
ENGROSSED SUBSTITUTE SENATE BILL 5877

State of Washington

54th Legislature

1995 Regular Session

By Senate Committee on Transportation (originally sponsored by Senators Heavey, Haugen, Wood, Deccio and Rasmussen)

Read first time 03/03/95.

1 AN ACT Relating to the regulation of limousines, taxicabs, and
2 other for hire vehicle services; amending RCW 81.90.010, 81.90.080,
3 81.90.160, and 46.72.010; and adding a new section to chapter 46.72
4 RCW.

5 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

6 **Sec. 1.** RCW 81.90.010 and 1989 c 283 s 1 are each amended to read
7 as follows:

8 Unless the context clearly requires otherwise, the definitions in
9 this section apply throughout this chapter.

10 (1) "Commission" means the Washington utilities and transportation
11 commission.

12 (2) "Limousine" means a chauffeur-driven, luxurious automobile with
13 a seating capacity in the rear seating area of not less than four nor
14 more than twelve passengers; a wheelbase that has been expanded by the
15 manufacturer or otherwise beyond the original manufacturer's
16 specifications, and that meets current standards of the Washington
17 state patrol; and includes one or more of the following amenities in
18 the rear seating area: A television, a musical sound system,
19 telephone, ice storage, power-operated divider, and additional interior

1 lighting. The term "limousine" excludes taxicabs or other for hire
2 vehicles, hearses or other funeral home vehicles, station wagons,
3 trucks, vans, minivans, buses, or minibuses.

4 (3) "Person or persons" means an individual, a corporation,
5 association, joint stock association, and partnership, or their
6 lessees, trustees, or receivers.

7 ~~((3))~~ (4) "Public highway" includes every public street, road, or
8 highway in this state.

9 ~~((4) "Motor vehicle" means every self-propelled vehicle, commonly~~
10 ~~referred to as a limousine, with seating capacity for four to sixteen~~
11 ~~persons, excluding the driver.))~~

12 (5) Subject to the exclusions of RCW 81.90.020, "limousine charter
13 party carrier of passengers" means every person engaged in the
14 transportation of a person or group of persons, who, under a single
15 contract, acquires on a prearranged basis the use of a limousine to
16 travel to a specified destination or for a particular itinerary(~~(~~
17 ~~either agreed upon in advance or modified by the person or group of~~
18 ~~persons after having left the place of origin)).~~

19 (6) "Chauffeur" means any person with a valid Washington state
20 driver's license who is authorized by the Washington utilities and
21 transportation commission to drive a limousine under this chapter, or
22 when a port district in a county with a population of one million or
23 more regulates limousines under RCW 81.90.080, meets the district's
24 qualifications and licensing requirements.

25 (7) "Prearranged basis" refers to the manner in which the carrier
26 dispatches vehicles. All limousine carriers must operate from a main
27 office and may have satellite offices. However, no office may be in a
28 vehicle of any type. All arrangements for the carrier's services must
29 be made through its offices and dispatched to the carrier's vehicles.
30 Under no circumstances may customers or customers' agents make
31 arrangements for immediate rental of a carrier's vehicle with the
32 driver of the vehicle, even if the driver is an owner or officer of the
33 company, with the single exception of stand-hail limousines only at a
34 facility owned and operated by a port district in a county with a
35 population of one million or more that are licensed and restricted by
36 the rules and policies set forth by the port district.

37 **Sec. 2.** RCW 81.90.080 and 1989 c 283 s 8 are each amended to read
38 as follows:

1 It is the duty of the commission to regulate limousine charter
2 party carriers with respect to safety of equipment, chauffeur
3 qualifications, and safety of operations. The commission shall
4 establish rules and regulations and require such reports as are
5 necessary to carry out the provisions of this chapter.

6 However, a port district in a county with a population of one
7 million or more may regulate limousine charter party carriers with
8 respect to safety of equipment, chauffeur qualifications, and safety of
9 operations. When a port district does regulate in this manner, it,
10 instead of the commission, has the powers and responsibilities under
11 RCW 81.90.110. A port district may not set limousine rates, but the
12 limousine charter party carriers shall file their rates and schedules
13 with the port district.

14 **Sec. 3.** RCW 81.90.160 and 1989 c 283 s 16 are each amended to read
15 as follows:

16 Except as provided in RCW 81.90.080 when a port district regulates
17 limousine charter party carriers, the state of Washington fully
18 occupies and preempts the entire field of regulation over limousine
19 charter party carriers of passengers as regulated by this chapter.
20 Cities, towns, and counties or other municipalities may enact only
21 those laws and ordinances relating to limousine charter party carriers
22 of passengers regulation that are consistent with this chapter.
23 Cities, towns, and counties or other municipalities may enact laws and
24 ordinances which require limousine charter party carriers of passengers
25 to pay business and occupation taxes.

26 **Sec. 4.** RCW 46.72.010 and 1991 c 99 s 1 are each amended to read
27 as follows:

28 When used in this chapter:

29 (1) The term "for hire vehicle" includes all vehicles used for the
30 transportation of passengers for compensation, except auto stages,
31 school buses operating exclusively under a contract to a school
32 district, ride-sharing vehicles under chapter 46.74 RCW, ((and))
33 limousine charter party carriers licensed under chapter 81.90 RCW whose
34 sole use as a for hire vehicle is that of a limousine charter party
35 carrier, vehicles used by nonprofit transportation providers for
36 elderly or handicapped persons and their attendants under chapter 81.66
37 RCW, vehicles used by auto transportation companies licensed under

1 chapter 81.68 RCW, vehicles used to provide courtesy transportation at
2 no charge to and from parking lots, hotels and rental offices, and
3 vehicles used by charter party carriers of passengers and excursion
4 service carriers licensed under chapter 81.70 RCW;

5 (2) The term "for hire operator" means and includes any person,
6 concern, or entity engaged in the transportation of passengers for
7 compensation in for hire vehicles.

8 NEW SECTION. Sec. 5. A new section is added to chapter 46.72 RCW
9 to read as follows:

10 Cities, counties, and port districts may license, control, and
11 regulate all for hire vehicles operating within their respective
12 jurisdictions. The power to regulate includes:

13 (1) Regulating entry into the business of providing for hire
14 vehicle transportation services;

15 (2) Requiring a license to be purchased as a condition of operating
16 a for hire vehicle and the right to revoke, cancel, or refuse to
17 reissue a license for failure to comply with regulatory requirements;

18 (3) Controlling the rates charged for providing for hire vehicle
19 transportation service and the manner in which rates are calculated and
20 collected;

21 (4) Regulating the routes and operations of for hire vehicles,
22 including restricting access to airports;

23 (5) Establishing safety, equipment, and insurance requirements; and

24 (6) Any other requirements adopted to ensure safe and reliable for
25 hire vehicle transportation service.

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