECTION 4-68 SUBSECTION C,
3. Authorization from the TSA TRANSPORTATION SECURITY ADMINISTRATION (TSA) in compliance with the requirements of a security threat assessment.

4. Proof of a valid driver's license issued by any State Department of Motor Vehicles.


6. One full set of fingerprints FOR DRIVERS ACTING UNDER THAT AUTHORIZED PROVIDER'S PERMIT OR CONTRACT, AS AUTHORIZED BY THE AVIATION DIRECTOR UNDER SECTION 4-68 SUBSECTION C, PARAGRAPH 1, SUBPARAGRAPH (A).

7. Proof of a current Department of Transportation medical examiner's certificate, issued in accordance with the requirements of the Federal Motor Carrier Safety Regulations.

7. A certification that all statements of the applicant AUTHORIZED PROVIDER AND DRIVER are true and complete, and an acknowledgment that any falsification or omission shall cause the temporary driver's identification card PLACARD to be void.

F. THE AVIATION DIRECTOR MAY IMMEDIATELY REVOKE ALL OF A DRIVER’S IDENTIFICATION PLACARD(S) OR TEMPORARY DRIVER’S IDENTIFICATION PLACARD(S) FOR ANY OF THE FOLLOWING:

1. G. The Aviation Director may immediately revoke the driver's identification card or temporary driver's identification card under this section when the individual is no longer a driver of the ground transportation company identified on the driver’s application, if IF a criminal history background check reveals that the driver would be disqualified as set forth in 49 Code of Federal Regulations C.F.R. Part 1542, or if directed by the TSA. The Aviation Director may immediately revoke a driver’s identification
card or temporary driver’s identification card for any violation of law, Federal or State rule or regulation, or airport rule, or for failing to maintain custody of the driver’s identification card or temporary driver’s identification card.

2. FOR ANY VIOLATION OF FEDERAL, STATE, OR LOCAL LAWS, STATUTES, ORDINANCES, OR RULES AND REGULATIONS.

3. FOR FAILING TO MAINTAIN CUSTODY OF THE DRIVER’S IDENTIFICATION PLACARD OR TEMPORARY DRIVER’S IDENTIFICATION PLACARD.

G. IF A DRIVER IS NO LONGER IDENTIFIED AS A DRIVER ACTING UNDER THAT AUTHORIZED PROVIDER’S PERMIT OR CONTRACT, THE DRIVER IDENTIFICATION PLACARD OR TEMPORARY DRIVER IDENTIFICATION PLACARD FOR THAT DRIVER IS RENDERED VOID. THE AUTHORIZED PROVIDER SHALL RETURN THE IDENTIFICATION PLACARD OR TEMPORARY IDENTIFICATION PLACARD TO THE AVIATION DIRECTOR WITHIN FIVE DAYS FROM THE DATE THE AUTHORIZATION FOR THE DRIVER TO OPERATE UNDER THAT AUTHORIZED PROVIDER’S PERMIT OR CONTRACT, IS TERMINATED.

H. AN INDIVIDUAL AN AUTHORIZED PROVIDER requesting reconsideration of the Aviation Director’s decision to deny or revoke their driver’s identification card PLACARD shall have 14 FIVE calendar days after date of service of notice if personally served, or 21-FOURTEEN calendar days from the date of mailing by certified mail at the last known address submitted to the Aviation Department, to request reconsideration by the Aviation Director. The request for reconsideration of the denial or revocation of a driver’s identification card PLACARD shall be in writing and shall state the specific allegations in the Aviation Director’s decision with which the driver AUTHORIZED PROVIDER disagrees. The request for reconsideration must SHALL be personally delivered to the Aviation Director or deposited in the United States mail, certified, return receipt requested, postage prepaid, addressed to the Office of the Aviation Director, within the above-stated time. UNLESS THE Aviation Director shall notify the individual requires additional information, or in the event of exigent circumstances, THE AVIATION DIRECTOR WILL NOTIFY THE AUTHORIZED PROVIDER in writing of the Aviation Director’s final decision within five TEN business days after the request for reconsideration is received.

I. A driver may AN AUTHORIZED PROVIDER SHALL not request reconsideration from the City of Phoenix of a decision to deny or revoke a temporary driver’s identification card PLACARD.
J. A driver’s identification card or temporary driver’s identification card shall not be construed to be a contract, agreement or grant of a franchise or any property right to engage in commercial activity at ON an airport and is revocable.

SECTION 7. That Phoenix City Code, Chapter 4, Article IV, Section 4-68 is renumbered as Section 4-71, and Section 4-71, as so renumbered, is amended to read:

Sec. 4-68. 4-71. Decal DisplayVEHICLE IDENTIFICATION; transfer; unlawful display.

A. No ground transportation motor vehicle shall stop or park within an airport terminal zone to load a passenger(s) unless a valid authorized decal issued by the Aviation Department is displayed in the manner specified by the Aviation Director.

B. An authorized decal issued by the Aviation Department shall be for a specific ground transportation motor vehicle, and shall not be transferable to another vehicle. In the event an authorized ground transportation motor vehicle is sold, any authorizing decal affixed thereto shall cease to be valid. Every authorization decal shall expire at 11:59 p.m. on the last day of the quarter that the decal was issued.

A. AN AUTHORIZED PROVIDER, OR DRIVER ACTING UNDER THAT AUTHORIZED PROVIDER’S PERMIT OR CONTRACT, SHALL NOT STOP, STAND, OR PARK A GROUND TRANSPORTATION MOTOR VEHICLE ON AN AIRPORT TO LOAD A PASSENGER(S) UNLESS A VALID VEHICLE DECAL, ISSUED BY THE AVIATION DEPARTMENT, OR VALID TRADE DRESS, APPROVED BY THE AVIATION DIRECTOR, IS DISPLAYED IN THE MANNER SPECIFIED BY THE AVIATION DIRECTOR.

B. A VEHICLE DECAL ISSUED BY THE AVIATION DIRECTOR SHALL BE FOR A SPECIFIC GROUND TRANSPORTATION MOTOR VEHICLE, AND SHALL NOT BE TRANSFERABLE TO ANOTHER MOTOR VEHICLE. ANY SALE, LEASE, OR OTHER TRANSFER OF A GROUND TRANSPORTATION MOTOR VEHICLE SHALL VOID ANY VEHICLE DECAL AFFIXED THERETO. UNLESS SOONER TERMINATED OR RENDERED VOID PURSUANT TO THIS ARTICLE, EVERY VEHICLE DECAL SHALL EXPIRE ONE YEAR FROM THE DATE THE AVIATION DIRECTOR ISSUED THE DECAL.

C. THE AVIATION DIRECTOR RESERVES THE RIGHT TO REQUIRE ANY AUTHORIZED PROVIDER TO OBTAIN A VEHICLE DECAL
FOR ALL GROUND TRANSPORTATION MOTOR VEHICLES OPERATED UNDER THAT AUTHORIZED PROVIDER’S PERMIT OR CONTRACT, AND TO SPECIFY THE MANNER IN WHICH DECALS SHALL BE DISPLAYED.

SECTION 8. That Phoenix City Code, Chapter 4, Article IV, Section 4-74 is renumbered as Section 4-72, and Section 4-72, as so renumbered, is amended to read:

Sec. 4-74. 4-72. GROUND TRANSPORTATION MOTOR VEHICLE TRACKING.

A. AN AUTHORIZED PROVIDER SHALL NOT CONDUCT COMMERCIAL ACTIVITY ON AN AIRPORT WITHOUT USING A MOTOR VEHICLE TRACKING SYSTEM, AUTHORIZED BY THE AVIATION DIRECTOR, INCLUDING AUTOMATED VEHICLE IDENTIFICATION (AVI) OR GLOBAL POSITIONING SATELLITE (GPS) TECHNOLOGY.

B. AUTHORIZED PROVIDERS AUTHORIZED TO OPERATE USING AVI MOTOR VEHICLE TRACKING SHALL OBTAIN AN AVI TAG FROM THE AVIATION DEPARTMENT FOR EACH GROUND TRANSPORTATION MOTOR VEHICLE TO BE USED UNDER THAT AUTHORIZED PROVIDER’S PERMIT OR CONTRACT.

C. AUTHORIZED PROVIDERS AUTHORIZED TO OPERATE USING AVI MOTOR VEHICLE TRACKING SHALL SUBMIT, AT LEAST ANNUALLY, TO AVI TAG INSPECTIONS CONDUCTED BY THE AVIATION DEPARTMENT.

D. AUTHORIZED PROVIDERS AUTHORIZED TO OPERATE USING GPS OR OTHER TECHNOLOGY FOR MOTOR VEHICLE TRACKING SHALL TRANSMIT MOTOR VEHICLE ACTIVITY INFORMATION IN A MANNER APPROVED BY THE AVIATION DIRECTOR.

SECTION 9. That Phoenix City Code, Chapter 4, Article IV, Section 4-71 is renumbered as Section 4-73, and Section 4-73, as so renumbered, is amended to read:

Sec. 4-74. 4-73. Rules and regulations.

The Aviation Director may promulgate such rules and regulations deemed by him THE AVIATION DIRECTOR necessary FOR THE operation of ground transportation motor vehicles on AN City of Phoenix airport.
SECTION 10. That Phoenix City Code, Chapter 4, Article IV, Section 4-72 is renumbered as Section 4-74, and Section 4-74, as so renumbered, is amended to read:

Sec. 4-72. 4-74. COMPLIANCE.

A. Any PERSON MAY ONLY OPERATE OR DRIVE A ground transportation motor vehicle operated on an airport THAT COMPLIES shall be at all times in compliance with all federal, State and local laws, statutes and ordinances AND RULES AND REGULATIONS pertaining to its operation as a MOTOR VEHICLE, commercial motor vehicle, OR GROUND TRANSPORTATION MOTOR VEHICLE, including the safety regulations as they are applicable to a vehicle type.

B. Any AUTHORIZED PROVIDER OR DRIVER OPERATING UNDER THAT AUTHORIZED PROVIDER’S PERMIT OR CONTRACT, commercial ground transportation permittee or driver of a commercial ground transportation motor vehicle shall, at all times, be in compliance COMPLY with all laws, STATUTES, ORDINANCES, and RULES AND regulations applicable to such THAT AUTHORIZED PROVIDER’S permittee’s or driver’s commercial activities on an airport.

C. AN AUTHORIZED PROVIDER-commercial ground transportation permittee shall be responsible, and liable, for violations of law, statutes, IN ORDINANCES AND RULES AND regulations by any person acting under THAT AUTHORIZED PROVIDER’S PERMIT OR CONTRACT the color and authority of such permittee.

SECTION 11. That Phoenix City Code, Chapter 4, Article IV, Sections 4-75 through 4-78 are amended to read:

Sec. 4-75. Termination NOTICES OF VIOLATION; SUSPENSION of operating privileges; application for reinstatement REVOCATION OF OPERATING PRIVILEGES; effect of termination REVOCATION.

A. When reasonable grounds exist to believe that a commercial ground transportation permittee-AN AUTHORIZED PROVIDER or a driver has by commission ACT or omission, violated a provision of this Article, or any regulation RULES AND REGULATIONS promulgated in connection therewith, the Aviation Director may issue a notice of violation with a proposed penalty. Upon receipt of a notice of violation with a proposed penalty, a commercial
ground transportation permittee or driver may request a review by a supervisor as prescribed by the rules and regulations promulgated by the Aviation Director. The request for a review by a supervisor must be requested within two hours of receipt of the notice of violation with the proposed penalty. If a review by a supervisor is not requested or the proposed penalty is deemed appropriate by the reviewing supervisor, the Aviation Director may suspend for a period of time not to exceed one hundred eighty calendar days or revoke the decal, permit or identification card of the violator by giving to such violator a notice of penalty. All revocations will take place immediately. Suspensions in excess of five days will automatically be stayed upon the filing of an appeal., WHICH MAY INCLUDE SUSPENSION OR REVOCATION OF A PERMIT, AND SUSPENSION OR REVOCATION OF IDENTIFICATION MEDIA.

B. AN AUTHORIZED PROVIDER MAY REQUEST A REVIEW OF A NOTICE OF VIOLATION BY AN AIRPORT REPRESENTATIVE AS PRESCRIBED BY THE RULES AND REGULATIONS PROMULGATED BY THE AVIATION DIRECTOR. THE REQUEST FOR REVIEW SHALL BE FILED WITH THE AVIATION DIRECTOR WITHIN FIVE CALENDAR DAYS AFTER DATE OF SERVICE OF THE NOTICE OF VIOLATION IF PERSONALLY SERVED OR SERVED TO THE LAST E-MAIL ADDRESS THE AUTHORIZED PROVIDER SUBMITTED TO THE AVIATION DEPARTMENT, OR WITHIN SEVEN CALENDAR DAYS FROM THE DATE OF MAILING BY CERTIFIED MAIL AT THE LAST ADDRESS SUBMITTED TO THE AVIATION DEPARTMENT. AS PART OF THE REQUEST, IF THE AUTHORIZED PROVIDER SUBMITS EVIDENCE TO DEMONSTRATE THAT THE AUTHORIZED PROVIDER HAS PROMPTLY REMEDIED THE VIOLATION AND THAT REMEDY IS DEEMED SUFFICIENT BY THE AIRPORT REPRESENTATIVE, THEN A SUSPENSION OR REVOCATION OF THE PERMIT, OR THE SUSPENSION OR REVOCATION OF IDENTIFICATION MEDIA, WILL BE VOIDED.

B. THE decision to issue a notice of penalty with a penalty that imposes a suspension of five days or less is final.

C. IF A REVIEW BY AN AIRPORT REPRESENTATIVE IS NOT REQUESTED OR THE SUSPENSION OR REVOCATION IS NOT VOIDED BY THE REVIEWING AIRPORT REPRESENTATIVE, THE SUSPENSION OR REVOCATION WILL TAKE EFFECT IMMEDIATELY. SUSPENSIONS IN EXCESS OF FIVE DAYS WILL AUTOMATICALLY BE STAYED UPON THE FILING OF AN APPEAL.

D. C. Any party aggrieved by a decision of the Aviation Director that has a penalty imposed greater than a suspension of five days or revocation may, within ten calendar days of receipt of the notice of penalty, appeal by filing a notice of appeal with the Hearing Officer so designated by the City Manager. AN AUTHORIZED PROVIDER THAT HAS COMPLETED A REVIEW OF A NOTICE OF VIOLATION BY AN AIRPORT REPRESENTATIVE, AND IS AGGRIEVED
BY THE AIRPORT REPRESENTATIVE’S DETERMINATION, MAY FILE A  
NOTICE OF APPEAL WITH THE HEARING OFFICER SO DESIGNATED BY  
THE AVIATION DIRECTOR WITHIN:

i. TEN CALENDAR DAYS AFTER DATE OF SERVICE OF  
THE NOTICE OF VIOLATION IF PERSONALLY SERVED  
OR SERVED TO THE LAST E-MAIL ADDRESS THE  
AUTHORIZED PROVIDER SUBMITTED TO THE AVIATION  
DEPARTMENT, OR

ii. FIFTEEN CALENDAR DAYS FROM THE DATE OF  
MAILING BY CERTIFIED MAIL AT THE LAST ADDRESS  
SUBMITTED TO THE AVIATION DEPARTMENT.

E. The notice of appeal shall set forth the specific objections to the notice of penalty NOTICE OF VIOLATION. The objections form the basis of the appeal.

F. The Hearing Officer HEARING OFFICER shall set a time and place for the hearing as soon as practicable, but no later than fifteen business days after receipt of the notice of appeal.

G. The hearing shall be conducted in an informal manner to determine whether there is a sufficient factual and legal basis to support the notice of penalty. The Hearing Officer NOTICE OF VIOLATION. THE HEARING OFFICER shall not be bound by the technical rules of evidence in the conduct of such THE hearing, provided that the decision of the Hearing Officer HEARING OFFICER shall in all cases be based upon substantial and reliable evidence. All parties to the hearing shall have the right to present evidence. The burden of proof shall be at all times upon the party or parties appealing the notice of penalty VIOLATION.

H. The decision of the Hearing Officer HEARING OFFICER shall be rendered within fifteen business days after close of the record and shall be based upon the evidence presented and it shall: THE HEARING OFFICER’S DECISION MAY INCLUDE ONE OF THE FOLLOWING:

1. Affirm the notice of penalty VIOLATION;

2. Modify the notice of penalty VIOLATION; or,

3. Reverse the notice of penalty VIOLATION.

I. The decision of the Hearing Officer HEARING OFFICER is final.
J. THE AVIATION DIRECTOR MAY SERVE A NOTICE OF VIOLATION ON AN AUTHORIZED PROVIDER THROUGH ITS AUTHORIZED SIGNER OR DESIGNATED LOCAL POINT OF CONTACT.

K. No A person whose conduct by commission or omission was responsible for the revocation of a permit, decal, or driver identification card shall be eligible to apply for an airport A commercial ground transportation permit, vehicle decal or driver identification card.

L. A PERSON WHOSE CONDUCT WAS RESPONSIBLE FOR THE SUSPENSION OR REVOCATION OF A PERMIT OR DRIVER IDENTIFICATION MEDIA MAY NOT OPERATE UNDER ANY AUTHORIZED PROVIDER'S PERMIT OR CONTRACT ON AN AIRPORT DURING THE TERM OF THE SUSPENSION OR REVOCATION.

M. It shall be unlawful to continue to operate on the airport during the period of time a suspension or revocation of a permit, decal, or driver identification card is in place.

Sec. 4-76. Motor vehicle equipment safety violations.

A. The Aviation Director shall issue a notice of penalty prohibiting the use of the authorization decal for any ground transportation motor vehicle that is in violation of the safety regulations with respect to requirements for tires, steering components, brakes, lights or windshield. FOOT AND EMERGENCY BRAKES, VEHICLE STEERING, WINDSHIELDS, HEADLIGHTS, STOP LIGHTS, TAIL LIGHTS, TURN SIGNALS, VEHICLE SEATS AND SEATBELTS, VEHICLE DOORS, HOOD, BUMPERS, BODY, VEHICLE HORN, VEHICLE MUFFLER AND EXHAUST SYSTEM, TIRE WEAR, AND INTERIOR AND EXTERIOR MIRRORS.

B. Upon IF THE AUTHORIZED PROVIDER SUBMITS EVIDENCE, THE AVIATION DIRECTOR DETERMINES, BASED ON PROOF PROVIDED BY THE AUTHORIZED PROVIDER OF correction of the deficiency, the owner may apply for reinstatement of an authorization decal. PROHIBITION OF USE OF THE VEHICLE WILL BE LIFTED.

Sec. 4-77. Prohibited acts.

A. A violation IT IS UNLAWFUL FOR A DRIVER TO VIOLATE, through act or omission of, any of the following requirements or restrictions of this subsection is prohibited:

1. All A DRIVER SHALL NOT STOP, STAND, OR PARK A ground transportation motor vehicles shall be parked on an airport only VEHICLE EXCEPT in areas designated for its class.
CATEGORY OF vehicle PASSENGER PICK-UP as posted by the Aviation Director.

2. Drivers A DRIVER shall load NOT PICK-UP passengers only EXCEPT IN PARKING GARAGES, OR in designated loading zones posted by the Aviation Director for such THAT activity.

3. Ground A DRIVER SHALL NOT LEAVE A transportation motor vehicles shall be attended by the driver VEHICLE UNATTENDED while in a POSTED loading zone AT an airport. The Aviation Director may prescribe rules to define the term "attended" for purposes of this subsection. ON AN AIRPORT. FOR PURPOSES OF THIS PARAGRAPH, A VEHICLE IS "UNATTENDED" WHEN THE DRIVER IS NOT WITHIN FIFTEEN FEET FROM THE VEHICLE.

4. A driver shall not stop, stand, or park an unscheduled ground transportation A motor vehicle on an airport while loading a passenger(s): a. Without WITHOUT displaying THE FOLLOWING INFORMATION in a manner prescribed in rules promulgated by the Aviation Director information informing prospective and committed passengers of AND REGULATIONS:

   a. i. THE THE FARE to be charged the passenger(s);

   b. ii. THE name and business address of the driver, and of the permittee, if different;

   c. THE NAME OF THE PROVIDER;

   d. iii. how HOW and where to lodge a complaint; and

   iv. such other information as may be specified by the Aviation Director

5. A taxicab shall not be parked in a posted loading zone on an airport while loading a passenger(s) without:

   a. Having a properly installed, approved and sealed taxicab meter that is correctly set to calculate the fare or rate displayed on the outside of the vehicle; and

   b. Having a roof or top sign mounted on the vehicle which readily identifies the vehicle as a taxicab.
e. A VALID VEHICLE DECAL OR TRADE DRESS.

6. A driver or owner shall not solicit passengers for hire at the airport, except as authorized by the Aviation Director by written agreement designating specific locations and conditions for such activity. Except as specially authorized by the Aviation Director, fare negotiations with passengers shall take place outside of the terminals and only in areas designated by the Aviation Director.

5. EXCEPT IN DESIGNATED WAITING AREAS, A DRIVER OPERATING UNDER A PERMIT FOR A PREARRANGED PROVIDER SHALL NOT STOP OR PARK A GROUND TRANSPORTATION MOTOR VEHICLE ON AN AIRPORT WITHOUT HAVING A PREARRANGED CUSTOMER.

7. A permittee, driver, or owner shall charge only the fare prescribed in Section 4-83.A.(4), or the amount shown on the meter, if used, and displayed on and in the vehicle. V.I.P.S may charge the rate agreed upon in a specific agreement, in which case, no more than the rate contracted for with the passenger may be charged.

6. A DRIVER SHALL NOT STOP, STAND OR PARK A GROUND TRANSPORTATION MOTOR VEHICLE AT PHOENIX SKY HARBOR INTERNATIONAL AIRPORT UNLESS THE VEHICLE IS PROPERLY EQUIPPED WITH AN AUTOMATED VEHICLE IDENTIFICATION (AVI) TAG OR THE DRIVER IS USING GLOBAL POSITIONING SATELLITE (GPS) TRIP TRACKING AS REQUIRED IN SECTION 4-72 AND AIRPORT RULES AND REGULATIONS.

7. Failure of a driver to SHALL NOT take A ROUTE THAT IS NOT the most direct and rapid route to the passenger's destination unless otherwise directed AGREED UPON by the passenger shall be unlawful.

8. A permittee or A driver shall not engage in any physical fighting or loud, boisterous verbal disputes while at the AN airport or while transporting passengers from the AN airport.

9. A DRIVER SHALL NOT SOLICIT PASSENGERS FOR HIRE ON AN AIRPORT, EXCEPT AS AUTHORIZED BY THE AVIATION DIRECTOR BY WRITTEN AGREEMENT DESIGNATING SPECIFIC LOCATIONS AND CONDITIONS FOR THAT ACTIVITY. EXCEPT AS AUTHORIZED BY THE AVIATION DIRECTOR, FARE
NEGOTIATIONS WITH PASSENGERS SHALL TAKE PLACE OUTSIDE OF THE TERMINALS AND ONLY IN AREAS DESIGNATED BY THE AVIATION DIRECTOR.

10.  A DRIVER SHALL MEET A PASSENGER(S) IN THE TERMINALS ONLY IN AREAS DESIGNATED BY THE AVIATION DIRECTOR. THE DRIVER SHALL HAVE IN PHYSICAL POSSESSION, AT ALL TIMES WHILE IN A TERMINAL FOR THE PURPOSE OF MEETING A PASSENGER, THE DRIVER’S IDENTIFICATION PLACARD AND A WAYBILL FOR THE PASSENGER PICK-UP.

11.  A DRIVER SHALL NOT PICK-UP PASSENGERS EXCEPT AS AUTHORIZED BY A PERMITTEE UNDER SECTION 4-68 OR CONTRACTED TAXICAB PROVIDER UNDER SECTION 4-82 OR SHARED RIDE VAN SERVICE UNDER SECTION 4-84.

12.  A DRIVER OPERATING UNDER THE PERMIT OF A PREARRANGED PROVIDER SHALL NOT CHARGE MORE THAN THE RATE AGREED UPON WITH THE PASSENGER IN THAT SPECIFIC PREARRANGED TRANSACTION.

13.  A DRIVER SHALL NOT ALTER, DEFACE, TAMPER WITH, OR DAMAGE AN AVI TAG OR GPS TRIP TRACKING DEVICE. A DRIVER SHALL NOT ATTEMPT TO CIRCUMVENT A TRIP TRACKING SYSTEM.

14.  A DRIVER OPERATING UNDER THE PERMIT OR CONTRACT OF AN AUTHORIZED PROVIDER AUTHORIZED TO OPERATE USING GPS TRIP TRACKING SHALL MAINTAIN THAT AUTHORIZED PROVIDER’S MOBILE APPLICATION OPEN AT ALL TIMES WHILE ON AN AIRPORT.

15.  A DRIVER SHALL NOT ALTER, TAMPER WITH, DEFACE, OR DAMAGE AN IDENTIFICATION MEDIA, A VEHICLE DECAL, OR VEHICLE TRADE DRESS.

16.  A DRIVER SHALL:

   a.  OBTAIN AND MAINTAIN A VALID VEHICLE DECAL OR TRADE DRESS AS REQUIRED IN SECTION 4-71;

   b.  OBTAIN, MAINTAIN AND MAKE AVAILABLE TO AIRPORT REPRESENTATIVES UPON REQUEST, A VALID DRIVER IDENTIFICATION MEDIA AS REQUIRED IN SECTION 4-69;
c. HAVE PROOF OF VALID INSURANCE MEETING REQUIREMENTS SET FORTH IN SECTION 4-68 SUBSECTION B, PARAGRAPH 3;

d. MAKE THE DRIVER IDENTIFICATION MEDIA, AND PHYSICAL OR VIRTUAL WAYBILL, OR COPY OF THE WRITTEN AGREEMENT WITH THE PREARRANGED PASSENGER, AVAILABLE TO AIRPORT REPRESENTATIVES UPON REQUEST; AND

e. LEAVE THE PASSENGER PICK-UP AREA IMMEDIATELY AFTER PICK-UP, IF THE PASSENGER CANCELS THE RESERVATION, OR AS OTHERWISE DIRECTED BY THE AVIATION DEPARTMENT.

17. A TAXICAB DRIVER SHALL NOT PARK IN A POSTED LOADING ZONE ON AN AIRPORT WITHOUT HAVING A PROPERLY INSTALLED, APPROVED AND SEALED TAXICAB METER THAT IS CORRECTLY SET TO CALCULATE THE FARE OR RATE DISPLAYED ON THE OUTSIDE OF THE VEHICLE; AND WITHOUT HAVING A ROOF OR TOP SIGN MOUNTED ON THE TAXICAB THAT READILY IDENTIFIES THE VEHICLE AS A TAXICAB.

18. A TAXICAB DRIVER SHALL NOT CHARGE MORE THAN THE FARE PRESCRIBED IN SECTION 4-83.

B. IT IS UNLAWFUL FOR A COMMERCIAL GROUND TRANSPORTATION PROVIDER TO VIOLATE, THROUGH ACT OR OMISSION, ANY OF THE FOLLOWING:

1. A PROVIDER MAY ONLY STOP, STAND, OR PARK A MOTOR VEHICLE, OR ALLOW A MOTOR VEHICLE TO STOP, STAND, OR PARK, IN PARKING GARAGES OR AREAS DESIGNATED FOR ITS CATEGORY OF PASSENGER PICK-UP AS POSTED BY THE AVIATION DIRECTOR.

2. A PROVIDER SHALL NOT STOP, STAND, OR PARK A MOTOR VEHICLE, OR ALLOW A VEHICLE TO STOP, STAND, OR PARK ON AN AIRPORT WITHOUT DISPLAYING THE FOLLOWING INFORMATION IN A MANNER PRESCRIBED IN RULES AND REGULATIONS:

   a. THE FARE TO BE CHARGED;
b. THE NAME OF THE DRIVER;

c. THE NAME OF THE PROVIDER;

d. HOW AND WHERE TO LODGE A COMPLAINT;

AND

e. A VALID VEHICLE DECAL OR TRADE DRESS.

3. A PROVIDER SHALL NOT SOLICIT PASSENGERS FOR HIRE ON AN AIRPORT, EXCEPT AS AUTHORIZED BY THE AVIATION DIRECTOR BY WRITTEN AGREEMENT DESIGNATING SPECIFIC LOCATIONS AND CONDITIONS FOR THAT ACTIVITY. EXCEPT AS AUTHORIZED BY THE AVIATION DIRECTOR, FARE NEGOTIATIONS WITH PASSENGERS SHALL TAKE PLACE OUTSIDE OF THE TERMINALS AND ONLY IN AREAS DESIGNATED BY THE AVIATION DIRECTOR.

4. PREARRANGED PROVIDERS SHALL NOT CHARGE MORE THAN THE RATE AGREED UPON WITH THE PASSENGER IN THAT SPECIFIC PREARRANGED TRANSACTION.

5. A TAXICAB PROVIDER SHALL NOT CHARGE MORE THAN THE FARE PRESCRIBED IN SECTION 4-83, AND DISPLAYED ON THE VEHICLE, OR THE AMOUNT VISIBLY SHOWN ON THE METER.

10. A V.I.P. vehicle driver shall not stop or park within an airport except where designated by the Aviation Director without having a prearranged customer.

6. A PERMITTEE SHALL NOT FAIL TO COMPLY WITH THE REQUIREMENTS OF SECTION 4-68.

11. A V.I.P. vehicle driver shall provide the date, time, company, terminal, license plate, driver, airline, flight number, passenger name, and any other information requested by the Aviation Director in writing upon entering a terminal. Failure to provide the information in writing as directed shall be unlawful.

7. A PROVIDER SHALL NOT MISREPRESENT THE NATURE, SCOPE, OR QUALITY OF ITS DRIVER BACKGROUND CHECKS.
12. Failure to obtain and maintain a valid permit, decal, or driver identification card shall be unlawful.

8. A TAXICAB PROVIDER SHALL NOT FAIL TO HAVE A PROPERLY INSTALLED, APPROVED AND SEALED TAXICAB METER THAT IS CORRECTLY SET TO CALCULATE THE FARE OR RATE DISPLAYED ON THE OUTSIDE OF THE TAXICAB; AND SHALL NOT FAIL TO HAVE A ROOF OR TOP SIGN MOUNTED ON THE TAXICAB THAT READILY IDENTIFIES THE VEHICLE AS A TAXICAB.

9. Rental car companies shall use only the common transportation system, provided by the City, as the exclusive means to transport customers to and from the airport terminal zone.

Off-airport rental car companies shall pick-up and drop-off passengers only at the curb position at the RCC designated for off-airport rental car companies.

The requirements in this subsection 14 PARAGRAPH 9 do not apply to handicapped DISABLED services vehicles picking up customers with special needs or to rental car customers renting from a facility located in space subleased from a fixed base operator.

10. Loading and unloading at the curb position at the RCC designated for off-airport rental car companies and at the curb positions for the common transportation system are governed by airport rules and regulations posted on the airport’s website.

11. A PROVIDER SHALL NOT ALTER, DEFACE, TAMPER WITH, OR DAMAGE AN AVI TAG OR GPS TRIP TRACKING DEVICE. A PROVIDER SHALL NOT ATTEMPT TO CIRCUMVENT A TRIP TRACKING SYSTEM.

12. A PROVIDER SHALL NOT ALTER, TAMPER WITH, DEFACE, OR DAMAGE AN IDENTIFICATION MEDIA, A VEHICLE DECAL, OR VEHICLE TRADE DRESS.

13. A driver A PROVIDER shall not stop, stand or park a commercial ground transportation motor vehicle at Phoenix Sky Harbor International Airport while loading a passenger(s) unless the vehicle is properly equipped with an AVI tag if the vehicle is required to obtain an AVI tag AUTOMATED VEHICLE IDENTIFICATION (AVI) TAG OR THE PROVIDER IS USING GLOBAL POSITIONING SATELLITE (GPS) TRIP TRACKING AS
REQUIRED IN SECTION 4-72 AND AIRPORT RULES AND REGULATIONS.

C. IT IS UNLAWFUL FOR AN AUTHORIZED SIGNER OR DESIGNATED LOCAL POINT OF CONTACT TO VIOLATE ANY OF THE FOLLOWING:

1. AN AUTHORIZED SIGNER OR DESIGNATED LOCAL POINT OF CONTACT SHALL NOT AUTHORIZE ANY DRIVER THAT HAS NOT PASSED A BACKGROUND CHECK OR IS PROHIBITED TO OPERATE PURSUANT TO SECTION 4-68.

2. AN AUTHORIZED SIGNER OR DESIGNATED LOCAL POINT OF CONTACT SHALL NOT AUTHORIZE ANY VEHICLE THAT HAS NOT PASSED THE INSPECTION REQUIRED IN SECTION 4-68.

D. The remedies herein are cumulative and the THE City may proceed under one or more such OF THE FOLLOWING remedies:

1. CIVIL TRAFFIC VIOLATIONS:

1. A violation under subsection A, paragraphs 1, 2, or 3 SUBSECTION A, PARAGRAPHS 1 THROUGH 6, SUBSECTION B, PARAGRAPHS 1 AND 2, shall constitute a civil traffic violation, subject to a civil sanction as provided in Section 36-156.02 of the Phoenix City Code.

2. Civil sanctions:

a. A VIOLATION UNDER SUBSECTION A PARAGRAPHS 7 THROUGH 18, SUBSECTION B PARAGRAPHS 3 THROUGH 13, OR SUBSECTION C, IS SUBJECT TO A CIVIL SANCTION OF:

i. FOR THE FIRST VIOLATION NOT LESS THAN ONE HUNDRED DOLLARS;

ii. A violation under subsection A, paragraphs 4 through 15 is subject to a civil sanction of not less than one hundred dollars or more than two thousand five hundred dollars. A second violation under subsection A, paragraphs 4 through 15 FOR THE SECOND VIOLATION within thirty-six months of the commission of a prior violation of subsection A, paragraphs 4
through 15 shall be subject to a civil sanction of not less than two hundred fifty dollars. A third violation under subsection A, paragraphs 4 through 15 within thirty-six months of the commission of a violation under subsection A, paragraphs 4 through 15 shall be subject to a civil sanction of not less than five hundred dollars.

iii. FOR THE THIRD VIOLATION WITHIN THIRTY-SIX MONTHS OF THE COMMISSION OF A VIOLATION SHALL BE SUBJECT TO A CIVIL SANCTION OF NOT LESS THAN FIVE HUNDRED DOLLARS.

b. The thirty six month period, provision of subsection B, paragraph 2.a. FOR THIS SECTION, shall be calculated by the dates the violations were committed. Any person shall receive the enhanced civil sanction upon a finding of responsibility for any violation under subsection A, paragraphs 4 through 15 which was committed within thirty-six months of the commission of another violation for which that person was convicted or found responsible, irrespective of the order in which the violations occurred or whether the prior violation was civil or criminal.

3. Criminal sanctions:

a.—A violation of subsection A, paragraphs 4 through 15 SUBSECTION A, PARAGRAPHS 9 THROUGH 18, SUBSECTION B, PARAGRAPHS 3 THROUGH 13, AND SUBSECTION C shall be a criminal violation subject to the provisions of Section 4-80 of the Phoenix City Code.

b.—Any person convicted of a violation of subsection A, paragraphs 4 through 15 shall be sentenced to a fine of not less than one hundred dollars. Any person who is convicted of a second violation of subsection A, paragraphs 4 through 15 committed within thirty-six months of a prior violation of subsection A, paragraphs 4 through 15 shall be subject to a fine of not less than two hundred fifty dollars. Any person who is convicted of a third or subsequent violation of subsection A, paragraphs 4 through 15 committed within thirty-six months of a prior violation of subsection A, paragraphs 4 through 15 shall be subject to a fine of not less than five hundred dollars.
e. The thirty six month period provision of subsection A, paragraphs 4 through 15 shall be calculated by the dates the violations were committed. The owner or responsible party shall receive the enhanced fine upon a conviction of any violation of subsection A, paragraphs 4 through 15 which was committed within thirty-six months of the commission of another violation for which owner or responsible party was found responsible or convicted, irrespective of the order in which the violations occurred or whether the prior violation was civil or criminal.

E. EACH DAY ANY VIOLATION OF ANY PROVISION OF THIS ARTICLE, OR THE FAILURE TO PERFORM ANY ACT OR DUTY REQUIRED BY THIS ARTICLE, EXISTS SHALL CONSTITUTE A SEPARATE VIOLATION OR OFFENSE.

Sec. 4-78. Fees.

A. TRIP FEES

EXCEPT FOR OFF-AIRPORT RENTAL CAR COMPANIES, ALL AUTHORIZED PROVIDERS SHALL PAY THE TRIP FEES SET FORTH BELOW.

1. ALL AUTHORIZED PROVIDERS PERMITTED PRIOR TO JUNE 18, 2016, SHALL PAY TRIP FEES AS FOLLOWS:

<table>
<thead>
<tr>
<th>VEHICLE SIZE</th>
<th>BEGINNING JANUARY 1, 2017</th>
<th>BEGINNING JANUARY 1, 2018</th>
<th>BEGINNING JANUARY 1, 2019</th>
</tr>
</thead>
<tbody>
<tr>
<td>1-8 SEATS</td>
<td>$2.25</td>
<td>$2.75</td>
<td>$3.25</td>
</tr>
<tr>
<td>9-23 SEATS</td>
<td>$2.75</td>
<td>$3.50</td>
<td>$4.25</td>
</tr>
<tr>
<td>24+ SEATS</td>
<td>$6.50</td>
<td>$7.50</td>
<td>$9.00</td>
</tr>
</tbody>
</table>

2. SAVING CLAUSE. FROM JUNE 18, 2016, THROUGH DECEMBER 31, 2016, ALL AUTHORIZED PROVIDERS PERMITTED PRIOR TO JUNE 18, 2016, SHALL PAY ALL FEES AS EXISTED IN THIS SECTION IMMEDIATELY PRIOR TO JUNE 18, 2016.

3. ALL AUTHORIZED PROVIDERS PERMITTED ON OR AFTER JUNE 18, 2016 SHALL PAY TRIP FEES AS FOLLOWS:

<table>
<thead>
<tr>
<th>VEHICLE SIZE</th>
<th>BEGINNING JUNE 18, 2016</th>
</tr>
</thead>
<tbody>
<tr>
<td>1-8 SEATS</td>
<td>$3.25</td>
</tr>
<tr>
<td>Seats</td>
<td>Fee</td>
</tr>
<tr>
<td>--------</td>
<td>-----------</td>
</tr>
<tr>
<td>9-23</td>
<td>$4.25</td>
</tr>
<tr>
<td>24+</td>
<td>$9.00</td>
</tr>
</tbody>
</table>

4. THE AVIATION DEPARTMENT'S ESTIMATED ANNUAL REVENUES PURSUANT TO SUBSECTION (A) ARE AS FOLLOWS:

<table>
<thead>
<tr>
<th>Year</th>
<th>Revenue</th>
</tr>
</thead>
<tbody>
<tr>
<td>2017</td>
<td>$7,012,687.00</td>
</tr>
<tr>
<td>2018</td>
<td>$7,842,608.00</td>
</tr>
<tr>
<td>2019</td>
<td>$8,678,004.00</td>
</tr>
</tbody>
</table>

IN JANUARY OF CALENDAR YEARS 2018 AND 2019, THE AVIATION DEPARTMENT WILL CONDUCT A REVIEW OF ESTIMATED REVENUE VERSUS ACTUAL REVENUE. BASED ON THE RESULTS OF EACH CALENDAR YEAR REVIEW: (A) IF TOTAL REVENUE IN THE PRECEDING CALENDAR YEAR REVIEWED IS LESS THAN OR EQUAL TO TOTAL ESTIMATED REVENUE FOR THAT SAME CALENDAR YEAR REVIEWED, THEN THE CURRENT CALENDAR YEAR FEES WILL BE AS SET FORTH IN SUBSECTIONS (A)(1) AND (3); OR (B) IF TOTAL REVENUE IN THE PRECEDING CALENDAR YEAR REVIEWED EXCEEDS TOTAL ESTIMATED REVENUE FOR THAT SAME CALENDAR YEAR, THEN THE CURRENT YEAR’S RATES WILL BE PROPORTIONATELY ADJUSTED TO ACHIEVE THE CURRENT YEAR’S ESTIMATED REVENUE USING THE PRECEDING CALENDAR YEAR’S ACTUAL TRIPS.

5. THE AVIATION DEPARTMENT WILL CONDUCT A STUDY BY JANUARY 1, 2020, OF COMPARABLE AIRPORTS' TRIP FEES. THE AVIATION DEPARTMENT WILL SEEK INDUSTRY PARTICIPATION IN THE SELECTION OF THE CONSULTANT AND PARTICIPATION IN THE STUDY.

6. BEGINNING JANUARY 1, 2020, FEES WILL INCREASE ANNUALLY AT THE LESSER OF THREE PERCENT OR THE PERCENT OF CHANGE IN THE MOST CURRENT CONSUMER PRICE INDEX FOR LOS ANGELES-RIVERSIDE-ORANGE COUNTY, CA, ALL URBAN CONSUMERS, PUBLISHED BY THE U.S. DEPARTMENT OF LABOR, BUREAU OF LABOR STATISTICS, OR SUCH REVISED INDEX THAT MAY BE SUBSEQUENTLY PUBLISHED BY THE BUREAU.

7. FOR AUTHORIZED PROVIDERS USING GLOBAL POSITIONING SYSTEM (GPS) TRIP TRACKING, TRIP FEES APPLY ONCE EACH TIME A DRIVER ENTERS A GEOFENCE, MAKES ONE OR MORE STOPS, AND COMPLETES A PICK-UP
OF ONE OR MORE PASSENGERS. FOR ALL OTHER AUTHORIZED PROVIDERS, TRIP FEES APPLY ONCE EACH TIME A DRIVER ENTERS AN AIRPORT AND STOPS AT ONE OR MORE DESIGNATED PASSENGER PICK-UP LOCATIONS.

8. FOR AUTHORIZED PROVIDERS USING GPS TRIP TRACKING, IN THE EVENT THAT AUTHORIZED PROVIDER’S GPS TRIP TRACKING SYSTEM FAILS (DOWNTIME), AND THE AUTHORIZED PROVIDER IS UNABLE TO ACCOUNT FOR TRIPS DURING SUCH DOWNTIME IN THE SUBSEQUENT MONTHLY REPORT, THE AVIATION DIRECTOR WILL DETERMINE THAT AUTHORIZED PROVIDER’S MONTHLY FEE FOR SUCH DOWNTIME BASED UPON THE HIGHEST MONTHLY NUMBER OF PASSENGER PICK-UPS IN THE LAST TWELVE MONTHS FOR THE SAME AMOUNT OF TIME, TAKING INTO ACCOUNT THE TIME OF DAY AND DAY OF WEEK.

9. AUTHORIZED PROVIDERS USING GPS TRIP TRACKING, AND ALL AUTHORIZED PROVIDERS USING DESIGNATED PICK-UP LOCATIONS WHERE THERE IS NO AUTOMATED VEHICLE IDENTIFICATION (AVI) READER, SHALL REPORT ALL TRIPS FOR THAT MONTH TO THE CITY NO LATER THAN FIFTEEN CALENDAR DAYS AFTER THE LAST DAY OF THE MONTH.

10. THE AVIATION DIRECTOR MAY PROVIDE A DISCOUNT OF UP TO TEN PERCENT OF AN AUTHORIZED PROVIDER’S MONTHLY TRIP FEE INVOICE FOR TRIPS CONDUCTED BY ALTERNATIVE FUEL POWERED GROUND TRANSPORTATION MOTOR VEHICLES.

11. ALL FEES ASSESSED PURSUANT TO THIS SECTION SHALL BE PAID ON A MONTHLY BASIS ON OR BEFORE THE THIRTIETH DAY FROM THE BILLING DATE, AND PAYMENT SHALL BE MADE WITH FORMS PRESCRIBED BY THE AVIATION DIRECTOR FOR REPORTING, COMPUTING AND REMITTING SAID FEES.

A. The following schedule of fees is hereby established for the ground transportation motor vehicles: AVI tag fees:

<table>
<thead>
<tr>
<th>Vehicle Class</th>
<th>Type of Fee</th>
<th>Amount</th>
</tr>
</thead>
</table>

12. AN AUTHORIZED PROVIDER MAY DISPUTE THE CALCULATION OF TRIP FEES AS PROVIDED IN AIRPORT RULES AND REGULATIONS.
<table>
<thead>
<tr>
<th>Vehicle Class</th>
<th>Type of Fee</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Bus</td>
<td>Per trip</td>
<td>$2.00</td>
</tr>
<tr>
<td>Courtesy Vehicle</td>
<td>Annual</td>
<td>400.00</td>
</tr>
<tr>
<td>Handicapped Services Vehicle</td>
<td>Annual</td>
<td>100.00</td>
</tr>
<tr>
<td>Intercity Ground Transporter</td>
<td>Annual</td>
<td>400.00</td>
</tr>
<tr>
<td>Off-Airport Rental Car Company Vehicle</td>
<td>Monthly</td>
<td>Per subsection F</td>
</tr>
<tr>
<td>Time Scheduled Van</td>
<td>Annual</td>
<td>1,000.00</td>
</tr>
<tr>
<td>Unscheduled—Contracted Limousine</td>
<td>Annual</td>
<td>Per subsection P</td>
</tr>
<tr>
<td>Unscheduled—Taxicab</td>
<td>Annual</td>
<td>Per subsection P</td>
</tr>
<tr>
<td>V.I.P. Vehicle</td>
<td>Annual</td>
<td>400.00</td>
</tr>
</tbody>
</table>

B. An annual fee per vehicle as established in subsection A shall be due and payable, prorated on a quarterly basis on January 1, April 1, July 1, and October 1 of each year or portion thereof that a vehicle is in service. A new vehicle placed in service for less than a calendar quarter shall be assessed a portion of the quarterly fee retroactive to the first day of the month that the vehicle was placed in service.

13. AN AUTHORIZED PROVIDER MAY REQUEST SPECIFIC DOCUMENTS PROVIDED TO THE CITY BE TREATED AS CONFIDENTIAL OR PROPRIETARY (COLLECTIVELY CONFIDENTIAL), PROVIDED THAT THE AUTHORIZED PROVIDER CLEARLY LABELS THE DOCUMENTS "CONFIDENTIAL." THE CITY WILL NOTIFY THE AUTHORIZED PROVIDER IN WRITING OF ANY PUBLIC RECORDS REQUEST TO VIEW THE DOCUMENTS OR ANY PORTION OF THE DOCUMENTS MARKED "CONFIDENTIAL." AUTHORIZED PROVIDER WILL HAVE SEVEN CALENDAR DAYS FROM THE DATE SUCH NOTICE IS RECEIVED TO OBTAIN A COURT ORDER ENJOINING THE RELEASE OF THE DOCUMENTS MARKED CONFIDENTIAL. IF THE AUTHORIZED PROVIDER DOES NOT PROVIDE THE CITY WITH A COURT ORDER ENJOINING RELEASE OF THE DOCUMENTS, THE CITY WILL MAKE THE DOCUMENTS REQUESTED AVAILABLE FOR INSPECTION AS REQUIRED UNDER THE PUBLIC RECORDS LAW SEVEN CALENDAR DAYS AFTER THE WRITTEN NOTICE TO THE AUTHORIZED PROVIDER IS RECEIVED.
B. The Aviation Director may establish such other fees for temporary or daily use vehicle permits as he THE AVIATION DIRECTOR deems necessary for the safe, efficient and orderly operation of the airports AN AIRPORT.

C. BOOKS AND RECORDS

1. AUTHORIZED PROVIDER AGREES TO MAINTAIN AND MAKE AVAILABLE TO THE AVIATION DEPARTMENT DURING REGULAR BUSINESS HOURS ACCURATE BOOKS AND ACCOUNTING RECORDS RELATING TO ITS OPERATIONS UNDER THIS ARTICLE. AUTHORIZED PROVIDER SHALL MAKE AVAILABLE ALL RECORDS WITHIN MARICOPA COUNTY. IF AUTHORIZED PROVIDER FAILS TO MAKE AVAILABLE ALL RECORDS WITHIN MARICOPA COUNTY, AUTHORIZED PROVIDER AGREES TO REIMBURSE THE AVIATION DEPARTMENT FOR REASONABLE EXPENSES INVOLVED IN TRAVELING TO THE RECORDS STORAGE SITE. AUTHORIZED PROVIDER SHALL COOPERATE WITH THE INSPECTION AND/OR AUDIT. IN THE EVENT AN INSPECTION OR AUDIT SHOWS THAT AUTHORIZED PROVIDER HAS UNDERPAID ITS MONTHLY FEES BY MORE THAN THREE PERCENT, THE AVIATION DEPARTMENT MAY REQUIRE AUTHORIZED PROVIDER TO REIMBURSE THE AVIATION DEPARTMENT FOR THE COSTS OF THE INSPECTION AND/OR AUDIT. AUTHORIZED PROVIDER SHALL PROMPTLY REMEDY ANY NONCOMPLIANCE FOUND THROUGH THE INSPECTION AND/OR AUDIT. AUTHORIZED PROVIDER SHALL MAINTAIN THE DATA AND RECORDS IN AN ACCESSIBLE LOCATION AND CONDITION FOR A PERIOD OF NOT LESS THAN FIVE YEARS FROM THE EXPIRATION OF ITS CONTRACT OR PERMIT, OR THE LAST DATE OF OPERATIONS ON AN AIRPORT, WHICHEVER IS LATER.

2. THE AVIATION DIRECTOR RESERVES THE RIGHT TO REQUEST ANY AND ALL REPORTS DEEMED NECESSARY FROM AUTHORIZED PROVIDER IN ITS PERFORMANCE UNDER THIS ARTICLE, OR FOR AUDITING PURPOSES, AT NO COST TO THE AVIATION DEPARTMENT. THESE REPORTS SHALL BE SUBMITTED WITHIN TEN BUSINESS DAYS FROM THE DATE THE REQUEST WAS MADE UNLESS INSTRUCTED OTHERWISE IN WRITING BY THE AVIATION DIRECTOR.

D. Unscheduled taxicab and unscheduled contracted limousine owners shall collect a one dollar surcharge for each trip generated from Phoenix Sky Harbor International Airport, and shall remit such surcharge collected to the
Aviation Department in the manner prescribed in rules promulgated by the Aviation Director.

E. AVI tag fees:

1. The Aviation Director shall set fees at the actual cost of the AVI tag for each vehicle requiring an AVI tag in an amount not to exceed twenty-one dollars ($21.00) for the following types of AVI tags:

   A. The original AVI tag placed on the vehicle.

   B. The replacement cost of the AVI tag if a transponder is lost, stolen or damaged.

2. The Aviation Director may require a refundable deposit at the actual cost of an AVI tag in an amount not to exceed twenty-one dollars ($21.00) for any ground transportation motor vehicle that obtains a temporary permit (to accommodate vehicle maintenance) and/or a daily permit (to supplement fleet size). The refundable deposit will be forfeited if an AVI tag is not returned to the City of Phoenix within thirty (30) days after a permit has expired.

F. Off-airport rental car companies and vehicle rental companies subleasing space from a fixed base operator shall pay, for the use of off-airport rental car company vehicles at the RCC, a fee of seven percent of the gross receipts received from that portion of the vehicle rental company’s vehicle rental receipts derived from persons transported between the airport and such vehicle rental facility. The fees to be imposed at Phoenix Deer Valley Airport and Phoenix Goodyear Airport shall be commensurate in amount and application to identical fees imposed at Phoenix Sky Harbor International Airport as set forth in section G E, below.

G E. For purposes of computing gross receipts in this section Phoenix Sky Harbor International Airport, Phoenix Deer Valley Airport and Phoenix Goodyear Airport shall each be considered an independent operation, and the rental receipts derived from each airport shall be reported in accordance with the following:

1. Gross receipts includes all amounts received, billed (whether collected or not), delivered or realized by the off-airport rental car company, without deduction or offset, whether by cash, credit or otherwise related to the off-airport rental car company’s vehicle rental concession as authorized by this article. All amounts are included in the definition of gross receipts unless specifically...
excluded as provided in subsection 2 below. In determining whether an amount is or is not included in gross receipts the burden of proof is on the off-airport rental car company and all exclusions in subsection 2 will be construed narrowly.

2. Gross receipts shall not include:

   (A) Taxes - Any fee or other charge levied by federal, state, county or municipal government that is explicitly identified by the taxing authority as a tax levied on the customer and required by law to be separately stated.

   (B) Customer facility charge - As defined in Phoenix City Code Section 4-79 when collected and remitted to the City.

   (C) Sums received for loss, conversion, disposal or abandonment of the off-airport rental car company’s vehicles, provided that the off-airport rental car company retains documentation from a third-party that establishes to the City’s satisfaction that the loss, conversion, disposal or abandonment occurred, and that the sums received do not exceed the amount necessary to repair or replace the vehicle that was subject to the loss, conversion, disposal or abandonment.

   H F. No deductions shall be allowed from gross receipts for the payment of franchise fees or taxes levied on the off-airport rental car company’s activities, facilities, equipment or real or personal property of the off-airport rental car company.

   I G. Each off-airport rental car company acknowledges that its payments to the City under this article are for the company use of the airport, and that those payments do not reflect a fee that is imposed by the City upon customers renting cars from the company. Each off-airport rental car company understands that the City does not support the practice of transferring the company obligation for payment of the fees due under this article to its customers. Except as provided under Section 4-79 of this article, each off-airport rental car company is prohibited from stating or implying, in writing or orally, that the City or airport imposes or approves of any direct charge to its customers, including any surcharge that the company passes on to its customers to recoup airport use fees. Each off-airport rental car company is prohibited from misrepresenting to the public its prices or the terms and provisions of its rental agreement or those of its competitors, either orally or in writing. If an off-airport rental car company separately states and imposes a fee recoupment charge, recovery fee, or surcharge on its customers, that charge shall be immediately adjacent to time...
and mileage charges on the customer’s invoice and shall not be described as a tax.

J. Each off-airport rental car company shall report all income, both cash and credit, in its monthly gross receipts statement to the City.

K. All off-airport rental car companies shall keep true and accurate account records, books and data which shall, among other things, show all sales made and services performed for cash or credit or otherwise, without regard to whether paid or not, and also the gross sales of said business and the aggregate amount of all sales and services and orders, and of all of the off-airport rental car company’s business conducted from the airport.

L. The City and its agents shall have the right, at all reasonable times and during all business hours, to inspect and examine such records, cash registers, books and other data as required to confirm the gross receipts as defined above.

M. Within ninety days after the end of each calendar year, the off-airport rental car company, at its sole expense, shall submit to the City a certified annual statement of gross receipts, prepared by an independent certified public accountant in accordance with the statement on auditing standards issued by the Standards Board of The American Institute of Certified Public Accountants ("AICPA Standards"), as the same may from time to time be amended or superceded:

<table>
<thead>
<tr>
<th>Annual Gross Receipts</th>
<th>Annual Audit Statement</th>
</tr>
</thead>
<tbody>
<tr>
<td>$0.00—$999,999.00</td>
<td>File a written audit statement based on a review which indicates that nothing in the inquiries or analytical testing has caused the reviewer to determine that the off-airport rental car company’s payment of the concession privilege fee was inaccurate.</td>
</tr>
<tr>
<td>$1,000,000.00—Up</td>
<td>File a written audit statement based upon an examination which contains an opinion that the concession privilege fees paid by the off-airport rental car company for the calendar year were made in accordance with the terms of this article. If the off-airport rental car company delivers a qualified opinion, an adverse opinion or a disclaimer of opinion as defined by the AICPA Standards, this shall constitute a failure to comply with the annual statement requirement.</td>
</tr>
</tbody>
</table>
N L. In the event of an overpayment or underpayment by the off-airport rental car company, an amount equal to such payment shall be promptly paid by, or credited to, the off-airport rental car company. If, through an audited statement, it is established that the off-airport rental car company overpaid the City, reimbursement will be conditioned upon the off-airport rental car company providing reasonable justifications for the overpayment that are satisfactory to the City.

Q M. Off-airport rental car company vehicle fees shall be paid in accordance with the following schedule:

1. All fees assessed pursuant to this section shall be paid on a monthly basis on or before the twentieth day of the month next succeeding the month in which the fee accrues, and payment shall be made with forms prescribed by the Aviation Director for reporting, computing and remitting said fees.

2. Fees shall be deemed delinquent and assessed a delinquent account fee in accordance with Section 4-7 of the Phoenix City Code.

P N. Unscheduled taxicab and unscheduled contracted limousine annual permit TAXICAB fees shall be assessed and collected in accordance with the current service contracts between each contracted taxicab and/or limousine owner and the City.

Q O. The Aviation Director may, in THE AVIATION DIRECTOR’S his sole discretion, waive any or all of the fees assessed by this section at Phoenix Goodyear Airport or Phoenix Deer Valley Airport when he THE AVIATION DIRECTOR determines that it is not cost-effective to assess and collect such fees.

R P. Failure to comply with the terms of this article or pay the fees as required may result in a non-renewal of the commercial ground transportation permit as provided in Section 4-7968 of the Phoenix City Code, or a suspension or revocation of the permittee’s decal or permit as provided in Section 4-75 of the Phoenix City Code.

SECTION 12. That Phoenix City Code, Chapter 4, Article IV, Sections 4-80 through 4-86 are amended to read:

Sec. 4-80 Penalties.

Except where otherwise specifically provided in this Article ARTICLE or Section 36-156.02 of the City Code, a violation of the requirements of this Article
ARTICLE shall be deemed a Class 1 misdemeanor, and punishment therefore shall be as prescribed by the Phoenix City Code for Class 1 misdemeanors.

Sec. 4-81. Exemptions.

Except for subsections SECTION 4-77A(1)(2) SUBSECTION A, PARAGRAPHS 1, 2, and (3) 3, the requirements of this Article do not apply to a ground transportation motor vehicle owned and operated by the United States, the State of Arizona, or any political subdivision thereof or to any MOTOR vehicle operated on an airport pursuant to a separate lease, CONTRACT, or permit with the City.

Sec. 4-82. Taxicab and limousine operating rights; unscheduled PRIVILEGES; taxicab and limousine operators; effective dates of termination.

A. The Aviation Director may issue Phoenix Sky Harbor International Airport operating privileges for taxicab and limousine ground transportation motor vehicles only in accordance with subsection SUBSECTION B. of this section.

B. Operating privileges.

1. Unscheduled taxicab and limousine owners TAXICAB PROVIDERS may obtain airport operating privileges pursuant to taxicab or limousine service contracts awarded by the Aviation Director on the basis of competitive bidding, requests for proposals SOLICITATION, or direct negotiations.

2. Taxicab and limousine service contracts may be awarded in such numbers and upon UNDER such terms and conditions as provide, in the judgment of THAT MAY BE REQUIRED BY the Aviation Director, TO PROVIDE an efficient number of taxicabs and limousines to serve the traveling public.

C. Except as provided in Section 4-83, in the event of a conflict between the provisions of this Article and the terms and conditions of specific taxicab or limousine service contracts entered into pursuant to this Article, the terms and conditions of said service contracts shall be controlling.

Sec. 4-83. Established fare rates for taxicabs and contracted limousines.

Maximum and minimum passenger fare rates for fares applicable to ground transportation categories TAXICABS departing from Phoenix Sky Harbor International Airport (PSHIA) shall be as follows:
A. Unscheduled taxicab:

1. Subject to subsection A. SUBSECTIONS 3 AND 4 of this section, the taxicab fare per trip is $5.00 SHALL NOT EXCEED FIVE DOLLARS for the first mile and $2.30 TWO DOLLARS AND THIRTY CENTS for each additional mile. [*1]

2. An owner A TAXICAB PROVIDER may assess a traffic delay charge, in accordance with its service contract or rules and regulations promulgated as provided in this article ARTICLE, at a rate not to exceed $23.00 TWENTY-THREE DOLLARS per hour. [*1]

3. An owner may charge a $1.00 trip fee for each trip.

3. Notwithstanding any other provision in this subsection SECTION, a minimum fare of $15.00 FIFTEEN DOLLARS may be charged per trip from the airport. [*1 PSHIA.

B. Unscheduled contracted limousines:

1. An owner shall not charge, or allow a charge of, a fare in excess of the following rates per trip from the airport:

<table>
<thead>
<tr>
<th>From Airport To:</th>
<th>Rates Per Trip (1—2 Passengers)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Zone A</td>
<td>$35.00</td>
</tr>
<tr>
<td>Zone B</td>
<td>$45.00</td>
</tr>
<tr>
<td>Zone C</td>
<td>$55.00</td>
</tr>
<tr>
<td>Zone D</td>
<td>$65.00</td>
</tr>
<tr>
<td>Zone E</td>
<td>$75.00</td>
</tr>
<tr>
<td>Zone F</td>
<td>$85.00</td>
</tr>
<tr>
<td>Additional passenger(s)</td>
<td>$10.00/person</td>
</tr>
</tbody>
</table>

2. Zone boundaries: The geographic boundaries of the zones listed in subsection (b)(1) are in five (5) mile increments from Sky Harbor Airport, as described below and as shown in the attached limousine zone boundaries map.

[*1 PSHIA.]

61 Ordinance G-6164
a. Zone A—Five mile radius from Sky Harbor Airport.

b. Zone B—Ten mile radius from Sky Harbor Airport.

C. Zone C—Fifteen mile radius from Sky Harbor Airport.

D. Zone D—Twenty mile radius from Sky Harbor Airport.

E. Zone E—Twenty-five mile radius from Sky Harbor Airport.

F. Zone F—Thirty mile radius from Sky Harbor Airport.

3. Additional passenger rate: For purposes of these rates, an additional passenger is any passenger in addition to the first two passengers.

4. NOTWITHSTANDING ANY OTHER PROVISION IN THIS SECTION, THE TAXICAB FARE PER TRIP TO THE DOWNTOWN PHOENIX AREA, AS DESCRIBED BY THE FOLLOWING BOUNDARIES, SHALL NOT EXCEED SEVENTEEN DOLLARS.

   a. NORTH BOUNDARY: ROOSEVELT STREET

   b. SOUTH BOUNDARY: LINCOLN STREET

   c. WEST BOUNDARY: SEVENTH AVENUE

   d. EAST BOUNDARY: SEVENTH STREET
Sec. 4-84. Definition; time scheduled SHARED RIDE van; operating rights; effective date of termination PRIVILEGES.

A. "Time scheduled van service" means operation of a fleet of vans connected and controlled by radio dispatch to pick up and deliver to an airport one or more passengers from circumscribed sectors of a general service area, and to pick up arriving passengers for delivery to their curbside destinations when such passenger(s) have contracted, or made prior arrangements, for the service prior to the van arriving in said airport.

A. B. The Aviation Director shall MAY issue AIRPORT operating privileges, including but not limited to, driver’s permits and van authorizing decals, for time scheduled FOR SHARED RIDE van service on City airports only in accordance with subsection C. SUBSECTION B.

B. C. Phoenix Sky Harbor International Airport shall be served by one time scheduled SHARED RIDE van service, which shall be issued operating privileges in accordance with terms and conditions of an exclusive time scheduled SHARED RIDE van service contract to be awarded from time to time by the Aviation Director on the basis of competitive bidding, requests for proposals SOLICITATION, or by direct negotiations.
Sec. 4-85. InterCity ground transporter PROVIDERS operating rights.

A. InterCity ground transporter PROVIDERS shall not provide transportation within a thirty-five-mile radius from PHOENIX Sky Harbor INTERNATIONAL Airport.

B. The Aviation Director may issue a notice of violation and/or notice of penalty for failure to comply with all applicable sections of Phoenix City Code, Chapter 4, Article IV.

Sec. 4-86. Small operator parcel.

A. The Aviation Director may enter into month-to-month leases at the small operator parcel under such terms and conditions deemed necessary and convenient to the City that may be required by the Aviation Director.

PASSED by the Council of the City of Phoenix this 18th day of May, 2016.

Greg Stanton
M A Y O R

ATTEST:

Cris Meyer City Clerk

APPROVED AS TO FORM:

Daniel L. Brown Acting City Attorney

REVIEWED BY:

Ed Zuercher City Manager

PMN:hs: 1234214 (CM75) 5/18/16 agenda