

**SECTION 1.** That Section 585.01 of the Columbus City Codes is hereby amended to read as follows:

#### 585.01 Definitions

When used in Chapters 585 through 594 of the Columbus City Code:

(a) "Board" shall mean the Vehicle for Hire Board as created by Section 585.03 of the Columbus City Code.

(b) "Director" shall mean the Director of Public Safety, or the Director's designee.

(c) "License" shall mean an official document issued by the Department of Public Safety authorizing operation of a licensed taxicab, livery, pedicab, horse drawn carriage, ~~peer-to-peer~~ transportation network company, ~~peer-to-peer transportation network drivers~~ or any other vehicle for hire on the streets of the city.

(d) "License Section" shall mean the Department of Public Safety, Division of Support Services, License Section and is further defined in Sections 501.02 and 501.03 of the Columbus City Code.

(e) "Suspend" shall mean to temporarily deprive a licensee of rights or privileges under a license for a period not to exceed ninety (90) days.

(f) "Revoke" shall mean to terminate all rights or privileges under a license for a period not to exceed ninety (90) days after which the individual must reapply for a license.

(g) "Permanently revoke" shall mean to terminate all rights and privileges under a license for a period of ninety (90) days or greater and to render the holder of a license ineligible to reapply for said license.

(h) "Vehicle for hire" shall mean any passenger vehicle engaged in the transportation of person(s) with the intent to receive direct or indirect compensation that is determined by mutual agreement, by contract, by mileage, or by the length of time the vehicle is used for providing such transportation. A vehicle for hire shall not include a vehicle providing transportation network company services.

(i) "Vehicle for hire owner" shall mean every corporation, limited liability corporation, association, joint stock association, person, firm or partnership, their lessees, directors, receivers, trustees, appointees by any court whatsoever, or the heirs, executors, administrators, or personal representatives or assignees of any deceased owner, owning, controlling, or managing any vehicle for hire. However, a vehicle for hire driver, driving a vehicle for hire pursuant to a contract of employment or a lease arrangement with the holder of a license for such vehicle, shall not be deemed a "vehicle for hire owner". A transportation network company driver shall not be deemed a vehicle for hire owner.

(j) "Vehicle for hire driver" shall mean the individual driving, operating or in physical control of the vehicle for hire.

(k) "Taxicab" shall mean all public passenger motor vehicles carrying passengers for hire, gift, donation or other consideration either direct or indirect on the streets of the city, where the route traveled and trip destination are controlled by the passenger and at a charge or fare based upon time and mileage as recorded and indicated on a taximeter. The term "taxicab" includes all motor vehicles that are used as taxicabs, cabs or for-hire cars, and engaged as such in the transport of passengers for hire, gift, donation or other consideration, either direct or indirect, and shall exclude ~~peer-to-peer~~ transportation network company vehicles.

(l) "Taxicab owner" shall mean every corporation, limited liability company, association, joint stock association, person, firm or partnership, their lessees, directors, receivers, trustees, appointees by any court whatsoever, or the heirs, executors, administrators, or personal representatives or assignees of any deceased owner, owning, controlling, operating or managing any taxicab. A taxicab driver, driving a taxicab pursuant to a contract of employment or a lease arrangement with the holder of a license for such taxicab, shall not be deemed a "taxicab owner".

(m) "Taxicab driver" shall mean the individual driving, operating or in physical control of a taxicab.

(n) "Taximeter" shall mean an instrument or device attached to a taxicab which measures mechanically or electronically the distance driven and the waiting time upon which the fare is based.

(o) "Waiting time" shall mean any time a taxicab is engaged or hired by a passenger but not in motion.

(p) "Livery vehicle" shall mean:

- (1) A limousine or an at least four (4) door passenger vehicle not equipped with a taximeter and for hire only by prearrangement, provided that such livery vehicles do not drive in search of patronage or park on any public street, or place of assemblage to solicit patronage not prearranged;
- (2) Rental vehicles for use in the performance of the business of a limousine company; and
- (3) Any other vehicle for hire not equipped with a taximeter and for hire only by prearrangement. This is intended to cover omnibuses and other vehicles not otherwise covered by the Columbus City Code.

(q) "Prearranged" when used in connection with a livery vehicle shall mean an agreement to provide transportation by registration through phone dispatch or an online application in advance of boarding from a specific location at an agreed upon rate. "Prearranged" when used in connection with a ~~peer to peer~~ transportation network company (TNC) vehicle shall mean a ride solicited and accepted via a licensed peer to peer transportation network company's online application in advance of boarding from a specific location. the provision of transportation by a TNC driver to a TNC rider, beginning when a driver accepts a ride requested through a digital network controlled by a TNC, continuing while the driver transports a requesting rider, and ending when the last requesting rider departs from the TNC driver's personal vehicle. A prearranged ride does not include transportation provided using a Taxicab.

(r) "Omnibus" shall mean a motor vehicle designed to carry sixteen (16) or more passengers.

(s) "Scheduled limousine" or "shuttle vehicles" shall mean an omnibus or similar vehicle operated over an established route and on a regular schedule, regardless of whether passengers are present for pickup or not. This type of service will generally be provided pursuant to a contract for a prearranged service. The rate charged shall be a flat fee charged equally to all locations on the route regardless of time or distance traveled. Scheduled limousines shall not be sedans or station wagons. These vehicles will comply with the licensing requirements established in Chapter 593 for liveries.

(t) "Livery chauffeur" shall mean the individual driving, operating or in physical control of a livery vehicle.

(u) "Pedicab" shall mean a bicycle upon which a person may ride, propelled by human power through a belt, chain or gears, or powered by electronic assist, and constructed in such a manner as to engage in the business of carrying passengers for hire, gift, donation or other consideration either direct or indirect on the streets of the city, where route traveled and trip destination are controlled by the passenger.

(v) "Bicycle" shall have the same meaning as defined in Section 2101.04 of the Columbus City Code.

(w) "Pedicab driver" shall mean the individual driving, operating or in physical control of a pedicab.

(x) "Horse carriage" shall mean a horse drawn vehicle or carriage operating in such a manner as to engage in the business of carrying passengers for hire, gift, donation or other consideration either direct or indirect on the streets of the city, where route traveled and trip destination are controlled by the passenger.

(y) "Wheelchair specialty vehicle" shall mean a motor vehicle that is specifically designed, constructed, or modified and equipped and is intended to be used for the transportation of persons who require use of a wheelchair.

(z) "Contract vehicle" shall mean a vehicle providing for hire transportation by a written contract agreement with an entity, not the passenger, and when the contract entity compensates the for-hire service and no compensation is accepted from the passenger. A contract vehicle shall not engage in cruising or operating on demand service or accept other passengers not covered by the contract.

(aa) "Church bus" shall mean a vehicle owned by a church and used exclusively for church activities and licensed and registered by the state of Ohio as defined in Section 4503.07 of the Ohio Revised Code.

(bb) "Funeral vehicle" shall mean vehicles owned by a funeral director and used exclusively for funeral services or vehicles for hire while being used for funeral services. This does not prohibit a vehicle from being used as a livery vehicle and a funeral vehicle, such vehicle when used as a livery vehicle must be licensed in accordance with Chapters 585 through 594 of the Columbus City Code.

(cc) "Motor bus" shall mean a vehicle owned by a registered common carrier and registered with the Public Utilities Commission of the State of Ohio (PUCO), and operated for the purpose of intrastate or interstate commerce on regulated routes or schedules.

(dd) "Hotel and/or motel courtesy vehicles" shall mean a limousine, specialized passenger vehicle, omnibus or similar vehicle operated by a hotel or motel as a courtesy for its patrons or its employees at no cost to its patrons or employees. These vehicles will comply with the licensing requirements established by Chapter 593 for liveries if at any time they carry the general public in violation of this definition.

(ee) "Day care facility and automobile dealer shuttle/bus" shall mean a vehicle operated by a daycare facility or automobile dealer to transport its customers and patrons at no cost to said customers and patrons.

(ff) "Hourly rate" shall be a charge for the actual time consumed in the transportation of passengers together with any waiting time consumed at the direction of the passenger.

(gg) "Special trip" shall mean a trip to and from points of interest for which a rate, approved by the Vehicle for Hire Board, is filed with the Director of Public Safety.

(hh) "Complainant" shall mean a person that has filed a verbal or written complaint against a vehicle for hire owner or driver.

(ii) "Ridesharing agreement" shall mean the transportation of persons in a motor vehicle where the transportation is incidental to another purpose of a volunteer driver and includes ridesharing arrangements known as carpools, vanpools, and buspools.

(jj) "Online application" shall mean a web-based application, software, website or system that is used to connect drivers and passengers through prearrangement for the purpose of arranging transportation for passengers for hire, gift, donation, or other consideration, either directly or indirectly.

(kk) "Digital network" means any online-enabled application, software, website or system offered or utilized by a transportation network company that enables the prearrangement of rides with transportation network company drivers. ~~"Peer-to-peer transportation network" shall mean an online application used to connect passengers through prearrangement to a peer-to-peer transportation network driver who uses the driver's personal vehicle for the purpose of transporting passengers for hire, gift, donation, or other consideration, either directly or indirectly.~~

(ll) "Transportation network company" or "TNC" shall mean a corporation, partnership, sole proprietorship, or other entity that is licensed pursuant to Chapter 588 and operating in Columbus, Ohio that uses a digital network or software application service to connect passengers to transportation network company services provided by transportation network company drivers. ~~"Peer-to-peer transportation network company" or "peer-to-peer company" shall mean every corporation, limited-liability corporation, association, joint stock association, person, firm, or partnership operating a peer-to-peer transportation network to connect passengers to drivers using the driver's personal vehicle through prearrangement for the purpose of arranging transportation for passengers for hire, gift, donation, or other consideration, either directly or indirectly. A transportation network company shall not be deemed to control, direct or manage the personal vehicles or transportation network company drivers that connect to its digital network, except where agreed to by written contract. A transportation network company is not a taxicab or vehicle for-hire owner.~~

(mm) ~~"Personal Vehicle" shall mean a vehicle that is used by a transportation network company driver and is:~~

(1) Owned, leased, or otherwise authorized for use by the transportation network company driver; and

(2) Not a taxicab or limousine.

~~"Peer-to-peer transportation network driver" or "peer-to-peer driver" shall mean the individual driving, operating, or in physical control of a peer-to-peer transportation network vehicle.~~

(nn) "Transportation network company driver" or "TNC driver" shall mean an individual who operates a motor vehicle who:

(1) 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; and

(2) Operates a motor vehicle that is:

(i) Owned, leased or otherwise authorized for use by the individual;

(ii) Not a taxicab or vehicle for-hire; and

(iii) Used to provide Transportation Network Company Services.

~~“Peer to peer transportation network vehicle” or “peer to peer vehicle” shall mean a personal vehicle used by a peer to peer transportation network driver engaged in the transportation of person(s) with the intent to receive indirect compensation from a licensed peer to peer transportation network company that is prearranged and determined by a combination of a mileage, rate of speed, or length of time the vehicle is used for providing such transportation.~~

(oo) “Transportation network company rider” means an individual or persons who use a transportation network company’s digital network to connect with a transportation network company driver who provides prearranged rides to the rider in the driver’s personal vehicle between points chosen by the rider.

(pp) “Transportation Network Company (TNC) Services” shall mean transportation of a passenger between points chosen by the passenger and prearranged with a TNC Driver through the use of a TNC digital network or software application. TNC Services shall begin when a TNC Driver accepts a request for transportation received through the TNC’s digital network or software application service, continue while the TNC Driver transports the passenger in the TNC Driver’s vehicle, and end when the passenger exits the TNC Driver’s vehicle. TNC Service is not taxicab, for-hire vehicle or street hail service.

(qq) “Compensation” shall mean any form of payment received in exchange for providing a service.

(rr) “Direct Compensation” shall mean any monetary compensation received in exchange for providing a service.

(ss) “Indirect Compensation” shall mean any non-monetary compensation received in exchange for providing a service.

**SECTION 2.** That Section 585.03 of the Columbus City Codes is hereby amended to read as follows:

585.3 Vehicle for Hire Board created

- (a) There is created a Vehicle for Hire Board consisting of seventeen (17) members as follows:
- (1) The Director of Public Safety or a representative;
  - (2) The City Auditor or a representative;
  - (3) The chairperson of the public safety committee of the City Council or a representative;
  - (4) The owner of one (1) or more but less than twenty-five (25) licensed taxicab(s) who has been selected by a majority vote of owners of one (1) or more but less than twenty-five (25) taxicab(s) licensed by the city as provided in Section 585.05;
  - (5) The owner of twenty-five (25) or more licensed taxicabs who has been selected by a majority vote of the owners of twenty-five (25) or more taxicabs licensed by the city as provided in Section 585.05;
  - (6) A licensed taxicab driver selected as provided in Section 585.04 ;
  - (7) The owner of five (5) or more licensed liveries who has been selected by a majority vote of the owners of five (5) or more livery vehicles licensed by the city as provided in Section 585.05;
  - (8) A licensed livery driver selected as provided in Section 585.04;
  - (9) The owner of one (1) or more licensed pedicab(s);
  - (10) A representative of a licensed ~~peer to peer network~~ transportation network company who has been selected by a majority vote of the ~~peer to peer~~ transportation network companies as provided in Section 585.051;

- (11) A licensed ~~peer-to-peer~~ transportation network company driver selected as provided in Section 585.04; and
- (12) Six (6) members appointed by the Mayor with the concurrence of City Council.
- (b) The appointed membership shall consist of:
  - (1) A member of the Chamber of Commerce or a representative;
  - (2) A member of the Columbus Regional Airport Authority or a representative;
  - (3) A member of Experience Columbus or a representative;
  - (4) A member of the Greater Columbus Lodging Council; and
  - (5) Two (2) private citizens.
- (c) If a tie occurs in the vote for any category for a member, the Mayor shall select the board member from those tied for the seat.
- (d) The purpose of the Board shall be to serve as an advisory board and adopt rules and regulations governing the provisions of Chapters 585 through 594.
- (e) No person may be appointed to the Board if the appointee has any financial interest in the vehicle for hire industry. This shall not limit those representative members elected to the Board.

**SECTION 3.** That Section 585.04 of the Columbus City Codes is hereby amended to read as follows:

585.4 Licensed taxicab, livery, and ~~peer-to-peer~~ transportation network ~~company~~ driver member

The Director shall conduct an annual election among the licensed taxicab, livery, and ~~peer-to-peer~~ transportation network company drivers for a representative from each of the classes of drivers as given in Section 585.03. Nominations will be by petition bearing the name of the licensed driver and the signatures of not less than five percent (5%) of the drivers in each class, determined as of December 1.

Each licensed driver will be allowed one (1) vote, to be cast in person, to be counted only in the class of driver to which the driver is determined, according to such rules and procedures as the Director shall establish. The election shall be conducted in December and each of the candidates shall be notified of the results on or before the first Monday in January. The drivers shall each be selected by a majority of the votes cast in each class. If no petitions are received bearing the valid signatures of at least five percent (5%) of the drivers in each class of drivers, the Board shall, subject to the appointment by the Mayor, select the driver member from among the licensed drivers in the appropriate class.

**SECTION 4.** That Section 585.051 of the Columbus City Codes is hereby enacted to read as follows:

585.051 Licensed ~~peer-to-peer~~ transportation network company member

The Director shall conduct an annual election among the licensed ~~peer-to-peer~~ transportation network companies for a representative as given in Section 585.03. Nominations will be by petition bearing the name of the licensed ~~peer-to-peer~~ transportation network company and the signatures of not less than five percent (5%) of the companies, determined as of December 1.

Each licensed ~~peer-to-peer~~ transportation network company will be allowed one (1) vote, to be cast in person, according to such rules and procedures as the Director shall establish. The election shall be conducted in December and each of the candidates shall be notified of the results on or before the first Monday in January. The company shall be selected by a majority vote. If no petitions are received bearing the valid signatures of at least five percent (5%) of the companies, the Board shall, subject to the appointment by the Mayor, select the ~~peer-to-peer~~ transportation network company member from among the licensed ~~peer-to-peer~~ transportation network companies.

**SECTION 5.** That Section 585.07 of the Columbus City Codes is hereby amended to read as follows:

585.07 Powers of the Board

The Board shall have the power and authority to:

(a) Adopt rules and regulations governing the inspection of all vehicles for hire and their appurtenances; or any other matter under its supervision and control, as are reasonable, necessary and consistent with Chapters 585 through 594. A copy of all such rules and regulations shall be distributed to licensed vehicle for hire drivers and owners and licensed transportation network company ~~peer-to-peer~~ drivers and companies at the time of issuance or renewal of licenses.

**SECTION 6.** That Section 585.13 of the Columbus City Codes is hereby amended to read as follows:

585.13 Board vacancies

(a) The Board shall declare a vacancy in board membership if any member:

- (1) Resigns, dies, or becomes incapacitated;
- (2) Has been convicted of a violation of any provision of Chapters 587 through 594;
- (3) Has been found to be in violation of any provision of Chapters 587 through 594;
- (4) Fails to attend three (3) successive monthly meetings of the Board;
- (5) Fails to attend four (4) monthly meetings of the Board during the term of office; or
- (6) At the discretion of the Director.

(b) If a vacancy of owner members is declared, the Director shall notify the appropriate class of owners within fifteen (15) days. The appropriate class of owners shall have thirty (30) days after receipt of such notice to select a new board member and notify the Director of the owner's selection pursuant to Sections 585.05 and 585.06. However, if the vacancy occurs between September 1 and December 31, the owner member vacancy shall be filled by the Board. The newly elected or appointed member shall serve the remaining unexpired term.

(c) If a vacancy of a driver member is declared, the Director shall notify the drivers within fifteen (15) days. The drivers shall have thirty (30) days after receipt of such notice to select a new board member and notify the Director pursuant to Section 585.04. However, if the vacancy occurs between September 1 and December 31, the driver member vacancy shall be filled by the Board. The newly elected or appointed member shall serve the remaining unexpired term.

(d) If a vacancy of a transportation network ~~peer-to-peer~~ company member is declared, the Director shall notify the companies within fifteen (15) days. The companies shall have thirty (30) days after receipt of such notice to select a new board member and notify the Director pursuant to Section 585.051. However, if the vacancy occurs between September 1 and December 31, the company member vacancy shall be filled by the Board. The newly elected or appointed member shall serve the remaining unexpired term.

(e) If a vacancy of a member appointed by the Mayor is declared, the Director shall notify the Mayor within fifteen (15) days. The Mayor shall appoint a new board member pursuant to Section 585.03, and shall submit the name of the new member to the Director pursuant to Section 585.06 within thirty (30) days of the receipt of the notice. The newly elected or appointed member shall serve the remaining unexpired term.

**SECTION 7.** That the title of Chapter 588 of the Columbus City Codes is hereby amended to read as follows:

Chapter 588- ~~Peer-to-Peer~~ Transportation Network Company License

**SECTION 8.** That Section 588.02 of the Columbus City Codes is hereby amended to read as follows:

588.2 Licensing Requirements of a ~~Peer-to-Peer~~ Transportation Network Company

(a) No corporation, limited liability corporation, association, joint stock association, person, firm, or partnership that uses an electronic application to connect passengers to drivers in the driver's personal vehicle through prearrangement, may operate for the purpose of arranging transportation for passengers for hire, gift, donation, or other consideration without obtaining a City of Columbus ~~Peer-to-Peer~~ Transportation Network Company License pursuant to this Chapter prior to operation and such license is not under suspension or revocation; and

(b) No corporation, limited liability corporation, association, joint stock association, person, firm, or partnership licensed as a ~~Peer-to-Peer~~ Transportation Network Company (TNC) shall ~~provide permit a driver to use access to the TNC's company's peer-to-peer transportation digital network unless the driver has met the requirements set forth in section 590.02 until the driver has been issued a Peer-to-Peer Transportation Network Driver's License pursuant to Chapter 590 and the peer-to-peer company has been notified that such license is not under suspension or revocation.~~

**SECTION 9.** That Section 588.03 of the Columbus City Codes is hereby amended to read as follows:

588.3 Exemptions from a ~~Peer-to-Peer~~ Transportation Network Company License Requirement

This Chapter shall not apply to the following:

(a) Vehicles and operations as provided in Section 585.02, taxicabs, livery vehicles, pedicabs, horse carriages, or to private vehicles used for the convenience of the owner or operator and not for compensation or as a portion of other services rendered or to be rendered for compensation;

(b) Any taxicab, livery, pedicab and/or horse carriage that has obtained a Vehicle for Hire Owner's License pursuant to Chapter 587, which is using an online application for the purpose of arranging transportation for passengers for hire, gift, donation, or other consideration; or

(c) A ~~peer-to-peer company TNC service that has arranged transportation~~ for a passenger that has been brought from outside Columbus' corporate limits and does not pick up any passengers within Columbus' corporate limits.

**SECTION 10.** That Section 588.04 of the Columbus City Codes is hereby amended to read as follows:

588.4 Application Information

(a) Applications for a ~~Peer-to-Peer~~ Transportation Network Company License shall be made to the Director upon forms provided by the License Section and shall set forth at a minimum:

(1) The business name, address, and phone number of the applicant;

(2) The name, address, and phone number of the designated local company representative;

(3) The certificate demonstrating the company is authorized to transact business in the state of Ohio;

(4) The identity of the designated agent as required by Section 1703.03 of the Ohio Revised Code;

~~(5) A Letter of Good Standing from the City of Columbus Income Tax Division; and~~

~~(6)-(5) If applicable, a photograph of the distinctive trade dress used on all vehicles.~~

(b) The Director has the authority to require additional information to be submitted with the application.

(c) The Director has the authority to deny a license based upon a company's misconduct which constitutes a departure from the generally accepted practices of ~~peer-to-peer companies~~ TNC's which demonstrates personal, corporate, managerial, ethical, or professional characteristics or disposition of such a nature as to render a company unsuitable to hold a ~~Peer-to-Peer Transportation Network Company License~~ TNC.

**SECTION 11.** That Section 588.05 of the Columbus City Codes is hereby amended to read as follows:

588.5 License Fee

An annual license fee of fifteen thousand dollars (\$15,000.00) shall be paid by a ~~peer-to-peer company~~ TNC at the time of application. Any applicant who is denied a license shall have this fee returned. Additional administrative fees may be assessed by the Director pursuant to the Director's authority to promulgate rules and regulations under Chapter 501.

**SECTION 12.** That Section 588.06 of the Columbus City Codes is hereby amended to read as follows:

#### 588.6 Issuance of License

- (a) The Director shall issue a license to eligible applicants upon completion of the following:
- (1) A completed application as required by Section 588.04;
  - (2) Payment of the license fee pursuant to Section 588.05; and
  - (3) Evidence of insurance coverage as required in Sections 588.15 and 588.16.
- (b) The Director has the authority to request additional information to clarify the applicant's application when necessary.

**SECTION 13.** That Section 588.07 of the Columbus City Codes is hereby amended to read as follows:

#### 588.7 Expiration

All ~~Peer-to-Peer Transportation Network Company~~ TNC Licenses shall expire annually on June 30. At any time prior to the expiration of the ~~Peer-to-Peer Transportation Network Company~~ TNC License, the ~~peer-to-peer company may~~ TNC voluntarily surrender the license to the License Section.

**SECTION 14.** That Section 588.08 of the Columbus City Codes is hereby amended to read as follows:

#### 588.8 Renewal

All ~~peer-to-peer companies~~ TNC licensed in accordance with the terms of Chapter 588 shall have their licenses renewed for each succeeding year if applicable fee requirements and other requirements of the Columbus City Codes are met. A renewal may be denied if a ~~peer-to-peer company's~~ TNC's current license is suspended or revoked pursuant to the provisions of Section 588.11.

**SECTION 15.** That Section 588.09 of the Columbus City Codes is hereby amended to read as follows:

#### 588.9 Transfer of ~~Peer-to-Peer~~ Transportation Network Company License

No ~~Peer-to-Peer Transportation Network Company~~ TNC License issued to a ~~peer-to-peer company~~ TNC shall be transferred from one (1) ~~owner~~ TNC to another. If at any time the license holder chooses to no longer operate as a ~~peer-to-peer company~~ TNC or upon sale of the company from one entity to another, the ~~Peer-to-Peer Transportation Network Company~~ TNC License shall revert back to the City of Columbus.

**SECTION 16.** That Section 588.10 of the Columbus City Codes is hereby amended to read as follows:

#### 588.10 Records

- (a) The ~~peer-to-peer company~~ TNC shall maintain a record of all ~~peer-to-peer~~ TNC driver vehicles to include the licensed ~~peer-to-peer~~ TNC driver's, license plate number, make, model, year and color. ~~The peer-to-peer company shall also maintain a record of the number of hours that each peer-to-peer driver is in driver mode and available to accept rides.~~
- (b) The ~~peer-to-peer company~~ TNC shall maintain an electronic record of each trip. The trip record shall include the identity of the ~~peer-to-peer~~ TNC driver's vehicle, name of the ~~peer-to-peer~~ TNC driver, date of trip, and the total fare or donation paid, if any.
- (c) All such records shall be maintained and not destroyed for a period of six (6) months. If a passenger files a complaint or alleges a violation against a ~~peer-to-peer company~~ TNC and/or ~~peer-to-peer~~ TNC



driver with the Director, the Director shall have the authority to ~~may submit a request to the TNC to inspect the peer-to-peer company-TNC's records and peer-to-peer driver vehicle~~ as necessary, and in accordance with federal, state, and local laws, to investigate and resolve the complaint.

(d) For the sole purpose of verifying that a TNC is in compliance with the requirements of this Chapter and no more than annually, the City shall have the right to visually inspect a sample of records that the TNC is required to maintain. The sample shall be chosen randomly by the City in a manner agreeable to both parties. The audit shall take place at a mutually agreed upon location in the City of Columbus. Any record furnished to the City may exclude information that would tend to identify specific drivers or riders to protect their privacy.

(e) Any records inspected by the City under this Chapter are designated confidential, are not subject to disclosure to a third party by the City, and are exempt from disclosure under Ohio's Public Records Act. Nothing in this Section shall be construed as limiting the applicability of any other exemptions under Ohio's Public Records Act.

**SECTION 17.** That Section 588.11 of the Columbus City Codes is hereby amended to read as follows:

588.11 Grounds for Permanent Revocation, Revocation, and Suspension of ~~Peer-to-Peer~~ Transportation Network Company License

The Director may permanently revoke, revoke, or suspend the license of a ~~peer-to-peer company-TNC~~ for any of the following acts or omissions by the company:

- (a) Obtaining a license by making a false statement in the company's application;
- (b) Knowingly permitting an individual to act as a TNC driver on its digital network who has not met the requirements set forth in section 590.02; prearranging rides through the peer-to-peer transportation network for a driver who is not licensed pursuant to Chapter 590;
- (c) ~~Prearranging rides through the peer-to-peer transportation network for a driver of a vehicle that the peer-to-peer company has an objectively reasonable basis to believe does not meet the requirements of Chapter 590;~~
- (d) (c) Failing to remove a driver from the peer-to-peer transportation network when notified by the License Section that the Peer-to-Peer Transportation Network Driver's License is under suspension, revocation, or permanent revocation;
- (e) (d) Failing to maintain the records required by Section 588.10;
- (f) ~~Failing to provide the records when requested as required by Section 588.10;~~
- (g) (e) Failing to maintain or submit proof of valid insurance coverage as required by Sections 588.15 and 588.16;
- (h) (f) Knowingly allowing a ~~licensed peer-to-peer-TNC~~ driver to accept street hails or solicit potential passengers not arranged through the ~~peer-to-peer transportation-TNC's~~ digital network;
- (i) (g) Failing to appear before the Director when properly notified to do so;
- (j) (h) Engaging in disruptive behavior or misconduct at a meeting of the Board. This includes, but is not limited to, the use of profanity, yelling, screaming, preventing a recognized speaker from speaking, and failing to follow the rulings of the chairperson; or
- (k) (i) Threatening or attempting to intimidate any employee of the City of Columbus for actions taken in the enforcement of the provisions of Chapters 585 through 594 of the Columbus City Codes; ~~or~~
- (l) ~~Engaging in any other form of misconduct, which demonstrates personal, corporate, managerial, ethical, or professional characteristics or disposition rendering a company unsuitable to hold a Peer-to-Peer Transportation Network Company License.~~

**SECTION 18.** That Section 588.12 of the Columbus City Codes is hereby amended to read as follows:

588.12 ~~Peer-to-Peer~~ Transportation Network Company Standards

- (a) When notified by the Director that a ~~peer-to-peer-TNC~~ driver is under investigation ~~and the driver's license has been suspended or revoked~~, the ~~peer-to-peer company-TNC~~ must immediately suspend, upon notice, the ~~peer-to-peer-TNC~~ driver's access to the ~~peer-to-peer transportation-TNC's~~ digital network pending the completion of the investigation.
- (b) ~~Peer-to-peer companies are not permitted to own or lease vehicles used to transport passengers.~~

(c) ~~(b) Peer to peer companies~~ TNC's are required to contract with a credit card processing company that meets the Payment Card Industry Data Security Standards.

(d) ~~Peer to peer companies are required to provide the Director a rider account and view standard rider facing information (i.e., GPS map, vehicles available to rider, estimated time to arrival, etc.).~~

#### 588.13 Online Application Requirements

(a) The online application or digital network used by a ~~peer to peer company~~ TNC to connect drivers and passengers must display for the passenger the following:

- (1) The first name, picture, and city issued license number of the licensed ~~peer-to-peer~~ TNC driver; and
  - (2) A picture and/or the make, model, and license plate number of the vehicle the ~~peer-to-peer~~ TNC driver is approved to use to identify the vehicle.
- (b) ~~The peer-to-peer company's online application~~ TNC's digital network must provide the following:
- (1) The ability for a passenger to contact an available ~~peer-to-peer~~ TNC driver to determine if their vehicle can accommodate an individual with disabilities;
  - (2) Notification of any pricing above and beyond the standard fare rate;
  - (3) An electronic notification or email displaying all fees charged to the passenger's credit card; and
  - (4) A platform allowing drivers and passengers to "rate" each other. ~~The peer-to-peer company shall take reasonable measures to ensure that such ratings are not based on unlawful discrimination, and that drivers do not discriminate against passengers or potential passengers on the basis of race, color, national origin, religion, sex, disability, age, sexual orientation/identity or familial status.~~ Drivers may not discriminate against passengers or potential passengers based on the geographic starting point or endpoint of the ride. TNC Drivers shall comply with all applicable laws regarding non-discrimination against passengers or potential passengers on the basis of race, color, national origin, religious belief or affiliation, sex, disability, age, sexual orientation, or gender identity.
- (c) ~~Peer-to-peer companies~~ TNC's shall clearly display on their ~~online application~~ digital network and/or website the following:
- (1) The fare rate schedule to include the base fare, per minute fare, per mile fare, minimum fare, cancellation fee and any other fees that a passenger may be charged;
  - (2) The ~~peer-to-peer company~~ TNC is required to maintain a commercial liability insurance policy that meets the requirements in 588.15(a) for incidents involving ~~peer-to-peer~~ TNC driver's vehicles and ~~peer-to-peer~~ TNC drivers while they are engaged in a trip;
  - (3) A phone number and/or email address for the ~~peer-to-peer company~~ TNC for customer complaints; and
  - (4) A phone number and email address for the City of Columbus License Section for customer complaints.
- (d) ~~Peer-to-peer companies~~ TNC's shall clearly disclose on their online application and website, that ~~peer-to-peer companies~~ TNC's facilitate rides between passengers and private drivers using the drivers' own personal vehicles.
- (e) No Term and Condition in a ~~peer-to-peer company's~~ TNC's Terms of Service may be used or relied upon by the ~~peer-to-peer company~~ TNC to evade any insurance requirements or liability from any injuries, damages, or other loss arising from the actions or inactions of the ~~peer-to-peer company~~ TNC and/or the ~~company's~~ TNC's drivers.

**SECTION 19.** That Section 588.14 of the Columbus City Codes is hereby amended to read as follows:

588.14 ~~Peer-to-Peer~~ Transportation Network Company Driver Vehicle Standards

(a) All ~~peer-to-peer~~ TNC drivers' vehicles shall be reasonably clean and in safe condition so as not to cause personal injury to, or damage the clothing or possessions of the passenger(s). ~~Peer-to-peer~~ TNC drivers may only use passenger vehicles that have not been significantly modified from factory specifications (i.e., no "stretch" vehicles). Every ~~peer-to-peer~~ TNC driver's vehicle shall meet the following standards:

- (1) Have a minimum of three (3) doors;
- (2) A working light within the passenger compartment;
- (3) Manufacturer installed safety belts, which may be used at the option of the passenger, numbering no fewer than the maximum occupancy of the ~~peer-to-peer~~ TNC driver's vehicle;
- (4) Must not require the movement of a seat or any portion of a seat to gain access to another seat, with the exception of a wheelchair specialty vehicle; and
- (5) At the time of inspection, not older than ten (10) vehicle years as determined by the Vehicle Identification Number.

(b) ~~Peer to peer-TNC~~ companies shall be held ~~criminally-civilly~~ liable for a fine not to exceed \$1,000 if the company provides a ~~peer to peer-TNC~~ driver access to the ~~peer to peer transportation-TNC's digital network~~ using a vehicle that the company knew ~~or reasonably should have known~~ was unsafe.

**SECTION 20.** That Section 588.15 of the Columbus City Codes is hereby amended to read as follows:

#### 588.15 Insurance Requirements

Each peer-to-peer company shall at all times maintain the following insurance coverage which meets all of the following requirements:

(a) A commercial liability insurance policy shall provide the following minimum coverage for each associated driver of the peer-to-peer-company and vehicle from the moment the driver accepts a trip request until the completion of the trip. For the purposes of this requirement, completion of the trip shall mean all passengers have exited the vehicle, paid for the trip, are standing on the sidewalk or on private property, and the driver and passengers have reasonable knowledge to believe that all personal belongings have been removed:

(1) Not less than one million dollars (\$1,000,000) of liability coverage per incident for bodily injury and property damage for an accident involving a driver of a peer-to-peer company;

(2) Not less than one million dollars (\$1,000,000) of underinsured and uninsured coverage per incident for bodily injury and property damage;

(3) ~~If the peer to peer driver maintains collision coverage on his/her personal motor vehicle insurance policy, the peer to peer company shall maintain at least the same level of collision coverage that the driver maintains not to exceed fifty thousand dollars (\$50,000) per incident; and~~

(4) (3) The commercial liability insurance policy shall act as primary and drop down and respond to a claim when the driver's personal motor vehicle insurance policy fails to cover any portion of the claim for any reason.

(b) A contingent liability insurance peer policy that shall provide the following minimum coverage for each associated driver of the peer-to-peer-company and vehicle while available for hire. For purposes of this requirement, a driver and vehicle is available for hire when the driver is logged onto the online application but has not accepted a trip request:

(1) Liability coverage of not less than fifty thousand dollars (\$50,000) per person and not less than one hundred thousand dollars (\$100,000) per incident for bodily injury; and not less than twenty-five thousand dollars (\$25,000) for property damage; and

(2) The contingent liability insurance policy shall respond to a claim when the driver's personal motor vehicle insurance policy fails to cover any portion of the claim for any reason.

(c) Each policy required by this Section must be current and valid;

(d) Each policy required by this Section must be issued by an insurance company that is admitted to do business in the state of Ohio or by an eligible surplus lines company or risk retention group, and has a credit rating of no less than "A-" from A.M. Best or "A" from Demotech; and

(e) Each policy required by this Section shall provide notice of cancellation of insurance to the Director at least ten (10) days prior to the day of cancellation.

**SECTION 21.** That Section 588.16 of the Columbus City Codes is hereby amended to read as follows:

#### 588.16 Evidence of Insurance Coverage

Evidence of insurance coverage as required under Section 588.15 shall be furnished by filing with the Director a policy or policies of insurance that satisfies the requirements contained in Section 588.15 issued by an insurance company that meets the requirements of Section 588.15(d). A ~~peer to peer company-TNC~~ is permitted to redact any information that discloses the costs it incurred purchasing said policy or policies prior to submittal to the Director. Upon the City's receipt of a public records request seeking a copy of a ~~peer to peer company's-TNC's~~ insurance policy or policies, the City will notify the

~~peer to peer company-TNC~~ of the request within two (2) business days of receipt to enable the ~~peer to peer company-TNC~~ to file a motion for a protective order with a court of competent jurisdiction in Franklin County, Ohio to prevent the release of the insurance policy or policies. However, the City has the absolute right without exception to share any insurance policy or policies with any consultant or other agent for the City with which the Director may engage for the purpose of confirming compliance with the insurance requirements set forth in Section 588.15 without prior notification to the ~~peer to peer company-TNC~~.

**SECTION 22.** That Section 588.17 of the Columbus City Codes is hereby amended to read as follows:

#### 588.17 Insurance Cancellation

(a) The insurance policy or policies as provided in Section 588.15 must provide written notice to the cancellation by the insurer to the Director but this provision shall not be construed to waive any lawful notice which the insurer must give to the insured.

(b) The insurance company and ~~peer to peer company-TNC~~ shall provide notice of cancellation of insurance to the Director at least ~~ten (10)~~ thirty (30) days prior to the day of cancellation and, at the time of cancellation, voluntarily surrender the ~~Peer to Peer Transportation Network Company-TNC~~ License for which the cancellation is effective. If the license is voluntarily surrendered, the Director may, upon the filing of proof of insurance required by Section 588.16, and its approval by the City Attorney, reinstate such license.

(c) If a ~~peer to peer company-TNC~~ fails to comply with the requirements of Section 588.17(b) prior to the Director receiving notice from the insurer of such cancellation, the Director may suspend the license of any ~~peer to peer company-TNC~~ covered by said policy. If proof of insurance is given prior to the effective date of the suspension, the suspension can be waived by the Director.

(d) Upon the effective date of the suspension, the ~~peer to peer company-TNC~~ must surrender the license and cease operations in the City of Columbus immediately. The Director may reinstate such license upon the filing of proof of insurance required by Section 588.15, its approval by the City Attorney, and the payment of any fees required by reinstatement.

**SECTION 23.** That Section 588.19 of the Columbus City Codes is hereby repealed in its entirety.

#### 588.19 Claims and Judgments

~~(a) All peer to peer companies licensed pursuant to this Chapter shall furnish to the Director at the time of license renewal each year a full and complete statement of claims filed and judgments rendered against such companies arising out of their business operations that are the subject of the license issued by this Chapter. The statement shall be in the form prescribed by the Director.~~

~~(b) All peer to peer companies licensed pursuant to this Chapter shall notify the Director within ten (10) days after a claim is made against any policy.~~

**SECTION 24.** That Section 588.20 of the Columbus City Codes is hereby amended to read as follows:

#### 588.20 Nonpayment of Judgment

In the event of recovery of any final judgment and termination of final appeal proceedings, if any, against the ~~peer to peer company-TNC~~, for damages on account of bodily injuries or death or for damage to property (other than injuries, death or property damage of the ~~peer to peer-TNC~~ vehicle or driver) resulting from such ownership, maintenance or use of such ~~peer to peer-TNC~~ vehicle in the City, and nonpayment of the judgment for a period of thirty (30) days thereafter, the Director shall revoke the license of the ~~peer to peer company-TNC~~.

**SECTION 25.** That Section 588.99 of the Columbus City Codes is hereby amended to read as follows:

588.99 Penalties

- (a) Whoever violates Sections 588.02, 588.09, 588.10, 588.12, 588.13, 588.14(b), 588.15, 588.17(d), and 588.19(b) of this Chapter shall be subject to a civil fine not to exceed \$1,000. ~~guilty of a misdemeanor of the first degree.~~ Any such violation shall constitute a separate offense on each successive day continued.
- (b) A violation of any section of Chapter 588 shall be grounds for the suspension, revocation, or permanent revocation of the ~~Peer-to-Peer Transportation Network Company~~ TNC License, or in the case of a new application shall be grounds to refuse to issue such license for a determinate period of time up to ninety (90) days or permanently.
- (c) Any violation of any rule and regulation promulgated by the Board pursuant to this Chapter shall be grounds for suspension, revocation, or permanent revocation of the ~~Peer-to-Peer Transportation Network Company~~ TNC License, or in the case of a new application shall be grounds to refuse to issue such license for a determinate period of time up to ninety (90) days or permanently.

**SECTION 26.** That the title of Chapter 590 of the Columbus City Codes is hereby amended to read as follows:

Chapter 590- ~~Peer-to-Peer~~ Transportation Network Company Driver's License Requirements

**SECTION 27.** That Section 590.02 of the Columbus City Codes is hereby amended to read as follows:

590.2 ~~Licensing~~ Requirements of a ~~Peer-to-Peer~~ Transportation Network Company Driver

(a) Before allowing an individual to accept trip requests through a transportation network company's (TNC) digital platform:

- (1) The individual shall submit an application to the TNC, which includes information regarding his or her address, age, driver's license, driving history, motor vehicle registration, automobile liability insurance, and other information required by the TNC;
- (2) The TNC shall conduct, or have a third party conduct, a local and national criminal background check for each applicant that shall include:
  - (A) Multi-State/Multi-Jurisdiction Criminal Records Locator or other similar commercial nationwide database with validation (primary source search); and
  - (B) National Sex Offender Registry database;
- (3) The TNC shall obtain, and review, a driving history research report for such individual.

(b) The TNC shall not permit an individual to act as a TNC Driver on its digital platform who:

- (1) Has had more than three moving violations in the prior three-year period, or one major violation in the prior three-year period (including, but not limited to, attempting to evade the police, reckless driving, or driving on a suspended or revoked license);
- (2) Has been convicted, within the past ten years, of driving under the influence of drugs or alcohol, fraud, sexual offenses, use of a motor vehicle to commit a felony, a crime involving property damage, and/or theft, acts of violence, or acts of terror;
- (3) Is a match in the National Sex Offender Registry database;
- (4) Does not possess a valid driver's license;
- (5) Does not possess proof of registration for the motor vehicle(s) used to provide TNC Services;

- (6) Does not possess proof of automobile liability insurance for the motor vehicle(s) used to provide TNC Services; or
- (7) Is not at least 19 years of age.
- (8) Has not accumulated more than eight points on the applicant's drivers license within the three years preceding the date of application.

~~(a) No person shall solicit, arrange, dispatch, drive, operate, or otherwise be in physical control of any peer-to-peer transportation network vehicle for the purpose of carrying passengers for hire, gift, donation, or other consideration unless:~~

~~(1) The driver of such vehicle has obtained a City of Columbus Peer to Peer Transportation Network Driver's License issued pursuant to this Chapter prior to operation and such license is not under suspension or revocation;~~

~~(2) The Peer to Peer Transportation Network Company that the driver serves has obtained a City of Columbus Peer to Peer Transportation Network Company License issued pursuant to Chapter 588 prior to operation and such license is not under suspension or revocation; and~~

~~(3) The current decal issued by the License Section is clearly and properly displayed on the passenger side of the front and rear windshield of the approved vehicle.~~

~~(b) It shall be unlawful to license a peer-to-peer vehicle as a taxicab or livery vehicle as defined in Section 585.01.~~

**SECTION 28.** That Section 590.03 of the Columbus City Codes is hereby amended to read as follows:

590.3 Exemptions from a ~~Peer to Peer Transportation Network Company~~ Driver's License Requirements

This chapter shall not apply to the following:

(a) Vehicles and operations as provided in Section 585.02, taxicabs, livery vehicles, pedicabs, horse carriages, or to private vehicles used for the convenience of the owner or operator and not for compensation or as a portion of other services rendered or to be rendered for compensation; or

(b) TNC services ~~peer-to-peer company has arranged transportation~~ for a passenger that has been brought from outside Columbus' corporate limits and does not pick up any passengers within Columbus' corporate limits.

**SECTION 29.** That existing Sections 590.04, 590.05, 590.06, 590.07, 590.08, 590.09 and 590.10 of the Columbus City Codes are hereby repealed in their entirety.

590.4 ~~Application Information~~

~~(a) Applications for a Peer to Peer Transportation Network Driver's License shall be made to the Director upon forms provided by the License Section and shall set forth at a minimum:~~

~~(1) The name, address, phone number, and email address of the applicant;~~

~~(2) The make, model, year, color, and license plate of the vehicle that will be utilized as a peer-to-peer vehicle; and~~

~~(3) The seating capacity which shall be determined by the number of manufacturer installed safety belts or permanent fasteners and safety restraints for wheelchair specialty vehicles.~~

~~(b) Along with each application, all applicants shall set forth that the applicant is:-~~

~~(1) A citizen of the United States or a legal resident;~~

~~(2) In possession of a valid Ohio Driver's License and has been a licensed driver for at least six (6) months prior to the application date;~~

~~(3) Twenty one (21) years of age or older; and~~

~~(4) Able to speak, read, and write the English language.~~

~~(c) Along with each application, all applicants are required to submit:~~

- ~~(1) A national, state, and local criminal background check which is based upon fingerprints from the Bureau of Criminal Identification and Investigations pursuant to Section 590.06, at a cost to the applicant;~~
- ~~(2) A driver abstract from the Ohio Bureau of Motor Vehicles pursuant to Section 590.06, at a cost to the applicant;~~
- ~~(3) On forms provided by the License Section, a completed vehicle mechanical inspection pursuant to Section 590.13;~~
- ~~(4) Proof that the applicant is the registered owner, is named on the lease of the vehicle, or that the owner or lessee has granted permission to the applicant to utilize the vehicle as a peer to peer vehicle;~~
- ~~(5) Proof of automobile insurance that complies with the minimum requirements established by the state of Ohio; and~~
- ~~(6) A Letter of Good Standing from the City of Columbus Income Tax Division.~~
- ~~(d) The Director has the authority to request additional information to clarify the applicant's application when necessary.~~
- ~~(e) The Director is authorized to request medical information to ensure that the applicant does not have a physical or mental condition that would prevent the applicant from safely operating a peer to peer vehicle. If, upon review of the application, the Director has good cause to believe an applicant has a physical or mental condition that requires further review before a decision can be made, the Director is authorized to request an examination by a licensed physician. Failure of the applicant to comply with this request shall result in a denial of the license application.~~
- ~~(f) The Director has the authority to deny a license based upon a driver's conduct which constitutes a departure from the generally accepted practices of peer to peer drivers which demonstrate personal characteristics rendering a person unsuitable to operate a peer to peer vehicle.~~

#### 590.5 License Fee

~~Every peer to peer driver shall pay a fee of thirty five dollars (\$35.00) with the submission of the driver's application. Any applicant who is denied a license shall have this fee returned. Additional administrative fees may be assessed by the Director pursuant to the Director's authority to promulgate rules and regulations under Chapter 501.~~

#### 590.6 Issuance of License

- ~~(a) If the Director determines that an applicant satisfies the requirements for operating a peer to peer vehicle, under the provisions of Chapter 585 through 594 and under the rules and regulations adopted by the Board pursuant to Section 585.07, the Director shall have the authority to issue the license upon payment of the proper fee(s) as provided in Section 590.05.~~
- ~~(b) No license shall be issued to any applicant that has been convicted of any of the following offenses within the past seven (7) years:~~
  - ~~(1) Operating, driving, or being in physical control of a vehicle while under the influence of alcohol, a drug of abuse, or the combined influence of alcohol and a drug of abuse;~~
  - ~~(2) Manslaughter or homicide of any degree resulting from the operation of a motor vehicle;~~
  - ~~(3) Any felony in which physical violence is used;~~
  - ~~(4) A felony, misdemeanor, or code violation involving a sex offense, trafficking in controlled substances, or any offense of violence as defined in Section 2301.01 of the Columbus City Code;~~
  - ~~(5) Any person convicted of a weapon violation; or~~
  - ~~(6) Any person convicted of failing to stop after an accident or collision.~~
- ~~(c) No license shall be issued to any applicant that is required to register with the Sheriff's Office in the person's county of residence as a sexual offender or sexual predator pursuant to Section 2950.03 of the Ohio Revised Code.~~
- ~~(d) No license shall be issued to any applicant who has accumulated more than eight (8) points on the applicant's Ohio Driver's License within the three (3) year period preceding the date of application.~~
- ~~(e) The Director shall review the application of the following persons prior to issuing a license and may require additional information and/or a personal appearance by the applicant:~~



- ~~(1) Any person on probation or parole for a felony or aggravated felony at the time of application;~~
- ~~(2) Any person released from a correctional facility within twelve (12) months from the date of application; or~~
- ~~(3) Any person convicted of two (2) or more offenses relating to the illegal use or possession of drugs.~~
- ~~(f) Nothing in this Section shall be construed to limit the discretion of the Director to refuse to issue a license for these or other background related issues that may be outside of the above listed look back period.~~
- ~~(g) The Director shall have the authority to require up to four (4) hours of training or review relevant to the vehicle for hire industry as a prerequisite to the issuance or renewal of a Peer to Peer Transportation Network Driver's License. The applicant or licensee shall be responsible for any cost associated with this training.~~

#### 590.7 Expiration

~~Peer to Peer Transportation Network Driver's Licenses issued pursuant to this Chapter shall expire at midnight on June 30 of each year. At any time prior to the expiration of the Peer to Peer Transportation Network Driver's License, the peer to peer driver may voluntarily surrender the license to the License Section.~~

#### 590.8 Renewal

~~All peer to peer drivers licensed in accordance with the terms of Chapter 590 shall have their licenses renewed for each succeeding year if applicable fee requirements and other requirements of the Columbus City Codes are met. A renewal may be denied if a peer to peer driver's current license is suspended or revoked pursuant to the provisions of Section 590.14.~~

#### 590.9 Transfer of Peer to Peer Transportation Network Driver's License

~~No Peer to Peer Transportation Network Driver's License issued to a peer to peer driver shall be transferred from one (1) driver to another. If at any time the license holder chooses to no longer operate as a peer to peer driver, the Peer to Peer Driver's License shall revert back to the City of Columbus.~~

#### 590.10 Change of Address

~~Any licensed peer to peer driver shall notify the License Section of any change of address within thirty (30) days of such change. Failure to provide notice shall result in a one (1) day suspension for each day the change of address is not provided after the thirtieth (30) day.~~

**SECTION 30.** That Section 590.11 of the Columbus City Codes is hereby amended and renumbered to read as follows:

#### 590.11 ~~590.04~~ Driver Standards

- ~~(a) During the time that a peer to peer driver is logged on to the online application, any license officer shall have the power to inspect a peer to peer driver and the driver's vehicle upon any complaint or reasonable cause to suspect a violation of this Chapter.~~
  - ~~(1) If, upon any inspection, a driver is found to be not in compliance with the standards established for drivers in the Chapter or in the rules and regulations adopted by the Board, the license officer shall impound the driver identification card of such driver, remove the decal, and notify the proper peer to peer company.~~
  - ~~(2) If the driver desires to contest the action of the license officer, the driver must inform the license officer at the time the driver identification card is impounded. A formal complaint will then be filed by the license officer who will present the complaint to the Director. Such a request by the driver shall be deemed a waiver of the ten (10) day notice required by Section 585.15. Any driver who requests a formal review shall be allowed to retain the driver's driver identification card and the right to drive pending action by the Director.~~

~~(b) No peer to peer driver shall engage in any of the following conduct:~~

~~(1) Operate, drive, or be in physical control of a peer to peer vehicle while under the influence of alcohol, a drug of abuse, or the combined influence of alcohol and a drug of abuse;~~

~~(2) Talk on a mobile/smart phone while operating, driving, or being in physical control of a peer to peer vehicle while a fare is in the vehicle;~~

~~(3) Text on a mobile/smart phone while operating or driving a peer to peer vehicle in violation of Section 2131.44 of the Columbus City Code;~~

~~(4) Operate or drive a peer to peer vehicle while wearing earphones, earbuds, or headsets over the ears or with a television, visible to the driver, operating in the vehicle;~~

~~(5) Solicit or accept a passenger on the street or by any means other than through prearrangement on a peer to peer transportation network;~~

~~(6) Accept a cash fare from a passenger; or~~

~~(c) Upon request, a peer to peer driver shall display to the Director, law enforcement and/or license officer a physical or electronic record of a ride in progress sufficient to establish that it was prearranged. To the extent that trip records are contained on electronic devices, peer to peer drivers are not required to relinquish custody of the device in order to make the required display.~~

(a) No TNC driver shall engage in any of the following conduct:

(1) Operate, drive, or be in physical control of a TNC vehicle while under the influence of alcohol, a drug of abuse, or the combined influence of alcohol and a drug of abuse;

(2) Talk on a mobile/smart phone while operating, driving, or being in physical control of a TNC vehicle while a fare is in the vehicle;

(3) Text on a mobile/smart phone while operating or driving a TNC vehicle in violation of Section 2131.44;

(4) Operate or drive a TNC vehicle while wearing earphones, earbuds, or headsets over the ears or with a television, visible to the driver, operating in the vehicle;

(5) Solicit or accept a passenger on the street or by any means other than through prearrangement on a TNC digital network; or

(6) Accept a cash fare from a passenger.

(7) ~~Permit a non-fare paying passenger (i.e., family member, friend, coworker, etc.) to occupy a peer to peer vehicle while a paying passenger is present in the vehicle.~~

(b) Upon request, a TNC driver shall display to the director, law enforcement and/or license officer a physical or electronic record of a ride in progress sufficient to establish that it was prearranged. To the extent that trip records are contained on electronic devices, TNC drivers are not required to relinquish custody of the device in order to make the required display.

**SECTION 31.** That Section 590.12 of the Columbus City Codes is hereby amended and renumbered to read as follows:

590.12 590.05 Peer to Peer Transportation Network Company Driver Vehicle Standards

(a) All TNC drivers' ~~peer to peer~~ vehicles shall be reasonably clean and in safe condition so as not to cause personal injury to, or damage the clothing or possessions of, the passenger(s). TNC Peer to peer drivers may only use passenger vehicles that have not been significantly modified from factory specifications (i.e., no "stretch" vehicles). Every TNC driver's ~~peer to peer~~ vehicle shall meet the following standards:

(1) Have a minimum of three (3) doors;

(2) A working light within the passenger compartment;

(3) Manufacturer installed safety belts, which may be used at the option of the passenger, numbering no fewer than the maximum occupancy of the TNC peer to peer vehicle;

(4) Must not require the movement of a seat or any portion of a seat to gain access to another seat, with the exception of a wheelchair specialty vehicle; and

(5) At the time of inspection, not older than ten (10) vehicle years as determined by the Vehicle Identification Number.

~~(b) Peer to peer drivers shall be held criminally liable for using a vehicle that does not meet the standards set forth in Section 590.12(a) and has not passed a vehicle inspection pursuant to Section 590.13.~~

**SECTION 32.** That Section 590.13 of the Columbus City Codes is hereby amended and renumbered to read as follows:

590.13 ~~590.06~~ Vehicle Inspections

~~(a) The Director shall establish the criteria and the procedure for a reasonable inspection to be performed prior to initial licensing and prior to any renewal.~~

~~(1) The Director shall provide all peer to peer transportation network drivers with a City of Columbus annual mechanical inspection form. The driver must have the vehicle inspected by an ASE certified mechanic that is not employed by the driver or peer to peer company and that does not have a vested interest in the management affairs of the driver and/or owner of the vehicle or peer to peer company. The inspection form must be signed and stamped by the ASE certified mechanic and submitted to the License Section with an original invoice and any defect repair paperwork.~~

~~(2) The inspecting establishment shall provide a copy of the annual mechanical inspection form to the owner of the vehicle. The original form shall be submitted at the time of application prior to the issuance or renewal of a license pursuant to Section 590.04(e)(3).~~

~~(3) All inspection criteria must be satisfactory prior to the approval of licensing. If any portion of the inspection is unsatisfactory, the vehicle owner shall cause the condition to be corrected and shall have the vehicle re-inspected by the original ASE-certified mechanic.~~

~~(b) The Director shall make or cause to be made additional inspections of peer to peer vehicles at least once during the twelve month period after initial licensure or at any other time at the discretion of the Director at no charge to the driver.~~

~~(1) If, upon any inspection, a vehicle is found to be unsafe, unclean, or unsightly, a license officer or law enforcement officer may remove the decal and direct that the vehicle be taken out of service until the vehicle is in compliance. Such vehicle taken out of service must be re-inspected at a cost of twenty five dollars (\$25.00) per additional inspection and approved by a license officer before being returned to service.~~

~~(2) The license officer shall cause a memorandum of such inspection failure to be recorded on the record of the driver of said vehicle that is maintained by the License Section.~~

~~(3) The license officer shall provide the vehicle driver the cause(s) for failure in writing.~~

~~(c) After a vehicle successfully completes the inspection and pays a decal fee of ten dollars (\$10.00), the decal shall be issued by the Director and be affixed to the vehicle in an assigned location. The decal shall clearly indicate that the vehicle has received and satisfied the inspection.~~

The TNC shall ensure that the vehicles used by TNC drivers to transport passengers are subject to a standard 19-point vehicle inspection annually by a qualified automotive technician. Such qualification may be established by a the technician's possession of an industry certification or the technician's knowledge and experience with motor vehicles, or both.

**SECTION 33.** That Section 590.14 of the Columbus City Codes is hereby amended and renumbered to read as follows:

590.14 ~~590.07~~ Grounds for Permanent Revocation, Revocation, and Suspension

The Director may permanently revoke, revoke, or suspend the license of any licensed peer to peer driver for any of the following acts or omissions by the driver:

- ~~(a) Obtained a license by making a false statement on the driver's application, or upon misrepresentation or false statements in the driver's affidavit in applying for a duplicate peer to peer transportation network driver's license or driver identification card;~~
- ~~(b) Has become physically or mentally incapable of operating a peer to peer vehicle;~~
- ~~(c) The driver has been found in violation of misconduct, which includes, but is not limited to:
  - ~~(1) Possessing or using any controlled substance, as defined in Section 3719.01 of the Ohio Revised Code, not specifically prescribed for the driver by a physician, or possessing any open intoxicating liquor container while in a peer to peer vehicle;~~
  - ~~(2) Operating, driving, or otherwise being in physical control of a peer to peer vehicle where gambling is occurring regardless of whether the operator receives a percentage of the proceeds or not;~~
  - ~~(3) Accumulating more than eight (8) points within a three (3) year period on the driver's Ohio Driver License. This shall apply whether the number of points was accumulated before the granting of a Peer to Peer Transportation Network Driver's License or while operating a peer to peer vehicle;~~
  - ~~(4) Failing to report within twenty four (24) hours any accident in which the licensee is involved to the appropriate law enforcement agency;~~
  - ~~(5) Operating a peer to peer vehicle which is unclean or unsightly. If, upon inspection under Section 590.13, a vehicle is found to be in violation of this subsection, the Director shall cause a memorandum of the inspection failure to be placed on the record of the driver and a copy of the memorandum be sent to the appropriate peer to peer company;~~
  - ~~(6) Picking up a passenger on airport grounds for the purpose of providing peer to peer services during a period for which the airport administrator or the administrator's designee has suspended the right of the driver to operate on those grounds, except that such driver may discharge a passenger at the airport if the trip has originated off airport property;~~
  - ~~(7) Violating any driver standard in Section 590.11; with the exception of Section 590.11(a)(2) which will require a decision from the Director;~~
  - ~~(8) Being convicted of any criminal or traffic offense that would preclude a person from obtaining a Peer to Peer Transportation Network Driver's License in the application process;~~
  - ~~(9) Operating a peer to peer vehicle while not in compliance with the standards established for drivers in the rules and regulations adopted by the Board. Any reprimand for this subsection shall be recorded on the permanent record of the driver and a copy of the reprimand be sent to the appropriate peer to peer company;~~
  - ~~(10) Failing to appear before the Director when properly notified to do so;~~
  - ~~(11) Engaging in disruptive behavior or misconduct at a meeting of the Board. This includes, but is not limited to, the use of profanity, yelling, screaming, preventing a recognized speaker from speaking, and failing to follow the rulings of the chairperson;~~
  - ~~(12) Threatening or attempting to intimidate any employee of the City of Columbus for actions taken in the enforcement of the provisions of Chapters 585 through 594 of the Columbus City Codes; or~~
  - ~~(13) Engaging in any other form of misconduct, which constitutes a departure from the generally accepted practices of peer to peer drivers or which demonstrates personal characteristics rendering a person unsuitable to operate a peer to peer vehicle.~~~~

A transportation network company (TNC) shall not permit an individual to act as a TNC Driver on its digital platform when:

(a) The driver has become physically or mentally incapable of operating a vehicle;

(b) The driver has been found in violation of misconduct, which includes, but is not limited to:

- (1) Possessing or using any controlled substance, as defined in Section 3719.01 of the Ohio Revised Code, not specifically prescribed for the driver by a physician, or possessing any open intoxicating liquor container while providing TNC service;

- (2) Operating, driving, or otherwise being in physical control of a transportation network company vehicle where gambling is occurring regardless of whether the operator receives a percentage of the proceeds or not;
- (3) Accumulating more than three moving violations, or one major violation, within a three (3) year period (including, but not limited to, attempting to evade the police, reckless driving, or driving on a suspended or revoked license). This shall apply regardless of whether the violation(s) accumulated before the granting of access to the TNC's digital network or while providing TNC services;
- (4) Failing to report within twenty-four (24) hours any accident in which the licensee is involved to the appropriate law enforcement agency;
- (5) Providing TNC service in a vehicle which is unclean or unsightly.;
- (6) Picking up a passenger on airport grounds for the purpose of providing TNC services during a period for which the airport administrator or the administrator's designee has suspended the right of the driver to operate on those grounds, except that such driver may discharge a passenger at the airport if the trip has originated off airport property;
- (7) Violating any driver standard in Section 590.11; with the exception of Section 590.11(a)(2) which will require a decision from the director;
- (8) Being convicted of any criminal or traffic offense that would preclude a TNC from permitting a person to act as a TNC driver on its digital platform pursuant to 590.02;
- (9) Providing TNC service while not in compliance with the standards established for drivers in the rules and regulations adopted by the board. Any reprimand for this subsection shall be recorded on the permanent record of the driver and a copy of the reprimand be sent to the appropriate TNC;
- (10) Failing to appear before the director when properly notified to do so;
- (11) Engaging in disruptive behavior or misconduct at a meeting of the board. This includes, but is not limited to, the use of profanity, yelling, screaming, preventing a recognized speaker from speaking, and failing to follow the rulings of the chairperson;
- (12) Threatening or attempting to intimidate any employee of the city of Columbus for actions taken in the enforcement of the provisions of Chapters 585 through 594; or
- (13) Engaging in any other form of misconduct, which constitutes a departure from the generally accepted practices of TNC drivers or which demonstrates personal characteristics rendering a person unsuitable to provide TNC service.

**SECTION 34.** That existing Sections 590.15, 590.16, 590.17, 590.18 and 590.99 of the Columbus City Codes are hereby repealed in their entirety.

#### ~~590.15 Suspension by Director~~

~~When a peer to peer driver presents an immediate danger to the health, safety, or welfare of the citizens of Columbus, the Director may immediately suspend the license of such person at the Director's discretion. When a driver is notified of the suspension, the driver shall surrender the driver's Peer to Peer Transportation Network Driver's License, driver identification card, and decal to the Director or the License Section. The License Section shall immediately contact the appropriate peer to peer company and have the driver's access to the peer to peer transportation network suspended immediately pending the conclusion of an investigation. Pending a decision by the Director, the License Manager may impose a temporary suspension for a period not to exceed twenty four (24) hours. This temporary suspension shall not be extended by the License Manager.~~

~~A driver shall have the right of appeal to the Board of License Appeals of any such suspension in accordance with Section 505.06 of the Columbus City Code.~~

#### ~~590.16 Driving While Ohio Driver License is Suspended or Revoked~~

~~Whenever a licensed peer to peer driver's Ohio Driver's License is under suspension, revocation, or has expired, the Peer to Peer Transportation Network Driver's License and access to the peer to peer transportation network shall be suspended or revoked for the same period of time.~~

#### 590.17 Return of License

~~Upon the Director's refusal to grant renewal under the provisions of Section 590.06, or upon the Director's suspension, revocation or permanent revocation of any Peer to Peer Transportation Network Driver's License, the driver shall return to the Director the driver's Peer to Peer Transportation Network Driver's License. In the case that the license is no longer in the applicant's possession, the applicant shall file an affidavit with the Director stating that the license is no longer in the applicant's possession due to unintentional mistake or neglect. Failure to file such affidavit or to return the Peer to Peer Transportation Network Driver's License shall be punishable pursuant to the penalties contained in Section 590.99.~~

#### 590.18 Reapplications

~~If an applicant has been denied a license or a driver's Peer to Peer Transportation Network Driver's License has been revoked, no new application shall be considered for a period of ninety (90) days. If the Peer to Peer Transportation Network Driver's License was revoked for driving a vehicle during a period for which the applicant's license had been suspended, as provided in Section 590.14, the applicant shall not be eligible to receive a new license for a period of one (1) year from the date of revocation. In cases of permanent revocation, the applicant is not eligible to reapply.~~

#### 590.99 Penalties

~~(a) Whoever violates Sections 590.02, 590.11(b), 590.11(c), 590.12(b), 590.16, and 590.17 of this Chapter shall be guilty of a misdemeanor of the first degree. Any such violation shall constitute a separate offense on each successive day continued.~~

~~(b) A violation of any section of Chapter 590 shall be grounds for the suspension, revocation or permanent revocation of the Peer to Peer Transportation Network Driver's License, or in the case of a new application shall be grounds to refuse to issue such license for a determinate period of time up to ninety (90) days or permanently.~~

~~(c) Any violation of the rules and regulations promulgated by the Board pursuant to this Chapter shall be grounds for suspension, revocation or permanent revocation of the Peer to Peer Transportation Network Driver's License, or in the case of a new application shall be grounds to refuse to issue such license for a determinate period of time up to ninety (90) days or permanently.~~

**SECTION 35.** That prior existing sections 585.01, 585.03, 585.04, 585.051, 585.07, 585.13, 588.02, 588.03, 588.04, 588.05, 588.06, 588.07, 588.08, 588.09, 588.10, 588.11, 588.12, 588.14, 588.15, 588.16, 588.17, 588.20, 588.99, 590.02, 590.03, 590.11, 590.12, 590.13 and 590.14 are hereby repealed.

**SECTION 36.** That Ordinance 3009-2015, passed by this Council on January 11, 2016, is hereby repealed and replaced as provided herein.

**SECTION 37.** That for the reasons stated in the preamble hereto, which is hereby made a part hereof, this ordinance is hereby declared to be an emergency measure and shall take effect and be in force from and after its passage and approval by the Mayor, or 10 days after passage if the Mayor neither approves nor vetoes the same.