

By: Lucio III

H.B. No. 3358

A BILL TO BE ENTITLED

AN ACT

relating to municipal regulation of passenger transportation for compensation.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. The heading to Section 215.004, Local Government Code, is amended to read as follows:

Sec. 215.004. PASSENGER TRANSPORTATION SERVICES FOR COMPENSATION [~~TAXICABS AND LIMOUSINES~~].

SECTION 2. Sections 215.004(a), (a-1), (b), and (c), Local Government Code, are amended to read as follows:

(a) To protect the public health, safety, and welfare, a municipality by ordinance:

(1) except as provided by Subdivision (2), shall license, control, and otherwise regulate each private passenger vehicle, regardless of how it is propelled, that provides passenger [~~taxicab~~] transportation services for compensation and is designed for carrying no more than eight passengers; and

(2) may license, control, and otherwise regulate each private passenger vehicle, regardless of how it is propelled, that provides passenger limousine transportation services for compensation and is designed for carrying no more than 15 passengers.

(a-1) Subsection (a) applies to a passenger transportation [~~taxicab or limousine~~] service that provides passenger

1 transportation services for compensation to passengers [~~is~~
2 ~~operated~~]:

- 3 (1) within the jurisdiction of the municipality;
- 4 (2) on property owned by the municipality, singly or
5 jointly with one or more other municipalities or public agencies;
- 6 (3) on property in which the municipality possesses an
7 ownership interest; or
- 8 (4) by transporting from the municipality, municipal
9 property, or property in which the municipality has an interest and
10 returning to it.

11 (b) The ordinance may include:

- 12 (1) regulation of the entry into the business of
13 providing passenger [~~taxicab or limousine~~] transportation services
14 for compensation [~~, including controls, limits, or other~~
15 ~~restrictions on the total number of persons providing the~~
16 ~~services~~];
- 17 (2) regulation of the rates charged for the provision
18 of the services;
- 19 (3) establishment of safety and insurance
20 requirements; and
- 21 (4) any other requirement adopted to ensure safe and
22 reliable passenger transportation service.

23 (c) In regulating passenger [~~taxicab or limousine~~]
24 transportation services for compensation under this section, a
25 municipality is performing a governmental function. A municipality
26 may carry out the provisions of this section to the extent the
27 governing body of the municipality considers it necessary or

1 appropriate.

2 SECTION 3. This Act takes effect immediately if it receives
3 a vote of two-thirds of all the members elected to each house, as
4 provided by Section 39, Article III, Texas Constitution. If this
5 Act does not receive the vote necessary for immediate effect, this
6 Act takes effect September 1, 2015.