

Chapter 5.76
TRANSPORTATION OF PERSONS WITH DISABILITIES

Article I. Definitions

5.76.010: DEFINITIONS AND INTERPRETATION OF LANGUAGE:

The words and phrases used in this chapter shall have the meanings defined and set forth in this article. (Prior code § 45-1-1)

5.76.020: CERTIFICATE:

"Certificate" means a certificate of public convenience and necessity issued by the city, authorizing the holder thereof to conduct in Salt Lake City a business in the transportation of persons with disabilities, pursuant to this chapter. (Ord. 20-06 § 1, 2006: Ord. 51-89 § 4, 1989: prior code § 45-1-5)

5.76.030: DRIVER'S LICENSE:

"Driver's license" shall mean the operator's certificate required pursuant to section [5.71.250](#) of this title, which constitutes permission granted by the city council to a person to drive a "special transportation vehicle", as defined in this chapter, upon the streets of the city. (Ord. 48-07 § 7, 2007: prior code § 45-1-6)

5.76.040: PERSONS WITH DISABILITIES:

"Persons with disabilities" means persons who are not acutely ill, who do not for any reason require the services of an ambulance, and who, by reason of physical or mental infirmity, may not be conveniently transported on public mass transportation, other than in a taxicab, without the special equipment provided for in this chapter. (Ord. 20-06 § 1, 2006: Ord. 61-05 § 1, 2005: prior code § 45-1-3)

5.76.050: HOLDER:

"Holder" means a person to whom a certificate of public convenience and necessity has been issued. (Prior code § 45-1-7)

5.76.060: MANIFEST:

"Manifest" means a daily record prepared by a driver of a "special transportation vehicle", as defined in this article, of all trips made by such driver, showing times and places of origin and destination, number of passengers, the charge for each trip, and generally the nature of the illness or disability of each person transported. (Ord. 20-06 § 1, 2006: prior code § 45-1-8)

5.76.070: PERSON:

(Rep. by Ord. 37-99 § 1, 1999)

5.76.080: SPECIAL TRANSPORTATION VEHICLE:

"Special transportation vehicle" means any self-propelled motor vehicle for hire, other than an ambulance or taxicab, which vehicle is designed, equipped and used for the transportation of "persons with disabilities", as defined in this article. (Ord. 20-06 § 1, 2006: Ord. 61-05 § 2, 2005: prior code § 45-1-2)

5.76.090: TRANSPORTATION:

"Transportation" means the carrying or movement, by special transportation vehicles, of persons with disabilities. Such transportation shall not include, however, the movement of sick, injured or infirm persons who require the use of a stretcher or litter; except that special transportation vehicles may utilize stretchers in the transportation of "persons with disabilities", as defined in this article, when such transportation is performed pursuant to a prior written contract with any governmental agency caring for or supervising the care of persons with disabilities, which contract provides for the transportation of persons of which stretcher patients are a part. (Ord. 20-06 § 1, 2006: prior code § 45-1-4)

Article II. Certificate Of Public Convenience And Necessity

5.76.100: REQUIRED FOR OPERATION:

No person shall operate, or permit to be operated, a special transportation vehicle owned or controlled by such person upon the streets of the city without having first obtained a certificate of public convenience and necessity from the mayor, authorizing the operation of a "special transportation vehicle" as defined in this chapter, in accordance with [chapter 5.05](#) of this title, or its successor. (Ord. 51-89 § 4, 1989: prior code § 45-2-1)

5.76.110: APPLICATION; ADDITIONAL INFORMATION REQUIRED:

In addition to the application requirements of section [5.05.105](#) of this title, or its successor, the application, verified under oath, shall show the experience of the applicant in the transportation of persons with disabilities and its training program in first aid. (Ord. 20-06 § 1, 2006: Ord. 51-89 § 4, 1989: prior code § 45-2-2)

5.76.120: FEES:

No certificate shall be issued or continued in operation unless the holder thereof has paid an annual disproportionate business regulatory fee as set forth in section [5.04.070](#) of this title, or its successor. (Ord. 37-99 § 3, 1999: Ord. 88-97 § 1, 1997: Ord. 51-89 § 4, 1989: Ord. 34-87 § 107, 1987: prior code § 45-2-10)

5.76.130: EXISTING LICENSEES ALLOWED CERTIFICATES:

All persons who have operated special transportation vehicles under permits or licenses issued by the city prior to October 1, 1966, or are authorized to operate ambulances under certificates granting authority prior to October 1, 1966, shall have a certificate of public convenience and necessity awarded to them, allowing them to operate the same number of vehicles as they are presently operating, or are authorized to operate, either as an ambulance or as a special transportation vehicle, without the hearing provided in [chapter 5.05](#) of this title, and without a finding of public convenience and necessity, provided that they file, within sixty (60) days after the effective date hereof, the applications required herein and pay the fees required by this chapter, and qualify under its other terms. (Ord. 51-89 § 4, 1989: prior code § 45-2-8)

Article III. Driver Operator's Certificate

5.76.230: OPERATOR'S CERTIFICATE REQUIRED:

It shall be unlawful for any person to operate a special transportation vehicle for hire within the city without having first obtained and having then in force a valid operator's certificate issued pursuant to [chapter 5.71](#), article VI, of this title and it shall be unlawful for any person or business to permit a special transportation vehicle to be so operated unless its driver has such an operator's certificate. (Ord. 48-07 § 8, 2007: prior code § 45-3-1)

Article IV. Vehicle Equipment, Operation And Maintenance

5.76.450: VEHICLE INSPECTION SPECIFICATIONS:

No license shall be issued until each special transportation vehicle to be used under this chapter has been thoroughly and carefully inspected by the police department and certified by the state as provided by state law, and found to be in a safe condition for the transportation of persons with disabilities, to be clean, of good appearance and well painted, and to have such equipment as may be required by state law including, but not limited to, the following:

- A. Doorways wide enough to accommodate a wheelchair;
- B. Ramps or lifting devices for elevating persons with disabilities from the curb or sidewalk into the special transportation vehicle, which ramps and lifting devices must be stored inside the special transportation vehicle while it is moving;
- C. Adequate means of securing persons with disabilities safely to the inside of the special transportation vehicle and safety belts for all passengers;

- D. A door, in addition to those provided in such vehicles for normal ingress and egress, located at the rear thereof, to be used as a method of escape in case of an emergency;
- E. A fire extinguisher, and first aid equipment and supplies, as prescribed and amended from time to time by state law. (Ord. 20-06 § 1, 2006: amended during 1/88 supplement: prior code § 45-4-1)

5.76.460: LICENSE UPON SATISFACTORY INSPECTION:

No license shall issue hereunder until the police department shall have found and certified that the special transportation vehicle has met the standards established by state law and this chapter. (Amended during 1/88 supplement: prior code § 45-4-2)

5.76.470: PERIODIC INSPECTIONS:

Every special transportation vehicle operating under this chapter shall be inspected every six (6) months by the city and as required by state law to ensure the continued maintenance of safe, clean and proper operating conditions. (Ord. 37-99 § 3, 1999: amended during 1/88 supplement: prior code § 45-4-3)

5.76.480: CLEAN AND SANITARY CONDITION OF VEHICLES:

Every special transportation vehicle operating under this chapter shall be kept in a clean and sanitary condition, according to the rules and regulations promulgated by the state. (Amended during 1/88 supplement: prior code § 45-4-4)

5.76.490: IDENTIFYING DESIGN:

Each special transportation vehicle shall bear on the outside of each rear or front door, in painted letters not less than five-sixteenths inch ($\frac{5}{16}$ ") stroke and more than two and one-fourth inches ($2\frac{1}{4}$ ") in height, the words "special transportation", the name of the holder and the company number, which name and number shall also be painted on the rear of the special transportation vehicle and, in addition, the vehicle may bear an identifying design approved by the mayor. (Prior code § 45-4-5)

5.76.500: CONFLICTING OR MISLEADING DESIGNS:

No special transportation vehicle covered by the terms of this chapter shall be licensed whose color scheme, identifying design, monogram or insignia to be used thereon shall, in the opinion of the mayor, conflict with or imitate any color scheme, identifying design, monogram or insignia used on a vehicle or vehicles already operating under this chapter, in such a manner as to be misleading or tend to deceive or defraud the public; and provided further, that if, after a license has been issued for a special transportation vehicle hereunder, the color scheme, identifying design, monogram or insignia thereof is changed so as to be, in the opinion of the mayor, in conflict with or in imitation of any

color scheme, identifying design, monogram or insignia used by any other person, owner or operator, in such a manner as to be misleading or tend to deceive the public, the certificate covering such shall be suspended or revoked. (Prior code § 45-4-6)

5.76.510: SIRENS AND EMERGENCY EQUIPMENT PROHIBITED:

No special transportation vehicle licensed under this chapter shall be equipped with a siren, or be permitted to operate as an emergency vehicle. (Ord. 5-94 § 30, 1994: prior code § 45-4-7)

5.76.520: NO OPERATION OF STREET STANDS:

Holders under the terms of this chapter shall not operate street stands, and their vehicles shall not accept passengers except on orders received at the licensee's dispatching office, or by appointment or contract. (Prior code § 45-4-8)

Article V. Fare Schedule, Manifests And Records

5.76.530: FARES AND CHARGES; FILING REQUIREMENTS:

Any holder of a certificate shall keep on file with the mayor or such board or officer as the mayor shall designate, a current schedule of all fares and charges for its transportation service under this chapter, and no transportation shall be performed or service rendered except in conformity therewith. This section shall not apply to rates established by agreement with any public or private school, charitable or nonprofit organization, or the federal or state governments or any political subdivision thereof. (Prior code § 45-5-6)

5.76.540: MANIFESTS; CONTENTS; DRIVER'S DUTIES:

Every driver shall maintain a daily manifest upon which are reported all trips made during such driver's hours of work, showing time and place of origin and destination of each trip and the name of the passenger transported, and all of such manifests shall be returned to the holder by the driver at the conclusion of his or her working day. (Prior code § 45-5-1)

5.76.550: MANIFESTS; FORMS:

The forms for each manifest shall be furnished to the driver by the holder, and shall be of a character approved by the mayor. (Prior code § 45-5-2)

5.76.560: MANIFESTS; RETENTION PERIOD:

Every holder of a certificate of public convenience and necessity shall retain and preserve all drivers' manifests in a safe place for at least one calendar year after the

current calendar year in which such manifests are made, and such manifests shall be available to the police department. (Prior code § 45-5-3)

5.76.570: RECORD KEEPING REQUIREMENTS:

Every holder shall keep accurate records of receipts from operations, operating and other expenses, capital expenditures, and such other operating information as may be required by the mayor, which records shall be made available to the chief of police and the state for inspection. (Amended during 1/88 supplement: prior code § 45-5-4)

5.76.580: RECORDS; ACCESSIBLE FOR EXAMINATION:

Every holder shall maintain the records containing such information and other data required by this chapter at a place readily accessible for examination by the mayor. (Prior code § 45-5-5)

Article VI. Exemptions And Enforcement

5.76.590: EXEMPTIONS TO CHAPTER APPLICABILITY:

The provisions of this chapter shall not be deemed to have any application to the transportation by the city, any of its departments, or to any driver performing such transportation, or to the transportation of persons with disabilities by an ambulance or a taxicab, whether or not such ambulance or taxicab is designed or equipped with the special equipment provided for in this chapter. (Ord. 20-06 § 1, 2006: Ord. 61-05 § 3, 2005: prior code § 45-6-1)

5.76.600: ENFORCEMENT; POLICE DEPARTMENT AUTHORITY:

The police department of the city is hereby given the authority and is instructed to watch and observe the conduct of holders and drivers operating under this chapter. (Prior code § 45-6-2)

5.76.610: VIOLATION; CRIMINAL PROCEEDINGS; REPORT TO MAYOR:

Upon discovery of a violation of the provisions of this chapter, in addition to criminal proceedings, the police department shall report the same to the mayor, and the mayor will order or take appropriate action respecting the licenses or certificates of the persons involved. (Prior code § 45-6-3)