

12-0-1725

(Do Not Write Above This Line)

AN ORDINANCE BY COUNCILMEMBER  
*E. T. Merdian*

AN ORDINANCE TO AMEND THE CODE OF ORDINANCES OF THE CITY OF ATLANTA, GEORGIA, CHAPTER 162, ARTICLE II, DIVISION 2, SECTION 162-61, (ENTITLED NUMBER LIMITED; COSTS), SO AS TO TEMPORARILY INCREASE THE PERMISSIBLE AGE OF A VEHICLE THAT MAY BE OPERATED AS A TAXICAB IN THE CITY FROM EIGHT TO TEN YEARS, EFFECTIVE JANUARY 1, 2013; AND FOR OTHER PURPOSES.

Approved By:

ADOPTED BY  
 DEC 03 2012  
 COUNCIL

- CONSENT REFER
- REGULAR REPORT REFER
- ADVERTISE & REFER
- 1st ADOPT 2nd READ & REFER
- PERSONAL PAPER REFER

Date Referred: 11/9/12  
 Referred To: Public Safety  
 Date Referred: \_\_\_\_\_  
 Referred To: \_\_\_\_\_  
 Date Referred: \_\_\_\_\_  
 Referred To: \_\_\_\_\_

Committee \_\_\_\_\_  
 Date \_\_\_\_\_  
 Chair \_\_\_\_\_  
 Referred To \_\_\_\_\_

First Reading

PSLA Committee

Date 11/27/12

Chair *[Signature]*

Action Fav, Adv, Hold (see rev. side)

Other \_\_\_\_\_

Members *[Signature]*

Refer To \_\_\_\_\_

Committee \_\_\_\_\_

Date \_\_\_\_\_

Chair \_\_\_\_\_

Action \_\_\_\_\_

Other \_\_\_\_\_

Members \_\_\_\_\_

Refer To \_\_\_\_\_

Committee \_\_\_\_\_

Date \_\_\_\_\_

Chair \_\_\_\_\_

Action \_\_\_\_\_

Other \_\_\_\_\_

Members \_\_\_\_\_

Committee \_\_\_\_\_

Date \_\_\_\_\_

Chair \_\_\_\_\_

Action \_\_\_\_\_

Other \_\_\_\_\_

Members \_\_\_\_\_

Refer To \_\_\_\_\_

Refer To \_\_\_\_\_

FINAL COUNCIL ACTION  
 2nd  1st & 2nd  3rd  
 Readings  
 Consent  V Vote  RC Vote

CERTIFIED  
 DEC 03 2012

ATLANTA CITY COUNCIL PRESIDENT

*[Signature]*

CERTIFIED  
 DEC 03 2012

*Rickie D. Johnson*  
 MUNICIPAL CLERK

MAYOR'S ACTION

APPROVED

DEC 12 2012

WITHOUT SIGNATURE  
 BY OPERATION OF LAW



AN ORDINANCE BY COUNCILMEMBER

*C. T. Martin*

**AN ORDINANCE TO AMEND THE CODE OF ORDINANCES OF THE CITY OF ATLANTA, GEORGIA, CHAPTER 162, ARTICLE II, DIVISION 2, SECTION 162-61, (ENTITLED NUMBER LIMITED; COSTS), SO AS TO TEMPORARILY INCREASE THE PERMISSIBLE AGE OF A VEHICLE THAT MAY BE OPERATED AS A TAXICAB IN THE CITY FROM EIGHT TO TEN YEARS, EFFECTIVE JANUARY 1, 2013; AND FOR OTHER PURPOSES.**

**WHEREAS**, the City of Atlanta has an interest in maintaining the health, safety and welfare of the citizens of the City of Atlanta and its visitors; and

**WHEREAS**, pursuant to its police powers the City of Atlanta is authorized to enact legislation to regulate certain businesses and industries which could potentially affect the public health, safety, and welfare including those businesses which relate to Vehicles for Hire; and

**WHEREAS**, City of Atlanta Code of Ordinances § 162-33 sets forth that Chapter 162, Article II shall apply to all vehicles for hire for which a permit has been issued; and

**WHEREAS**, on November 21, 2011, Ordinance 11-O-1684 was adopted by the Atlanta City Council, and on November 30, 2011 Ordinance 11-O-1684 approved as per City Charter Section 2-403; and

**WHEREAS**, Ordinance 11-O-1684 amended Chapter 162, Article II, Division 2, Section 162-61 of the City of Atlanta Code of Ordinances in order to temporarily increase the permissible age of a vehicle that may be operated as a taxicab in the city from eight (8) years to nine (9) years until December 31, 2012 due to a desire to prevent over three-hundred (300) vehicles scheduled to become ineligible on December 31, 2011 to be operated for one more year; and

**WHEREAS**, in accordance with the scheduled expiration of the temporary increase in the permissible age of taxicabs pursuant to Ordinance 11-O-1684, over four-hundred (400) vehicles, currently being operated will be ineligible for operation in the city beginning on January 1, 2013 once the permissible age of a vehicle that may be operated as a taxicab reverts to 8 years; and



**WEHREAS**, as a result, taxi drivers and taxi companies will be required to replace over 400 vehicles on or before January 1, 2013 in order to maintain current levels of service; and

**WEHREAS**, the City of Atlanta does not desire for taxi drivers and taxi companies to bear such an immediate and costly burden; and

**WEHREAS**, temporarily increasing the permissible age of a vehicle which may be operated as a taxicab in the city from 8 years to ten (10) years will allow over 400 vehicles currently scheduled to become ineligible on January 1, 2013 to be operated for one more year; and

**WHEREAS**, it is therefore the desire of the City of Atlanta that following the expiration of the temporary increase in the permissible age of taxicabs pursuant to Ordinance 11-O-1684 on December 31, 2012, Chapter 162, Article II, Division 2, Section 162-61 of the City of Atlanta Code of Ordinances be amended to temporarily set the permissible age of a vehicle which may be operated as a taxicab in the city at 10 years;

**THE CITY COUNCIL OF THE CITY OF ATLANTA, GEORGIA HEREBY ORDAINS, as follows:**

**Section 1:** That Chapter 162, Article II, Division 2, Section 162-61(a), of the City of Atlanta Code of Ordinances, entitled "[n]umber limited; costs," which currently provides as follows:

**Sec. 162-61. - Number limited; costs.**

(a) The maximum number of taxicab CPNC's outstanding shall be 1,600, which is the number of CPNC's issued as a result of the legislative limitation established in 1995. This limitation is specifically based upon the relationship between the number of taxicabs operating within a geographic area and the quality of service they provide. An excessive number of taxicabs results in a reduced level of service and more passenger complaints. A taxicab CPNC will be issued to, and can only remain affixed to a vehicle which meets the age limitations set forth below:

No vehicle having a vehicle age greater than nine years may be operated as a taxicab in the city. For purposes of this article, the term "vehicle age" shall be determined based on the vehicle's model year, and a "year" shall be measured through the last day of that respective calendar year (for example, a vehicle with a model year of 2000 shall have a vehicle age of



one year as of January 1, 2001). This nine-year age provision shall be temporary in nature and shall only remain in effect until December 31, 2012, after which time, it shall no longer be of any further force and effect, and said taxicab age provision shall revert back to a "vehicle age" of no greater than eight years.

As of August 15, 2001, no new or replacement taxicab vehicle may be operated as a taxicab in the city if such vehicle is greater than five years old. However, until December 31, 2012, any such new or replacement vehicle for which a CPNC is obtained may continue to be operated as a taxicab through that vehicle's ninth model year provided that the vehicle continues to be in compliance with all other provisions of the City Code which pertain to the regulation of taxicabs licensed to operate in the city. After December 31, 2012, any such new or replacement vehicle may continue to be operated as a taxicab through that vehicle's eighth model year provided that the vehicle continues to be in compliance with all other provisions of the City Code which pertain to the regulation of taxicabs licensed to operate in the city.

be amended such as Chapter 162, Article II, Division 2, Section 162-61(a), of the City of Atlanta Code of Ordinances, entitled "[n]umber limited; costs," shall read as follows:

**Sec. 162-61. - Number limited; costs.**

(a) The maximum number of taxicab CPNC's outstanding shall be 1,600, which is the number of CPNC's issued as a result of the legislative limitation established in 1995. This limitation is specifically based upon the relationship between the number of taxicabs operating within a geographic area and the quality of service they provide. An excessive number of taxicabs results in a reduced level of service and more passenger complaints. A taxicab CPNC will be issued to, and can only remain affixed to a vehicle which meets the age limitations set forth below:

No vehicle having a vehicle age greater than **ten** years may be operated as a taxicab in the city. For purposes of this article, the term "vehicle age" shall be determined based on the vehicle's model year, and a "year" shall be measured through the last day of that respective calendar year (for example, a vehicle with a model year of 2000 shall have a vehicle age of one year as of January 1, 2001). This **ten**-year age provision shall be temporary in nature and shall only remain in effect until December 31, **2013**, after which time, it shall no longer be of any further force and effect,



and said taxicab age provision shall revert back to a "vehicle age" of no greater than eight years.

As of August 15, 2001, no new or replacement taxicab vehicle may be operated as a taxicab in the city if such vehicle is greater than five years old. However, **until December 31, 2013**, any such new or replacement vehicle for which a CPNC is obtained may continue to be operated as a taxicab through that vehicle's **tenth** model year provided that the vehicle continues to be in compliance with all other provisions of the City Code which pertain to the regulation of taxicabs licensed to operate in the city. **After December 31, 2013, any such new or replacement vehicle may continue to be operated as a taxicab through that vehicle's eighth model year provided that the vehicle continues to be in compliance with all other provisions of the City Code which pertain to the regulation of taxicabs licensed to operate in the city.**

**Section 3:** This ordinance shall take effect on January 1, 2013.

**Section 4:** That all ordinances and parts of ordinances in conflict herewith are hereby waived to the extent of the conflict.

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A true copy,

*Rhonda Daughin Johnson*  
Municipal Clerk

ADOPTED by the Atlanta City Council  
APPROVED as per City Charter Section 2-403

DEC 03, 2012  
DEC 12, 2012

RCS# 2447  
12/03/12  
2:58 PM

Atlanta City Council

CONSENT I

CONSENT AGENDA SECTION I; ALL ITEMS  
EXCEPT 12-R-1647  
ADOPT

YEAS: 12  
NAYS: 0  
ABSTENTIONS: 0  
NOT VOTING: 3  
EXCUSED: 0  
ABSENT 1

Y Smith	Y Archibong	Y Moore	NV Bond
Y Hall	Y Wan	Y Martin	NV Watson
B Young	Y Shook	Y Bottoms	Y Willis
Y Winslow	Y Adrean	Y Sheperd	NV Mitchell

CONSENT I

		12-03-12
ITEMS ADOPTED ON CONSENT	ITEMS ADOPDED ON CONSENT	ITEMS ADOPTED ON CONSENT
1. 12-O-1252	35. 12-R-1669	69. 12-R-1692
2. 12-O-1550	36. 12-R-1737	70. 12-R-1693
3. 12-O-1551	37. 12-R-1742	71. 12-R-1694
4. 12-O-1552	38. 12-R-1753	72. 12-R-1695
5. 12-O-1553	39. 12-R-1754	73. 12-R-1696
6. 12-O-1728	40. 12-R-1641	74. 12-R-1697
7. 12-O-1738	41. 12-R-1642	75. 12-R-1698
8. 12-O-1545	42. 12-R-1643	76. 12-R-1699
9. 12-O-1546	43. 12-R-1644	77. 12-R-1700
10. 12-O-1425	44. 12-R-1645	<b>ITEMS ADVERSED ON CONSENT</b>
11. 12-O-1426	45. 12-R-1648	78. 12-R-1701
12. 12-O-1427	46. 12-R-1649	79. 12-R-1702
13. 12-O-1429	47. 12-R-1650	80. 12-R-1703
14. 12-O-1430	48. 12-R-1651	81. 12-R-1704
15. 12-O-1569	49. 12-R-1727	82. 12-R-1705
16. 12-O-1725	50. 12-R-1729	83. 12-R-1706
17. 12-R-1675	51. 12-R-1731	84. 12-R-1707
18. 12-R-1677	52. 12-R-1732	85. 12-R-1708
19. 12-R-1678	53. 12-R-1745	86. 12-R-1709
20. 12-R-1679	54. 12-R-1652	87. 12-R-1710
21. 12-R-1565	55. 12-R-1663	88. 12-R-1711
22. 12-R-1654	56. 12-R-1722	89. 12-R-1712
23. 12-R-1655	57. 12-R-1752	90. 12-R-1713
24. 12-R-1656	58. 12-R-1681	91. 12-R-1714
25. 12-R-1657	59. 12-R-1682	92. 12-R-1715
26. 12-R-1658	60. 12-R-1683	93. 12-R-1716
27. 12-R-1659	61. 12-R-1684	94. 12-R-1717
28. 12-R-1660	62. 12-R-1685	95. 12-R-1718
29. 12-R-1661	63. 12-R-1686	96. 12-R-1719
30. 12-R-1662	64. 12-R-1687	
31. 12-R-1664	65. 12-R-1688	
32. 12-R-1665	66. 12-R-1689	
33. 12-R-1666	67. 12-R-1690	
34. 12-R-1667	68. 12-R-1691	