
SENATE BILL 5877

State of Washington 54th Legislature 1995 Regular Session

By Senators Heavey, Haugen, Wood, Deccio and Rasmussen

Read first time 02/10/95. Referred to Committee on Transportation.

1 AN ACT Relating to the regulation of limousines, taxicabs, and
2 other for hire vehicle services; amending RCW 81.90.010, 81.90.020,
3 81.90.030, 46.72.010, 46.72.020, and 81.72.210; adding new sections to
4 chapter 81.90 RCW; and adding a new section to chapter 46.72 RCW.

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

6 NEW SECTION. **Sec. 1.** A new section is added to chapter 81.90 RCW
7 to read as follows:

8 The legislature finds and declares that privately operated
9 limousine charter party carriers of passengers are a vital part of the
10 transportation system within the state. Consequently, the safety,
11 reliability, and economic viability and stability of privately operated
12 limousine charter party carriers of passengers are matters of state-
13 wide importance, and the regulation of such carriers is thus an
14 essential governmental function. For these reasons it is the intent of
15 the legislature to permit counties and port districts of the state to
16 regulate limousine charter party carriers of passengers without
17 liability under federal antitrust laws.

1 **Sec. 2.** RCW 81.90.010 and 1989 c 283 s 1 are each amended to read
2 as follows:

3 Unless the context clearly requires otherwise, the definitions in
4 this section apply throughout this chapter.

5 (1) ~~(("Commission" means the Washington utilities and
6 transportation commission.~~

7 ~~(2))~~ "Limousine" means a chauffeur-driven, luxurious automobile
8 with a seating capacity in the rear seating area of not less than four
9 nor more than twelve passengers; a wheelbase that has been expanded by
10 the manufacturer or otherwise beyond the original manufacturer's
11 specifications, and that meets current standards of the department of
12 transportation; one or more amenities in the rear seating area
13 including, but not limited to a television, a musical sound system,
14 telephone, ice storage, power-operated divider, or additional interior
15 lighting. The term "limousine" excludes taxicabs or other for hire
16 vehicles, hearses or other funeral home vehicles, station wagons,
17 trucks, vans, minivans, buses, or minibuses.

18 (2) "Person or persons" means an individual, a corporation,
19 association, joint stock association, and partnership, or their
20 lessees, trustees, or receivers.

21 (3) "Public highway" includes every public street, road, or highway
22 in this state.

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

26 ~~(5))~~ Subject to the exclusions of RCW 81.90.020, "limousine
27 charter party carrier of passengers" means every person engaged in the
28 transportation of a person or group of persons, who, under a single
29 contract, acquires the use of a limousine to travel to a specified
30 destination or for a particular itinerary, either agreed upon in
31 advance or modified by the person or group of persons after having left
32 the place of origin.

33 ~~((6))~~ (5) "Chauffeur" means any person ((with)) who possesses
34 both a valid Washington state driver's license ((authorized by the
35 Washington utilities and transportation commission to drive a limousine
36 under this chapter)) and a valid for hire driver's license issued under
37 chapter 46.72 RCW.

1 NEW SECTION. **Sec. 3.** A new section is added to chapter 81.90 RCW
2 to read as follows:

3 To protect the public health, safety, and welfare, counties and
4 port districts of the state may license, control, and regulate
5 limousine charter party carriers of passengers operating within their
6 respective jurisdictions. The power to regulate includes:

7 (1) Regulating entry into the business of operating as a limousine
8 charter party carrier of passengers;

9 (2) Requiring a license to be purchased as a condition of operating
10 as a limousine charter party carrier of passengers and the right to
11 revoke, cancel, or refuse to reissue a license for failure to comply
12 with regulatory requirements;

13 (3) Controlling the rates charged for providing services as a
14 limousine charter party carrier of passengers and the manner in which
15 rates and charges are calculated and collected;

16 (4) Regulating the routes of limousine charter party carriers of
17 passengers, including restricting access to airports;

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

19 (6) Any other requirements adopted to ensure safe and reliable
20 services by limousine charter party carriers of passengers.

21 NEW SECTION. **Sec. 4.** A new section is added to chapter 81.90 RCW
22 to read as follows:

23 A county or port district may enter into cooperative agreements
24 with any other county or port district for the joint regulation of
25 limousine charter party carriers of passengers. Cooperative agreements
26 may provide for, but are not limited to, the granting, revocation, and
27 suspension of joint licenses for limousine charter party carriers of
28 passengers.

29 **Sec. 5.** RCW 81.90.020 and 1989 c 283 s 2 are each amended to read
30 as follows:

31 The provisions of this chapter do not apply to:

32 (1) Persons or their lessees, receivers, ~~((or))~~ trustees, or
33 employees or agents insofar as they own, control, operate, or manage
34 taxicabs when operated as such;

35 (2) Private passenger vehicles carrying passengers on a
36 noncommercial enterprise basis;

1 (3) Charter party carriers of passengers under chapter 81.70 RCW;
2 and
3 (4) Persons who operate vehicles in private carriage.

4 **Sec. 6.** RCW 81.90.030 and 1989 c 283 s 3 are each amended to read
5 as follows:

6 (1) No person may engage in the business of a limousine charter
7 party carrier of persons over any public highway without first having
8 obtained a ~~((certificate or registration from the commission to do so))~~
9 for hire permit and any other permit required and issued by a county or
10 a port district.

11 (2) All limousine charter party carriers of passengers shall
12 operate out of one or more offices, but none of the offices may be in
13 a vehicle of any type. All arrangements for the limousine charter
14 party carrier's services must be prearranged through the carrier's
15 office and transmitted from the office to the carrier's limousines at
16 least one hour before the time at which the carrier's vehicle is
17 scheduled to pick up the customer or customers. Under no circumstances
18 may customers or customers' agents make arrangements for immediate
19 rental of a carrier's limousines.

20 (3) A limousine may display no advertising or other informational
21 material other than the name and telephone number of the limousine
22 charter party carrier of passengers, which may be displayed in an area
23 no greater than twelve inches by twelve inches on the side or rear of
24 the limousine.

25 **Sec. 7.** RCW 46.72.010 and 1991 c 99 s 1 are each amended to read
26 as follows:

27 When used in this chapter:

28 (1) The term "for hire vehicle" includes all vehicles used for the
29 transportation of passengers for compensation, except auto stages,
30 school buses operating exclusively under a contract to a school
31 district, ride-sharing vehicles under chapter 46.74 RCW, ((and
32 limousine charter party carriers licensed under chapter 81.90 RCW whose
33 sole use as a for hire vehicle is that of a limousine charter party
34 carrier)) vehicles used by nonprofit transportation providers for
35 elderly or handicapped persons and their attendants under chapter 81.66
36 RCW, vehicles used by auto transportation companies licensed under
37 chapter 81.68 RCW, and vehicles used by charter party carriers of

1 passengers and excursion service carriers licensed under chapter 81.70
2 RCW;

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

6 **Sec. 8.** RCW 46.72.020 and 1992 c 114 s 1 are each amended to read
7 as follows:

8 No for hire operator shall cause operation of a for hire vehicle
9 upon any highway of this state without first obtaining a permit from
10 (~~the director of licensing, except for those for hire operators~~
11 ~~regulated by cities or~~) counties or port districts in accordance with
12 this chapter, chapter 81.72 RCW, or chapter 81.90 RCW. Application for
13 a permit shall be made on forms provided by the (~~director~~) county or
14 port district and shall include (1) the name and address of the owner
15 or owners, and if a corporation, the names and addresses of the
16 principal officers thereof; (2) (~~city, town or~~) locality in which any
17 vehicle will be operated; (3) name and motor number of any vehicle to
18 be operated; (4) the endorsement of a (~~city~~) county official
19 authorizing an operator under a law or ordinance requiring a license;
20 and (5) such other information as the (~~director~~) county or port
21 district may require.

22 NEW SECTION. **Sec. 9.** A new section is added to chapter 46.72 RCW
23 to read as follows:

24 Counties and port districts may license, control, and regulate all
25 for hire vehicles operating within their respective jurisdictions. The
26 power to regulate includes:

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

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

32 (3) Controlling the rates charged for providing for hire vehicle
33 transportation service and the manner in which rates are calculated and
34 collected;

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

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

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

3 **Sec. 10.** RCW 81.72.210 and 1984 c 126 s 2 are each amended to read
4 as follows:

5 To protect the public health, safety, and welfare, ((cities,
6 towns,)) counties((,)) and port districts of the state may license,
7 control, and regulate privately operated taxicab transportation
8 services operating within their respective jurisdictions. The power to
9 regulate includes:

10 (1) Regulating entry into the business of providing taxicab
11 transportation services;

12 (2) Requiring a license to be purchased as a condition of operating
13 a taxicab and the right to revoke, cancel, or refuse to reissue a
14 license for failure to comply with regulatory requirements;

15 (3) Controlling the rates charged for providing taxicab
16 transportation service and the manner in which rates are calculated and
17 collected, including the establishment of zones as the basis for rates;

18 (4) Regulating the routes of taxicabs, including restricting access
19 to airports;

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

21 (6) Any other requirements adopted to ensure safe and reliable
22 taxicab service.

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