


## MEMORANDUM

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**DATE:** January 26, 2010

**TO:** Board of Mayor and Aldermen

**FROM:** Eric Stuckey, City Administrator   
Shauna R. Billingsley, Interim City Attorney  
Kristen Corn, Staff Attorney

**SUBJECT:** Amendments to Title 9, Chapter 4 relative to taxicabs and other vehicles for hire

### **Purpose**

The purpose of this memorandum is to present information to the Board of Mayor and Aldermen (BOMA) to consider Ordinance 2010-12, to amend Title 9, Chapter 4 relative to the franchising and licensing scheme for taxicabs and vehicles for hire.

### **Background**

Currently, the City's taxicab franchising ordinance is very lengthy and extensive, and we are aware that many taxicab businesses are operating within the City limits and not abiding by it. Due to the extensiveness, it is costly and time-consuming for the City to enforce the provisions set forth in the current ordinance. However, having an unenforceable ordinance may expose the City to liability. After detailed research of other cities' taxicab ordinances, we discovered that the Metropolitan Transportation Licensing Commission has a thorough application and testing process for taxicab businesses. We have attached a copy of this for your review.

The revised ordinance as proposed provides that no taxicab or vehicle for hire business shall operate within the City of Franklin unless they have first obtained a certificate of public convenience and necessity from the Metro Transportation Licensing Commission. Further, they must file a copy of this certificate annually with the Franklin Police Department. Because it is likely that most taxicab/vehicle for hire businesses are already licensed by Metro, it should not be a burden for the business owners. In addition, this will benefit the City by ensuring that the taxicabs/vehicles for hire operating in the City have met stringent requirements.

### **Financial Impact**

Adoption of this ordinance will have little to no financial impact on the City.

### **Recommendation**

Adoption of the proposed ordinance as presented is recommended.

**ORDINANCE 2010-12**

**TO BE ENTITLED: “AN ORDINANCE TO AMEND TITLE 9, CHAPTER 4  
RELATIVE TO THE REGULATION OF TAXICABS IN THE CITY OF  
FRANKLIN”**

**WHEREAS**, the Franklin Municipal Code currently provides for an extensive taxicab franchising process; and

**WHEREAS**, the purpose of the current and proposed revision to Title 9, Chapter 4 is public safety, which is entrusted to drivers of taxicabs and other vehicles for hire; and

**WHEREAS**, the Board of Mayor and Aldermen of the City of Franklin, Tennessee, desires to amend Title 9, Chapter 4 of the Franklin Municipal Code to allow taxicab and vehicles for hire to operate within the corporate limits of the City provided they are currently permitted by the transportation licensing commission of the Metropolitan Government of Nashville and Davidson County, Tennessee.

**NOW, THEREFORE:**

**SECTION I: BE IT ORDAINED BY THE BOARD OF MAYOR AND ALDERMEN OF THE CITY OF FRANKLIN**, Tennessee, that Title 9, Chapter 4 of the Franklin Municipal Code shall be deleted in its entirety and replaced with the following:

**“TITLE 9**

**\* \* \***

**Chapter 4. VEHICLES FOR HIRE**

**Sec. 9-401. Definitions.**

(1) *Operating within the corporate limits of the City of Franklin* shall mean the pick-up of passengers with point of origin within the corporate limits of the City of Franklin to a destination either within or outside the city limits or operating a base of operations, headquarters, dispatch operation, or coordination center which directs, assigns, schedules, or otherwise controls the operation of taxicabs from its location.

(2) *Taxicab or vehicle for hire* shall include any motor vehicle for hire operating under the definitions of Tennessee Code Annotated, § 65-15-102, designed or constructed to accommodate and transport not more than 15 passengers, exclusive of the driver, operating within the city's corporate limits and suburban territory adjacent thereto and not operating on a fixed route or schedule. Includes airport limousines, limousines, sedans, and shuttles but excludes common carriers of more than 15 passengers and ridesharing pools as defined by Tennessee Code Annotated, § 65-19-202. This Chapter specifically excludes school and church vehicles used for transporting persons to or from school, religious education, church or religious services of any kind, upon special prearranged trips or excursions under the auspices of any religious or charitable organization.

(3) *Taxicab business* shall include the operation of one or more taxicabs within the city limits of Franklin.

**Sec. 9-402. Restrictions on operating within corporate limits.**

(1) It shall be unlawful for any person to operate a taxicab business or a vehicle for hire within the corporate limits of the City of Franklin without a current certificate of public convenience and necessity issued by the Metropolitan Transportation Licensing Commission of the Metropolitan Government of Nashville and Davidson County, Tennessee.

(2) A copy of such certificate of public convenience and necessity shall be filed annually with the City of Franklin Police Department.”

**SECTION II. BE IT FINALLY ORDAINED BY THE BOARD OF MAYOR AND ALDERMEN OF THE CITY OF FRANKLIN, Tennessee, that this Ordinance shall take effect from and after its passage on second and final reading, the public health, safety and welfare requiring it.**

**ATTEST:**

**CITY OF FRANKLIN, TENNESSEE**

BY: \_\_\_\_\_  
**ERIC S. STUCKEY**  
City Administrator

BY: \_\_\_\_\_  
**JOHN C. SCHROER**  
Mayor

PASSED FIRST READING

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PASSED SECOND READING

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