



Information Item

Date: July 16, 2009

To: Mayor and City Council
From: Elaine Polachek, Deputy City Manager
Subject: Taxicab Ordinance Provisions Governing Signs and Decals

Introduction

On June 30, 2009, the City Council introduced for first reading an ordinance establishing a franchise-based system for the regulation of taxicab operations and modifying existing provisions in the Santa Monica Municipal Code regulating taxicabs and other vehicles for hire. On July 14, 2009, the ordinance was presented to the City Council for second reading and adoption. The City Council expressed concerns that the restriction on signs on taxicabs in the ordinance would prohibit taxicabs licensed in Santa Monica from being able to simultaneously operate in other cities. The City Council continued the matter to July 28, 2009, and directed staff to determine whether this issue could be resolved within the confines of the ordinance, such as through taxicab rules and regulations, or whether it was necessary to make changes to the ordinance.

Discussion

The sign restriction in Section 6.49.100(d) of the introduced ordinance does not prohibit taxicabs from being licensed and permitted to operate in other cities, but could possibly be interpreted to have such an unintended effect. However, the current language in the introduced ordinance is open to interpretation. Cities and counties affix a decal, not a sign, to taxicabs permitted to operate in their jurisdictions. Taxicab “signs” and “taxicab identification decals” are contained in separate provisions in the ordinance and address different topics. The ordinance does not prohibit multiple “decals” on a taxicab. While

there is no definition of a “sign” or a “decal” in the ordinance, the taxicab regulations can readily resolve any perceived ambiguity to ensure that taxicabs would not be precluded from displaying decals from other cities and counties in order to operate in multiple jurisdictions. Any taxicab with a Santa Monica franchise would be eligible to seek approval to operate in any other jurisdiction

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