



Memorandum

TO: HONORABLE MAYOR
AND CITY COUNCIL

FROM: RICHARD DOYLE
City Attorney

SUBJECT: **Uncodified Ordinance to
Establish a Moratorium on
Taxicab Driver Permits and
Taxicab Vehicles**

DATE: December 3, 2004

RECOMMENDATION

It is recommended that the City Council approve an ordinance that temporarily limits until October 30, 2005 both the total number of taxicabs all taxicab company licensees are authorized to operate under their licenses pursuant to Part 4 of Chapter 6.64 of the San José Municipal Code to an outstanding number of 572 and the total number of taxicab driver permits issued pursuant to Part 6 of Chapter 6.64 of the San José Municipal Code to 571.

BACKGROUND

On November 16, 2004, the City Council approved Item 6.2, which included various items to implement a new taxicab service model in the City of San José. Part D of Item 6.2 gave direction to the City Attorney's Office to draft an ordinance that temporarily limits the number of operable taxicabs in the City to an outstanding number of 572, and also temporarily limits the number of taxicab driver permits issued by The City to an outstanding number of 571. Both limitations were directed by City Council to last until October 30, 2005.

ANALYSIS

The ordinance establishes a temporary moratorium until October 30, 2005 for both the number of operable taxicabs under a Taxicab License for all licensed taxicab companies in the City of San José pursuant to Part 4 of Chapter 6.64 of the San José Municipal Code to an outstanding number of 572 and the number of taxicab driver permits issued pursuant to Part 6 of Chapter 6.64 of the San José Municipal Code to an outstanding number of 571. The City does not currently "license" all the operable taxicabs in the City, rather taxicab companies are required to have a minimum number of 5 taxicabs in their fleets as a condition of the license. This uncodified ordinance will create a temporary maximum number of 572 outstanding operable vehicles among all licensed taxicab companies in the City.

HONORABLE MAYOR AND CITY COUNCIL

December 3, 2004

Subject: Taxicab Permit Moratorium

Page 2

The limitations on taxicabs and taxicab driver permits are not being created to provide any property rights to the drivers and taxicab companies regarding taxicab driver permits and taxicab vehicles licensed. Rather, City Council has directed that the temporary moratoriums be established in order to provide stability with regard to the taxicab industry supply while the City transitions to a new taxicab service model.

The proposed ordinance is uncodified because the moratoriums run only until October 30, 2005.

PUBLIC OUTREACH

Not Applicable.

CEQA

Not a project.

RICHARD DOYLE
City Attorney

By: _____
Mohammed Hill
Deputy City Attorney

cc: Del Borgsdorf