



City of Philadelphia

City Council
Chief Clerk's Office
402 City Hall
Philadelphia, PA 19107

BILL NO. 160531

Introduced May 19, 2016

Councilmember Oh

**Referred to the
Committee on Licenses and Inspections**

AN ORDINANCE

Amending Title 9 of The Philadelphia Code, entitled "Regulation of Businesses, Trades, and Professions," by adding two new categories of licenses entitled "Transportation Network Company Driver" and "Transportation Network Company"; all under certain terms and conditions.

THE COUNCIL OF THE CITY OF PHILADELPHIA HEREBY ORDAINS:

SECTION 1. Title 9 of The Philadelphia Code is hereby amended to read as follows:

TITLE 9. REGULATION OF BUSINESSES, TRADES, AND PROFESSIONS.

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CHAPTER 9-400. CARRIERS.

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§9-406. Transportation Network Company Drivers.

(1) Definitions.

(a) Department. The Department of Streets.

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- (b) *Transportation Network Company.* A person or entity that operates a transportation network service and uses a digital network to facilitate prearranged rides.
- (c) *Transportation Network Company Driver.* An individual who receives connections to potential passengers and related services from a Transportation Network Company in exchange for payment of a fee to the Transportation Network Company or uses a personal vehicle to offer or provide a prearranged ride to passengers upon connection through a digital network controlled by a Transportation Network Company in return for compensation or payment of a fee. The term shall not include an individual who receives reimbursement that does not exceed the actual costs incurred while providing transportation.
- (2) *Transportation Network Company Driver License.* No Transportation Network Company Driver shall operate in the City unless the Transportation Network Company Driver obtains a license from the Department.
- (a) *Every license issued under this Section shall be issued as of the first day of January and shall be effective, unless suspended or revoked, until the last day of December of the same calendar year. Licenses may be renewed in accordance with this Section for similar one (1) year periods.*
- (b) *Every license shall be non-assignable and non-transferable.*
- (c) *Every license application shall include:*
- (.1) *the applicant's name, address, telephone number, and e-mail address;*
 - (.2) *the applicant's current and valid Philadelphia commercial activity license number;*
 - (.3) *the applicant's current and valid Pennsylvania driver's license number;*
 - (.4) *the applicant's current and valid Pennsylvania license number for the applicant's personal vehicle to be used in the conduct of the business;*
 - (.5) *certification that the applicant's personal vehicle is suitable for use as a Transportation Network Company vehicle;*
 - (.6) *proof that the applicant has adequate insurance.*

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- (d) Licensees must notify the Department in writing of any change in the information required by this Section within thirty (30) days of such change.
 - (e) The Department may revoke or suspend for cause any license that it issued.
 - (f) The application fee shall be one hundred dollars (\$100), which shall be non-refundable.
 - (g) Upon license approval by the Department, the initial license fee shall be five hundred dollars (\$500) to be paid prior to issuance.
 - (h) The annual renewal fee shall be five hundred dollars (\$500) to be paid prior to issuance.
 - (i) Failure of a Transportation Network Company Driver to comply with the provisions of this Section shall result in the revocation or suspension of its license; or a penalty of either five thousand dollars (\$5,000); or confiscation, impoundment, and sale of the Driver's personal vehicle; or both, in the discretion of the Department.
- (3) Transportation Network Company License. No Transportation Network Company Driver shall operate in the City unless the Transportation Network Company obtains a license from the Department.
- (a) Every license issued under this Section shall be issued as of the first day of January and shall be effective, unless suspended or revoked, until the last day of December of the same calendar year. Licenses may be renewed in accordance with this Section for similar one (1) year periods.
 - (b) Every license shall be non-assignable and non-transferable.
 - (c) Every license application shall include:
 - (.1) the applicant's business name, address, telephone number, and e-mail address;
 - (.2) the applicant's officers', principals', and executives' names, addresses, telephone numbers, and e-mail addresses;
 - (.3) a list of the current Transportation Network Company Drivers' names, addresses, telephone numbers, and e-mail addresses;

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(.4) the applicant's current and valid Philadelphia commercial activity license number;

(.5) proof that the applicant is registered with the Department of State to do business in the Commonwealth of Pennsylvania;

(.6) proof that the applicant maintains a Registered Agent in the Commonwealth of Pennsylvania;

(.7) certification that the applicant's personal vehicle is suitable for use as a Transportation Network Company vehicle;

(.8) proof that the applicant has adequate insurance.

(d) Licensees must notify the Department in writing of any change in the information required by this Section within thirty (30) days of such change.

(e) The Department may revoke or suspend for cause any license that it issued.

(f) The application fee shall be one hundred dollars (\$100), which shall be non-refundable.

(g) Upon license approval by the Department, the initial license fee shall be five hundred dollars (\$5,000) to be paid prior to issuance.

(h) The annual renewal fee shall be five hundred dollars (\$5,000) to be paid prior to issuance.

(i) Failure of a Transportation Network Company to comply with the provisions of this Section shall result in the revocation or suspension of its license or a penalty of twenty-five thousand dollars (\$25,000), or both, in the discretion of the Department.

(4) Regulations. The Department shall promulgate such regulations as necessary to implement this Section.

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[§9-406.] §9-407. Hauling Permits for Oversized and Overweight Vehicles.

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[§9-407.] §9-408. Tour Passenger Carriers.

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[§9-408.] §9-409. Multi-Seat Pedalcycles.

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[§9-409.] §9-410. School Buses.

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[§9-410.] §9-411. Pedicabs.

SECTION 2. This Ordinance shall take effect on January 1, 2017.

Explanation:

[Brackets] indicate matter deleted.

Italics indicate new matter added.

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