CHARLOTTE

Charlotte City Council

Community Safety Committee

Meeting Summary for May 29, 2012

COMMITTEE AGENDA TOPICS

I. Subject: **PVH Ordinance**
Action: None

II. Subject: **Next Meeting**
Wednesday, June 20, 2012 at noon in Room 280

COMMITTEE INFORMATION

Present: Patrick Cannon, Andy Dulin, Claire Fallon and Beth Pickering
Time: 12:15 pm – 1:05 pm

ATTACHMENTS

1. Agenda Package

DISCUSSION HIGHLIGHTS

Chairman Cannon called the meeting to order and asked everyone in the room to introduce themselves.

I. PVH Ordinance

Chairman Cannon said the item on today's agenda is the PVH Ordinance and he referenced the "Referral of Taxi Cab Vehicle Age Limit" document (copy attached). He then turned it over to Assistant City Manager Eric Campbell.

Mr. Campbell added that we've been talking about PVH, in general, since about June of 2010 so we are well into two years in some form or fashion. In all of those discussions the age limit has been included. When originally talked about, the age limit was proposed as a "6 and 6", 6 years for the taxi cab and 6 years for the black car industry and

that was passed unanimously by Council. It was then referred back to the Committee for additional consideration. The Community Safety Committee at that time made a recommendation of 6 years for taxi cabs and 8 years for black cars and when that came before the full Council that was further amended to the 10 years for the black cars and 6 years for the taxi cabs, including an additional definition of specialty vehicles at that time. That is where we are now, all to be effective July 1, 2012. It was referred again to the Community Safety Committee for taxi cab only consideration for age limits and that is where we are today.

Cannon: You will recall that one of the suggestions I'd made during one of the Committee meetings happened to be that 7 years might be something that the Committee would consider. I also came back and gave the rationale for why 6 years is something that has been out there, which basically comes from the rolling stock on the federal level. With that, I will open it up for any discussion from the Committee.

Pickering: Looking at these options that staff has provided for us, my preference would be to increase the age limit. I would suggest that we increase it to 8 years. Black cars are at 10, taxis are at 6. I think increasing it is important and I think the drivers are feeling a real burden and hardship if we don't. What I think Council wants to see is everybody working and I certainly want to see that. I think 8 years is a happy medium. I'm sure there are some who would prefer 10, but I think if we can agree to 8, decide on it, that is it and that is the end of the discussion.

Dulin: From what we know of the industry represented here today, and what has been over the last couple of years a small number of representatives. Are they good with 8? With six, we might have squeezed them a little bit much. I'm not comfortable with 10 years. Can we go with 8 today and the folks that you work with be okay?

Kirk Young: Yes, I believe 8 would be fine.

Dulin: Daniel, you are on the front row every day with these men and women. You hear it every single day. I was comfortable at 6 but we squeezed that a little bit tight and I'm not comfortable with 10. Can we go to 8 and your work continue or the person that follows you continue okay with the industry?

Buckley: I don't see anything wrong with 8 based on the vehicles I've looked at and the inspections I've done on the roadside traffic stop. Ten would be a little more out there with respect to maintenance that needs to be done. I think 8 would be okay.

Dulin: The 6 was supposed to start July 1 and if we made a motion to Council today and then it comes to a vote, when would it come to a revote to the full Council and would that be before July 1 so that we can just roll 8 into the language, instead of 6?

Campbell: It would be before July 1, but it would be the last meeting in June based on the current schedule.

Fallon: When does the 8 years start, from the day the car is bought, the day the car is registered or the day that is on that little plate that tells you when the car was made?

Tracy Evans: The age of the car starts with the manufacturer's date so it would be the plate on the vehicle.

Fallon: If they buy a car new, but a year old, they've lost a year?

Evans: Correct.

Dulin: That is something that the industry would be very good at, knowing when to buy and what to buy. It is their profession in my opinion. Ms. Pickering would you like to make a motion or would you like for me to jump in? I think you had some very good leadership with your words.

Cannon: She has pretty much made a recommendation, I'll just call it a motion. Is that right for 8 years?

Pickering: Yes.

Dulin: I'll second that and may I speak to that? I'm not asking for input today from the leaders that are here, but I need to give you some props because you've been active here. I've become good friends with some of you and I'm very interested in making sure we continue to work on your industry. I want you all [the industry] to continue to crank up the volume knob of getting things where I can be proud of it. I don't mind correcting it back to 8 years, but when we do that I want you all to live with it and I want you all to make it work. That will be my challenge to you and we are putting a challenge on you.

Cannon: I know that when you all attended our City Council meeting there was a picture of a couple vehicles that we saw and the idea was to simply say, look at this, we can't tell what year this represents and what year that represents, but what we really couldn't determine was how the engine was also running. I think Mr. Dulin is right, we are looking when you all make us proud of the city. We aren't looking to find a way to make sure that we don't have to find a way to continue to support you in your line of work. That is really important to us and that is why here today because we care about the well being of you and there are people out there that are suffering. If there are still questions we invite you to bring those to us because we remain open. I firmly believe that Mr. Dulin, and Ms. Pickering have put together what I think is the most you can expect considering the almost 15 years this issue has been out there on the block.

Speaker: I am satisfied with your decision of 8 years, but one thing is why do you go by the manufacturer date? If you can go by the registration date of when we purchase the vehicle that would be helpful.

Cannon: I'm going to ask for staff's feedback on response to that please.

Thomas Powers: I think in regards to question of why staff goes with the actual manufacturers date is because that is a set date that staff can look at. In regards to the title or anything of that nature, that can change so that will actually put an administrative burden on staff to go back and research whether the car has actually changed hands multiple times to apply the 8 year limit. That will create a mass of fluctuations in regards to a vehicle actually registered 8 years to one owner or just being 8 years titled here in North Carolina. I think the manufacturer's information as listed on the car is a consistent policy to apply to 8 years which eases the administrative burden and allows what I think is Council's prerogative on this issue of vehicles 8 years or younger on the roads.

Cannon: Did you understand the logic in that?

Dulin: I don't understand that. Can you walk be back through that slower? I'm not saying I disagree with you. Currently, if they buy a car that is 2 years old, that would technically be affordable, then that car only has 6 years use life as a commercial vehicle?

Powers: As a passenger vehicle, yes.

Dulin: If you buy a 5-year old car it only has three years?

Powers: That is correct, yes.

Campbell: The opposite approach of what Mr. Powers mentioned was if a car is bought outside of the State of North Carolina that is older, but then it is registered with a different title, then that difference from the title that is on the door plate and when it was registered here in the state, which means it may be actually older than 8 years old.

Dulin: So, I can see how a fleet manager of a taxi cab company would go to an auction and try to buy however many cars they need and buy fifteen 6-year old cars, have them re-plated or reissued for North Carolina and then they get 8 years of service.

Powers: That is why we are sticking to the manufacturer's information where based on the year in which it was manufactured, 8 years from then because under the scenario you just described, there could be that situation where they could bring the car from out of state, it could already be close to the 8-year mark, but if we did it based upon when it was registered or titled then they may have 8 years to the point where the car may be upward 10, close to 20 years possibly, depending on how that scenario could play out.

Dulin: If they are going to get a full 8 years worth of service out of a car it has to be purchased new, for instance you can go to Town and Country Ford right now and buy a new car, but it is not a 2013, it is 2011 or 2012. That takes 2 years service off the car right away. That is interesting because that is almost an impressive hit.

Cannon: How many of you are independent drivers? How many are tied up with a company like Yellow or Checker? I don't know which angle you are driving at?

Dulin: I'm not driving at any angle; I'm just trying to learn the process Mr. Chair.

Cannon: Think about we are on the other side of the water, if I were a representative of the industry. I guess what I would argue is if I go out and buy a 2009 or a 2010 that my years are actually going to be minus 2 years and if it a 10 it will be 6 years. So are you really giving me an opportunity to have it on the road for 8 years? We've always known this. What we've done essentially is to sort of increase that a couple more years for them without having to make a full stretch. Am I right in my assumption?

Campbell: The plate has always been used as the benchmark age limit because of what that age limit was. That hasn't changed that has always been our practice to use the manufacturer's date.

Fallon: What about the title where it says new? Could it be registered from then as long as it said new on the title, so they don't lose the two years? In other words if they buy a 2012 next year when it is 2013, it is a brand new car, it is really not a year old so the title says new it doesn't say used, it says new. Couldn't it start from that title?

Powers: The only problem that I would caution in regards to using the title issue is that giving that scenario if we happen to look at it from the perspective of allowing the greatest use of 8 years for the drivers we also have to look at it from the greatest disuse towards the PVH system. My general concern in regards to the administrative issues is that they would have to pull everyone's title to verify when the car was actually purchased which would then create mass fluctuations as to whether you have 8 years for this vehicle or whether you have less than 8 years for that vehicle and you would have a wide range of vehicles that could be less than 8 years on the road to those that are greater than 8 years or even 10 years on the road.

Fallon: There is not that big a difference. I'm going with the 8 years on the plate because that makes it the easiest for the City and it gives the drivers the 8 years. I think that will go through the Council without a problem. If we start ratifying it and delineating little things we are going to have problems with everybody wanting to add in something or take something out and it will never get done.

Powers: I think what the gentlemen was asking, he just purchased 2012 vehicles that were manufactured in 2011 so that is what the manufacturer's date says. With taking that into perspective and you said it was 2013 but you are buying in 2012, you are already getting a discounted price anyway because of the new models coming in. You are actually already making a better investment, getting the older car. That manufacturer's plate does sometimes lose them a year, it just depends on when it was manufactured, but when they come to us they have to register anyway. This also applies to black cars.

Cannon: I don't worry about the black car but I want to make sure we are as objective as we can because what I heard you make mention of a moment ago was the administrative aspect. We are up against the clock and I want to get this thing in and out of Committee so that they aren't trapped in at 6 years.

Campbell: The 8 years could be implemented and we could take a look at the administrative aspect of it going down the line, but we can go ahead and move forward with the 8 years.

Cannon: I'll settle with that if the rest of the Committee is okay.

Dulin: Officer Buckley, do we have the technology and the ability to make the differentiation between the plate on the door and the registration and our paper work telling us that is a new car that still has 8 years worth of productivity in it? That is what I would like to figure out. I don't mind if they buy a 3-year old used car at Darlington Auto and having only 5 years of production out of that car, but if somebody says I'm going to borrow the money and buy a new car so I have 8 full years of production out of this and 8 years to pay the lease off, then I think we ought to help them do that.

Cannon: Keep something in mind. Just because you go out and purchase the vehicle that you hope to have over an 8 year period, doesn't necessarily mean they are going to keep that vehicle for the duration of that period. The same way you or I would go and buy and buy a car today and we are trading and buying something else in another two or three years. We are talking about scenarios, those are moving targets out there and you don't know what is on their minds. I just don't want us to be pegged down in thinking that because somebody goes out and buys a vehicle they are going to want to keep it for that timeframe, because it can surely be changed. You still have maintenance issues and you still could be in a wreck of some sort. There are all kinds of scenarios out there and I just wondered if you were factoring those things in.

Evans: I wanted to point out that the vehicle age limit is not hard fast date of July 1. You go from the month and the year on the plate to the month and the year 8 years later. It is not necessarily that they are losing one full year. It goes from whatever that month is, so if it is June 2011, then in June 2019 it needs to come out of service, not necessarily January 1.

Cannon: I think we are okay with where we are with the current motion on the floor. I do think we need to get a little bit more information on the administration piece of this in case we want to come back and take a look at that. We will just ask for a simple report back to the Committee on any administration.

The vote was taken on the motion to recommend to Council to increase the age limit from 6 years to 8 years. (Passed 4-0)

Campbell: As I mentioned to Mr. Dulin, this is scheduled for June 25 Council Business Meeting for approval by the full Council.

Cannon: Is there anything more on this subject? I want to thank staff for their level of energy and due diligence in trying to see this through and being able to work with what the Committee has asked in way of this recommendation.

Dulin: I got a request from the media about the number of handicap accessible cabs we have. I was told that we had three at the Airport and I said I don't know, but I bet that is going to ramp up.

Evans: I did an interview with them as well via phone and what we told them is we have 15 accessible vehicles in the City spread over 8 different companies. As you know, there are three contracted companies with the Airport so there are three accessible vehicles through those three contracted companies, however a handicapped person that needs an accessible vehicle can prearrange with any of the 15 vehicles that are in the City when they are going to the Airport.

Campbell: To give you some comparison Mr. Dulin, in talking with some of the insured representatives, Minneapolis and Denver had anywhere from 16 to 18 accessible vehicles so we are right there in that range.

Dulin: Do they have a longer shelf life than standard cabs?

Evans: Yes, at the last business meeting we exempted accessible vehicles and there is no age limit at this point.

Cannon: The industry has been good to work with us on several related issues that staff has been engaged with them on as well to insure that people do have rides in accessible vehicles where they might be needed.

Cannon: The Civil Service Board Annual Report is an attachment. Does anybody have any questions with regards to this report. If you have not read it please do check it out. One of the things that I ask Robin LoFurno to do was to find a letter that I had submitted to the Chair of the Civil Service Board. As you know, we have made a couple changes to the Civil Service Board's membership in our last City Council meeting and one thing I hope we will be able to do is to get a report from the Chair of that Committee. It is a very important Committee but I hope we can get the Chair of that Committee to the full Council to kind of let us know how things are progressing over there.

Campbell: We can do that, but it will probably need to be pushed back until after September.

Cannon: That's fine.

Meeting adjourned at 1:05 p.m.

Community Safety Committee

Tuesday, May 29, 2012; 12:00 – 1:30 pm

Room CH-14

Committee Members:	Patrick Cannon, Chair Beth Pickering, Vice Chair Michael Barnes Andy Dulin Claire Fallon
Staff Resource:	Eric D. Campbell

AGENDA

I. <u>PVH Ordinance</u>

Staff Resource: Tracy Evans & Thomas Powers

At the April 23, 2012 City Council meeting, a referral was approved for the Community Safety Committee to revisit the vehicle age limit for Taxi Cabs. Staff will provide information and options for the Committee's consideration.

<u>Attachment:</u> 1. Background Information.pdf

<u>Attachment:</u> Civil Service Board Annual Report – for information only

<u>Next Meeting</u>: Wednesday, June 20 at Noon in Room 280

Distribution:	Mayor/City Council Bob Hagemann Captain Willis	Curt Walton, City Manager Stephanie Kelly	Leadership Team Rodney Monroe

CHARLOTTE

Memorandum

TO: Community Safety Committee

FROM: Eric D. Campbell, Assistant City Manager
Thomas E. Powers III, Assistant City Attorney
Tracey Evans, Assistant City Attorney - Police

DATE: May 25, 2012

RE: Referral of Taxi Cab Vehicle Age Limit

During its April 23, 2012 Business Meeting, Council referred the Taxi Cab Vehicle Age Limit under the Passenger Vehicle For Hire ("PVH") Ordinance to its Community Safety Committee for further review. This memorandum provides the relevant ordinance provisions, the prior revisions to Section 22-287, a summary of the PVH vehicle age data, and options for consideration. At this time, staff has no recommendation for the Committee's consideration.

I. Relevant Ordinance Provisions:

- Section 22-287(a)(1) – (Current ordinance language) Sets the vehicle age limit for black cars at ten years and for taxi cabs at six years. Both vehicle age limits are effective on July 1, 2012. Continues exemption from age limit for accessible vehicles, limousines, and unique vehicles.

- Section 22-287(a)(3) – Requires vehicles to be taken out of service once vehicles are in violation of age limit.

II. Prior Revisions to Section 22-287 ("Vehicle Age Limit")

- Ordinance Adopted July 25, 2011

  Council adopted a six year vehicle age limit for all PVH vehicles and made the new vehicle age limit effective as of July 1, 2012. Prior to the adoption of the revised Section 22-287, the vehicle age limit was ten years for all PVH vehicles. Limousines and unique vehicles were exempted from the vehicle age limit.

- Ordinance Adopted November 28, 2011

  Council adopted a ten year vehicle age limit only for black cars (i.e. executive limos) and made the black car vehicle age limit effective as of July 1, 2012. The taxi cab

vehicle age limit remained at six years effective as of July 1, 2012. Limousines and unique vehicles were exempted from the vehicle age limit.

- Ordinance Adopted May 14, 2012

  Council exempted accessible vehicles from the vehicle age limit. Accessible vehicles are defined as taxicabs that are capable of transporting passengers with disabilities or physical impairments. Prior to the exemption, 14 out of the 15 available accessible vehicles were subject to the six year vehicle age limit. All accessible vehicles will continue to operate; provided that each accessible vehicle passes an annual inspection.

III. PVH Vehicle Age Data – Summary

The chart below represents data of 230 black cars and 863 taxi cabs found in the PVH database as of November 11, 2011. The top three most popular vehicles for black cars are a Lincoln Town Car, Cadillac Escalade, and Chevrolet Suburban. The top three most popular vehicles for taxi cabs are a Crown Victoria, Dodge Caravan/Dodge Grand Caravan, and the Chevrolet Venture.

Overall, there are minimal differences between taxi cabs and black cars in the average vehicle age, the lowest (70%), and the highest (70%). Yet, there are significant differences between taxi cabs and black cars based upon the 2011 price of the top three most popular vehicles.

	Taxi Cabs	**Black Cars**
Population	863	230
Average Vehicle Age	5 years 8 months	5 years 9 months
Highest (70%)	8 years 2 months	8 years 0 months
Lowest (70%)	3 years 3 months	3 years 6 months
Most Popular #1	**Crown Victoria**	**Lincoln Town Car**
2011 Price (Model Year)	$12,459 (2006)	$14,335 (2006)
2011 Price (Model Year)	$18,894 (2009)	$25,240 (2009)
2011 Price (Model Year)	N/A	$48,170 (2012)
Most Popular #2	**Dodge Caravan**	**Cadillac Escalade**
2011 Price (Model Year)	$8,755 (2006)	$24,091 (2006)
2011 Price (Model Year)	$15,912 (2009)	$44,422 (2009)
2011 Price (Model Year)	$21,830 (2012)	$64,120 (2012)
Most Popular #3	**Chevrolet Venture**	**Chevrolet Suburban**
2011 Price (Model Year)	$6,544 (2003)	$17,199 (2006)
2011 Price (Model Year)	$7,647 (2005)	$29,483 (2009)
2011 Price (Model Year)	N/A	$42,865 (2012)

Staff could not provide the average mileage for taxi cabs and black cars because the City's contractor did not record that information during each inspection. Staff instructed the City's contractor to retain that information going forward.

IV. **Options For Consideration:**

- *Delay Effective Date*. Change effective date of six year taxi cab vehicle age limit from July 1, 2012, to July 1, 2013. Allow any taxi cab, between six and ten years in age, to operate until next year.

- *Grandfather provision*. Maintain six year taxi cab vehicle age limit beginning July 1, 2012. Permit any PVH vehicle, currently in service, under ten years in age to operate until the vehicle becomes ten years old. Applies to any PVH vehicle regardless of age if currently in service on September 1, 2011.

- *Age Limit Increase*. Increase the six year taxi cab vehicle age limit to an age limit between six and ten years. Applies to any taxi cab, regardless of age.

- *No Change*. Maintain six year age limit upon all PVH vehicles of beginning July 1, 2012. Limousines and unique vehicles are still exempt.

Staff is available to answer any questions concerning this memorandum that you may have. Please do not hesitate to contact us, our contact information is:

Eric D. Campbell:	704-336-2241 or ecampbell@charlottenc.gov
Thomas E. Powers III:	704-336-5877 or tpowers@charlottenc.gov
Tracey Evans:	704-353-1063 or tevans@cmpd.org

cc: Robert E. Hagemann, Esq./ City Attorney
Major Eddie Levins/CMPD
Captain Michelle Hummel/CMPD (w/enc.)
Kirk Young/Passenger Vehicle for Hire Manager
Mr. Jonathan Fine/Chair, Passenger Vehicle for Hire Board (w/enc.)

15. Passenger Vehicle for Hire Ordinance Amendments

Amended to exclude the provision to allow the Airport to enter into operating agreements with taxi companies for a maximum of five years

Action: **Approve the Community Safety Committee recommendation to adopt an ordinance amending Chapter 22 of the City Code, entitled "Passenger Vehicles for Hire."**

Committee Chair: Mayor Pro Tem Patrick Cannon

Staff Resources: Eric Campbell, City Manager's Office
S. Mujeeb Shah-Khan, City Attorney's Office
Major Douglas Gallant, Police

Explanation

- On June 28, 2010, City Council referred the Passenger Vehicle for Hire Ordinance (Chapter 22 of the City Code) to the Community Safety Committee as a result of taxi drivers' concerns with their working environment and relationship with affiliated taxi companies.
- The Community Safety Committee was asked to review the ordinance to determine if the ordinance needed to be amended to address issues in the Passenger Vehicle for Hire (PVH) industry, which also includes taxis, town cars (black cars), limousines, and other transportation vehicles.
- The Community Safety Committee unanimously (Cannon, Kinsey, Barnes, Dulin, Peacock) approved the proposed amendments to Chapter 22 at its June 15, 2011 meeting.
- Staff presented the proposed amendments to Council at the June 27, 2011 Dinner Briefing.

Background

- The overall purpose of regulating the passenger vehicle for hire industry is to preserve the health and welfare of citizens and protect citizens' property.
- In May 2000, City Council approved a revised Chapter 22 which created a new system of PVH regulation. These revisions to the PVH Ordinance (Chapter 22) included:
  - Creating the Passenger Vehicle for Hire Unit (PVH Unit) within Police
  - Creating an 11 member Passenger Vehicle for Hire Board
  - Creating licensing requirements for drivers, vehicle for hire companies and vehicle owners
  - Regulating all passenger vehicles for hire within the City
  - Requiring all drivers to receive training approved by the PVH Unit
- City Council approved amendments to the PVH Ordinance in August 2005, which modified vehicle age limits (from seven years to ten years) and made technical revisions to the ordinance.

PVH Ordinance Amendments Highlights

- Criminal Records Checks - Requires annual criminal records checks for applicants and applications can be denied for any felony conviction
- Age Limit Change – Starting July 1, 2012, no passenger vehicle for hire can be older than six years.
- Smoking – Drivers cannot smoke in vehicles at any time.
- Alternative Fuel Vehicles – Creates incentive for companies to purchase hybrids or electric-powered cars
- Driver's License – Requires all drivers to have a North Carolina or South Carolina license

- Technology – Requires back seat credit card devices and GPS navigation in all taxicabs
- Airport taxi service – Will allow the Airport to enter into operating agreements with taxi companies for a maximum of five years
- The proposed changes will be effective on September 1, 2011, except for the changes to the vehicle age limit and equipment specifications (such as credit card machines and GPS), which will be effective on July 1, 2012.
- After 18 months, staff will review the amendments and report findings to City Council.

Committee Discussion

- The Committee began its review of the PVH Ordinance at its September 16, 2010 meeting, and completed its review at its June 15, 2011 meeting.
- During the current review of the ordinance, City staff sought input from various stakeholders, which included:
  - Taxi drivers
  - Taxi company owners
  - Limousine and black car industry
  - PVH Board
  - CMPD
  - CDOT
- The industry could not reach a consensus on areas for review.
- Staff requested the Committee's guidance on three broad policy areas. The Committee unanimously decided not to proceed with changes in the three policy areas listed below:
  - Requirement of driver affiliation (i.e., medallion or independent driver's permit)
  - Regulation of taxi company franchise fees
  - Regulation of limousine (black car) rates by the PVH Board
- The Committee then directed staff to begin drafting revisions to the PVH Ordinance to address vehicle age limits, criminal records checks, use of technology in taxicabs, and smoking in vehicles.
- The Community Safety Committee also requested City staff to develop an incentive program to encourage PVH companies to implement full non-smoking policies for their vehicles.
- The Community Safety Committee unanimously (Cannon, Kinsey, Barnes, Dulin, Peacock) approved the proposed amendments to Chapter 22 at its June 15, 2011 meeting.

Attachment 5

Summary of Major Revisions
Summary of Revisions
Ordinance

Approved by City Council

To approve extending the age limit of black cars to 10 years and adopt the definition of unique vehicles.

15. Passenger Vehicle for Hire Ordinance Amendment

Action: **Approve the Community Safety Committee recommendation to amend Chapter 22, Article II, Section 22-287 to change provisions of the Passenger Vehicle for Hire Ordinance.**

Committee Chair: Patrick Cannon, Mayor Pro Tem

Staff Resources: Thomas Powers, City Attorney's Office
Tracey Evans, City Attorney's Office
Daniel Buckley, Passenger Vehicle For Hire Office

Explanation

- On July 25, 2011, City Council adopted revisions to Chapter 22 of the City Code, the Passenger Vehicle For Hire ("PVH") ordinance.
- Representatives from the Charlotte Regional Limo Association expressed concerns about the impact of the revised PVH ordinance upon the black car industry and asked for Council to undertake a review of the recent PVH ordinance revisions.
- On October 3, 2011, City Council referred three issues to the Community Safety Committee for further review: the 14 day window for drug testing; the six year vehicle age limit; and the probationary driver's permits.
  - The 14 day window for drug testing requires a PVH applicant to take a drug test no more than 14 days before or after the submission of a PVH application.
  - Probationary drivers' permits could be obtained prior to Council's adoption on July 25, 2011 of amendments to the PVH ordinance. After Council's adoption, no probationary permits may be issued and PVH applicants are required to receive a clean background check, pass a drug test, and complete the driving training course before receiving a PVH driver's permit.
  - The six year vehicle age limit will be effective July 1, 2012 under the current PVH ordinance. Any vehicles older than six years would need to be removed from service.

Committee Action

- The Committee and staff met twice to discuss the referral and to balance the concerns of all stakeholders.
- At its October 19, 2011 meeting, the Committee voted unanimously (Cannon, Kinsey, Barnes, Dulin, Peacock) to recommend that Council maintain the 14 day window for drug testing.
- Also at its October 19, 2011 meeting, the Committee voted unanimously (Cannon, Kinsey, Barnes, Peacock) to recommend that Council not reinstate the probationary drivers' permits.
- At its November 16, 2011 meeting, the Committee voted unanimously (Cannon, Kinsey, Barnes, Dulin) to recommend that Council maintain the six year vehicle age limit for taxi cabs and establish an eight year vehicle age limit for black cars.
  - As proposed, the six year age limit would apply only to taxi cabs and would be effective July 1, 2012. Taxi cabs older than six years would need to be removed from service.
  - As proposed, a new eight year age limit would apply only to black cars and would be effective July 1, 2012. Black cars older than eight years would need to be removed from service.

Attachment 6
Ordinance

66. Passenger Vehicle for Hire Text Amendment

Action: Adopt an ordinance amending the Passenger Vehicle for Hire Ordinance (Chapter 22) to eliminate the vehicle age limit for accessible vehicles, effective July 1, 2012.

Staff Resources: Thomas Powers III, Attorney's Office
Tracey Evans, Attorney's Office

Explanation

- Accessible vehicles are taxicabs that are capable of transporting passengers with disabilities or physical impairments.
- When City Council approved revisions to Chapter 22 on July 25, 2011, no exception to the vehicle age limit was included for accessible vehicles.
- Currently, the Passenger Vehicle for Hire Ordinance establishes a vehicle age limit of six years for taxicabs, which includes accessible vehicles.
- Because there is no exception to the vehicle age limit for accessible vehicles in the ordinance, on July 1, 2012, 14 out of the 15 available accessible vehicles will be removed from service. The ability to provide service to the disability community would be impaired.
- Staff recommends the text amendment to eliminate the vehicle age limit for accessible vehicles. The revised Passenger Vehicle for Hire Ordinance would allow accessible vehicles to operate within the city; provided that each accessible vehicle passes an annual inspection.
- The text amendment is limited only to accessible vehicles, and is not intended to alter the vehicle age limit for taxicabs or black cars. The vehicle age limit for taxi cabs has been referred to the Community Safety Committee.

Attachment 9
Ordinance

CHARLOTTE.

M E M O R A N D U M
FROM THE
OFFICE OF THE CITY CLERK

DATE: May 21, 2012
TO: Community Safety Committee Members
FROM: Stephanie C. Kelly, CMC, City Clerk
SUBJECT: **Attached Annual Report: Civil Service Board**

The attached report of the Civil Service Board is being sent to you pursuant to the Resolution related to Boards and Commissions adopted by City Council at the November 23, 2009 meeting. This resolution requires annual reports from City Council Boards and Commissions to be distributed by the City Clerk to both City Council and to the appropriate Committee for review.

If you have questions or comments for the board, please convey those to staff support for a response and/or follow-up.

Section 6. **REPORTS OF BOARDS, COMMITTEES, AND COMMISSIONS**

The City Council finds it appropriate to periodically review each standing board, committee, and commission to which they make appointments for the purpose of assessing whether said board, committee, or commission should be renewed, dismantled, expanded or its charge redefined. To this end, each board, committee, and commission that is part of the City, or that was established by the City Council, whether acting alone or in conjunction with one or more other local governments, is required to submit annual written reports that must contain in depth reviews of the body's activities, including goals, objectives, successes, problems, and/or the need for City Council assistance. These reports shall be submitted to the City Clerk and will be staggered through the year according to a schedule established by the City Clerk. The City Clerk shall then provide the Mayor and City Council with copies of the reports and refer the reports to the appropriate Council Committee for the Committee's information.

Boards, committees, and commissions that are not part of the City shall submit reports in accordance with the reporting requirements set forth in their contract, if any, with the City.

In addition to required written reports, the City Council may request on a case-by-case basis that an oral report be made to the Council.

MEMORANDUM

OFFICE OF THE CITY CLERK

DATE: May 1, 2012

TO: Mayor and City Council

FROM: Faison Kuester, Chair
Civil Service Board

SUBJECT: Report of the Civil Service Board

As required by the Charlotte City Charter and City Council's current policy for Boards and Commissions, the Civil Service Board is hereby submitting a report of its activities for the calendar year 2011.

1. The Civil Service Board was established by the North Carolina Public Local and Private Session Laws of 1929, Chapter 124.

2. At present, its principal functions are to approve new applicants for employment as submitted to the board by the Fire and Police Chiefs; to approve all promotions recommended by the Chiefs of both departments; to hold hearings for employees of these departments who have been cited for termination by the Chief; to hold hearings for employees of these departments, upon their request, against whom charges have been assigned by the Chiefs of the respective department; and to require that the departments investigate matters involving Police Officers or Firefighters in the public interest.

3. Members of the CSB as of this date are:

   Faison Kuester, Chair
   Brenda Johnson, Vice-Chair
   Norris Anderson
   Karen Burke
   German De Castro
   Henderson Hill
   Jason McGrath

   Members have met attendance requirements and serve without compensation.

During the period of this report, calendar year 2011, other members of the Board were:

Rion Choate
Mary Hopper

The Board meets the first Tuesday of each month at 4:00 pm in Charlotte Mecklenburg Government Center and holds hearings as needed.

The City Clerk serves as Clerk to the Board. The Board also receives assistance from the City's Legal Department.

4. The Board met in excess of 34 hours which included ten (10) regular meetings, one (1) special meeting and three (3) hearings. In addition, Board members prepare for meetings/hearings by reviewing applications, promotion recommendations, and hearings documents. Board members attend promotion ceremonies for Fire and Police personnel and graduation exercises for the Fire and Police Academies.

   The Board certified 124 applicants for the Police Department, 32 applicants for the Fire Department and approved 59 promotions for the Police Department and 59 promotions for the Fire Department. In addition, the Board approved the reinstatement of one firefighter.

5. The Board restates its mission: By working with the Police, Fire and Human Resources Departments, the Civil Service Board endeavors to set standards and procedures to provide the citizens of Charlotte with the best Fire and Police protection available.

cc: Curt Walton
Police Chief Rodney Moore
Fire Chief Jon Hannan